

**UNITED NATIONS RHETORIC OR REFORM:
OUTCOME OF THE HIGH-LEVEL EVENT**

HEARING AND BRIEFING
BEFORE THE
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UNITED NATIONS RHETORIC OR REFORM: OUTCOME OF THE HIGH-LEVEL EVENT

WEDNESDAY, SEPTEMBER 28, 2005

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 10:36 a.m. in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order. Today the Committee will conduct a hearing and subsequent briefing on the outcome of the United Nations High-level Event held in New York 2 weeks ago.

In addition to commemorating the 60th anniversary of the UN, a central focus of the High-level Event was reform of the United Nations, a subject that the Committee has been closely following.

This is the third hearing on UN reform held by the Full Committee this year. The Subcommittees have held numerous hearings on various aspects of reform and twice now the House has passed the UN Reform Act of 2005, once as a stand alone bill and the other as an amendment to the Foreign Relations Authorization Act of 2006.

This should send a clear and resounding message to the UN on where the House of Representatives stands on reform of the institution.

In addition, earlier this month the Ranking Democratic Member of this Committee, Mr. Lantos and I traveled to New York with our UN congressional delegates, Mr. Royce and Mr. Payne, on the eve of the High-level Event to conduct meetings and raise congressional concerns with the Secretary-General and various permanent representatives.

Although my good friend, Mr. Lantos and I may differ on the means necessary to implement reforms, we are of like mind on the substance of reforms needed for the UN to regain its credibility and live up to its charter goals.

Two weeks ago, an agreement was reached on an outcome document, which is viewed as the roadmap for reforming the United Nations. This document is a consensus one and as such, it contains broad statements on reform, at less in the way of specifics.

Certain language is welcome, such as the call to create a Human Rights Council and the support of the Democracy Fund. Other language, such as the call for the Secretary-General to submit an independent external evaluation of the UN's auditing and oversight mechanisms, the request for the review of and recommendations on

all mandates older than 5 years, and the request for the Secretary-General to submit detailed proposals for the creation of an Independent Oversight Advisory Committee and Ethics Office are welcomed, but tempered by the realization that calling for additional input and proposals and actually implementing those proposals are two distinct things.

Despite the yeoman's work of our new permanent representative—and he truly deserves our commendation for his tireless work in the run-up to the High-level Event—there are many items and details that were either unaddressed or left for a future General Assembly consideration.

The outcome document's lack of detail and definitive statements on critical areas, such as oversight, accountability management, and budgeting do not inspire confidence.

For example, on accountability, the document states that, "We emphasize the importance of ensuring the operational independence of the Office of Internal Oversight Services," but it is silent on budgetary and staffing independence. Without these two critical factors, OIOS is not truly independent.

Regarding the proposed Human Rights Council, the document states, "We resolve to create a Human Rights Council." Although this is welcomed, the fact that an agreement could not be reached on minimal membership criteria gives me pause.

After reviewing the outcome document, I am more convinced than ever that our congressional efforts are on the right track.

We must do everything in our power to ensure that reform occurs and that the UN agenda in general, under reform agenda in particular, are not hijacked.

The United Nations Reform Act of 2005, that twice has passed in the House, must be enacted into law. Good stewardship of the organization is owed, not only to the American taxpayers, who fund 22 percent of the organization's expenses, but also to millions of people who the United Nations serves.

I look forward to hearing from our distinguished guests, United States permanent representative to the UN, John Bolton and Mr. Mark Malloch Brown, Chief of Staff to the Secretary-General, on their views of the outcome document and the outlook for forward movement on those items addressed in the document and more importantly, those that were left unaddressed, but which will be pursued in the 60th session of the General Assembly.

I now turn to my good friend and colleague, Tom Lantos, for any remarks he may wish to offer.

Mr. LANTOS. Thank you very much, Mr. Chairman, both for holding this important hearing and for your continuing focus on the need to reform the United Nations.

Mr. Chairman, the Cold War ended almost 15 years ago, but incredibly the politics of the United Nations are still crippled by an anachronistic block of nonaligned nations whose mission in life is to castigate Israel and the United States and to undermine all of the important work the United Nations should be doing for peace and global security.

Mr. Chairman, this nonsense has to stop. Our UN diplomacy has to change permanently. We must make war on the culture of hate

and corruption that infects the halls of the United Nations in New York.

It is time for the United States to make it clear that no nation can continue to pretend that it is a friend of the United States, while its missions in New York and Geneva continue to stab us in the back.

Ironically, Mr. Chairman, it has become increasingly clear that if we want to save the United Nations and all that is constructive and essential about multilateralism, we need to apply quid pro quo diplomacy to engender consistent support for U.S. and global interests.

Let me be specific. The Administration came up with a proposal not long ago to provide India with all the assistance it needs in the field of nuclear energy development.

I indicated to the Administration that I will strongly support this proposal, which I believe is in our national interest.

But then it became clear that India will fight against one of the prime U.S. foreign policy objectives, namely to put an end to Iran's development of nuclear weapons, and India was going to vote against us at the IAEA in Vienna on this matter.

At the hearing involving Undersecretary of State, I made it clear that India cannot expect to accommodate herself, while she totally disregards our interests. I indicated great displeasure with India's policy.

There was a tremendous hubbub in the Indian media and the government reacted strongly, but last Saturday India voted with us in Vienna, because it decided it is more important to maintain its relationship with us than to accommodate the Ayatollah in Tehran.

This is a good object lesson and I think it is important for all of our friends and other countries abroad to understand that there will be a growing emphasis on quid pro quo in U.S. foreign policy. The age of naive idealism I think is over.

I would like to say at this stage, Mr. Chairman, that I was particularly pleased to see both Undersecretary Burns and Secretary of State Rice express their support for and confidence in Secretary-General Kofi Annan.

Undersecretary Nicholas Burns stated and I quote:

“Kofi Annan initiated the reforms we agreed to today and he championed those reforms and we found him to be over the last year one of our most stalworth allies in pushing nations around the world for these reforms.”

Secretary of State Condoleezza Rice sent a clear and unambiguous signal of U.S. support for the Secretary-General by stating and I quote:

“I have never had a better relationship with anyone than with Kofi Annan.”

Mr. Chairman, I agree with Dr. Rice. Kofi Annan is a friend and ally of the United States and I hope the irresponsible conversation calling for his resignation will have come to an end.

I very much look forward to listening to Ambassador Bolton and to our friend from the United Nations, Mr. Malloch Brown and I want to commend you again for holding this hearing.

Chairman HYDE. Thank you, Mr. Lantos.

Normally we try to recognize each Member for at least 1 minute to make an opening statement, but today we will have to forego that because of time constraints. We will try to make up for it in our next hearing.

I would like to welcome Ambassador John R. Bolton. He was appointed as U.S. permanent representative to the United Nations by President Bush on August 1, 2005.

Before assuming his position, Ambassador Bolton served as Undersecretary of State for Arms Control and International Security from May, 2001 to May, 2005.

Prior to this, he was the Senior Vice President of the American Enterprise Institute. Also served as Assistant Secretary of State for International Organizational Affairs.

Ambassador Bolton comes to his position with a wealth of knowledge and a wealth of experience. John, we are glad you are representing us at the UN. We know that U.S. interests could not be in more capable hands and we welcome your statement now. Thank you.

STATEMENT OF THE HONORABLE JOHN R. BOLTON, UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, U.S. DEPARTMENT OF STATE

Ambassador BOLTON. Thank you very much, Mr. Chairman, Congressman Lantos, other Members of the Committee. It is a pleasure to be back.

This Committee's leadership in oversight matters concerning our policy in the United Nations is well-known and I think very important and I would say in that regard that the visit that the Chairman and Mr. Lantos and Congressman Royce and Congressman Payne have made up to New York in the past couple of weeks was an example of that kind of involvement with UN related issues and very important.

I believe that is sincerely one of the reasons, I think, that the American tradition of having two Members of Congress, one from each party on a rotating basis between the House and the Senate, is such an important part of our representation in New York.

To have officials who are elected by real voters, real people come and say what they think is a measure, I think, of the strength of our system and the interest that people have in it.

As I said to Congressman Royce and Congressman Payne when they were up there, we are going to take advantage of every moment of their time that they can get and look forward to working together with them.

Mr. Chairman, I have kind of a lengthy prepared statement that I would like to submit for the record. We have had some production problems last night, but we will get a copy up here as promptly as possible today and I hope—just to summarize some of the points I made in the testimony—that is acceptable to you.

Mr. Chairman, we had nearly a year-long process of negotiation in preparation for the High-level Event that produced the outcome document that you referred to earlier.

It was an effort really involving all parts of the United States Government. Certainly before my arrival in New York, there were

extensive efforts, people coming up from Washington to work on the issue and as you know, we supported the outcome document with one reservation.

We adjoined in the consensus. We said at the time and we believe now that it was an important first step in a process of UN reform. It was not the alpha and the omega, but we never thought it would be the alpha and the omega.

I think that our attitude toward where we have been and where we go next could not have been summed up better than by Secretary Rice in her address to the opening of the 60th General Assembly when she said and I quote: "The United Nations must launch a lasting revolution of reform."

That is our approach and that is the objective that we are seeking.

I thought I would start off by just discussing two of the issues that we considered in the outcome document and have been and will remain important priorities for the United States.

The first is terrorism and the second is management reform. We felt that the language in the outcome document on terrorism was positive. We were extremely pleased that the President, during his trip, could participate in a Security Council summit, where the council unanimously adopted Resolution 1624, dealing with terrorist incitement and terrorist safe havens.

We think that this resolution was an important step forward and we believe that there is a larger potential role for the Security Council in the counterterrorism area, which we are going to be pursuing vigorously in the next several months.

In addition, the heads of government agreed in the outcome document that we wanted the prompt conclusion of negotiations on the Comprehensive Convention on International Terrorism. That has been a priority of the United States for some time.

We believe in the wake of the summit meeting that negotiations will move forward quickly and we hope that that is going to be another positive aspect of the summit meeting.

I will say though and really following on to what Congressman Lantos said about some of the internal politics in the UN that it was unfortunate that we had an extended debate as we went over the terrorism section in the outcome document about the role of national-liberation movements and whether there are two kinds of terrorism, sort of good terrorism in one capacity and bad terrorism in another.

There isn't any distinction here. All terrorism is bad, no matter whom it is directed against or for whatever purported justification and we thought we arrived at a satisfactory resolution of that issue in the outcome document and I hope that we can carry that through into the Comprehensive Convention on International Terrorism as well.

Second, in the area of management reform, it is true, Mr. Chairman, as you said, we didn't get everything we wanted, but we made progress and I would like to offer up to the Committee a list that I brought of about three pages long that we are going to be using—a little bit over two pages I should say—as a checklist of requirements for the UN Secretariat that come out of the outcome document.

These are specific tasks for follow-up on the management reform area that we expect the Secretariat will undertake and we will, of course, work very closely with them and with the other interested member governments, because this is a matter of such importance and urgency for us.

One of the critical things here is the speed with which we follow up. Everybody on this Committee is familiar with the budget cycle of Congress. The UN has a budget cycle too.

This fall we will approve a budget for the next biennium, for the next 2-year period, in the United Nations. I think it is very important, as a signal of commitment to management reform, that what was agreed to in the outcome document is implemented in time and reflected in the budget document so that the budget for the next 2 years reflects what governments agreed to and we don't lose 2 years, in effect, of waiting to implement some of these reforms. We will be working closely with the Secretariat on that point.

There are, of course, a range of things that were accomplished in the outcome document. A lot of additional work that remains to be done, as the Secretary-General himself said as recently as yesterday.

But this alone, of course, is not the end of reform as such. There are a variety of other things that we need to look at, not just management reform and the Secretariat, but I would describe it as governance reform within the UN system itself.

You know back in the Administration of the first President Bush, we had a concept we called the "Unitary UN." It was designed to provide an analytical framework for addressing questions of overlapping responsibilities and duplication in the UN system and looking at questions of appropriate funding.

I am very familiar with the bill that the House has passed. I am well aware of the distinction that was represented by Congressman Lantos' substitute and I have to say one of the things that was most impressive to our foreign colleagues—when you were up in New York—was that as the two of you, in the most cordial way, discussed this important substantive difference. This substantive difference, as you know Mr. Chairman, the Administration has with your version of the bill.

What was impressive to our foreign colleagues was that you spoke with one voice on the critical point of the need for UN reform. There was a significant difference in how to achieve that, but no disagreement on the broad point about the need for reform.

I think one other area of agreement that we want to look at is exploring ways in which we can find to use funding advantageously for the whole UN system, looking at the experience of different agencies that are funded in different ways.

I thought one of the most insightful comments that I have ever seen, frankly, on UN funding was made before this Committee last May by Cathy Bertini, 10 years the Executive Director of the World Food Program, who also served for, I think, 2½ years as Undersecretary General for Management in the UN.

I will just recall her comment for you, as she reflected on the differences between her days at the World Food Program, funded entirely by voluntary contributions and her days at the UN, funded of course by assessed contributions.

Ms. Bertini said and I quote:

“Voluntary funding creates an entirely different atmosphere at WFP than at the UN. At WFP, every staff member knows that we have to be as efficient, accountable, transparent and results oriented as is possible. If we are not, donor governments can take their funding elsewhere, in a very competitive world among UN agencies, NGO’s and bilateral government programs.”

There are a variety of other suggestions that are out there as well and I think the prepared testimony refers to the current example of the International Fund for Agricultural Development, a UN specialized agency that uses a system of replenishment funding, not dissimilar from the replenishment mechanism of the multilateral development banks that has proved very successful for IFAD.

I think, as we have said in our Statement of Administration Position on the bill that this Committee recorded, what we are really looking for is results based budgeting and accountability in the UN system and that will remain our touchstone.

We want to continue to work with the Committee and Congress as we discuss some of these questions.

In addition to finance, a broad area that we need to look at in the future involves decisionmaking within the UN system itself is not a Secretariat or management question.

This is a question for member governments as to how we go about making decisions in the various UN bodies. Senator Luger, for example, has asked whether we need all of the current committees of the UN General Assembly.

Others have asked whether the committees of the General Assembly ought to be committees of the whole. Should the UN General Assembly try to do all of its business constantly in committees of the whole?

We need to look at governing bodies and decisionmaking systems throughout the UN and all of its specialized agencies.

Of course, the most important body of all to us, the Security Council and the continuing question whether the United Nations should change the composition of the permanent membership of the council, whether it should add additional non-permanent seats.

These are issues that are not resolved in the outcome document, but of critical importance to the United States.

As the Committee knows, the United States has been a long and consistent supporter of making Japan a permanent member of the Security Council, a position that we remain committed to.

Other governments have expressed interest as well and it is probably no accident that in the public debate in countries like Japan and Germany, the issue has been raised that if they don’t become permanent members of the Security Council, what will that do to support for their funding levels, if you consider Japan as the second largest contributor of the UN system, after the United States?

On regular budgets, we contribute about 22 percent. Japan contributes slightly over 19 percent. Germany is the third largest contributor.

This is one of the reasons why we focus and concentrate our efforts in trying to find a way to make Japan a permanent member, because of the implications it will have in Japan—as it does in this Congress—on questions of funding for the organization as a whole.

I think in conclusion, Mr. Chairman, there is obviously a substantial amount of work to do. We are committed to following up on it.

We are committed to working with this Committee and your colleagues in the other Body to try and make this successful so that we can have a stronger, more effective United Nations and a stronger, more effective American role in the institution.

I would be delighted to answer any questions Members of the Committee may have.

[The prepared statement of Ambassador Bolton follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN R. BOLTON, UNITED STATES
PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, U.S. DEPARTMENT OF STATE

INTRODUCTION

Chairman Hyde and distinguished members of this Committee, thank you for inviting me here today to discuss a subject that I know has been of profound interest to you all. I can assure you that we deeply appreciate and support the work this Committee has done to help strengthen and reform the United Nations. Many representatives of member governments and Secretariat officials have echoed this support because they recognize correctly that the United Nations is at a historic turning point—and that the inquiries by this Committee and others in Congress reflect an interest in making the United Nations stronger and more effective, so that it can carry out the mandate set forth in its Charter 60 years ago.

I would like to take this opportunity today to provide you with our initial assessment of the recent High Level Event in New York, and the opening of the 60th Session of the United Nations General Assembly, and also preview strategies we are considering to lay the foundation for lasting reform to make the UN more transparent, efficient, stronger, and accountable. While it is easy to blame the UN as an institution for some of the problems we confront today, we must recognize that ultimately it is member states that must take action, and therefore bear responsibility. As the largest financial contributor to the United Nations, the United States is and must remain a driving force in this effort. I look forward to working closely with this Committee and hearing your views on this matter.

UNITED NATIONS REFORM: A STATUS REPORT

Our overall assessment of the recent High Level Event is that it served as an important next step in the long process of reforming the UN in accomplishing key U.S. objectives. Following the High-Level Event in which approximately 170 heads of state and government participated, the United Nations 60th General Assembly adopted an Outcome Document on September 18, 2005. The final document was the product of nearly a year of discussion and a fortnight of intensive negotiations. It is clear that more work remains to be done, but we are proud of the results and strongly supported the adoption of this document. As Secretary Rice said in her recent speech to the General Assembly, “The United Nations must launch a lasting revolution of reform.”

The work preceding the start of this High Level Event crystallized around this Document, which represented an ambitious effort on the part of the General Assembly and the laudable efforts of President Jean Ping of the 59th General Assembly, as well as President Jan Eliasson to discuss a wide range of issues.

To be sure, there were elements we wish had been preserved in the final text but, broadly speaking, we got much of what we wanted in the document and succeeded in keeping out some elements that directly conflicted with key U.S. policies and jeopardized our long-term interests.

Before discussing the discrete subject matters addressed in the Outcome Document, I would like to take a moment to thank Ambassador Anne Patterson and the entire staff of the U.S. Mission in New York for their excellent efforts during the period before I arrived and the assistance they have provided me since.

I would like to explain the process that played out over the past year. First, while it was natural that negotiations became more intense as the September 14 deadline

of 170 world leaders convening in New York approached, I want to stress here today that it was truly “a year” of difficult negotiations. Throughout that year beginning even before the release of the High Level Panel’s report, the Administration had been articulating long-standing United States’ positions and promoting areas of reform we deemed most critical to strengthening the UN and making it more effective.

Throughout the year, we were engaged in efforts to build support for our reform priorities in New York, and national capitals. Our focus included reforms such as the improvement of management of the organization, better use of UN resources, reforms to make the institution more effective in protecting human rights, and reforms to make the UN more effective in moving countries from conflict to peace. The Secretary was thoroughly engaged in this process herself and discussed these issues with her counterparts in several countries as well as with the Secretary General and President Ping.

For the first few months of this process, discussions of the Outcome Document were handled through a “facilitator process” managed by President Ping and select member states’ representatives as facilitators. These were not direct, multilateral negotiations in a traditional sense; rather, on each of the subject matters that were to serve as discrete sections of the Outcome Document, one Permanent Representative was chosen to gather the views of all 191 UN members and attempt to synthesize these views into one text. Without a doubt and to a person, the facilitators worked assiduously and did the best job possible under difficult circumstances. When texts were circulated, individual countries, including the United States in some cases, were forced to point out that core redlines contravening national policy were sometimes crossed, and that it would be impossible to ask our respective heads of state to endorse the draft document without substantial modification. In other cases, compromise language was found which on its face was acceptable. The problem, of course, was that all member states knew full well that different delegations had markedly different interpretations of that compromise text.

As a result, we and almost all other delegations strongly supported President Ping’s decision to move to a more direct negotiation process between key representatives from member states. However difficult this was, it was the only realistic way forward. Some have since commented that the result was a watered-down version of the Outcome Document and that many important and ambitious reforms were left unheeded. No doubt there is more the United States wanted in the document, but critics of our approach should recognize that the alternative was to pay lip service to reform, something we would not do. Would it have been better for countries to agree and sign on to an Outcome Document knowing full well it would never be implemented because of disagreements over interpretation on fundamental points? The answer is unequivocally “no.” Whatever flaws the Outcome Document may have, we now have a much clearer and transparent picture about not only what challenges we confront, but what opportunities we have to move forward.

One particular challenge for this document was the difficulty of negotiating in one lengthy document a whole waterfront of issues that the international community faces. This is by no means to discredit the goal or suggest that individual topics should not be negotiated in proper forums. It is to suggest, however, that the utility of mass conferences is limited. Let me give you a case in point. As many of you know, finance officials from around the world have just converged in Washington for the World Bank—IMF Meeting to negotiate a number of specific issues related to debt relief. Some delegations at the UN attempted to replicate those negotiations in New York over the course of the past year. In so doing, they were attempting to hard-wire or lock-in national positions prior to the negotiations here in Washington. It was important that we resisted language that would have hampered U.S. negotiators by allowing other countries to point to language that we had just agreed to up in New York.

Another reason we should question the process itself is that too often, vague compromise language is quoted back against the United States, year after year, in subsequent negotiations. Sometimes national positions change, and too often we are confronted with the argument that if we accepted certain language before we are required to accept it again. This sometimes even occurs when confronted with what seemed at the time to be boilerplate declarations on unrelated subjects. Of course, the UN itself has rejected this notion, as is evident by the successful repeal in 1991 of the abominable “Zionism is Racism” Resolution. Nonetheless, the negotiation problem for the United States, especially in the “facilitator” process, was real enough. Moreover, it is in the long term, not enough for the United States to accept questionable language that we attempt to put in the proper context through “reservations” or explanations of votes. As we found in the past few weeks, too often the objectionable language survives, and the reservations are lost or forgotten.

Let me now turn to specific subject areas that the Outcome Document addressed, or in some cases, failed to address. For the record I am attaching to this testimony copies of the letters pertaining to these subjects that we sent to all delegations on the different subjects. I hope this information will provide Members and staff with important background on how some of these debates played out.

Terrorism

Both President Bush and Secretary Rice focused the first portion of their respective remarks to the UN General Assembly on terrorism. Threats to peace and security in 1945 emerged mostly between states and were largely defined by borders. That is not the primary threat we face today. Today we live in a world where terrorists preach hatred and rogue states harbor these terrorists and threaten the entire civilized world with the proliferation of weapons of mass destruction.

It is for this reason that President Bush voiced our strong support for Security Council Resolution 1624, sponsored by the United Kingdom, which condemns the incitement of terrorist acts and calls on states to take appropriate steps to end such incitement. It is the reason the President was very pleased to sign the International Convention for the Suppression of Acts of Nuclear Terrorism, and called for the General Assembly to complete the Comprehensive Convention on International Terrorism (CCIT). And it is for this reason he spoke of new measures we have developed in close cooperation with our allies to drain terrorist networks of their financial support, and called upon others to join us in the Proliferation Security Initiative (PSI). As he noted in his remarks to the Security Council that day, "We have a solemn obligation to stop terrorism at its early stages. We have a solemn obligation to defend our citizens against terrorism, to attack terrorist networks and deprive them of any safe haven, to promote an ideology of freedom and tolerance that will refute the dark vision of the terrorists."

One of the challenges we faced in negotiating the text on the Outcome Document, was on something so basic but critical as how to define terrorism. We wanted to make sure the text in the Outcome Document focused on true terrorist actions, and not those legitimate military activities appropriately governed by international humanitarian law. In so doing we were able to excise portions of the text which could have been interpreted by some as granting legitimacy to the International Criminal Court to govern actions such as those conducted by the U.S. military in pursuit of our legitimate operations. Other delegations attempted to argue that national liberation movements should be an exception to sanctions for terrorist activity or that there were times when even civilians might be targeted by national liberation movements. We took the position, which ultimately prevailed, that there was no justification, and there could never be a justification for an act of terrorism, whether ideological or political.

The movement toward a common definition of terrorism, though not accomplished in this round of discussions, is a goal we think is achievable with the adoption of the Comprehensive Convention on International Terrorism (CCIT). This is precisely why the President challenged the international community and said, "We must complete the Comprehensive Convention on International Terrorism that will put every nation on record: The targeting and deliberate killing by terrorists of civilians and non-combatants cannot be justified or legitimized by any cause or grievance."

Human Rights and Democracy

While countering specific terrorist threats and activities is a priority, there are other components of a longer-term strategy in winning the global war on terrorism that entail the promotion of liberty and democracy. As you know, the promotion of freedom through democracy and the protection of human rights and human dignity is a high priority for the President and all of us in the Administration. It was with this in mind that President Bush emphasized the point that, "We must change the conditions that allow terrorists to flourish and recruit, by spreading the hope of freedom to millions who've never known it. We must help raise up the failing states and stagnant societies that provide fertile ground for the terrorists."

The promotion of democracy and human rights is another area where we feel important progress was made, at least in principle, during the High Level Event. The UN Charter specifically states that a central goal of the institution is "to develop friendly relations among nations, based on equal rights and self-determination of all peoples." Too often, however, not enough has been done in practice. One notable success in practice is the recently established U.N. Democracy Fund and the growing support for it. Countries such as India, the world's largest democracy, with its pledge of \$10 million have taken a leadership role to help promote the view that every free nation has a responsibility in advancing the cause of liberty. We were pleased that the Outcome Document contained explicit language endorsing this

Fund that President Bush called for at the last UNGA in 2004. We were pleased to achieve as well a strong statement on gender equality and women's empowerment while avoiding language that could be read to constitute an endorsement or promotion of abortion.

We were also pleased that member states ultimately agreed to language in the Outcome Document on the principle of the need to establish a new Human Rights Council, which is indeed progress. We should bear in mind that many delegations, not surprisingly a group comprising some of the world's most notorious human rights abusers, fought to delete this section in its entirety. An immediate priority for the United States during the 60th UNGA session will be passing a detailed resolution establishing the new Council. The U.S. position remains, as Secretary Rice noted, that it "must have fewer members, less politics, and more credibility. . . . It must have the moral authority to condemn all violators of human rights—even those that sit among us in the hall. . . . And it should never—never empower brutal dictatorships to sit in judgment of responsible democracies." The Outcome Document, though limited in detail on this matter, does clearly establish that the Council's mandate should focus on "grave" human rights "situations" in specific countries. Based on the Outcome Document, that central emphasis is a very good place to start and must be retained.

Peace Building

Another area that relates to the promotion of peace and democracy was the agreement to establish a new Peace Building Commission to advise on post-conflict resolution and reconciliation. In advising on reconstruction and institution building in the immediate aftermath of a conflict, we must be certain that the Commission functions in an accountable and transparent manner. This is an admirable goal. The work still ahead in the upcoming months, however, is to define how the Commission will provide its advice and, more importantly, how to ensure that creation of this Commission ensures Security Council oversight, guidance and control of this inter-governmental advisory body. The goal of having this Commission established by the end of this year is ambitious, but still possible.

Responsibility to Protect

We also made important progress in the section on the "Responsibility to Protect" which moves us toward a new strengthened international consensus on the need for the international community to deal with cases where states are engaging in genocide, war crimes, ethnic cleansing, and crimes against humanity. We were successful in making certain that language in the Outcome Document guaranteed a central role for the Security Council. In fact, we underscored the readiness of the Council to act in the face of such atrocities, and rejected categorically the argument that any principle of non-intervention precludes the Council from taking such action.

Nonproliferation and Disarmament

Given the nexus between terrorism and weapons of mass destruction, we were disappointed that member states were not able to agree on text that we felt addressed the most pressing threats the international community faces. As many of you know, the Nuclear Nonproliferation Treaty Review Conference was held in May 2005 and failed to reach consensus on these issues as well. In many ways the discussions over the summer on this section of the Outcome Document were simply a repetition of the discussions at the NPT Review Conference. Assiduous efforts by many countries such as Norway to find acceptable language failed, but we will continue to do our part to prevent the proliferation of weapons of mass destruction, through such activities as the Proliferation Security Initiative (PSI).

The lack of consensus on any text on this subject shows, though, how much work we have to do. Ignoring the positive steps we have made on disarmament such as through the Treaty of Moscow, many countries rejected language on the mechanisms we proposed to help counter the true threat facing the international community today—the nexus between terrorism and the proliferation of weapons of mass destruction. While we have made progress on UNSCR 1540, many countries have yet to enact the laws necessary to implement their obligations under that resolution in their territories. We are not giving up on these matters, and we are trying to get other member states to join us in activities such as the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction.

Development

We succeeded in incorporating development language in the Outcome Document that recognizes actions and commitments made by the donors since the Millennium Summit and the Monterrey Consensus and were especially pleased that the final

version also included numerous provisions highlighting the measures that developing countries must take to promote their own growth and development.

The negotiations on this section of the Outcome Document did, however, become a hodgepodge of other issues, many of which should have been discussed in other fora or venues. We were able to revise language on climate change that over-emphasized the role of the Kyoto Protocol. We were also able to resist efforts by the French to secure international endorsement for a global tax on airplane tickets to finance development, noting only that some national governments intended to impose such taxes.

On the subject of development itself, the negotiations were hamstrung because some delegations wanted to lock-in guarantees on how much financial assistance they would receive while ignoring what we considered to be the most important issue: economic policy in developing countries. Prosperity requires policies and institutions at the national level that generate wealth and enable countries to participate in the global economy. Rich countries and successful developing countries have diverse traditions and institutions, but all rest on basic building blocks of a market economy, respect for property rights, enforcement of contracts, and the rule of law. As Secretary Rice noted in her remarks to the General Assembly, "Donor countries have a responsibility to increase their assistance to developing nations. And developing nations have a responsibility to govern justly, to advance economic liberty, and to invest in their people."

Our team in New York emphasized, and both the President and the Secretary reiterated, that the United States is committed to the Millennium Development Goals as well as consensus established in Monterey in 2002. We also reaffirmed our support for concluding a successful Doha round on international trade. It was important, however, to define and clarify what that support meant. Some delegations attempted to interpret that support in creative ways by inserting language into the text that was tantamount to locking in guaranteed shares of markets in international trade. Even in the late stages of the negotiation of the Outcome Document, there was language that some would interpret as requiring nations such as the United States to give technology and intellectual property rights to other nations. We were able to fix these problems.

I think that part of the reason we were successful in getting as much as we did was because of the Administration's strong record in assisting developing countries. The position of some delegations that the United States was not living up to its end of the bargain was untenable. The United States has nearly doubled Official Development Assistance from \$10 billion in 2000 to \$19 billion in 2004. We have launched new initiatives such as the Millennium Challenge Account. This account is increasing U.S. aid for countries that govern justly, invest in their people, and promote economic freedom. We have also enacted the President's Emergency Plan for HIV/AIDS Relief and supported the G8 Gleneagles Summit's significant focus on the special needs of Africa. As the President noted in his remarks, the United States agreed with other G8 leaders to cancel 100% of the multilateral debt for those eligible Heavily Indebted Poor Countries (HIPC). This is a top priority for the President because, as he noted before the General Assembly, "We have a moral obligation to help others—and a moral duty to make sure our actions are effective."

Management Reform

In the Outcome Document, member states took important first steps in approving concrete reforms. The Document calls on the Secretary General to put forward specific proposals on reforms, including a UN system-wide code of ethics, stronger whistleblower protection, more extensive financial disclosure for UN officials, creation of an independent ethics office, review of mandates that are more than five years old, and independent oversight of internal UN operations.

Further steps are needed, however, and we will work diligently to ensure that the institution follows through on these important reforms. Part of the problem stems from the different ways that delegations frame the debate. For many within the Group of 77 (G-77), the central struggle is over the allocation of power between the General Assembly and the Secretary General, the chief administrative officer of the institution. The more important question to ask and answer, however, is: how can member states which are ultimately responsible best ensure that the UN reforms itself into an efficient, effective, transparent and accountable institution?

We were disappointed, for example, that we were unable to agree on language in the Outcome Document that would have granted the Secretary General the authority to adopt more flexible policies regarding the deployment and hiring of personnel. Too many countries have personnel in cherished positions that they are desperate to hold on to, regardless of qualifications. Some delegations insisted that language be inserted on "equitable geographic distribution" with regard to hiring conditions,

as opposed to the language of the actual Charter we insisted on, emphasizing competence and integrity.

The key of course is what steps need to be taken to see that these goals are fulfilled. It was for this reason the President applauded the initial effort but emphasized that these are only the "first steps." In his own words, "The United Nations has taken the first steps toward reform. The process will continue in the General Assembly this fall, and the United States will join with others to lead the effort."

We have seen some concrete steps being taken. We are pleased, for example, that Under Secretary General Chris Burnham is reviewing the fundamental assumptions regarding cost assessment of the Capital Master Plan. More broadly, however, we must change the culture at the UN that allowed scandals like Oil for Food to occur in the first place. This is why it is so important for delegations to be so vocal in their condemnation of these activities. This is not so much a criticism of the Secretariat, but rather, of ourselves and other member states, for ultimately the UN Secretariat works for member governments, a fact we must leverage in the future as we chart a course for a reform. As President Bush remarked, "the process of reform begins with members taking our responsibilities seriously." But we must remember that reform is not a one-night stand. We must lay a new foundation for fundamental change if we are to fulfill the Secretary's goal of "launching a lasting revolution of reform."

Allow me now to take this opportunity to explore some ideas that are being discussed in New York and capitals around the world and ways we might think about advancing UN reform even further. It is important to do so and goes back to what I mentioned earlier about the somewhat false debate over whether power should lie with the Secretary General or the General Assembly.

As the UN's largest financial contributor, with our annual assessment constituting 22 percent of the regular budget, the United States bears special responsibility because we are in the position best suited to advance reform. Over the years, those who have worked in or studied the UN system have tried to ascertain which agencies, funds, or programs were viewed most favorably in terms of their management, efficiency and operation and asked if there were any common themes.

What is striking is the myriad, almost bewildering range of UN governing councils, executive boards, assemblies, commissions, committees, conferences, 'opened working groups,' panels of 'independent' experts, subsidiary bodies, not to mention the proliferation of agencies, programs, funds, organizations, missions, secretariats, offices, tribunals, facilities, institutes, representatives, envoys and observers. One initial question that must be asked is how many of these entities have overlapping jurisdictions and how they are funded. There is no doubt that the activities of many of these institutions can be rationalized, and that some of them can be merged or eliminated, having outlived whatever usefulness they might once have had.

I also note, as this Committee has observed, that there are differences in performance based on the way different entities were funded. UN agencies are primarily funded through assessed contributions while funds and programs are typically funded through voluntary contributions. Catherine Bertini, former UN Under Secretary General for Management and former head of the World Food Program (WFP), noted that, "Voluntary funding creates an entirely different atmosphere at WFP than at the UN. At WFP, every staff member knows that we have to be as efficient, accountable, transparent, and results-oriented as is possible. If we are not, donor governments can take their funding elsewhere in a very competitive world among UN agencies, NGOs, and bilateral governments."

Another idea we should consider is establishing contribution levels for a fixed period of time, and then renegotiating those levels for purposes of subsequent replenishments. There will never be a substitute for quality personnel and effective leadership, but it seems there are some steps we should consider to help break the sense of entitlement that is pervasive in some quarters.

Another factor that plays a role in the effectiveness of agencies and programs within the UN system is the size and composition of their respective governing councils. Having just participated in an exercise negotiating a text with 190 counterparts, I can assure you I know first hand the difficulty some agencies must face in their day-to-day operations. Simply put, in many cases, the bodies' governing agencies are unwieldy because they have too many members. This is why the United States has and will continue to push to limit the size of UN bodies. There are many other possible reforms we need to consider as well, such as changes in the committee structures of the UN General Assembly, and in other UN agencies as well.

Nowhere is this issue more salient than in the case of Security Council reform. We all recognize that the Council created in 1945 represents a world very different from today, which is why we will continue to actively support permanent member-

ship for Japan. Some proposals that are being considered in New York at this time, however, would undermine the Council's effectiveness, something we cannot support. Indeed, we should work on strengthening the effectiveness of the Security Council which means not only changing its composition to more accurately reflect realities of the day, but increasing its oversight and supervision of activities such as peacekeeping operations.

CONCLUSION

Earlier, I observed that one lesson of the process that led to the summit's Outcome Document is the limited utility of mass conferences. I know that this Committee has been concerned with the costs of UN conferences. I share that concern. The pressure for ever more conferences is due in part to the plethora of UN bodies and mandates, all of which at some point seek high level affirmation through conference. Another factor is that most member states, as well as the UN Secretariat, bear little or no financial cost for staging conferences.

None of this is to deny that it is sometimes necessary to hold high-level conferences when transnational problems require us to push the frontiers of cooperation. Where conference agendas conflict or overlap with the mandates of other institutions or simply review outcomes of earlier conferences, however, their costs—both financial and political in terms of re-opening issues—far outweigh the benefits.

In summation, let me say that the recent High Level Event was successful in that the United States followed the most important rule: first do no harm. Moreover, there is a renewed understanding and recognition that the first steps toward true reform will require a true revolution and that a corporate culture change is in the offing. This will require active engagement of member states. Evidence of this is the progress we made in some key areas such as terrorism, human rights and management reform, though we will need to see effective implementation in the months ahead.

Clearly there is much work that remains to be done, and I look forward to working with this Committee to achieve those objectives. As the Secretary and others have said, we greatly appreciate your commitment to UN Reform, and remain committed to work with you to that end. With great respect, we oppose mandatory withholding of US dues. Let me again thank this Committee for its diligence and focus on issues so critical to making the United Nations stronger and more effective. We believe the UN community as well understands the central role that the U.S. Congress rightly plays in the debate. I am happy to answer any questions you might have and look forward to hearing your thoughts both now and in the future as we chart the course forward for reforming the United Nations.

Chairman HYDE. Thank you, Mr. Bolton. I would like to propose two questions to you at the outset. The outcome document is viewed as the first step on the journey to UN reform. What do you think the best strategy is for moving from this first step and how confident are you that actual reform will be realized?

Ambassador BOLTON. I think, Mr. Chairman, that the most important thing is for everyone who is concerned with UN reform, member governments and the Secretariat, to move very quickly.

If we simply act in due course—if I can put it that way—we will lose momentum, we will lose the confidence that I think we have generated on the need for this reform so that moving as fast as we can and trying to get as many reforms implemented as speedily as we can is important.

There are a range of other issues that I haven't discussed here in the oral testimony, such as the creation of a new Human Rights Council and the creation of a Peacebuilding Commission that are very important for us as well.

I think that what was not accomplished in the outcome document represents a large amount of work that we have to move forward on quickly, but I don't think there should be any misunderstanding.

One of the reasons we didn't reach agreements on some of these areas in the outcome document is because there was not agreement among the member governments.

Now the next step on some of these issues is with the Secretariat, others are with the General Assembly and an important fact about General Assembly resolutions is you don't need unanimity.

The effort in the outcome document was to have it done by consensus, which is to say essentially unanimously and that has its obvious implications.

But General Assembly resolutions can be adopted either by a two-thirds or by a majority vote, depending on the seriousness of the issue and that means we don't have to get consensus of all the outlying states.

But I think moving quickly, affirmatively and decisively is perhaps the single most important element of that strategy.

Chairman HYDE. You mentioned in your testimony the shifting of funding mechanisms from regular budget to voluntary funding for some programs. This is a critical part of our legislation. What are your thoughts on advancing this concept among your colleagues at the UN?

Ambassador BOLTON. I think one of the observations that a number of people have made and it has been a view within the United States Government for quite some time, is that in looking at the performance of some of the agencies in the UN system that are funded by voluntary contributions, they tend to be most efficiency and most responsive to the priorities of the major contributors.

You think of the UN High Commissioner for Refugees, the UN Development Program, the World Food Program that I think it is worth careful study on a results oriented basis of agencies funded by assessed versus voluntary contributions.

I know again in the Hyde version of your bill and the Lantos version of the bill, there are some differences as to how you look at that and I don't think we are proposing any kind of precipitous action at all.

I think this is something that we want to work with Congress on and look to see where there might be agreement in the allocation of the funding, but as Ms. Bertini said and this is somebody with 12 or 13 years experience at the most senior level in the United Nations, this is a phenomenon that others have mentioned as well and I think Congress and the Administration should look at this and study it very carefully.

Chairman HYDE. Thank you very much. Without objection, the list that you have agreed to supply shall be made a part of the record.

Ambassador BOLTON. I hope we have given copies up to you and if we haven't, we will get you copies here shortly.

Chairman HYDE. We only have one copy.

Ambassador BOLTON. I think we have some more.

Chairman HYDE. Okay. Mr. Lantos?

Mr. LANTOS. Thank you very much, Mr. Chairman. One of the things, which is obvious to all of us who have been students of the UN for decades, is that the United Nations is a derivative reality.

It is derived from the actions of its 191 members and it is very important that we keep the UN responsible for its own mistakes

and for its own shortcomings, but not for the shortcomings and mistakes and deliberate obstructionism of some of its 191 members.

In that connection, my first question, Mr. Ambassador, relates to the group of nations that led the anti-U.S. effort to clean up the United Nations.

My understanding is that these nations included Egypt, Cuba, Venezuela, Pakistan, Zimbabwe, Sudan, Iran, Nigeria, South Africa, Saudi Arabia, Syria and Burma. Would you agree with that list and would you add any?

Ambassador BOLTON. I think it is a very long list on different issues, includes those that you have mentioned and plenty others.

Mr. LANTOS. This is basically the core of the opposition?

Ambassador BOLTON. The opposition varies from issue-to-issue. I guess I would just make that one point.

On some of these questions, I would have to say I would refer back to the point you made in your opening statement that there are cases where you feel like you are in a bubble up there, debating issues from the 1970s and even before and some of the issues we debated in the outcome document had that flavor.

I think it is unfortunate and it is one reason why I think the notion that the UN is a derivative reality while true it is a derivative reality that lags a little bit and maybe more than a little bit and that is something that I think all of us in the United States have a responsibility to try and overcome.

Mr. LANTOS. I realize that many of the problems we have with the UN we also have with other international agencies. For instance, Cuba and Belarus are about to join the board of the International Atomic Energy Agency in Vienna and we can well imagine what Cuba's position or the remaining Stalinistic dictatorship and what Belarus' position will be on referring Iran to the Security Council for action.

My question is what are you doing? What is realistic on our part to do to build an effective caucus of political democracies within the UN, Mr. Ambassador?

Ambassador BOLTON. You know, Congressman, you are familiar with the regional group structure within the United Nations' system.

The selection of countries for memberships on governing councils or individuals for high level bodies and a variety of other decisions are made on the basis of the regional group. The Latin American countries caucus to decide who they will nominate for the Human Rights Commission is an example. The African countries will caucus. The Asian-Pacific countries will caucus.

The pattern has been that if a regional group, let us say offers up an uncontested slate for the allocated seats of the Latin America region on the Human Rights Commission, that the General Assembly or the Ecosoc, or whatever the decisionmaking body, as a whole will simply ratify that slate of countries.

So that if Cuba, as an example, persuades the Latin American group that it wants to be on the Human Rights Commission and there is no other opposition from other Latin American countries, if it is three seats or whatever, there are only three candidates, Cuba gets elected and this is a very strong phenomenon within the

UN system, because it is a way of ensuring that memberships and candidacies are shared around.

It is that regional group system, as much as anything, that leads to the circumstances, the anomalies that I think everybody on this Committee has observed. For example, how some of the worst human rights offenders in the world somehow get seats on the UN Human Rights Commission or how countries that have, such as Iran, that have poor records, to say the least, on nonproliferation matters can find themselves—as Iran was up until recently—on the board of governors of the International Atomic Energy Agency.

I think one of the central insights of the caucus of democracy approach is to try to break through that regional group stranglehold on the way countries are allocated seats.

I think it is a difficult struggle. I think it is a difficult struggle and I would just give you one more example in the case of Israel, which for many years didn't have any regional group at all. It was just excluded from its natural geographic region.

We found a home for it in the Western European and others group, but even then, up through currently, Israel has never been a non-permanent member of the Security Council.

Others have said, you know there are actually at the current time three categories of members of the United Nations. There are five permanent members of the Security Council. There are the non-permanent members of the Security Council. Then there is one permanent non-member and that is Israel.

Israel has now declared its candidacy for the next uncontested non-permanent seat in the Western Group, which is 2018 and perhaps at that point that deficiency will be remedied.

But I give you that as an example, not only of about treatment of Israel, but of the strength of the regional group system.

The question whether that system, which came about during the Cold War period, whether that still makes sense in a post Cold War period, I think is an issue we need to debate at the UN.

Chairman HYDE. Do you have more?

Mr. LANTOS. May I just ask one more quick question?

Chairman HYDE. Sure.

Mr. LANTOS. I really didn't want to put you on the spot for obvious reasons. You made the point in your opening remarks that the reform legislation that our Chairman proposed and the substitute that I and my colleagues on my side of the aisle, joined by some of our friends on the Republican side, proposed has one basic difference.

Both Chairman Hyde and I want all of the reforms that are listed, over 40 of them. His version calls for an automatic 50 percent cut in U.S. contributions to the United Nations, if not every single one of them is enacted over a period of time.

My version provides for discretion for our Secretary of State to determine the extent and severity of the cut. Are you in a position to comment as to which would be more acceptable to you as our working representative at the UN?

Ambassador BOLTON. Absolutely. The Administration supports the discretionary version and I do too. I have been an Executive Branch official my entire public career and for both constitutional and historical reasons, the Executive Branch appropriately has

typically opposed automatic non-discretionary directions from all of you esteemed ladies and gentlemen and that is our position. I support it emphatically.

Mr. LANTOS. Thank you, Mr. Chairman.

Thank you, Mr. Ambassador.

Ambassador BOLTON. You knew it was coming.

Chairman HYDE. There is something sticking in my back.

Mr. Smith of New Jersey.

Mr. SMITH. Thank you very much, Mr. Chairman. Mr. Chairman, I just want to note for the record and perhaps for some of our newer Members, that in late 1980s I, along with former Congressman Sam Gedjenson, served as a congressional delegate to the UN and was deeply impressed with the professionalism, integrity and honesty we saw being demonstrated and the competence of I.O. Assistant Secretary John Bolton. He was in charge of the I.O. Bureau and we worked very closely with him.

I would note parenthetically that when I and others were pushing for cartage of tranquility for Ethiopia, John helped us set up many of the meetings, including the meeting with Secretary-General Javier Prez de Cuellar, to push for that.

There has been a longstanding effort made by Ambassador Bolton to promote and remove transparency.

I would just note also for the record that given his exemplary quarter of a century of service from AID general counsel, back in 1981, to most recently Undersecretary of State for Arms Control and International Security, Ambassador Bolton is the right man at the right time and at the right place to press for transparency and accountability.

He is seasoned and he is very, very tough, and I think Members should realize that and we need that kind of man working for us at the United Nations.

Just two very quick questions on human rights, Mr. Ambassador. The outcome document, as you know, does not explicitly abolish the Human Rights Commission. I would note parenthetically that Mark Malloch Brown, in his briefing, will say that the commission's days are numbered and I think a major step has been taken to finally get rid of that Orwellian group of individuals that is made up of rogue nations that sit in judgment of human rights.

It is a very, very unseemly situation. If you could tell us briefly what we are doing on that? Are we going to see another session of the Human Rights Commission in March or will we have a replacement by then?

Will they stick to content and not bleed from that, because very often things that are not human rights abuses are included?

Secondly, on peacekeeping the document points out, the outcome document in paragraph 96, the need to reform the sexual abuse and exploitation by UN peacekeepers.

My Subcommittee has held two very enlightening hearings on the issue of peacekeeping reform. We have heard from Jean Hall Lube, who I think did an exemplary job herself on saying that the black and blue helmets need to be restored and the UN peacekeeping mission needs to be significantly reformed and Prince Zeid, I think, has a very good list of recommendations that he has made. Will that be voted upon soon by the General Assembly?

Finally, the code of conduct. Will troop contributing countries prosecute violations of code of conduct? Will that be a prerequisite to being members of peacekeeping deployments? Thank you very much, Mr. Ambassador.

Ambassador BOLTON. Thank you very much, Congressman. On the Human Rights Commission, it is our objective to create a new Human Rights Council before the Human Rights Commission's next scheduled meeting in Geneva early next year.

So our hope is that we can have the new body created and in place before another meeting of the commission.

I would say that there is no disagreement, at this point, with the proposition that the human rights, the inner-governmental decisionmaking machinery on human rights at the UN is broken. That is a good place to start.

The difficulties that we ran into in the negotiation of the outcome document though were over some pretty important points. One of the things that I think Americans just can't understand is how countries with abysmal human rights records get elected to the Human Rights Commission.

We have proposed and we are exploring a number of procedural and substantive ways so that the new council would not suffer from that same problem, because the worst outcome would be to go through a series of changes that turn out to be only cosmetic and we expend a great deal of effort and we end up with a new body that is just as problematic as the existing one.

Countries that opposed our approach to this, however, said that our concern about the membership of human rights abusers was a way of politicizing the Human Rights Commission.

That is to say, turning our argument back against us and I think as Congressman Lantos was indicating, that has been part of the problem. So we have got to overcome that.

I think there is a lot of sentiment to do it. We were disappointed we didn't make as much progress as we wanted in the outcome document, but it is a very high priority and a personal priority of mine. We are going to spend a lot of time on it.

In terms of the question of sexual abuse and exploitation by UN peacekeepers, this has to be one of the most disheartening things that I have encountered in close to 25 years of working with and studying the United Nations, the notion that the people sent in to protect populations that are at their most vulnerable and post conflict situations would take advantage of the people they are there to protect. It is just unspeakable.

One of the first people I visited was Prince Aede, because of his work on the subject. It remains a very high priority for the Administration and I am hoping we are going to get a number of issues resolved so that either the troop contributing countries or the UN or the two working together will be able to deal with this problem of sexual exploitation of abuse, not only by the peacekeepers, but by, I am said to say, UN civilian personnel as well.

It is a problem that transcends just the military side and something that we need to continue to work on.

Chairman HYDE. Mr. Berman of California.

Mr. BERMAN. Thank you, Mr. Chairman. Mr. Ambassador, I will ask you a few questions about UN Security Council Resolution 1559.

A year ago September, the UN Security Council adopted that resolution, which in part calls upon all remaining foreign forces to withdraw from Lebanon.

In May, the UN released a verification report on the withdrawal of Syrian forces from Lebanon, concluding that with the exception of one Syrian battalion deployed along the Lebanese/Syrian border, no Syrian military forces, assets or intelligence apparatus were found in Lebanese territory.

What Syrian presence exists in Lebanon today? To what extent does Syria still exert political influence throughout that country? If you could answer that, I would like to ask you then a couple of other questions about the resolution.

Ambassador BOLTON. Right. I think we have said previously that while there has been a withdrawal of Syrian military, there is undoubtedly a Syrian intelligence presence that remains in Lebanon.

I don't really have anything new or different to add to that. I think the question of Syrian influence over the Lebanese Government, however, is a matter that is under evolution and I would just say, without getting into a lot of specifics in an open hearing, the ongoing investigation by the Independent International Investigatory Commission, headed by Mr. Melice into the Kariri assassination is proceeding in a very professional way and there have been some substantial developments on that.

I think we are awaiting the final report by Mr. Melice on his investigation and I think that this is something that is the subject of considerable conversation in New York and with other governments.

We have worked very effectively with France and others, like the United Kingdom, to support the Melice investigation, to find out, to let the chips fall where they may, to proceed wherever the facts take the investigator. I think that is something that, within the next couple of months to be sure, we are going to hear a lot about and I think that could have a potential substantial impact on the situation in Lebanon.

Mr. BERMAN. What about Iran, in terms of its presence in Lebanon? We know they maintained in the past a large cajolery of revolutionary guards in Lebanon. That also would violate the terms of 1559.

Is there still such a presence and does Iran still support and supply Hezbollah forces in Southern Lebanon?

Ambassador BOLTON. I am not sure I can say anything on the question of presence, in terms of support for Hezbollah, there is no question that continues. It is a very serious matter.

Until we have the Lebanese people back in full democratic control of their government, the situation is not acceptable, but we have made progress and are hoping for further progress.

Mr. BERMAN. On the issue of a potential IAEA referral to the Security Council, give us a sense of what—for some of us we try to understand what the dynamic is that gets members of the Security Council, particularly Russia and China, to engage and have the Se-

curity Council proceed down a course, which discourages Iran from pursuing its present course, in terms of its nuclear program.

How do you think this will play out? Have you engaged in discussions with the Russians and the Chinese on this issue?

Ambassador BOLTON. Yes. I mean this has been a subject we have discussed here in the Committee over a number of hearings, in my previous capacity in particular, and what we have been doing, over the last nine or 10 months, is supporting in a very vigorous way the efforts by the European Union, the EU-3 as we call them, and their efforts to try to convince Iran to make a strategic decision to give up the pursuit of nuclear weapons.

The thinking that has gone into that has involved what would happen when or if the IAEA formally reports noncompliance by the Iranians with their NPT obligations, their safeguards, obligations and others.

We have been thinking about that. We have discussed it with friends and allies as well, what steps would be taken.

The decision by the IAEA last Saturday was a decision to find Iran in noncompliance. That was a very significant vote and I think if you look at the vote, it was a clear majority of the IAEA board of governors in favor.

As Congressman Lantos said, that included India. Only one country voted against it, Venezuela and 12 others abstained.

Mr. BERMAN. Russia and China?

Ambassador BOLTON. Including Russia and China. I think the ball is very much in Iran's court now and you know there is zero disagreement among all of the five permanent members, zero disagreement that Iran has to give up the pursuit of nuclear weapons.

The question of how to deal with it has been a question of lengthy diplomatic discussions and it is going to continue, but I think right now in the aftermath of the IAEA resolution, it is unmistakably up to Iran to decide whether it is going to continue a policy of pursuing nuclear weapons or whether it is going to give it up, as did the Government of Libya.

I think Secretary Rice pointed out a few days ago that the precise timing of how this happens is a matter of diplomatic tactics, but the direction we are moving in I think is clear.

Chairman HYDE. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

I can't tell you how happy we are to have you here with us today.

Ambassador BOLTON. I am happy to be here, too.

Mr. ROHRABACHER. All right. The investigations of the United Nations Oil-for-Food Program uncovered billions of dollars in kickbacks in funds, channeled by Saddam Hussein, to bribe foreign officials and to bolster his own brutal regime.

In fact, we found some indication that the Oil-for-Food Program had actually been used as a conduit for Saddam Hussein to send money to an assassin that had murdered the father of the woman who was there with us for the President's State of the Union message.

All of this of course was accomplished through a manipulating a humanitarian program managed by the United Nations.

My question to you is: Was this an anomaly or was this travesty a manifestation of fundamental flaws in the United Nations, such

as the corrupt and tyrannical nature of so many of the governments of member states of the UN, who vote in the United Nations, who have to be taken into consideration when building these type of programs?

Ambassador BOLTON. I think it is a critical question as we look ahead at UN reform and I would have to say that the mismanagement and corruption of the Oil-for-Food Program obviously didn't spring out of nowhere.

They had to come from the culture in which the program was embodied and in that sense, the Oil-for-Food scandal is a tangible representation of what needs to be changed in the system and why, as the Secretary said, we really need a lasting revolution of reform.

In addition though, I would have to say that the member governments created the Oil-for-Food Program and there is an element of politics, international politics in this as well.

You know during the immediate aftermath of the first Persian Gulf War, the Security Council created a model of an Oil-for-Food Program in Resolution 706 and 712 that would have had very extensive international involvement in both the sale of the oil, the handling of the proceeds and the distribution of humanitarian assistance that was rejected by Saddam Hussein.

Rejected again and again until 1995, when the present Oil-for-Food Program was put into place, which he accepted and which he then turned not only to his own advantage in financial terms, but to his own advantage in taking a humanitarian aid program and using it to increase his own political control over the people of Iraq.

I think that is something that we need to focus on when we engage in these kinds of programs, as a matter of United States decisionmaking, that we are not creating something that somebody like Saddam Hussein can turn to their own advantage.

Mr. ROHRABACHER. Should we then in the future be more inclined to acting directly and perhaps unilaterally or in perhaps cooperation with a voluntary association of other countries that agree with us on certain goals, rather than going through the United Nations and expecting them to manage efficiently and effectively certain types of operations that are consistent with what we are trying to do internationally?

Ambassador BOLTON. I think we need to make a cost-benefit analysis of any decision like that. I think we have got a variety of tools in our kit and I think that we look at the options that are available and try to pick the one that we think is going to be most effective in implementing American objectives and interest.

I would say, you know a number of very senior UN officials have said, we never want anything like the Oil-for-Food Program again. We never want to be burdened with this. We don't want it.

I have to say, I disagree with that. There may be an occasion where we want the United Nations to undertake a program like this and we want it run effectively and we want it run honestly and I don't see why that is so hard to ask.

Mr. ROHRABACHER. In the past, when we have confronted the United Nations with certain problems and what we considered to be corruption in their programs, it has taken a long time for them to get the message and we withdrew I think Brenesco and other examples.

Do you think the people at the United Nations have gotten the message now finally after the Oil-for-Food, all of this attention they have received on this scandal? Have they got the message?

Ambassador BOLTON. I hope so. Certainly I am doing everything I can to reinforce it. I think the continued involvement of this Committee and Congress is extremely important in that, and if repetition has any value, I think it might have value here.

It is not something that we are going to be satisfied with. We are not going to say we are finished with reform at the end of this year.

That is what the Secretary means by a lasting revolution of reform. Reform is not a one-night stand. Reform is forever.

Mr. ROHRABACHER. The fact that you couldn't answer that question yes should alert us to be very diligent. Thank you very much.

Chairman HYDE. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman and our Ranking Member for calling this important hearing this morning.

I do welcome Ambassador Bolton for his appearance to testify before our Committee and I also offer my personal welcome this morning to Mr. Mark Malloch Brown, the Chief of Staff for Secretary-General Kofi Annan, the United Nations.

At the outset, Mr. Chairman, I thank Mr. Brown for personally delivering letters to me and to my colleague, Mr. Payne, sitting next to me, as a response to a petition letter that was signed, some 5 months ago, by 37 Members of my colleagues in the U.S. House of Representatives.

The petition requested Secretary Annan to conduct a thorough review of the 1969 Act of No Choice for which some 1,000 West Papain elders were randomly selected under one of the most brutal and repressive military regimes ever known and that was under the Indonesian military dictator Soeharto.

Not surprising to anyone, not one West Papain elder voted against joining Indonesia's quest for colonialism, as it was done by the other former Dutch and Portuguese colonies at the time.

Under threat of cutting off their tongues and their ears, intimidating and threatening the lives of their families, it is no surprise at all that 100 percent of these elders voted in favor of Indonesia.

Mr. Chairman, I appreciate the fact that Secretary Annan has stated that the matter has to be brought before the United Nations General Assembly before his office can review the matter again and we will now proceed accordingly.

Mr. Chairman, a similar letter was also submitted to Secretary Rice about 5 months ago and I guess it must have gotten lost in the paper shuffle and I would respectfully like to request Ambassador Bolton, I happen to have a copy of the letter to Secretary Rice, if somebody could help me here and could personally give it to Ambassador Bolton to make sure that Secretary Rice gets the petition letter. I would really appreciate it, Mr. Ambassador.

Ambassador BOLTON. I would be happy to do that, Congressman.

Mr. FALEOMAVAEGA. Mr. Ambassador, the term "reform" has become synonymous with the current functionings of the United Nations and you are in a very unique position representing our nation before 109 other countries with which you have immediate access to these countries.

Last week there was a *New York Times* article written by a former United Nations official, Mr. Navier Masonesave, who mentioned with the main structure like the Security Council, the General Assembly, the Secretary, it is a mess.

We can all agree that the weakest link within the United Nations' structure in its activities is always to resolve arms conflict, but there are other semi-independent organizations within the United Nations that Mr. Masonesave said the UN has done an outstanding job trying to combat disease and poverty and hunger, human suffering due to national and natural disasters, like the tsunami and the UNDP, the World Health Organization, Unesco, the United Nations commission on refugees.

All these are very positive aspects of the United Nations and I would like to ask you, Mr. Ambassador, I know you are reform minded and I think those of here in the Committee think likewise.

To what extent, is the question. I think there are some very positive responses, in terms of your personal efforts in reaching out to your fellow colleagues within the United Nations that you mean well and all you want is better accountability. Who would be against that?

I would like to ask you, Mr. Ambassador, where are we now in terms of the reforms? As you know, our Chairman and our Ranking Member have a slight difference of opinion on how much we should cut as far as funding goes to the United Nations, if there are no positive results of the reforms that are now being discussed.

There is a native Hawaiian term that I always love to use, Mr. Ambassador. It is called "waha," which means, "a lot of hot air."

I would like to ask you, Mr. Ambassador, if you could help us. Where exactly are we as far as reform is concerned with the United Nations?

Ambassador BOLTON. I think that is obviously a critical question and I believe that the recent summit represented an important first step, but as in many other cases, there is both the implementation of what was agreed to a couple of weeks ago, as well as larger questions that still need to be addressed.

I think that the answer still awaits us. In other words, until we get implementation of what was agreed to, I think it would be premature to declare a victory and go home, because I think that has happened too many times before.

I remember in the first Bush Administration, when Secretary-General Boutros Boutros-Chali came in. One of the very first things he did was to reduce the number of high level positions. He cut the number of undersecretaries general. He cut the number of assistant secretaries general. He combined some departments.

It was really a significant effort at reform in those days and we said at the time it was a good first step, but then in subsequent years the positions were recreated, the number has gone up.

I haven't compared 2005 to 1992, but I have a sinking feeling the number of high level positions is now larger. We have had experience of taking the first step, but not following through on it.

If I sound a little cautious, it is only because of the Yogi Berra phenomenon of "deja vu all over again." I want to avoid that. I want to see if we can get what Secretary Rice was talking about, when she talked about a lasting revolution of reform and I say

again and I believe this very sincerely, I think we can accomplish that, if Congress and the Executive work together.

Mr. FALCOMA. Thank you, Mr. Chairman.

Chairman HYDE. Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman.

Mr. Ambassador, welcome once again to our Committee. When I told my office staff that you were going to be testifying, they all wanted to come out here and shake your hand. So you have rock star status with many of our congressional offices.

I wanted to ask you three questions. The first one has to do with the United Nations Development Program and the funding of anti-Israel propaganda. The second one dealing with Syria and Lebanon and the third one dealing with merging UNHCR with UNRWA.

On the UN Development Program, in August, we saw that the United Nations Development Program had funded materials produced by the Palestinian authorities, celebrating Israel's disengagement from Gaza and the material on the banners read, "Gaza today, the West Bank and Jerusalem tomorrow."

In response, you had said correctly, funding this kind of activity is inappropriate and unacceptable. I agree.

What steps can be taken to ensure that this does not occur again and do you see any indication from any of the UN bodies that anything is going to be rectified in the future to prevent this from happening?

On Syria and Lebanon, I believe an indication of the persistent deficiencies in the UN system is in the failure of the UN Security Council to fully enforce all aspects of the resolutions that they pass, specifically, 1559 relating to Syria and Lebanon. The only aspect of 1559 that has been complied with is the withdrawal of the Syrian military from Lebanon, but even of greater concern is the failure of the UN to disarm and to demand Hezbollah disarmament.

Do you think that this failure undermines the UN statements relating to terrorism, specifically the UN Security Council Resolution 1624, on incitement and terrorism?

My third question, Mr. Ambassador, is about merging the United Nations UNRWA with UNHCR. Do you agree that the functions of these two bodies are duplicative and that funding does not appear to correspond to the needs of these organizations?

In your discussion in New York, have you raised the possibility of changing the interpretation and the application of the 1951 refugee convention to include Palestinians with other refugee groups?

Do you think that it would make sense for the UNHCR to provide the services that are now provided by UNRWA, to merge these two? Thank you, Mr. Ambassador.

Ambassador BOLTON. Thank you. With respect to the UNDP materials, right after the letter was sent that they referred to, I met with the new administrator of UNDP, Mr. Kamal Dervis and we discussed this question, among others.

I said, "You know this was kind of a self-inflicted wound by UNDP." I believe that he understood the nature of the problem and will take steps to correct it.

The problem of anti-Israel bias in the United Nations, I am sad to say, continues. It is a fact. There are a number of things that

we need to do on that score and I think for the present time that although this one incident, I believe will be resolved satisfactorily, I don't think you can therefore say that the issue is resolved. It will require a continuing vigilance.

On the Syria/Lebanon question, the disarming of Hezbollah, turning it into a political faction or party is something that is obviously critical to restoring Lebanon to a full-functioning democracy.

In a somewhat different context of the Israeli/Palestinian matter, this was something that the quartet discussed last week. Secretary Annan talked about the importance ultimately of groups like that giving up their weapons.

In a democratic society, ultimately that is what has to happen. You can't have groups that declare themselves participants in the electoral process one day and armed insurrectionists the next, if they don't like the outcome.

As part of the ongoing effort that we are making in Lebanon with respect to Syria, that remains a priority. You have described the factual situation accurately and it is something that we continue to press on.

On UNRWA, you know this is actually a subject of discussion and I think it is appropriate now that we begin to think about what to do with UNRWA, as we get to a two-state solution and there is certainly no fixed position on it, but I recall the somewhat analogous situation of Cambodian refugees in Thailand, when a separate UN agency, UNBRO (UN Board of Relief Organization), was created to deal with that problem.

When the status of Cambodia was resolved in the early 1990s, all the refugees went back into Cambodia and UNBRO was abolished.

The question whether it is UNDP, for example, as an arm of the UN that provides development assistance to a new Palestinian state or whether it is some other combination is something that needs to be addressed and we have discussed that in New York.

I discussed it myself with Alva de Soto, the Secretary-General's Middle East represent. I think it is time now to consider it. We don't have a view as to what it should be, but it is a question that is legitimate to raise and that would benefit from some thought by everybody as the Palestinians move hopefully toward a democratic Palestinian state.

Ms. ROS-LEHTINEN. Thank you, Mr. Ambassador.

Thank you, Mr. Chairman.

Chairman HYDE. Mr. Payne.

Mr. PAYNE. Thank you very much, Mr. Ambassador, for the welcoming that you have done for Congressman Royce and myself as the representatives from the House to the UN and the fine luncheon given by your Assistant Ambassador Patterson.

I served previously and I must say the cooperation from your office has certainly been much improved over previous offices, I have to say that. However, you have to be careful when people give you a compliment.

Ambassador BOLTON. I know that that always happens.

Mr. PAYNE. Let me just say that, it is really not directed to you, but I totally oppose the Hyde bill. I think we all know that the UN

needs reform. I don't think anybody up here would be opposed to that.

However, to say that we will reduce 50 percent of our funding in 2 years if 39 reforms are not made is totally impractical.

Secondly, the Secretary-General does not have executive authority. It has to go through the General Assembly and so there is no way that those goals could be achieved.

Third, actually we are 22 percent, as you mentioned. Japan is up to about a little bit above 19 percent. Japan is 14 percent of GDP in the world. We have 34 percent.

If we did a 50 percent cut, we would be doing 11 percent of UN dues. Japan would go up to about 25 percent. We would be doing about a third of what our obligation is. I think the Senate, where there are wise men, will take care of that proposal.

I just have a couple of quick questions. One, I was pleased that the position of the Responsibility to Protect was restored.

Congressman Wolf, Congressman Tancredo and Congressman Napolitano and I sent a letter to your office asking for the restoration of the Responsibility to Protect Civilians from Genocide and Crimes Against Humanity and I am glad that at the end of the day it was restored.

The question that I have is, one, there is a reform move and the General Assembly said that they would review progress on reforms and above by the end of the year.

I just wonder what your position is on the G-4—which the African Union rejected—led by Japan and Brazil and others.

Number two, I wonder if you could just quickly let us know where the U.S. stands on trying to weigh in on our allies in Pakistan who refused to support the comprehensive nuclear test ban, which was surprising to us.

Just finally, with that U.S. and UN cooperate with the investigation on Darfur we know that the U.S. has supported the international criminal tribunals in Yugoslavia, in Iran and Sierra Leone and we appreciate the abstention on the ICC referral on Darfur.

The U.S. has done 1,300 interviews of victims in Darfur and in Chad region. Will the U.S. cooperate and actually turn over the tremendously important information to assist in the prosecution of persons accused of crimes against humanity? Genocide really was what we declared in the House. Thank you.

Ambassador BOLTON. Thank you. On the subject of the G-4 proposal that we had a chance to discuss in New York, the way the outcome document reads basically is that there will continue to be consultations on the subject, with a view to seeing what might happen by the end of the year.

It is very hard to predict what the next step that the G-4 are actually going to undertake. It is not a proposal that we support.

It would result in a Security Council with four new permanent members, absent the veto, but still four new permanent members and perhaps as many as five or six new non-permanent members, which would take you to a council size notionally of 24, 25 countries.

The G-4 together thought that they might have a chance at getting the two-thirds vote they need in the General Assembly to get their proposal accepted, some time over the summer. That obvi-

ously didn't happen, in part because of the position taken by the African Union.

The G-4 lobbied the African Union very intensively. The African Union has gone through a series of decisions that have led it to the conclusion, the position it now holds, that it does not accept the G-4 approach or the modifications that they were trying to work out.

At this point, I would say it is hard to predict what the G-4 themselves might do. I think, just a tactical judgment, I think the moment for that proposal may have passed.

We are committed, as I have mentioned at the outset, to working with the Japanese very intensively and Secretary Rice raised this with foreign minister Macha Mora during their discussions in New York and were charged with discussing with Japan, at a number of different levels, what the next steps on that will be.

So therefore, I would have to say it remains and the issue remains in play. The question of finding a Security Council that is more reflective of the situation in 2005, rather than 1945, when the existing five permanent members were named, is something we are going to continue to pursue.

On the CTBT, of course the U.S. position is we are not going to seek gratification of the CTBT and under the terms of the treaty, it will not enter into force, unless all five of the legitimate nuclear weapons states ratify it.

That is one reason, since we are not supporting it, we have not pressed India or Pakistan.

On the situation in Darfur, obviously the President himself has been very personally involved in our policy in that regard.

We face statutory prohibitions concerning cooperation with the ICC, but there is no question in the President's mind or in Secretary Rice's mind, and therefore in all of our minds, that we want to stop what is going on and find a way to hold those who perpetrated these crimes against humanity accountable and that remains our position.

Chairman HYDE. The gentlemen's time has expired.

Before recognizing Mr. Issa, the Chair would just like to interject a mild defense of his bill, which has been under vicious attack by some Members of this Committee and the witness.

I stipulate that the establishment opposes my bill. I will stipulate that the notion of withholding dues from the UN is abhorrent to many people.

I will also assert that withholding dues is a wonderful way to get their attention and that my bill, which provides for the automatic withholding of dues should reform fail, passed the House of Representatives, the people's body, twice.

You may have the establishment. I have the membership and maybe the twain shall meet. I am not sure.

Mr. Issa.

Mr. ISSA. Thank you, Mr. Chairman and on that note, I would like to echo my support for the Chairman's position for two reasons.

One, there does need to be a strong message sent to the UN. I believe the President sent a strong message, when he sent you to the UN, Ambassador. I have actually no doubt that it has been noted.

But I do believe that, with all due respect to the Executive Branch, the purse strings do not belong to you. They belong to the people and they are determined from here.

I support the Chairman's determination that what we give to the UN is a gift. It is not, in fact, a tax from a body that has a right to tax us. Just a little separation of powers there for just a moment, Ambassador.

I certainly would like to echo every Member who has called for the, if you will, the reform portion of that agenda, the Independent Oversight Board, management controls and so on, but as a former businessman, I would like to talk about the front part of the horse for a change, instead of the back.

What is it the UN has done for us lately? I would like to assert that the front part of the horse is the part of the horse that needs the most work and I would hope that in addition to making the "train run on time," you would make sure that the train pulls something in the way of coal or something else that would have a value, taken to the rest of the world, because it does seem like it is often an empty train, particularly when the UN was impotent in Iraq.

They went in. Somebody shot at them. Somebody had the audacity to in fact attack them and they turned tail and left saying that, you know, essentially it could only be there if our forces could guarantee their absolute protection.

I think that says a great deal about the front end of the horse at the UN peacekeeping forces, this is one Member that would have a hard time suggesting peacekeeping forces go anywhere, even at the invitation of a state, if there is any need for peacekeeping forces.

The only place the UN today is effective is in those places in which there is no real need for the UN, from the standpoint of blue helmets with, if you will, weapons.

One of the most important things that makes the UN different than its predecessor is its ability to assert, with force if necessary, its will.

Going to 1559, which doesn't require force today, but as you so rightfully said, there is an investigation underway. It undoubtedly will reach into governments around the world.

My friend, Rafi Kariri, was not assassinated as an individual. He was not assassinated as a successful businessman. He was assassinated as a former prime minister in the process to return to power, with the support of his people, for the purpose of insisting that foreign forces leave his country and that his democracy be allowed to be truly independent.

I congratulate the United Nations, because I do believe that in harmony with other world powers, they are the reason that Syria has left.

They are the reason that when I was with the prime minister in Lebanon, for the first time ever in prime minister Kariri's General Assembly, former General Assembly, we actually had a conversation in which we didn't have to go to a room with loud music playing and whisper, because there was no concern that security forces were going to, every minute, monitor even the prime minister.

I would say though that my biggest concern that we will discover that high-ranking officials in or in neighboring countries were responsible for the assassination of the prime minister and I would like your commitment today to, in the strongest way, insist that the UN be responsible to bring those who committed this crime to trial, no matter what level of government they come from.

One last echoing and that is that I appreciate that you spoke about the need for Hezbollah to give up its guns and to become part of political society, but I would ask in your response, what is the UN prepared to do to force or to assist in that disengagement and disarmament?

Ambassador BOLTON. There is a lot in your question. I guess what I would say in response to the first part is that I really think most Americans view the UN in very practical terms.

If they think it works, they are prepared to support it and where they get frustrated is when it doesn't seem to work for reasons that we can't understand.

It is not an ideological perspective or anything else. It is just a practical question of: Can this organization do good work and where it does, why shouldn't we support it? In fact, we do support it.

As I mentioned in the World Food Programme, the U.S. for probably for the World Food Programme's entire existence, has been far and away the biggest contributor.

What we aim to do, not only in the management reform area, but in the overall governance, is to try and make the various agencies and pieces of the UN system accomplish what they were set up to do, where those purposes are valid.

That is really the test we are trying to follow. Can we make it effective for those purposes?

In the case of Lebanon, I think that this is an example where, because of excellent cooperation among the permanent members, the Security Council has played a very useful role. The matter is far from resolved and 1559 has not been fully implemented.

There is some back sliding in the sense that we hear talk in New York of some countries saying that the Shaba farms issue is now to be reopened, even though the Secretary-General years ago had said that in fact Israel withdrew from all Lebanese territory and that that eliminates any colorable argument that any so-called militia has to continue to maintain weapons in Lebanon to repel the Israeli's, when the Israeli's are gone.

I think, as I said earlier, the outcome of the Melice investigation is now the next most significant event, the results of that investigation will be announced I think when they are ready.

I have confidence and I think it is broadly shared confidence in New York, that Melice is not intimidated by anybody and that he "calls them as he sees them" and that we are going to get a very straight report.

I think when we get that report, then we can react to it and I think pursuing his conclusions is something that we are very strongly committed to.

Chairman HYDE. Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chairman.

Mr. Ambassador, I believe at various times during the 109th Congress six or seven Committees and Subcommittees have held hearings on the UN Oil-for-Food Program, investigating the corruption. Likewise, the abuse by UN peacekeepers has been a subject of congressional hearings.

Unfortunately, the level of UN security far exceeds a level of oversight of this Congress and this Committee provides for many of our own Government foreign policies.

For example, Iraq. It is not our foreign policy that we have many countries criticizing, confused and taken back by our actions.

Mr. Ambassador, when you are forward in the UN, U.S. credibility is on the line and you advocate for needed reforms.

The State Department condemns Sudan for state sponsored genocide, for hijacking the UN Human Rights Commission and then the same State Department in this very room commends Sudan. Congratulates them in fact for their collaboration and partnership on counterterrorism.

Similarly, going back to the UN Oil-for-Food Program, we condemn it for its corruption and I agree. There was corruption, but then we have recently learned that the United States, when it appointed officials in the Iraqi interim government, those officials engaged in massive corruption, a theft that may have exceeded \$2 billion, but most of it is from the Ministry of Defense hiding the fact that U.S. officials were involved.

They were assigned to monitor the situation in the Ministry of Defense. There are many examples like I have given.

There is the Bush doctrine of preemptive war. Premeditated war with no weapons of mass destruction found. The prison torture scandal. Guantanamo Bay. There are others that come to mind.

We are all aware of this and we know that you are and I mean this sincerely, an advocate for accountability, for transparency and for anti-corruption measures. You and I might disagree on how to go about those, but you are very sincere about this.

Certainly I know, from my encounters internationally with international parliamentarians, that there are challenges in working in the international community right now.

What are the challenges and obstacles you are encountering, as you advocate for UN reforms, when the contradictions of the United States' foreign policy are all too obvious to the world community? What are some of the challenges you are facing?

Ambassador BOLTON. I think that in the discussions in New York, one in dealing with the other governments, one could spend a lot of time talking about their faults and a lot of other governments do spend some time talking about our faults, domestically and as you have pointed out, we certainly have them.

But I think the real issue is not that there are private or governmental officials in the United States that may have engaged in corruption, or that we have followed policies that have not eventuated in the outcomes that we expected, but what we are going to focus on at the United Nations.

I think that the level of discussion that we have had in New York has really been on that basis and I say in New York. I should say on the level of discussion we have had in Washington and capitols around the world, too, that it is not an inhibition to us in ad-

vocating the reforms that we seek, that we have had our own problems in the United States, because we are not alone in that.

The question is not is there a human fallibility, which there is everywhere, but what we can do in the specific context of the UN, to try and bring standards of accountability and transparency up to higher levels.

It is not to say there is not work that still needs to be done within the United States. I have no doubt that there is, but the fact that we haven't achieved necessarily the end of the road is not an excuse for not trying to improve the UN.

Ms. MCCOLLUM. Thank you.

Chairman HYDE. Mr. Barrett.

Mr. BARRETT. Thank you, Mr. Chairman.

Mr. Ambassador, welcome.

Ambassador BOLTON. Thank you.

Mr. BARRETT. It is an honor to have you here today. I want to tell you I couldn't be more pleased to have you, where you are. I think you are going to be a breath of fresh air for us and going to do us a fantastic job.

Ambassador BOLTON. Thank you very much.

Mr. BARRETT. Simple question. I am going to read you something right quick first. September 14, opening session, 60th UN General Assembly, President Bush and I quote:

"To help make these promises real, the United Nations must be strong and efficient, free of corruption and accountable to the people it serves. The United Nations must stand for integrity."

I think my colleagues have beat around the bush to the issue and I want to ask you a simple question. We have talked about reform, budgeting, oversight, management, peacekeeping, terrorism, human rights, proliferation, disarmament. I mean the whole gamut.

But my daddy said something to me very simple when I was a boy, "If you deal with bad people, you get bad results." So my question is: All these issues deal with people and there is a perception out there, whether it is real or perceived, that we have got bad people in the UN. Where are we with the ethics process?

What is happening? When my people come to me and say, Congressman, we want to get out of the UN, because we are dealing with folks that we cannot trust, what do I say to them?

Ambassador BOLTON. I think that there is a substantial improvement in the internal ethics system at the UN and I think the Secretary-General is committed to trying to get that done.

Chris Burn and the American who recently came in as Undersecretary General for Management are committed to getting it done and it is long overdue.

There is just no way you can say that everything is fine and that we are just making a couple of modifications, when you have, for years, an absence of any kind of effective conflict of interest regulations.

I remember when Dick Thornberg became Undersecretary General for Management in 1992. He had been a governor of the state of Pennsylvania. He had been Attorney General of the United

States. He went to New York. He couldn't believe it. Couldn't believe it.

He couldn't believe what an absence of these kinds of standards existed. Now some have been put in place in part because of his efforts. More are on the way and I think it is a matter that does go critically to the integrity of the organization and to its reputation.

That is why we are going to make a major effort to see that it happens, because people are entitled to the highest standards, as the President said.

No institution is perfect and it contains human beings. So there are always going to be difficulties, but we have seen recently the arrest of two senior officials by Federal authorities in New York.

We have the report of the Volcker Committee and the work that a number of congressional Committees are still undertaking and I don't think we are at the end of that process yet.

It is something that we are going to continue to pursue and I think this is one where there is no disagreement in principle in New York. It is a question of getting it implemented in a way that is satisfactory and that people can have confidence that the highest standards of integrity are being applied.

Mr. BARRETT. If I can just leave you with one thing, Mr. Ambassador, from the people of South Carolina, clean it up. Thank you, sir.

Chairman HYDE. If I might intervene, because that was a very provocative question from Mr. Barrett, the challenge, the drama of foreign policy is that you can't pick the people that you are dealing with.

Other countries have other cultures, other interests, other history, and they are represented by people who have a very different perspective and you have to play the hand that you are dealt, and that is the great challenge of foreign policy.

The stronger your own people are, the more integrity-laden they are, the more they will be able to withstand the buffets of corruption and lack of integrity, but you have to deal with the people other countries put forward to represent them. That is the great fascination to me of foreign policy.

Mr. Schiff.

Mr. SCHIFF. Mr. Ambassador, I want to ask you about your prior work on the area of nonproliferation and your current focus on that issue as well.

On numerous occasions through the course of his time in office, the President has called the danger of nuclear terrorism the number one national security threat the country faces and I could not agree more.

In a speech at National Defense University in February 2004, the President called for strengthening the nonproliferation treaty by closing the loophole in the NPT that has enabled countries like Iran to acquire dual-use facilities capable of producing bomb-grade plutonium and highly enriched uranium, under the guise of a civil nuclear energy program.

The President also called on countries to adhere to the IAEA additional protocol, which requires the parties to provide the IAEA

with more extensive information about their nuclear programs, and allow more intrusive inspections.

The President acknowledged this would not be easy. He said:

“There is a consensus among nations that proliferation cannot be tolerated, yet this consensus means little unless it is translated into action.”

In a speech the NPT prep com in April 2004, you echoed the President’s words and called for the delegates, “to devise ways to ensure full compliance with the treaty’s nonproliferation objectives.”

This past May, the U.S. had the opportunity to translate this consensus into action at the NPT review conference held at the UN in New York.

Unfortunately, the conference ended in failure and the U.S. and the global nonproliferation regime is now, I believe, in a far weaker position, even as we confront Iran and North Korea over their weapons programs.

During the conference, *Newsweek Magazine* ran a story that laid significant responsibility for the failure at the conference on your doorstep.

According to several colleagues in the Administration, who were quoted in the article, your office did almost no diplomatic groundwork for the NPT conference.

Former Administration officials also asserted that you and your office were absent without leave, never knew when the conference was coming and it would be contentious, but the diplomacy was stopped 6 months before the conference.

I would like to know what steps were taken to prepare for success at that conference. Why it ended with no consensus. Whether this will be a priority of yours in your new responsibility.

Also, what role the U.S. nuclear deal with India may have, had that came later. Was there a sense that pushing for strong provisions at the NPT conference would undercut the later agreement with India, providing benefits of NPT membership without India in fact being a part of the NPT? That is what I would like you to respond to.

Ambassador BOLTON. To answer the last part first, the question of India really didn’t factor in one way or the other in the subject of the arrangement that has been recently been made between the United States and India was not any part of the 2004 NPT Review Conference issue.

Chairman HYDE. Mr. Bolton, there are two votes pending, a 15-minute vote and a 5-minute vote. I hate to interrupt your testimony, but we are being pulled in two directions.

If we can stand in recess, as soon as the second vote is over, we will hurry back to get the finish of your answer and then any more questions for Mr. Bolton will be submitted in writing and answered later, so that we can get to the next witness’ briefing, which is very important.

Mr. SCHIFF. Mr. Chairman, would it be possible to merely have the Ambassador’s answer to this question that we have 15 minutes to get to the Floor?

Chairman HYDE. You may stay and listen and I am going to get over and vote. It is just awkward, but we have two votes. It takes some of us longer to get over there than others, but we will come back.

Mr. SCHIFF. However you decide, Mr. Chairman.

Chairman HYDE. If you want to stay and Mr. Bolton wants to answer you, you go ahead and then when you are through—

Ambassador BOLTON. I will be happy to answer, Mr. Chairman.

Chairman HYDE. Sure. When you are through, we will recess.

Ambassador BOLTON. I will turn the lights out I guess.

Mr. SCHIFF. Thank you, Mr. Chairman.

Ambassador BOLTON. We had very extensive diplomatic preparation for the NPT Review Conference and the fact is that in the 5-year run-up to that review conference, with three preparatory conferences over the 5-year period, at the end of the three preparatory conferences the parties had not even been able to agree on an agenda. Five years of preparation, no agenda.

The question of the outcome of the conference depended on disagreements over the highest priority and the greatest threat to the nonproliferation regime.

We believed that the greatest threat to the nonproliferation regime was proliferation. Where it states that, "We are pursuing strategic decisions to acquire nuclear weapons capabilities that had to be stopped."

Other countries insisted that the real problem in the world was in the United States and the allegedly inadequate efforts by the United States for nuclear disarmament.

I thought our record on that score was quite good. The President, in May 2002, signed the treaty in Moscow, which provides over a 10-year period for the reduction of operationally deployed strategic nuclear warheads from their levels at that time of roughly 6,000 to a range of between 17 to 2,200 at the final date of the treaty. That is a two-thirds reduction.

A number of other steps that the United States was undertaking, through non-luger programs and others, we thought our disarmament record was quite good and we were prepared to defend it and we did.

The notion that there was inadequate preparation, or that somehow it was a problem largely caused by the United States I think was simply not correct.

It is a fact that the—

Mr. SCHIFF. Mr. Ambassador—

Ambassador BOLTON [continuing]. Nonproliferation regime is under pressure and that is—

Mr. SCHIFF. Mr. Ambassador, why did the conference fail then? If the United States can't lead it to a successful result, is there any other country that can?

Ambassador BOLTON. I think we tried very hard at that conference. We tried very hard at the recent High-level Event to get language, on which there would be consensus concerning the nonproliferation of weapons of mass destruction.

The fact that consensus was not obtained indicates I think the lack of agreement on what we consider the central threat and that is the threat posed by WMD proliferation, but certainly not

through lack of effort by the Administration or by others like-minded and concerned about that threat, the proliferation of weapons of mass destruction by states and into the hands of terrorist organizations.

That is where the risk comes from. That is where the threat comes from, not from the policies of the United States and we were not—

Mr. SCHIFF. I agree with you.

Mr. SMITH. We have several other Members. Chairman Royce?

Mr. ROYCE. Thank you very much, Mr. Chairman.

Mr. SCHIFF. I don't know if my 5 minutes was exceeded.

Mr. SMITH. It was exceeded by almost 2 minutes.

Mr. ROYCE. Thank you, Mr. Chairman.

Welcome, Ambassador Bolton. We are enthusiastic about the vigor with which you have approached this task. In New York, you and I had a conversation about one of the key concerns that Congress has in these reforms and that particular issue is the intention to finally get a definition of the word terrorism.

You were effective in getting this raised to the high-level panelist. The Secretary-General has spoken out. Yet in the language this outcome document worked, there is the ability of countries to sort of veto your effort to do this.

This is why I think this is important. We had a Subcommittee on Terrorism and Nonproliferation hearing that I chaired here in which the witnesses basically said that the absence of an internationally agreed upon definition has provided countries with wiggle room to avoid taking on their international responsibilities to combat terrorism.

As long as suicide bombing isn't defined as terrorism per se, when it is directed against civilians, there is this loophole.

In Chairman Hyde's bill, one of the efforts that we are pushing up at the UN for reform, this becomes crucial. I wanted to ask you about the next step.

Is there a role then that through the General Assembly or through referring this to the Security Council for a resolution, is there a way outside of the ability in the outcome document, for a veto to get that done?

Second, I wanted to ask you specifically about a concern we have. I am a former controller and the outcome document calls for operational independence of the Office of Internal Oversight Services. The need for its budgetary independence.

I wanted to ask you how you interpreted that. Is achieving budgetary independence for the IAOS possible in the political climate that we have got right now at the General Assembly?

Lastly, let me just say what the NPT, from our view, is about. There are several states that would prefer that it collapsed, but it is the most powerful norm inducement for proliferation we have, and we are at a critical time and I hope we do all we can to salvage what we can of this treaty. Thank you again, Ambassador.

Ambassador BOLTON. Thank you, Congressman. On the definition of terrorism, there are a couple of ways to go about that.

One is through the Comprehensive Convention on International Terrorism, which won't be a universal definition, but will certainly provide a more specific offense and go a long way, I think, to clos-

ing some of the gaps that we feel in the range of International Terrorist Conventions that are now out there.

But second, as you put your finger on, the possibility of additional security action in the field, this is something that we think we have had some success in the Security Council on, although we do believe we could do more. I expect that that is going to be an area of activity over the next several months.

In terms of the question of independence for the audit unit and the series of related questions to that and that has been highlighted by the Volcker Committee as well, which has pointed out that the number of times that the audit efforts inside the United Nations on Oil-for-Food were compromised.

That is not something that we got resolved completely satisfactorily in the outcome document, but obviously it is critical to understand that if you don't have an audit function that has the resources and the independence, ultimately its findings are not going to be effective.

Mr. ROYCE. Thank you. Just in wrapping up, it would be helpful for us to know which countries specifically objected and tried to stop us from arriving at a definition of terrorism when it is attacks against civilian populations.

Ambassador BOLTON. Yes. A lot of it came out of the non-aligned movement and it is a phenomenon in New York. You will get used to it as you work with us up there this fall, but sometimes the most radical states spin up some of the others and they don't want to appear soft or squishy on some of these questions and it is very unfortunate.

It is a kind of old-think in UN politics that we ought to work to change, but that is basically how it happened. The ultimate language in the document, we think, didn't go beyond things that we have agreed to before and we think, in fact, it may provide a basis for resolving this same problem in the context of the negotiations over the Comprehensive Convention.

Mr. ROYCE. Thank you, Ambassador Bolton.

The hearing portion now stands in recess. We will reconvene for a briefing with Mr. Malloch Brown after votes and we appreciate very much your appearance here today.

Ambassador BOLTON. Thank you very much.

[Recess.]

Chairman HYDE. The Committee will come to order. Today's hearing is concluded and we will proceed with a briefing by Mr. Mark Malloch Brown, Chief of Staff to the Secretary-General of the United Nations.

Mr. Malloch Brown was appointed January 2005 by Secretary-General Kofi Annan to serve as his Chief of Staff. In this capacity, he assists the Secretary-General in initiatives to improve the performance and overhaul the management of the United Nations.

Prior to this appointment, Mr. Malloch Brown served as administrator of the United Nations Development Program and Chair of the United Nations Development Group, a committee consisting of the heads of all UN funds, programs and departments working on development issues.

Mr. Malloch Brown, we welcome you back to the Committee and we look forward to your comments.

**STATEMENT OF MR. MARK MALLOCH BROWN, CHIEF OF
STAFF TO THE SECRETARY-GENERAL, UNITED NATIONS**

Mr. BROWN. Thank you, Mr. Chairman and thank you particularly for your taking the time to come visit us in New York, with Congressman Lantos and your other colleagues. We really appreciate the interest and attention you have given this issue of UN reform.

Let me also extend the Secretary-General's regrets to you and through you to and sympathies to the whole American Congress and Administration for the tragedy of Katrina.

Just to point out, as I think you may have learned when you were in New York, that over 136 countries offered support to the United States after the hurricane disaster and our own agencies, UNICEF, led by the wonderful American executive director Ann Venemon, produced two plane loads of schools-in-a-box and other materials for displaced children, and the World Health Organization sent in medicines and the UN as a whole, sent disaster teams, the same teams that had been deployed in the tsunami and in many other emergencies around the world.

I mention this because that UN idea, which I think motivates all of us to work in the organization or to support it as solidarity for those in trouble is as applicable, even when it is the richest, most powerful country in the world, which is subject to such a terrible act of nature as a hurricane of this kind.

Perhaps, in the domestic focus on what happened, perhaps Americans missed the fact that the world responded to America at that moment, much as it did on 9/11.

People's hearts everywhere went out to Americans in need and that is the spirit in which the United States created the United Nations, that it would be a place where that support could be felt by peoples and between peoples everywhere.

With that, let me just turn to the reform package. Ambassador John Bolton, your wonderful new representative in New York, went through the scorecard, if you like. So let me just very quickly add just a couple of further comments to what he said.

Just to remind you, as I said, when you were kind enough to invite me down in to testimony to fill you in earlier in the year, the whole purpose of this Reform Summit Document was to try and align the United Nations with what people everywhere, here in the United States, but also the citizens of some of the poorest and smallest countries in the world, all equally want from the UN.

They want a UN aligned, we believe, behind those basic, core needs that we have from a multilateral system in today's world. It will allow us to cooperate together to take on the challenges of development around the world and of humanitarian response.

In that I think the summit did very well. We got these famous Millennium Development Goals endorsed by everybody, and President Bush's endorsement of them at the summit was one of the high points for many governments and was hugely appreciated, but so was America going along with this ambitious effort to resource the efforts to meet those goals in the coming years.

We also moved for arrangements for much quicker humanitarian response, whether it is hunger in Africa, or a tsunami in Asia, we

can deploy emergency support in a quick way, with funds available on hand and people on hand.

I think America itself saw the need for that with Katrina, that you have to be well-prepared. The U.S. has the capacity to do for itself for the most part, but other countries need this international support quickly available when it is needed.

On the second pillar of the summit, security, mixed results. Yes, common action against terrorism, but real difficulty getting the clear, unambiguous definition that John Bolton wanted and Kofi Annan wanted and so many others wanted.

A handful of countries held out against a strong enough definition I think, but it was still a big step forward.

We also got the critical Peacebuilding Commission, an effort to make sure that there is a way of really pulling together a strategy to build peace in a country, after the fighting stops.

With it, the responsibility to protect, something that Congressman Smith with his visits to Darfur and elsewhere knows is so important, this concept now in international law we hope that countries can't stand by, as a genocide takes place in another nation. There is a need to respond and respond adequately to stop that happening.

A great setback, as has already been observed, on weapons of mass destruction, where we were disappointed by the outcome on that.

On human rights, a critical foot in the door. We have got a doubling of the budget for the High Commissioner for Human Rights and we have got in principle the agreement for a Human Rights Council.

It was asked earlier, will the Human Rights Commission, which everybody so rightly agrees is such a tarnished, compromised body, will it meet again? Will it ever again have a vote?

Well, in the eyes of the Secretary-General, I think it should have one more vote, a vote to put itself out of business as a new Human Rights Council takes over.

That is a huge burden on John Bolton and his colleagues to complete the debates about the design of that to make sure that it is ready to be up and running by the spring of 2006.

That is something that we the Secretariat can't do for governments. This is going to be an inter-governmental negotiation and agreement.

The final pillar was the management reform. Pleased to say that in the areas where the Secretary-General can now act on his own authority, we are moving. He yesterday approved a plan designed by Chris Burnam, our excellent American Undersecretary General for Management, who John mentioned, we approved the plan for an Ethics Office. Now we will be pushing ahead with that.

We are pushing ahead too with the door that was opened by the Summit Document to let us redesign Oversight, to create a rational strengthened oversight system, under an independent committee that reports to governments and certainly, in terms of Congressman Royce's question of earlier, it must have authority to vote the budgets for Oversight that are needed and not have to go through the executive side of the UN to do that.

Perhaps for those of us in management in the UN, critically too the summit has authorized us to come back with a radical reform of the personnel and financial rules and the old, old mandates, some of them up to 55 years old, which still govern so much of the work of the organization, we believe we can sweep all that out and with the support of governments, get things changed.

Just one very final observation. The talk today has been about the summit and that is a key motivation for these changes, but so is Paul Volcker and the Oil-for-Food inquiry that he led.

He exposed institutional and managerial failings in the UN, which have to be corrected and I just want to assure you, Mr. Chairman, that we take his findings very, very seriously.

They are an exhaustive, blue ribbon critique of the fact that the UN's management and institutional arrangements have not kept up with the vast new operational challenges we face around the world.

I agree with John Bolton. We must be ready to take on new Oil-for-Food Programs. We must be a tool that is useful to the United States and other governments, but to do that, we have got to push through a reform in our culture and a new system of management, tools and arrangements to equip us to take on those same tasks. Thank you.

[The prepared statement of Mr. Brown follows:]

PREPARED STATEMENT OF MR. MARK MALLOCH BROWN, CHIEF OF STAFF TO THE
SECRETARY-GENERAL, UNITED NATIONS

I'm very grateful for this opportunity to brief the Committee on what was and was not achieved at the UN summit two weeks ago, and how the Secretary-General sees the way ahead on reform. Mr. Chairman, we deeply appreciate the interest that you and your colleagues, particularly Congressman Lantos, have shown in helping us to make the UN a stronger and more effective instrument in the hands of the world's peoples.

I'm also very glad to be following Ambassador Bolton, with whom—as with representatives of other member states—the Secretary-General has been working very closely on all these issues.

Let me begin by expressing my sympathy, which I know is shared by all my colleagues at the UN, for all the many Americans who have suffered bereavement, injury or hardship as a result of hurricanes Katrina and Rita. The entire international community has been saddened by the loss of life and devastation.

The American people have always been generous in helping the victims of disasters in other parts of the world, and now the world has responded in kind. Offers of assistance came in from more than 136 countries. During the UN summit there were many expressions of sympathy and solidarity from the leaders of other countries. Even some very poor countries offered what they could, out of solidarity and concern for those affected, and the UN itself has contributed to the humanitarian effort. UNICEF provided two planeloads of education and recreation kits for children. Experts from the World Health Organization worked with their counterparts at the Centers for Disease Control to register displaced persons and track the support provided to them. And logistics staff have served in Baton Rouge, Denton, Little Rock, Arlington and other staging areas, including the U.S.S. Iwo Jima, in part to coordinate the reception and dispatch of international assistance.

In short, we have been doing whatever we can to help, and we wish the American people strength and courage as they continue the recovery and reconstruction effort.

But let me return to today's agenda. The UN summit was noteworthy, not because of the record attendance of heads of state, or the ambitiousness of the agenda, but rather because of what was achieved, and what was started.

In March, when the Secretary-General proposed an agenda for the summit, he deliberately set the bar high, since in international negotiations you never get everything you ask. He also presented the reforms as a package, meaning not that he expected them to be adopted without change but that advances in all the four main areas—development, security, human rights, UN reform—were more likely to be

achieved together than piecemeal, precisely because states have different priorities, and are more likely to overcome their reservations on some issues if they see serious attention being given to others to which they assign a higher priority. To be quite specific, the US and others who share the same reform agenda were not going to get what they wanted on management reform, on human rights or on terrorism, unless they showed sensitivity to the views of those many governments for whom development is the overriding priority—and vice versa.

In the end that did happen, but not to the extent that we originally hoped. On many issues there are substantive differences among member states which are still unresolved; and there is also a regrettable amount of mistrust, which often makes it hard to reach consensus on language even when there is really not much of substance in dispute. Even the phrase “UN reform” sometimes arouses suspicion among many of the moderate, democratic governments who in fact support most of the specific items on our agenda.

But after some very tense negotiations in the weeks and days before the summit, we came out with a document which does mark an important step forward, and is a good basis for further progress, in areas to which the US government, and this Committee in particular, rightly attach importance—I am thinking especially of management reform, human rights, and terrorism.

MANAGEMENT REFORM

Secretary-General Kofi Annan has said many times that “reform is a process, not an event”, and Ambassador Bolton has now given us his own, pithier version of that aphorism: “reform is not a one-night stand”.

So it was probably never realistic to imagine that we would get all the necessary reforms enacted at one sitting. We would have liked an explicit sentence, spelling out that the Secretary-General needs the authority and flexibility to manage the Organization within his budget, and within a clear political mandate given to him by member states, so that he can be held meaningfully responsible and accountable for the results. We didn't get that, but we did get a request for him to come back to the General Assembly with proposals on the conditions and measures necessary for him to carry out his managerial responsibilities effectively, and we did get a green light to move ahead on virtually all the specific changes that he had requested:

1. The Secretary-General was given a clear instruction by the summit to scrupulously apply the existing standards of conduct, and develop a code of ethics which will extend beyond the Secretariat to embrace the entire UN system.
2. His intention to create an independent ethics office was recognized—and I'm glad to tell you that just yesterday he formally approved this.
3. Member states committed themselves to additional reforms to ensure that the UN makes more efficient use of its financial and human resources.
4. They asked the Secretary-General to make recommendations to ensure that the policies and rules governing the UN's budgetary, financial and human resources respond to the Organization's current needs and enable it to work efficiently and effectively.
5. They undertook to review all mandates more than five years old, and have asked the Secretary-General for an analysis and recommendations to enable both the review itself and the decisions arising from it to be taken during 2006.
6. They also asked him for a framework for a one-time buyout of staff.
7. They resolved, as a matter of urgency, to significantly strengthen the UN's internal oversight body and ensure its operational independence.
8. They asked the Secretary-General to submit an independent external evaluation of the entire oversight and management system of the UN, including its specialized agencies, so that measures to improve it can be taken by the General Assembly during its current session “at the earliest possible stage”.
9. They also asked him to make detailed proposals for a new independent oversight advisory committee.
10. And they gave strong support to his policy of zero tolerance of sexual exploitation and abuse by UN personnel, while encouraging him to submit proposals for a comprehensive approach to assistance for the victims of such abuse by the end of this year.

In short, they have given us a lot to do in a short time, and we have already started work. Just yesterday, the Secretary-General chaired the first joint meeting of the

Policy and Management committees—the two bodies that I told you he was setting up the last time I had the opportunity to brief you, and which are both now up and running. The purpose of that joint meeting was to draw up a plan and a timetable for implementing and following up all the instructions that member states have now given us. So in the next few weeks we will be working hard to review almost sixty years of mandates, and all the budget and human resource rules and regulations. Amazing as it may seem, such reviews have never been done before in the history of the UN. I believe if we do them properly, and if member states who really care about reform play their full part when the Secretary-General comes back to the Assembly with recommendations, we will now achieve a long overdue house-cleaning of the Organization.

If all these reforms are carried out, they should enable us to streamline and prioritize all our activities, deploying resources where they are most needed to carry out today's most urgent tasks, and recruiting staff with the skills to carry out those tasks, while also backing up the measures that are already in hand to enforce greater accountability and transparency, with more rigorous standards of ethics, throughout the Organization.

The lessons of the Oil for Food Program, the exhaustive and unprecedented review by the Volcker Inquiry, this Committee and others here in the Congress, and bipartisan initiatives such as the Gingrich/Mitchell report, have served to galvanize the reform efforts the Secretary-General has attempted to advance throughout his tenure. Many of the changes already made by the Secretary-General on his own authority—such as the creation of an ethics office, the new rules to protect whistleblowers, improving procurement practices, and the creation of separate policy and management committees at the top—are aimed precisely at remedying the deficiencies revealed by the oil-for-food scandal.

The same goes for the decisions of the summit. Indeed, I doubt if we would ever have got the majority of member states to accept the urgency of management reform without the scandal and the various investigations into it. As the Secretary-General himself told the Security Council on September 7—the day it was published—Mr. Volcker's fullest and most recent report “ripped away the curtain, and shone a harsh light into the most unsightly corners” of the UN.

Earlier this year, this House adopted your legislation which included a call for creation of a new Chief Operating Officer. This idea was echoed in Paul Volcker's report, and the Secretary-General has indicated his support for it. I am sure the US and other countries will take it up, and we may well see a specific proposal to create such a post brought forward during the current session of the General Assembly.

Let me assure you, in any case, that we in the Secretariat will follow up on every one of Mr. Volcker's recommendations, and will propose measures either to implement them directly, or, where appropriate, to ensure that we reach the same objective by other means.

But management reform is, of course, only a means to an end. I know you are also interested in the UN's substantive agenda. Let me now say a few words about the summit's outcome in some of the other areas that I know are of interest to you.

HUMAN RIGHTS AND DEMOCRACY

Last March, when the Secretary-General decided to recommend that the Commission on Human Rights be replaced by a new Human Rights Council, some greeted his proposal as bold and visionary, while others called it unrealistic. So the summit took a major step forward, by agreeing on the need to establish the Council as soon as possible. The Commission's days are numbered.

That said, member states have left themselves a lot of work in the coming months to define the specific parameters of the new Council. It is vital that nations which really care about human rights, including of course the US, be fully engaged in negotiations to see this through.

Meanwhile, please don't overlook the very important progress the summit did make on other areas of human rights—notably the “responsibility to protect”. For the first time the entire UN membership, at the highest level, has accepted clearly that it has a collective responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. I believe this is a historic decision, which can help us to respond more rapidly, and more effectively, to the Bosnias and Rwandas, and indeed the Darfurs, of the future.

Of course it's a decision in principle. An enormous political effort will still be needed to ensure that we act on this principle in specific situations. But no one can argue any longer that such horrific crimes are internal affairs, which concern only

the people and government of the nation in which they happen. In that respect, at least, we have entered a new and better era.

I should like to thank members of this Committee, particularly yourself, Mr. Chairman, and members such as Congressman Lantos and Congressman Smith, for the untiring support you have given to the principle of strengthening the UN's commitment to the protection of fundamental human rights. What this body says on human rights echoes across the world. And as a result of the summit, member countries also took the decision to double the capacity and budget of the UN's human rights machinery, which was previously only 2 per cent of the UN budget as a whole. I think if we all keep our eye on the ball and do not relax our vigilance, there is real hope that in the coming years the UN will remove the blemish that has disfigured its otherwise valuable work in this area, and at last come to be seen as the effective force for human rights around the world that its founders intended it to be.

Let me also remind you that the UN Democracy Fund, which President Bush first suggested when he spoke in the General Assembly last year, has now been set up and has already received pledges of over \$42 million from 15 countries, including \$10 million from the US. This will enable the UN to do much more to help create and strengthen democratic institutions in countries making the difficult transition from civil conflict, or authoritarian rule.

PEACEBUILDING

In that context I should also mention another important decision of the summit—the creation of a Peacebuilding Commission. I believe this body will be of great value to the US, since it will make it easier for you to share with other countries and institutions the burden of supporting reconstruction and recovery, and preventing a relapse into violence, in places like Liberia, Haiti and Sudan where peace and stability are not only a crying human need but also an important security interest for America and the rest of the world. This Commission will be operational by the end of the year.

TERRORISM

Let me also remind you that, although we still do not have, as we had hoped, universal agreement on a *definition* of terrorism, the summit did produce—and this too is a first in the UN's history—a clear, unqualified condemnation, by all Member States, of terrorism “in all its forms and manifestations, committed by whomever, wherever and for whatever purposes”. This is an important step towards the comprehensive convention on terrorism—which I know is a high priority for the US government, as it is for many other governments, and which all member states have now committed themselves to conclude within the coming year. In addition, the summit agreed on the need for a global counter-terror strategy—based on the elements set out by the Secretary-General when he spoke to the Madrid conference on terrorism last March. I think we all understand that this is an area where it is imperative to have all countries cooperating, not just a few. So this is an area where the UN must deliver, and those most concerned with the threat of terrorism must make the biggest effort to enlist other countries in the common effort.

DEVELOPMENT

Finally, let me observe that in the area of economic and social development the summit did not call for specific actions by the UN itself. But it did stimulate important commitments, from both donor and developing nations, to take actions in their own right to advance the Millennium Development Goals adopted five years ago, thereby rolling back poverty and disease, enabling women to play their essential role in development, and also safeguarding our global environment. As a former Administrator of the UN Development Program, I particularly appreciated President Bush's speech to the summit, in which he strongly endorsed the MDGs (as we call them), and also made a potentially historic offer to give poor countries the chance to trade their way out of poverty through a successful Doha Round that would eliminate tariffs on their goods and end unfair agricultural subsidies. In this connection, I would draw your attention also to what Tony Blair said to his party conference yesterday: “When we resume the talks on world trade this December, our job, Europe's job, America's job, is to be on the side of opening the markets of the rich to the poorest of the world.”

So you see, Mr. Chairman, that the summit has given the new session of the General Assembly a great deal of work to do. I think we are lucky to have Jan Eliasson of Sweden—a man known to many of you from his recent term as his country's ambassador to the US—as president of the Assembly during this crucial session. He

will have a key role to play in the coming months, helping to steer the process that will have to deliver on the many issues decided but not completed at the summit.

In closing, let me add that I believe one important consequence of the reforms now under way must be to allow Israel to play its full part as a member state in all the UN's affairs, and no longer to be judged by harsher standards than those applied to other member states. As you know, this is something that the Secretary-General has consistently advocated throughout his time in office, and his role was handsomely acknowledged by Israel's foreign minister, Silvan Shalom, when he spoke in the General Assembly last week. I believe it is an encouraging sign of the new atmosphere that Israel's ambassador, Dan Gillerman, has been elected as one of the Assembly's vice-presidents for the current session—the first time this has happened since Abba Eban in the 1950s.

Meanwhile, the UN will of course continue its work, with its partners in the Quartet, for a just and lasting peace in the Middle East. The nearer we get to that goal, the more obvious it will be to all UN members that Israel has exactly the same rights as any other state.

But my main message to you this morning is that, while the summit's outcome was a major step forward in several key areas, much work needs to be done to follow it up in the coming weeks and months. And in that work, it goes without saying that constructive US engagement and leadership will continue to be absolutely essential.

We are all grateful for the efforts made by the Administration, particularly the Secretary of State and Ambassador Bolton, that have helped us to come this far. But there is still a tremendous amount of work to be done to get other countries on board to push through the detailed decisions.

I know, Mr. Chairman, that this House has passed a bill bearing your name, intended to ensure that reform of the United Nations moves ahead. I hope it's by now clear that we in the Secretary-General's office fully share that intention. But I hope you might now also understand why we respectfully disagree with the method that you adopted, which mandates withholding of US dues from the United Nations if certain benchmarks and deadlines are not met. I fear that this would provoke a backlash among other member states, whose effect would be not to advance but to set back the priorities that you and we share—such as an effective Human Rights Council, the extensive reform of UN management, a clear definition of terrorism—because it would shatter the pro-reform coalition among UN members.

The key to success, on the contrary, lies in working with, and broadening, the coalition of friends and allies who are already committed to reform. In this effort, the US is an essential player, but by no means the only one. It has to be the work of a coalition, and holding that coalition together is the surest way to success.

To help achieve this we rely on our friends not only in the Administration, but also here in Congress. There is much that you can do in the coming months—in your contacts with foreign leaders and your travels to foreign capitals—to communicate to your friends and allies abroad how serious is the need for UN reform. You can help to energize those who already support reform, and to win over those who are more reluctant. You, after all, have the power of the purse, and that ensures you an attentive audience wherever you go. Please use it to make the case for a stronger, more efficient UN—one that can carry the torch for peace, development and human rights throughout the world.

Thank you very much.

Chairman HYDE. Thank you very much for a very helpful statement. Mr. Brown, what lessons have been learned from the Secretary-General's previous reform efforts? How will these lessons learned be applied in the coming months as resolutions on specific reform are negotiated?

Mr. BROWN. The previous reform efforts have largely concentrated on institutional realignment, getting some critical pieces to work more closely together, Humanitarian and Development and both with the political side and have been enormously important in rationalizing the structure of the United Nations.

But where they have been less successful, with hindsight, is taking on the management systems and the culture of the organization to transform it into a kind of flexible, accountable organization that can take on complex global tasks efficiently and quickly.

I think we need to completely get at this core set of rules, regulations, the business model if you like, of how the UN operates, which has not been changed enough by earlier reforms.

Chairman HYDE. The outcome document tasks the Secretary-General to submit various proposals and recommendations on a wide range of management issues.

How robust will the Secretary-General be in response to these requests? If you can, provide some specific examples, including management programmatic reform and prioritizing of mandates.

Mr. BROWN. Thank you, Mr. Chairman. I am happy to. First, I think he will be very robust. I mean speaking very frankly to you, I think that Kofi Annan recognizes that his huge successes of the early period of his time as Secretary-General have currently been overshadowed by the Oil-for-Food scandal and he believes the lesson of that scandal and the opportunity that this summit has provided and the interest of Committees like yours, reinforces that, it has given him a chance to push through a fundamental management change of the organization, which will then become a critical part of his legacy and an answer to those who said that Oil-for-Food represents a management failing by him.

I think he really looks for this opportunity to kind of get the record straight.

Now specifically what does that mean? It means pushing through a set of reforms on the management side, which enhances management's authority over the deployment of people and resources, which creates a much more merit-based staff. That is one critical set.

Second, that that greater freedom to manage is controlled by a new set of accountability instruments and oversight tools available to member states, so that they can see that they are getting the results that they are paying for.

Programmatically I would just again stress two issues, the new Peacebuilding Commission, which will be up and running, if the summit result is to be respected, by December, which will be a major new effort to take on the peacebuilding task after conflicts and secondly, the whole human rights machinery, which again will be extremely tangible and will deliver on a key issue that the U.S. wants and perhaps just a third one, the Democracy Fund.

That secured \$42 million of commitments, it was a proposal of President Bush, you will recall, but he was joined in its first pledging session at this summit by governments such as India and South Africa and others, and so the U.S.'s pledge has been equalled many times over now by other pledges and it will start dispensing monies, we hope, by the end of this year to support democratic development around the world.

Chairman HYDE. Thank you very much.

Mr. McCotter.

Mr. MCCOTTER. Thank you, Mr. Chairman.

In building the reforms, it seems to me that one of the things that I am curious to hear is a specific mission of the United Nations.

In many instances, it seems as if the UN does everything and nothing at the same time, except that in either event, it becomes very expensive.

Is the UN going to continue to try to be an international security agency? Is it going to be an international court of law? Is it going to be an international social service agency? Is it going to be all of the same?

I would be very interested in the response, because one of the things stemming from the Oil-for-Food scandal that I find absolutely amazing is that in the wake of that, the UN is proposing a global tax upon nations to get a steady revenue stream outside of any bill, be it the Chairman's or be it Mr. Lantos' version, that they can then spend at will.

Is it the intent of the United Nations to be essentially an international governmental body with a tax dedicated to it with its General Assembly and its Security Council acting in many ways as a parliament or a senate and a house?

What is the long-term goal of the UN and what is the status of the proposed global tax?

Mr. BROWN. Very properly, the long-term goals of the UN will be defined by President Bush, Secretary of State Rice and John Bolton, not by me, because this is an inter-governmental body where the goals are set by governments, not by the Secretariat.

But let me just say that this summit endorsed a four, if you would like, a three-pronged programmatic set of priorities for the UN, development and the humanitarian, security and then human rights and democracy. I think there is broad global support for that from the U.S. Government and from many others.

Now you say that, Mr. McCotter, that we do everything and nothing and do it expensively. I would just really urge you to look at the 16 peacekeeping operations around the world, which involve 80,000 troops, and a very large civilian contingent as well, and you will see that any comparison of unit costs, and I think particularly of comparisons made by the Rand Corporation here in the U.S. to unit costs of that versus U.S. peacekeeping, and you will find that we are actually the Filene's Basement of peacekeeping.

We are extremely cheap and in fact, some of us think we probably need to invest a bit more in it to do it better, but we are not expensive at what we do and I think if the U.S. and others were obliged to take on these different peacekeeping operations directly, the financial and political costs would be many times greater.

Let me also just very clearly, unambiguously and for the record say that the United Nations is proposing no global tax.

This Congress, both this House and the other House, has made it clear that this would be considered a huge overreach by the United Nations to seek some independent source of revenue and we haven't and we won't. Thank you very much.

Mr. MCCOTTER. Thank you.

Chairman HYDE. Mr. Smith of New Jersey.

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

Mr. Malloch Brown, thank you for again honoring us with both your presence and with your patience. Those intervening votes obviously put back your time here and it is very gracious of you to not only brief us, but to do it on a continuous basis. I, for one, and I know that I speak for others, am very grateful for that.

Let me just ask you a couple of questions. First, in the outcome document in the Item No. 58—and I appreciate what you just said

about the tax—not ambiguously, very clearly there is no effort for a global tax.

I would ask if you could, to provide us with equally a nonambiguous, very straightforward answer to the issue under the heading, Gender Equality and Empowerment of Women.

As you may or may not know, both Chairman Hyde and I have been for years leading an effort to try to enfranchise unborn children for the persons that they truly are. We now know without any shadow of a doubt that we can treat unborn children with microsurgery. We can do all kinds of diagnostic techniques and we treat them as patients.

Their personhood is really more and more self-evident, and especially owing to ultrasounds, real time ultrasounds, where the baby can be seen moving and sucking his or her thumbs with unbelievable clarity.

My question, and I know this was something of some controversy at the UN again as it was in Beijing, Cairo and virtually every other meeting where it has been held, under 58[c], where it says, “Ensure equal access to reproductive health.”

You know whenever we write a law or a bill, we always have a definition section, where we make it very clear so there is no ambiguity as to what we mean by that.

As you know, our EOP, which was delivered by John Bolton, Ambassador Bolton, made it very clear that it is our understanding that that in no way, shape or form includes abortion.

We know that in Cairo, because I was there for 7 days, there was a major effort to enshrine an international right to abortion and it was defeated. It was defeated by the delegates and reproductive health is something that I don’t think—and this is what I am asking you—can be construed to be abortion.

I have spoken to hundreds of individual delegates over the years, over the last 10 years, from Latin America, Africa, Asia and Europe, who say their definition of reproductive health is not abortion and yet the NGO’s, after a document like this is agreed upon, I think misconstrue what it is that the delegates did and what the leaders did, when they put together a document of this comprehension and this is a comprehensive document, a first step as you and others have said, but it is not about abortion, which I think is violence against children.

When you talk about literally dismembering a baby or chemically poisoning a baby, I don’t know how anyone says that is benign, compassionate or anything but the killing of a child and the wounding of a mother.

I just say just for the record there is a growing movement in this country, as you probably know, a group called Silent No More, made up of women, all of whom have had abortions, who now speak out passionately in favor of life and say, with every abortion there is one dead baby, two if it is twins, but there is also a wounded woman.

Martin Luther King’s niece, Alveta King, has had two abortions. She is one of the spokeswomen now for Silent No More campaign. She has said that what she and so many others who favored abortion rights earlier have missed, which is the horrific impact abor-

tion has on a woman, and she now speaks out passionately, like I said, in favor of life.

My first question is, that language, does Kofi Annan consider that to mean abortion or not?

Mr. BROWN. Congressman, I am very well aware of your position on this issue. As a former head of UNDP, I had cause to see you in action on this and I have a huge respect for your position and your commitment on this issue.

You have been a strong voice on it at all times and you know very well, therefore, that the United Nations has on this to try and find a way to respect different national policies, which in the case of the U.S. means a very clear determination that U.S. donated funds not be used in any way for programs which promote or use abortion as a reproductive health service.

As you equally know, there are other countries and other individuals with very strong views on the other side.

I think for the UN, the broad issue on this is that these are issues of conscience and choice, which ultimately cannot be decided by the Secretariat of the UN of the United Nations. They have to be decided between governments and they have to be decided in families and by women and individuals.

What I would say about this language is that it is very certainly an effort not to change the current status quo on this. This is no effort to slip a widened-right to abortion in under the door here.

It is intended as a restatement of the existing, I admit, unhappy truths between the different parties to this debate, but it doesn't, I think, move the ball forward, but nor does it move it back as I understand it.

Mr. SMITH. Again, given your position as Chief of Staff, do you define reproductive health to include abortion and does Secretariat Kofi Annan as well?

Mr. BROWN. As you know, the UN Fund for Population Activities, which is a fully fledged part of the UN family—and I think you have had occasion to discuss with Thoria Abay the head of the fund this and obviously you and she do not agree completely—but as in all of these things, I suspect you agree more than probably at times you both admit, because you are both people who believe profoundly in the sanctity of life and the importance of these issues.

I really must defer to her to answer that question. I just don't think it is appropriate for me to answer on behalf of the executive head of a program specifically designed to deal with these issues.

Mr. SMITH. I am talking about, if I could, Mr. Chairman, about the UN itself, not UNFPA, but whether or not in an action item document like this, where very strong principles are enunciated, whether or not you interpret that language, reproductive health, to mean abortion?

Mr. BROWN. We do not interpret it as being abortion.

Mr. SMITH. I appreciate that.

If I could, Mr. Chairman, I know I have exceeded my time.

Chairman HYDE. Does the gentleman need another couple of minutes?

Mr. SMITH. Just two.

Chairman HYDE. Without objection, the gentleman has two more minutes.

Mr. SMITH. I appreciate that so much, Mr. Chairman.

If I could, on Item No. 160, where in the General Assembly and the President will be working to construct the Human Rights Council or to establish it, is there a sense as to the time?

I know on the peacekeeping there is a date given for victim's compensation of December 31, which I am so glad to see. Those poor battered young girls especially, are certainly in need of help, but do you have a sense of time?

Again, I laud you on your statement regarding the Human Rights Council that their last vote should be the one to go out of business. Thank you for that and thank you for your leadership on that, but if you could.

Mr. BROWN. If I could say on the High Commissioner's Office, we have got a budget for a plan now which we will present before December for the first step in this next biennium toward a doubling over 5 years.

These issues you mention are exactly the ones which will be given more vigor by a bigger office driving these issues.

On the council itself, I met with John Bolton just yesterday in New York and with other Ambassadors who share his urgency about getting the council up, and for it to be up with the next Human Rights Commission meeting in the early spring of 2006, they have to have finished agreement on the design of it by December.

It is an extremely urgent issue, if we are to kind of make sure this is the last meeting of the commission.

Chairman HYDE. I want to thank you very much, Mr. Brown, for a very helpful briefing. I am sorry there weren't more Members here, but it has been reduced to writing and it will be read and studied.

We look forward to another encounter. Thank you so much and thank you, Mr. Smith, for your persistence and being here.

The Committee stands adjourned.

[Whereupon, at 1:27 p.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE JEFF FORTENBERRY, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEBRASKA

Ambassador Bolton, Mr. Brown, thank you for taking the time to appear before this Committee to address issues of grave importance to the future of both the United Nations and the terms of U.S. participation in the United Nations.

In the 60 years since the ratification of the UN Charter in 1945, the UN has served as the preeminent forum for international dialogue and collaboration on issues of international peace and security, economic and social development, and human rights. While the UN has discharged many of its duties admirably, it has experienced grievous failures and much work remains to be done.

In addition to the concerns of member government about UN accountability and transparency, we have witnessed in recent years a disturbing trend of serious abuses of power by UN officials, which must not go unanswered. Specific, measurable and immediate institutional reforms must be undertaken.

I look forward to hearing your testimony and would welcome evidence of the UN's seriousness of purpose and follow-through on pending reform initiatives. Congress is committed to providing stringent oversight and to holding the United Nations to the highest standards. The Outcome Document is a step in the right direction. However, I am not convinced that it goes far enough. Having said that, we need to make sure that the reforms outlined in the Outcome Document are implemented without delay and to close any gaps that remain to achieving substantive change.

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

Mr. Chairman, I commend you for your leadership in addressing the matter of UN oversight and reform. I look forward to hearing from our witnesses. When we look at the outcomes from the UN General Assembly meeting earlier this month in New York, I see a combination of missed opportunities and setbacks in terms of disarmament and nuclear non-proliferation, in terms of genuine attempts at reforming and strengthening peace, security, development and human rights. And I see missed opportunities to strengthen the world body itself.

I am encouraged by the commitments made by world leaders to the Millennium Development Goals to alleviate extreme poverty, halt the spread of HIV/AIDS and to providing universal primary education by 2015. These are important targets and sustained international cooperation and coordination will be required to meet these targets.

One hundred and fifty heads of state and government gathered in New York to take action on a range of pressing issues, from boosting development and fighting poverty, combating terrorism, forging more effective peace-building mechanisms and human rights protection. Yet the structure of the key agencies of the United Nations itself is partly to blame for the failure to achieve progress at this most recent gathering. The United Nations archaic structure reflects the world at the end of the Second World War. The time for reform is now. And rightly justified, this is the top priority of our Ambassador to the United Nations, John Bolton. Mr. Ambassador, I support the efforts you have and continue to make in New York.

The lack of transparency and accountability at the UN will be remedied only with leadership within that body and when pressure is sufficiently applied from its members.

We face enormous foreign policy challenges now and there are great opportunities for the international community to support change, and to build and strengthen democratic institutions in the Middle East, Africa, Asia and Latin America. There is a role for the UN to play.

The important role the United Nations can play in conflict situations and humanitarian interventions was detailed by Secretary Rice in her testimony before this committee. She said "When they engage effectively, multilateral institutions can multiply the strength of freedom-loving nations."

In order to be effective, the UN must reform. The UN was created to solve international disputes before they flare into war. For many years, critics, and I have been one of those critics, have argued that in discharging this mission, the U.N. has often been feckless and even irrelevant. If the UN is to have any future legitimacy it must address quickly, honestly and effectively the administrative and oversight problems.

Our investigation of the UN Oil-for-Food Program is the most vivid example of systemic mismanagement and lack of control at the UN. Through our investigation we have shed light on the problems in order to justify steps to be taken to rehabilitate the UN to restore its credibility.

Mr. Chairman, to increase accountability, transparency, and oversight at the U.N., I support calls on Kofi Annan to resign because of his leadership failure. I have also supported calls to withhold dues to the organization while the audit of the Oil-for-Food Program is being conducted. I fully support your initiative to support the creation of an independent Office of Internal Oversight (OIOS) within the UN and creating an Ethics Board within the OIOS. I also support creation of an external body to oversee U.N. operations. An external watchdog, completely independent of the U.N., should be established to oversee major U.N. operations, including humanitarian programs.

UN oversight bodies have failed in the past to report in a timely manner on serious management problems and have also failed to take corrective actions when needed.

Finally, on structural reforms, I support a major overhaul of the UN Human Rights Commission. With some of the most egregious violators of basic human rights like Sudan and Cuba sitting on the commission it is impossible for the existing forum to serve as a credible monitor of human rights. Reform of the UN's human rights oversight mechanisms should be implemented as quickly as possible. I also support your proposal to prevent any country that is subject to sanctions by the Security Council from sitting as a member of a body tasked with oversight of human rights. Thank you.

RESPONSES FROM THE HONORABLE JOHN R. BOLTON, UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE RON PAUL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Question:

On September 14, 2005, the United Nations (U.N.) released an initial cost estimate indicating that \$80 million is needed to implement new initiatives created in the Outcome Document. What options does the Administration have at its disposal to ensure that new requirements generated by the Outcome Document are funded through existing resources?

Response:

The Department will insist in negotiations that costs resulting from implementation of the Outcome Document be absorbed within existing budget levels. However, absorption will require reductions in programs or activities that could be important to other nations. Reaching agreement on reductions will require a concerted effort to obtain support from other nations for specific reductions.

In the context of the 2006–2007 biennial budget, the Department is pressing the Secretariat to expedite a review of mandates older than 5 years, such that budget decisions for the 2006–2007 biennium could derive tangible savings from the reduction or termination of older, low-priority mandates. The Department is strongly urging the other thirteen large contributors to the UN in the Geneva Group to press the Secretariat to identify cost savings in the 2006–2007 budget. These potential cost savings could offset the likely additional costs of U.N. reform activities in 2006–2007.

Regarding the existing estimate of \$80 million, it is preliminary only. The Secretariat intends to produce additional, more detailed estimates in the near future. Thus, the total cost of reforms could exceed \$80 million.

Question:

The current U.N. regular assessed budget is approximately \$1.8 billion a year. This amount excludes peacekeeping, which is about \$5 billion a year. The U.S. pays 22 percent, or approximately \$440 million a year, to the regular assessed budget. Of the \$1.8 billion in the regular budget, how much is necessary, and how much could be eliminated? What steps are you taking to press for the elimination of wasteful spending?

Response:

The Department is pressing for an expedited review of U.N. mandates older than 5 years, with the objective being reduction or termination of mandates that have outlived their usefulness, are low priorities, or have otherwise resulted in an ineffective use of resources. We want the review of mandates to result in more efficient use of U.N. resources, and consequently less spending that could be described as wasteful.

While a thorough review needs to be done by the Secretariat to increase the chances of getting necessary approval from Member States, the U.S. and other large contributors to the U.N. (such as those in the Geneva Group) need to consult and work together to study U.N. mandates and programs and identify targets for downsizing and elimination. For our part, we have already identified a few, as Deputy PermRep Patterson mentioned in a speech before the U.N. General Assembly's Fifth Committee on October 27, 2005: e.g., reducing the cost, frequency and duration of conferences and meetings by at least 5% initially; reducing excessive travel allowances; and, rationalizing the use of consultants and information technology among the various U.N. agencies.

In another major focus of our reform effort, the Department is working to establish oversight processes and mechanisms, such as a more effective Office of Internal Oversight Services and an Independent Oversight Advisory Committee, which would give the U.N. greater capacity to prevent instances of waste and fraud, and to promote effectiveness.

Question:

I am also concerned about the "Democracy Fund of the United Nations" that will be created by this resolution. Will this fund be used to undermine or overthrow elected governments that do not meet some U.N.-created "democratic" criteria? Will it be used to further the kinds of color-coded revolutions we have seen from East Europe to the Middle East, which, far from being organic manifestations of popular will, are in fact fomented with outside money and influence? Could it eventually be used against the United States, if the U.S. is determined to not be living up to its U.N.-defined democratic responsibilities, like providing public housing or universal healthcare? If so, and I believe it will, then I hope American citizens will at least note the irony in the mis-naming of this fund.

Response:

President Bush has identified active promotion of democracy and the "non-negotiable demands of human dignity" as the centerpiece of U.S. foreign policy. In a speech to the 2004 UN General Assembly, President Bush called for the establishment of a UN Democracy Fund. After receiving expressions of support from other leading democracies, Secretary-General Annan opened the Fund on July 4, 2005. At their meeting in Washington, D.C. in July, President Bush and Indian Prime Minister Singh announced that the United States and India would each make a major contribution. At this time, 15 countries have pledged a total of \$43.37 million.

The Terms of Reference call for an Advisory Board whose membership will consist of the six Member States that are the largest donors plus an additional four countries from different geographic regions active in promoting democracy. The U.S., India, Qatar, Australia, Italy and Germany are the six largest donors. The structure of this key decision-making body reflecting top donors and other nations with a record on democracy-promotion—was expressly designed not to give prevalent decision-making power to the UN General Assembly, its Members with autocratic governments, or the UN Secretariat. This aim of this structure of the voluntarily—rather than assessment-funded—body is to avoid perversion of its intended aims.

The objective of the Fund is to strengthen the UN's capacity to support democracy and to complement, not duplicate, the democracy programs already being carried out by the UN. The Fund will assist nations transitioning to democracy by helping to strengthen their democratic institutions through grants to non-governmental or-

ganizations, regional/international organizations and UN agencies. Grants approved by the Fund will support rule of law, civil society, good governance and capacity-building programs, but only in countries that seek this kind of assistance.

RESPONSE FROM THE HONORABLE JOHN R. BOLTON, UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, U.S. DEPARTMENT OF STATE, TO QUESTION SUBMITTED FOR THE RECORD BY THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Question:

Ambassador Bolton, many of us are aware that the UN retains a particularly vitriolic and archaic bias against the State of Israel. There exists an unparalleled obsession with international denunciation of a member nation. While the UN attempts to reform, its structures which unfairly treat Israel must be dismantled.

As we speak, three unique entities are central to the problem. The first is an office of the UN Secretariat entitled, "The Division for Palestinian Rights." The second and third are committees of the UN General Assembly called the "Committee on the Exercise of the Inalienable Rights of the Palestinian People," and the "Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs in the Occupied Territories. There is no place for these entities in the United Nations.

Ambassador Bolton, under Article 18, Section 2 of the UN Charter, "decisions of the UN General Assembly on important questions [including] budgetary questions . . . shall be made by a 2/3 majority." Therefore, am I correct to say that these committees require a 2/3 majority of the members of the General Assembly, present and voting, to be reauthorized with funding for the next year?

What initiatives has the United States taken or does the U.S. plan to take to roll back the reauthorization of these committees? Specifically, the European Union has generally abstained as a block on these resolutions. What have we done to convince the EU and its member states to vote against these resolutions, instead of abstaining?

Response:

As part of our overall strategy for combating one-sided Middle East resolutions in the UNGA, the United States opposes both the extension of the mandate and funding for the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP), Division of Palestinian Rights (DPR), and Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (SCIIPHR) in the UNGA Fourth Committee (Special Political and Decolonization). The United States believes that these three bodies are biased against Israel, do not contribute to peace between Israel and the Palestinians, and should be abolished.

In October 2005, we demarched numerous countries including all EU countries urging them to oppose the renewal of the mandates of these UN bodies. We also include this issue in consultations with the EU.

While the EU abstains on votes regarding funding for these committees, we continue to urge them to shift their votes to "no." We stress that these entities are inconsistent with the Road Map endorsed by the Quartet (U.S., UN, EU, and Russia) of which the EU is a part.

Funding for these UN bodies comes from the overall UN regular budget, which the UN General Assembly generally adopts by consensus. Only in the event there is no consensus, Article 18 of the UN Charter requires the decision of the General Assembly to be made by a two-thirds majority of the members present and voting. The next UN budget will cover the biennium 2006–2007.

RESPONSES FROM THE HONORABLE JOHN R. BOLTON, UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE TED POE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Question:

Can you explain the reason for the United States to push for Morocco's inclusion in this group (nb. The Community of Democracies Convening Group)? . . . Are we not recreating the shortcomings of the U.N. within the group that is supposed to bring reform?

Response:

The Community of Democracies (CD) established basic criteria for participation in September 2000. At the Santiago Ministerial in 2005, the CD decided to expand the 10-person Convening Group up to 16 countries and to reflect geographic, historical and economic balance. Despite democracy deficits in the region, there was consensus that including a country from the Middle East was important, and Morocco could help the Community promote democratic principles in that region.

The strength of the Community is that governments at various levels are brought together to focus and dialogue on democracy. We believe that Morocco can play a valuable role in the CD's dialogue on democracy, even as the United States continues to raise human rights concerns with the Government of Morocco.

The United States is a strong supporter of the CD forum as it brings together nations committed to promoting and strengthening democracy worldwide. Indeed, this is the only global forum singularly dedicated to the promotion of democracy.

Question:

Furthermore, last session of Congress, we voted to create a free-trade agreement with Morocco. It seems to me that U.S. Policy is rewarding Morocco for bad behavior. Are we giving some countries a pass while we have righteous indignation against others who are just as guilty?

Response:

The Department of State promotes U.S. business interests across the globe by reducing barriers to trade and investment. We strive to ensure that economic and legal frameworks protect American intellectual property and international commerce. Free-trade agreements are a key way to advance America's trade interests and competitiveness in a world of global commerce and fast-paced change.

The Bush Administration has announced a plan for a Middle East Free Trade Area by 2013. As part of this plan, free-trade agreements across the Middle East will foster and expand economic freedoms that pave the way for greater social and democratic reform. The Moroccan free-trade agreement will help a long-standing ally strengthen its role as a moderate, modern Islamic state and will bolster significant ongoing reforms. The agreement provides the building blocks of a strong democracy, promotes American values, and offers mutual economic benefit for citizens of both countries.

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE JOHN R.
BOLTON, UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS,
U.S. DEPARTMENT OF STATE

Attached Letters Sent by Ambassador John R. Bolton
To Other Permanent Representatives on Outcome Document



UNITED STATES MISSION TO THE UNITED NATIONS

140 East 45th Street
NEW YORK, N.Y. 10017-3505

August 26, 2005

Dear Colleague:

There has been some confusion in the press recently about the U.S. position on what are known as the "Millennium Development Goals" and I wanted to communicate directly with you so as to eliminate any possible misunderstanding. Let there be no doubt: the United States supports the development goals of the Millennium Declaration.

Unfortunately, the term "Millennium Development Goals (MDGs)" has caused confusion. Depending on who is using it, "MDGs" can refer to two quite different sets of goals: the goals in the Millennium Declaration adopted at the Millennium Summit in 2000 or the goals and associated targets and indicators that the UN Secretariat formulated and promulgated in 2001.

As you recall, at the 2000 UN Millennium Summit, heads of state and government adopted the Millennium Declaration, which brought together a variety of development goals on poverty, hunger, education, health and environment. Some of these goals were original and some were from earlier conferences. The United States supports the achievement of these goals.

The next year, the Secretariat issued a report on the implementation of the Millennium Declaration. Based on the goals in the Declaration, the Secretariat formulated a package of goals and subsidiary targets and indicators, referring to them as "Millennium Development Goals." They are solely a Secretariat product, which member states never formally adopted.

Since then, the term "MDGs" has become ambiguous. Most people assume that the MDG targets and indicators were agreed in the Millennium Declaration. In fact, some of them are drawn from positions agreed by governments and others are simply Secretariat proposals.

The United States has, on many occasions, called attention to a particular problem with "MDG Goal Eight" - "Global Partnership for Development," and its various targets and indicators. For the most part, these targets and indicators refer to inputs rather than actual development goals and do not provide either an accurate or comprehensive picture of international support for development. Some, such as the measurement of ODA as a

percentage of donor gross national income, have been explicitly rejected by the United States. The United States has consistently opposed numerical aid targets from their inception in the 1970s.

To avoid the ambiguity of the term "MDGs," UN member states have consistently agreed to use the formulation "internationally agreed development goals, including those in the Millennium Declaration" in negotiated texts. This spells out exactly what we are committed to, and distinguishes the goals adopted by governments from the Secretariat product.

If the Outcome Document is to move us all forward and garner acceptability by heads of state, it must not backtrack on previous agreements or create ambiguity that will be subject to further misinterpretation. On the eve of the UN Monterrey Conference in 2002, President Bush said in a speech at the Inter-American Development Bank, "America supports the international development goals in the UN Millennium Declaration." We remain committed to work with member states in support of those goals.

Yours sincerely,

John R. Bolton
Ambassador



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

August 30, 2005

Dear Colleague:

The decisions our leaders make on development issues at the High-Level Event (HLE) have the potential to make a positive difference in the lives of millions of people throughout the world. Our nations share a commitment to fight poverty, hunger and disease--a commitment reflected in the development goals spelled out in the Millennium Declaration--and a determination that all people should have the opportunity to live healthy, productive lives. In Monterrey, Mexico in 2002, we all made commitments to fight poverty through development. We agreed that we had to change the models of the past, which focused primarily on resource transfers, to solutions premised on the proven methods of good governance, sound policies, the rule of law, and mobilization of both public and private resources.

The process we know as globalization has created opportunities for every country to participate in a worldwide process of trade and investment. Our job at the HLE is to identify ways to help developing countries, and especially the poorest among them, to integrate more fully into this worldwide process.

We need to look at what has worked in various countries in promoting progress towards achievement of our development goals, and focus our attention on the strategies that have the most promise for the most people. We also need to take an honest and urgent look at those places where progress has been insufficient.

We believe that an outcome document that promotes concerted action in fulfillment of the agreed development goals should be built on three elements.

First, it is essential for the outcome document to start by acknowledging efforts and achievements since the Millennium Summit and the Monterrey Conference.

Three quarters of the population of developing countries are on track to meet the 2015 targets set in the Millennium Declaration. There is broad commitment to finish an ambitious Doha Round. We have seen large increases in development assistance and new initiatives to fight infectious diseases. Many developing countries are beginning to tackle problems of governance at the national level. The critical role of the private sector and private financial flows as necessary ingredients of development is increasingly appreciated.

A global partnership for development is a reality. For our part, the United States has nearly doubled Official Development Assistance (ODA) since the adoption of the

Millennium Declaration, from \$10 billion to \$19 billion in 2004. We have launched new initiatives such as the Millennium Challenge Account, the President's Emergency Plan for HIV/AIDS Relief, and initiatives to increase access to education, health and water, and combat famine, trafficking in persons, illegal logging, corruption, malaria, and other scourges.

Most recently, at the G8 Gleneagles Summit, leaders made substantial commitments with respect to Africa, climate change, reform in the Broader Middle East and North Africa, the global economy and oil, and trade. The Millennium Declaration acknowledges the special needs of Africa, and the G8, in cooperation with African leaders, have set forth concrete measures covering peace and stability, good governance, education, AIDS, malaria and other infectious diseases, private sector development, debt relief, and humanitarian assistance. The G8 plan sees this as a moment of opportunity for Africa, recognizing that further progress in Africa depends above all on its own leaders and its own people.

Second, the outcome document should reaffirm the comprehensive approach to financing for development in the Monterrey Consensus.

The Monterrey Consensus is a blueprint for mobilizing resources for development from all potential sources. The current draft text, by contrast, is overburdened with numerous new initiatives that would be financed principally by ODA. The current draft also affirms ODA targets, which bear no relation to countries' needs or ability to use aid effectively and virtually ignores the need for an enabling environment at the national level for aid to be effective in promoting development.

Trade, foreign investment, remittances and private transfers dwarf ODA. The completion of the Doha Round could add \$200 billion annually to developing countries' income and lift more than 500 million people out of poverty. The Report of the UN Commission on the Private Sector and Development estimates that developing countries have \$9.4 trillion in private financial assets that cannot be fully mobilized because of corruption and inadequate legal protection for property and contracts.

Finally, the outcome document should elaborate responsibilities for governance at the national level and the role of the UN system for helping countries improve their governance.

The U.S. believes the document should affirm the importance of democratic governance, political and civil liberties, competitive markets and policies conducive to entrepreneurship, property rights, equal opportunity for women and rule of law. It should define the state's role in setting a policy framework for growth with equity.

Prosperity requires institutions at the national level that generate wealth and enable countries to participate in the global economy. Rich countries and successful developing countries have diverse policies, traditions and institutions, but all share certain basic building blocks. The HLE needs to recognize and affirm this.

To have a lasting impact on the fight against poverty, the UN needs to do more to help countries build the institutions and put in place the policies that will help them reap the benefits of globalization. NEPAD has shown leadership, including through its African Peer Review Mechanism (APRM). There are opportunities for South-South cooperation that will help countries share experiences and lessons learned and emulate best practices.

The HLE is a unique opportunity to define the UN's mission in light of contemporary challenges. Development is about putting into place a complex set of policies and institutions that will generate economic growth and sustain it over the long haul to the benefit of all countries. This is the challenge for the HLE and the UN.

Our views on the sub-headings of the Development Chapter are summarized below:

Paragraph 16 - 17 (Introduction)

This section should not be limited to concern about uneven implementation. It should also recognize progress achieved and positive trends. In this section as in others, the U.S. proposes using the phrase *internationally agreed development goals* rather than the term *Millennium Development Goals* in order to be clear that we are referring to goals agreed among governments -- not the subsequent more elaborate framework of goals, targets and indicators prepared by the UN secretariat.

Paragraphs 18-21 (Global Partnership)

A global partnership is predicated on the acceptance by developing countries of their national responsibility to undertake specific reforms to improve their economic governance and respect for human rights and the rule of law. This national responsibility needs to be more fully reflected in the text, which currently focuses on the responsibilities of developed countries and the international community.

Paragraph 22 (Financing for Development)

This section of the document is entitled Financing for Development, but it focuses largely on ODA. While the U.S. strongly supports increased ODA to those countries that demonstrate an ability to use aid effectively, the U.S. does not accept global aid targets or global taxes. We also do not agree with proposals for frontloading aid because they do not take into account the absorptive capacity of aid recipients and can lead to economic distortions that impede development.

Paragraph 23 (Debt)

This section promotes a wholly negative view of debt that ignores the positive contribution that debt can play in financing development. Issues of debt sustainability are under active consideration in the international financial institutions, which are well equipped to analyze them and propose appropriate measures.

Paragraph 24 (Trade)

It is appropriate for a summit-level event to emphasize the vital role trade liberalization has played in promoting development throughout the world. It is also appropriate for leaders to encourage further ambitious liberalization efforts. It is not appropriate for leaders to prejudge the actual outcome of the Doha round.

Paragraph 25 (Quick Wins)

The United States strongly supports the concept of sustainable development. The idea of "quick wins" detracts from this concept and the need for durable solutions to the problems being addressed. The examples provided are questionable from a developmental perspective.

Paragraphs 26-30 (Global Governance and Systemic Issues)

The United States believes that it is important for all countries, including developing countries, to participate effectively in international economic decision-making and norm setting. However, it is up to each international institution to decide on its own governance procedures and structures, including those that pertain to participation and decision-making. Paragraph 29 asserts a primacy for the United Nations in international economic governance without respecting the roles and mandates of other institutions.

Paragraph 30-32 (South-South Cooperation, Education, and Rural and Agricultural Development)

While these paragraphs contain many laudable objectives that we support, they also call for new open-ended donor financial commitments to which the United States is unable to agree. Any potential new financial commitment in these areas must be evaluated in the context of the substantial resources already being deployed.

Paragraph 33 (Employment)

The reference to international macro economic policies is unclear. The insertion of the reference to the "elimination of the worst forms of child labor" brings the language into conformity with international agreements in this area.

Paragraph 34 (Protecting our Common Environment)

The United States amendments to this section are aimed at accurately reflecting the language of previous agreements and commitments and ensuring that the text does not imply commitment by countries to agreements to which they are not parties or new financing schemes or programs that are not well-defined.

Paragraph 35 (HIV/AIDS and other Health Issues)

Recent years have seen major undertakings and provision of substantial increases in resources for HIV/AIDS and other health issues in developing countries. The challenge now is to implement existing commitments rather than to add new initiatives. The U.S. edits are intended to accurately reflect such commitments.

Paragraph 36-37 (Gender Equality and Empowerment of Women)

We strongly support equality of opportunity, as distinguished from identical outcomes, for men and women.

Paragraph 38 (Science and Technology for Development)

The text overemphasizes the role of international support in the transfer of technology. Much technology is privately owned and is developed only because owners anticipate an economic return on their innovations. Developing countries seeking technology should implement policies that will attract investment from owners of technology.

Paragraph 39 (Migration)

While international cooperation can contribute to orderly migration, we believe it is essential for the text to recognize the sovereign rights of states in this area.

Paragraphs 40-43 (Countries with Special Needs)

Our proposed amendments are consistent with the outcomes of the referenced conferences.

Paragraphs 44 (Meeting the Special Needs of Africa)

The United States believes the outcome document should recognize the opportunities as well as the challenges Africa faces; it should not diminish the potential of the continent. To this end, the outcome should highlight the commitment of African countries to promote and enhance effective governance, democracy and human rights, as well as to emphasize and clearly define the supporting role of the international community. Debt relief beyond HIPC should be assessed on a case-by-case basis.

* * *

I look forward to working with you on a text that will underscore our common determination to promote development and achieve the internationally agreed development goals.

Sincerely,

A handwritten signature in black ink that reads "John R. Bolton". The signature is written in a cursive style with a large initial "J" and "B".

John. R. Bolton
Ambassador

Enclosure: U.S. proposed edits to outcome document Chapter II (Development).

FINAL VERSION AS OF COB 8/23/2005

ADVANCE UNEDITED VERSION

15 August 2005
 Future document
 A/59/HLPM/CRP.1/Rev.2

**Revised draft outcome document of the
 High-level Plenary Meeting of the General Assembly of September 2005
 submitted by the President of the General Assembly**

15 EDLIS - AUGUST 30, 2005

II. Development

16. We emphasize the ~~critical~~important role played by the major United Nations conferences and summits in the economic, social and related fields, in shaping a broad development vision and in identifying commonly agreed objectives, which contributed to improving human life in different parts of the world.

~~16 bis. We welcome the unprecedented reduction in poverty during the past generation. We are determined to reinforce this trend that is benefiting the large majority of people around the world.~~

17. We remain concerned, however, by the slow and uneven implementation of the internationally agreed development goals, ~~including the Millennium Development Goals~~ and reaffirm our commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all. We commit to promote the development of the productive sectors ~~of~~in developing countries to ~~help~~enable them to participate effectively in, and benefit from, the process of globalization.

Global Partnership for Development

18. We strongly reiterate our determination to ensure timely and full realization of the development goals and objectives that emerged from ~~the~~ major United Nations Conferences and Summits.

~~including the Millennium Development Goals that have galvanized unprecedented efforts towards helping the world's poorest overcome poverty.~~

19. We reaffirm our commitment to the global partnership for achieving the internationally agreed development goals, including those contained in the Millennium Declaration and the Monterrey Consensus.

20. We further reaffirm our commitment to sound policies, good governance at all levels and the rule of law; and to mobilizing domestic resources, attracting international flows, promoting international trade as an engine for development, increasing international

financial and technical cooperation for development, and sustainable debt financing, and external debt relief, and enhancing the coherence and consistency of the international monetary, financial and trading systems.

21. We reaffirm that each country must take primary responsibility for its own economic and social development, and that the role of national policies and development strategies cannot be overemphasized. We recognize also that national efforts should be complemented by supportive global programmes, measures and policies aimed at maximizing the development opportunities of developing countries. To this end, we resolve to:

- Adopt, by 2006, and begin to implement comprehensive national development strategies to achieve the internationally agreed development goals and objectives including the Millennium Development Goals by 2015;
 - Manage effectively public finances to achieve and maintain macro-economic stability and long-term growth and to make effective and transparent use of public funds; and ensure that development assistance is used to build national capacities;
 - Promote good governance at the national level, pursue sound macro-economic policies and put in place the policies and investments to drive sustained economic growth, stimulate the private sector and promote employment generation;
 - Establish and strengthen inclusive systems of democratic governance that secure civil and political liberties;
 - Promote the implementation of the United Nations Convention Against Corruption; and make the fight against corruption at all levels a priority, as agreed at Monterrey, and welcome all actions taken in this regard at the national and international levels including the adoption of policies that emphasize accountability, transparent public sector management, and competitive markets, and corporate responsibility and accountability; and urge all States that have not done so to sign, ratify and implement the United Nations Convention Against Corruption;
 - Implement regulatory frameworks and commercial laws that encourage business formation and build public confidence in private markets through a clear definition of property rights, protection of those rights, transparent rulemaking, enforcement of contracts and general respect for the rule of law;
- Continue and support efforts in developing countries and countries with economies in transition to create a conducive domestic environment for attracting investments by, *inter alia* achieving a transparent, stable and predictable investment climate with proper contract enforcement and respect for property rights and the rule of law, and pursuing appropriate policy and regulatory frameworks;

- Put into place policies to ensure adequate investment in health and education, provision of public goods and social safety nets to protect vulnerable members of society;
- Support ~~starting in 2005,~~ efforts by developing countries to adopt and implement national development policies and strategies, through increased development assistance, promotion of international trade as an engine for development, transfer of technology on mutually agreed terms, increased investment flows and wider and deeper debt relief; Support developing countries by providing ~~predictable and sufficient an~~ increase in aid of sufficient quality ~~and arriving in a timely manner to~~ assist them in achieving the internationally agreed development goals, including the Millennium Development Goals, ~~bearing in mind the need for appropriate balance between national policy space and international commitments;~~
- Enhance the role of NGOs, civil society, the private sector and other stakeholders in national development efforts, as well as in the promotion of the global partnership for development;
 - We call on UN funds, programmes and specialized agencies to support the efforts of developing countries by integrating national governance objectives into through the Common Country Assessments and UN Development Assistance Frameworks, and enhancing their support for capacity-building at the country level for capacity-building activities to support private sector development in developing countries, and tracking the progress of private sector development in developing countries.

Financing for Development

22. We reaffirm the Monterrey Consensus and recognize that mobilizing financial resources for development and effective use of these resources in ~~recipient~~ developing countries are central to a global partnership for development in support of the achievement of the internationally agreed development goals, including those in the Millennium Declaration. In this regard:

- We are encouraged by the substantial increase in official development assistance since the Millennium Summit and by recent commitments to further substantial increases particularly for countries that are making efforts to use resources wisely, strengthen governance, and reduce poverty through sustainable economic growth. We are encouraged by recent commitments to substantial increases in official development assistance, while recognizing that a substantial increase in ODA is required to achieve the internationally agreed goals including, by 2015, the MDGs,

~~The ultimate goal of ODA is to stimulate the growth that will increase other resources and enable poor countries over time to reduce their aid dependency;~~

- ~~We welcome the establishment of timetables by developed countries to achieve the target of 0.7 per cent of gross national product for official development assistance by no later than 2015 and to reach at least 0.5 per cent by 2009 and urge those developed countries that have not yet done so to make concrete efforts and invite them to establish timetables in order to achieve the target of 0.7 per cent; we also urge those developed countries to achieve the target of 0.15 to 0.20 per cent of gross national product for ODA to least developed countries;~~
- ~~We further welcome recent efforts and initiatives to enhance the quality of aid and to increase its impact, including the Paris Declaration on Aid Effectiveness, and resolve to take concrete, effective and timely action in implementing all agreed commitments on aid effectiveness, including through further aligning assistance with countries' strategies, building institutional capacities, reducing transaction costs and eliminating bureaucratic procedures, enhancing the absorptive capacity and financial management of recipient countries and strengthening focus on development results;~~
- ~~We recognize the need for increased and more predictable resources, and in that regard take note with interest of international efforts, contributions and discussions such as the Action Against Hunger and Poverty aimed at identifying innovative and additional sources of financing for development on a public, private, domestic or external basis and complementary to ODA. We also welcome the pilot projects to be implemented on a voluntary basis for the International Finance Facility immunization and a solidarity contribution on plane tickets to finance development projects, in particular in the health sector, including the fight against HIV/AIDS and other pandemics, and agree to consider further other solidarity contributions that would be nationally applied and internationally coordinated;~~
- ~~We underline the urgent need for increased investment now, and therefore for immediate front-loading of additional ODA commitments; and in that regard welcome the decision to launch, in 2005, an International Finance Facility (IFF) on a voluntary basis, to support an immediate front-loading of ODA commitments and encourage broad participation;~~
- ~~We stress the need to maximize domestic resources for to fund national development strategies and recognize the need for access to financial services, in particular for the poorest, including through micro-finance and micro-credit;~~

~~We acknowledge the important role the private sector can play in generating new financing for development. We acknowledge the leading role of the private sector in generating new financing for development, jobs, goods, services, and skills for the poor.~~

- We resolve to support developing countries and economies in transition undertaking investment climate reforms, so that they might better mobilize the private domestic and foreign capital necessary for sustained economic development and growth, and to ensure that they have policies conducive to such investment and We resolve to promote greater foreign direct investment flows to developing countries and countries with economies in transition to support their development activities and to enhance the benefits they can derive from such investments;
- We commit to undertake measures to promote and sustain adequate and stable international capital flows to developing countries, particularly countries in Africa, Least Developed Countries, Small Island Developing States, and landlocked developing countries, and to countries with economies in transition;
- We resolve to continue to support development efforts of middle income developing countries by agreeing in competent multilateral and international fora and also through bilateral arrangements on measures to help them meet, *inter alia*, their financial, technical and technological requirements, including through appropriate debt relief schemes;
- We undertake to resolve to operationalize the World Solidarity Fund established by the General Assembly, and invite those countries in a position to do so to make voluntary contributions to the Fund including by making voluntary contributions to it.

Debt

23. Debt can be an important source of capital for development. Debt sustainability is essential for underpinning growth. In this respect, we emphasize the urgent need for an effective, comprehensive, durable and development-oriented solution to the debt problems of developing countries. To this end we:

- Welcome the recent decision of the G8 countries to cancel 100% of outstanding debts of eligible HIPC's to the IMF, IDA and AFD and to provide additional resources to protect ensure that the financing capacity of the IFIs is not reduced;
- Stress that the new debt sustainability framework should increase grant-based financing, limit the risk of future debt distress and liberate resources so as to help enable countries to achieve their national development goals.

Stress that in assessing debt sustainability, consideration should be given to the level of debt that allows a country to achieve its national development goals including the MDGs, recognizing the key role debt relief can play in liberating resources that can then be directed towards activities consistent with attaining sustainable growth and development;

Further stress the need to consider additional measures and initiatives aimed at ensuring long-term debt sustainability through increased grant-based financing, 100% debt cancellation of the official debt of HIPC's, and significant debt reduction and cancellation

for many heavily indebted non-HIPC LDCs, low and middle income developing countries. Such initiatives could include efforts by the IMF and the World Bank to develop a debt sustainability framework for low income countries. This should be achieved without reducing resources channelled as ODA as well as other sources of financing available to other developing countries, while stressing the need to maintain the financial integrity of the multilateral financial institutions.

Trade

24. We ~~recommit~~resolve to promote a universal, rules-based, open, non-discriminatory and equitable multilateral trading system, recognizing the major role that trade can play in promoting economic growth, employment and development for all, and ~~are resolved~~ undertake to:

—Achieve the fullest realization of the Doha Ministerial Declaration~~Work Programme~~, including the critical development mandate of the Doha Ministerial Declaration, in particular in the areas identified in the 1 August 2004 decision of the General Council of the WTO, such as agriculture, cotton, non-agricultural market access, services, rules including trade facilitation, TRIPS, trade and the environment and development including special and differential treatment and to successfully complete, by 2006, the World Trade Organization Doha round of multilateral trade negotiations;

- Work towards the objective of Provide immediate duty-free and quota-free market access for all exports from the least developed countries to the markets of developed countries as well as to the markets of developing countries in a position to do so; and support their efforts to overcome their supply-side constraints as well as volatile commodity prices and terms of trade;
- Support and promote increased aid to build productive and trade capacities of developing countries and to take further steps in this regard;
- Work to accelerate and facilitate the accession to the WTO of developing countries and countries with economies in transition that are willing and able to undertake WTO commitments to the WTO, recognizing the importance of universal integration in the rules-based global trading system;

Quick Wins

25. We agree to support the establishment and implementation of country-led "quick win" initiatives consistent with long-term national development strategies so as to realize major immediate progress towards the development goals, including the Millennium Development Goals, through such measures as the free distribution of malaria bed-nets and effective anti-malaria medicines, the expansion of home-grown school meals programmes using locally produced foods and the elimination of user fees for primary education and health services.

Global Governance and Systemic Issues

26. We reaffirm the commitment contained in the Monterrey Consensus to broaden and strengthen the ~~voice~~ and participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting, and to this end stress the importance of advancing efforts to reform the international financial architecture, as envisaged in the Monterrey Consensus and ~~undertakes~~ resolve to find pragmatic and innovative ways to enhance the effective participation of those countries therein, particularly in the Bretton-Weeds institutions:

~~27. We further recognize the urgent need to enhance the coherence, governance and consistency of the international monetary, financial and trading systems.~~

28. We reaffirm our commitment to transparency in the financial ~~monitoring and trading systems~~. We are also committed to an open, equitable, rule-based, predictable and non discriminatory ~~multilateral trading and financial systems~~.

~~29. We further reaffirm the need for the United Nations to play a more decisive and central role in international development policy and in ensuring coherence, coordination and implementation of development goals and actions agreed by the international community and resolve to strengthen the coordination of the United Nations system and all other multilateral financial, trade and development institutions to support economic growth, poverty eradication and sustainable development.~~

South-South Cooperation

30. We recognize the achievements and great potential of South-South Cooperation, and encourage the promotion of such cooperation, including in the area of trade which complements North-South cooperation as an effective contribution to development and as a means to share and transfer best practices and appropriate technologies. In this context, we welcome the recent decision of the leaders of the South to intensify their efforts at South-South Cooperation, ~~including through the establishment of the New Asian-African Strategic Partnership and reiterate the need for the international community, including the international financial institutions, to support the efforts of developing countries, inter alia, through the provision of the necessary resources, as well as through triangular cooperation.~~

~~30bis. We encourage establishment of South-South peer review mechanisms, such as the NEPAD APRM, to share national experiences, help one another solve problems and promote best practices.~~

Education

31. We emphasize the critical role of both formal and non-formal education as envisaged in the Millennium Declaration, in particular basic education and training for eradicating

illiteracy, and strive for expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, creation of human resources and infrastructure capabilities and empowerment of those living in poverty. In this context, we reaffirm ~~recognize the contribution made by~~ the Dakar framework for Action adopted at the World Education Forum and recognize the importance of the United Nations Educational, Scientific and Cultural Organization (UNESCO) strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All Programmes as a tool to achieve the Millennium ~~Internationally Agreed Development Goal~~ ~~Development Goal~~ of universal primary education by 2015.

~~We also commit to support the efforts of developing countries in the implementation of the EFA, including through channeling resources through the Education For All Fast Track Initiative.~~

Rural and Agricultural Development

32. We reaffirm that food security, rural and agricultural development must be adequately addressed in the context of national development and response strategies. We are convinced that eradication of poverty, hunger and malnutrition is crucial for the achievement of ~~internationally agreed development goals, the MDGs~~. Rural development should be an integral part of national and international development policies. We deem it necessary to increase productive investment in rural and agricultural development to achieve food security.

~~We commit ourselves to increase ODA to agriculture and trade opportunities for developing countries.~~

Employment

33. We strongly support a fair globalization and resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of our national and ~~international macro-economic~~ policies as well as poverty reduction strategies. These measures should also encompass the elimination of ~~the worst forms of~~ child labour. We also resolve to protect the human rights of workers.

Protecting our Common Environment

34. We reaffirm our commitment to achieve the goal of sustainable development including through the implementation of Agenda 21 and the Johannesburg Plan of Implementation, ~~in the context of the three pillars of sustainable development – economic development, social development, and environmental protection~~. We also re-commit to undertake concrete actions and measures at all levels, including integrating sustainable development in national development strategies, and enhancing international cooperation, taking into account the Rio principles, ~~inter-alia the principle of common-but differentiated responsibilities~~. We recognize that climate change is a serious and long-term challenge that has the potential to affect every part of the world. We call for further technological and financial ~~international cooperation~~ for the sustainable use and

management of natural resources in order to promote sustainable production and consumption patterns as a means of keeping the balance between the conservation of natural resources and the furtherance of social and economic objectives. We therefore resolve to:

- Promote further technological and financial international cooperation for the sustainable use and management of natural resources in order to promote sustainable consumption and production patterns as called for in the Johannesburg Plan of Implementation;
- Undertake concerted global action to address climate change, including through meeting all commitments and obligations under the Kyoto Protocol, the UNEFCCC and other relevant international agreements, increase energy efficiency, technological innovation, and to initiate negotiations to develop a more inclusive international framework for climate change beyond 2012, with broader participation by both developing and developed countries, taking into account the principle of common but differentiated responsibilities;

Act with resolve and urgency to meet our shared and multiple objectives of reducing greenhouse gas emissions, improving the global environment, enhancing energy security and reducing air pollution in conjunction with our vigorous efforts to reduce poverty.

- Promote innovation, energy efficiency, conservation, improve policy, regulatory and financing frameworks; and accelerate deployment of cleaner technologies, particularly lower emitting technologies
- Work with developing countries to enhance private investment and transfer of technologies, taking into account their own energy needs, and to help them build capacity to improve their resilience and integrate adaptation goals into sustainable development strategies
- Continue to assist developing countries, particularly SIDS, LDCs and countries in Africa in addressing their adaptation needs relating to the adverse effects of climate change;
- Support and strengthen the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa to address causes of desertification and land degradation and poverty resulting from land degradation through *inter alia* the mobilization of adequate and predictable financial resources, transfer of technologies and capacity building at all levels;
- Support the implementation of the Convention on Biological Diversity and the Johannesburg commitment for a significant reduction in the rate of loss of

~~biodiversity by 2010; and undertake to intensify Fulfill commitments to significantly reduce the rate of loss of biodiversity by 2010, and continue ongoing efforts towards elaborating and negotiating an international regime on access to genetic resources and benefit-sharing with the aim of adopting an instrument/instruments to effectively implement relevant provisions and objectives of the Convention;~~

- Reaffirm the commitment, subject to national legislation, to respect, preserve and maintain knowledge of innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from their utilization;
 - Recognize that the sustainable development of indigenous people is crucial in our fight against hunger and poverty;
 - ~~Work towards the establishment of~~ Establish by 2006, a worldwide early warning system for all natural hazards, with regional nodes, building on existing national and regional capacity;
 - Commit to fully implementing the Hyogo Declaration and Hyogo Framework of Action 2005-2015 adopted at World Conference on Disaster Reduction, particularly those commitments relating to assistance to affected and disaster-prone developing countries;
 - Assist developing countries efforts to provide access to safe drinking water and basic sanitation for all in accordance with the Millennium Declaration and the Johannesburg Plan of Implementation, accelerate the preparation of national integrated water resources management and water-efficiency plans, and support well designed efforts by developing countries, as part of their national development strategies launch a programme of action with financial and technical support: to halve by 2015, the proportion of people living without safe drinking water or basic sanitation;
 - Improve access to reliable, affordable, economically viable and environmentally sound energy services, resources and technologies, in particular to developing countries;
- ~~on favourable terms, including on concessional and preferential terms, as mutually agreed;~~
- Strengthen ~~the conservation and sustainable management and development of all types of forests for the benefit of current and future generations, including through enhanced international cooperation, so that trees and forests contribute fully to the achievement of the internationally agreed development goals, including those~~

contained in the Millennium Declaration, taking full account of the linkages between the forest sector and other sectors;

- Promote the sound management of chemical and hazardous waste throughout their life cycles, in order to ensure that ~~aiming to achieve by 2020 that~~ chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment ~~using transparent science-based risk assessment and risk management procedures;~~
- Improve cooperation and coordination at all levels in order to address ~~issues related to~~ all aspects of oceans and seas in an integrated manner and to promote integrated management and sustainable development of the oceans and seas;
- Achieve significant improvement in the lives of at least 100 million slum dwellers by 2020⁴⁵ recognizing the urgent need for the provision of increased resources for affordable housing and housing related infrastructure, prioritizing slum prevention and slum upgrading and ~~supporting increasing contributions to the United Nations Human Settlements Foundation, and its Slum Upgrading Facility;~~
- ~~Commit to fund multilateral initiatives and agencies in the field of sustainable development, and in this regard~~ Look forward to a successful replenishment of the Global Environment Facility (GEF) this year, along with the successful conclusion of all outstanding reform commitments from the third replenishment. ~~resolve to successfully replenish the Global Environment Facility (GEF).~~

☐ HIV/AIDS and other Health Issues

35. We recognize that HIV/AIDS, malaria and tuberculosis and other infectious diseases pose severe risks for the entire world and serious challenges to the achievement of development goals. These diseases and other emerging health challenges require a concerted international response. To this end, we commit ourselves to:

- ~~Support the efforts of developing countries to strengthen their health systems, particularly with respect to capacities to address AIDS, malaria, and tuberculosis;~~
- ~~Launch, by 2006, a global initiative to strengthen by 2010 national health systems in developing countries by building on existing mechanisms with sufficient health workers, infrastructure, management systems and supplies to achieve the health-related MDGs;~~
- ~~Meet the targets established by the Declaration of Commitment on HIV/AIDS, through stronger leadership, scaling up a comprehensive response to achieve broad multisectoral coverage for prevention, care, treatment and support, and mobilizing additional resources from national, bilateral, multilateral and private sources, including increased funding for the Global Fund to fight AIDS, Tuberculosis and Malaria. Ensure that the resources needed for prevention, treatment, care and support, the elimination of stigma and discrimination, as well as enhanced access to affordable~~

medicines, reduced vulnerability of affected persons in particular orphan children and older persons and an expanded and comprehensive response to HIV/AIDS, and for full funding of the Global Fund to fight AIDS, tuberculosis and malaria, as well as UN system agencies and programmes engaged in the fight against HIV/AIDS, are provided universally by 2010;

- Fully implement the commitments made at the General Assembly Special Session on HIV/AIDS;
- Ensure implementation of our respective obligations under the World Health Organization's revised International Health Regulations, upon their entry into force, and emphasize the need to increase resources for the WHO Global Outbreak Alert and Response Network (GOARN);
- Ensure the full implementation of the 2005 World Health Assembly of the revised International Health Regulations, and emphasize the need to increase resources for the WHO Global Outbreak Alert and Response Network (GOARN); **Actively work to implement the Three Ones principles in all countries including ensuring that multiple institutions and international partners all work under one agreed HIV/AIDS framework that provides the basis for coordinating the work of all partners; with one national AIDS coordinating authority with a broad-based multisectoral mandate; and under one agreed country-level monitoring and evaluation (M&E) system;** with national AIDS coordinating authorities to align their support to national strategies, policies, systems, cycles and annual priorities action plans;
- Achieve universal access to reproductive health by 2015 as set out at the ICPD, integrating this goal in strategies to attain the internationally agreed development goals, including those contained in the Millennium Declaration aimed at improving maternal health, reducing child mortality, promoting gender equality, combating HIV/AIDS and eradicating poverty;
- Ensure long term public funding for academic and for industrial research, as well as development of new medicines and treatments to address the great pandemics and other tropical diseases;

Gender Equality and Empowerment of Women

36. We remain convinced and reaffirm that the full and effective implementation of the goals and objectives of the Beijing Declaration and Platform for Action is essential to achieving the internationally agreed development goals, including those contained in the Millennium Declaration; and resolve to promote gender equality and to eliminate pervasive gender discrimination by:

- Eliminating gender inequalities in primary and secondary education by the earliest possible date and at all educational levels by 2015;

- ~~Guaranteeing the right of women to own and inherit property, housing and inheritance laws~~ and ensuring secure tenure of property and housing to women;
- Ensuring access to reproductive health;
- Promoting equal access for women to labour markets, sustainable employment as well as adequate labour protections;
- Ensuring the protection of women and the girl child during and after armed conflicts in accordance with the obligations of States under international humanitarian and human rights law;
- ~~Promoting equal participation and representation of opportunity for men and women to participate in government decision making bodies;~~ and
- Supporting direct actions to protect women and the girl child from discrimination and violence, including by ending impunity, in particular in situations of wars and civil strife.

37. We recognize the importance of gender mainstreaming as a tool for achieving gender equality. To this end, we undertake to actively promote mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres and we further undertake to strengthen the UN system's capabilities in the area of gender.

Science and Technology for Development

38. We recognize that science and technology, including information and communication technology, play a critical role in the achievement of the development goals and that international support ~~can help is essential for enabling~~ developing countries to benefit from the technological advancements. We therefore commit to:

- ~~Support voluntary partnerships between the public and private sectors. Strengthen and enhance existing mechanisms and consider, as recommended by the UN Millennium Project, initiatives to support research and development to address the special needs of developing countries in the areas of health, agriculture, conservation and sustainable use of natural resources and environmental management, energy, forestry and the impact of climate change;~~
- ~~Promote, facilitate and finance, as appropriate, access to and the development, transfer and diffusion of technologies, including environmentally sound technologies and corresponding know-how to developing countries;~~

- Assist developing countries in their efforts to promote and develop national strategies for human resources and science and technology which are primary drivers of national capacity building for development;
- Implement policies at the national and international levels to attract both domestic and foreign investments that enhance knowledge, transfer technology on mutually agreed terms and raise productivity;
- Support Supplement the efforts of developing countries, individually and collectively, to harness new agriculture technologies, in order to increase agricultural productivity through environmentally sustainable means;
- Build a people centered and inclusive information society so as to enhance digital opportunities for all people bridge the digital divide and put the potential of ICTs at the service of development and address new challenges of information society by implementing the outcomes of the Geneva phase of the World Summit on the Information Society (WSIS), and by ensuring the success of the second phase of the WSIS to be held in Tunis in November 2005.

Migration

39. We acknowledge the important nexus between international migration and development and the need to deal with this issue in a coordinated and coherent manner with a view to addressing the challenges and opportunities that migration presents to countries of origin, destination and transit. We recognize that international migration brings benefits as well as challenges to the global community. We further recognize the sovereign right of states to formulate and enforce national migration policies and the role of international cooperation on migration in facilitating the implementation of effective and humane migration policies. In this regard, we support the General Assembly high-level dialogue on international migration and development in 2006 with a view to identifying best practices on controlled migration.

We further recognize the need to enhance international cooperation on migration issues to ensure that the movement of people across borders is managed in a more effective and humane manner. In this regard, we resolve to ensure the success of the General Assembly high-level dialogue on international migration and development in 2006 which will offer an opportunity to discuss the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts. We reaffirm our commitment to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families.

Countries with Special Needs

40. We reaffirm our commitment to address the special needs of LDCs, and urge all developed countries, and developing countries in a position to do so as well as all relevant organizations of the UN system, including the Bretton Woods Institutions to

make concerted efforts and adopt speedy measures for meeting in timely manner the goals and targets of the Brussels Programme of Action for the LDCs for the decade 2001-2010.

41. We recognize the special needs of and challenges faced by LLDCs and therefore reaffirm our commitment to urgently address those needs and challenges through the full, timely and effective implementation of the Almaty Programme of Action and the Sao Paulo Consensus adopted at UNCTAD XI. ~~Such implementation should be quantified with a time-bound set of indicators to measure the progress.~~

42. We recognize the special needs and vulnerabilities of SIDS and reaffirm our commitment to take urgent and concrete actions to address these needs and vulnerabilities through the full and effective implementation of the Mauritius Strategy adopted by the United Nations International Meeting, the Barbados Programme of Action and the outcome of the 22nd Special Session of the General Assembly. ~~We further undertake, starting in 2006, to promote greater international cooperation for the implementation of the Mauritius Strategy through the mobilization of financial resources on a more predictable basis.~~

43. We also emphasize the need for continued, coordinated and effective international support for achieving the development goals in countries emerging from conflict and in those recovering from disasters.

Meeting the Special Needs of Africa

~~43bis. We support Africa's efforts to build a peaceful, stable and prosperous Africa. We also welcome African institutions' engagement in promoting and enhancing effective governance and tackling corruption, including NEPAD's strong statements in support of democracy and human rights. Well-governed states are critical to peace and security, economic growth and prosperity, ensuring respect for human rights and promotion of gender equality and the delivery of essential services to the citizens of Africa.~~

44. ~~We w~~Welcoming the substantial progress Africa has made in recent years in addressing its challenges and realizing its opportunities, and also the recent decisions taken by Africa's partners, including the G8 and the European Union, in support of Africa's development efforts, we ~~and~~ reaffirm our commitment to ~~support Africa's peoples as they strive to urgently meet the special needs of their continent~~Africa, which is the only continent not on track to meet any of the goals of the Millennium Declaration by 2015, to enable it to enter the mainstream of the world economy, we resolve to:

- Strengthen cooperation with NEPAD through coherent support for the programmes drawn up by African leaders within that framework, including through mobilization of ~~internal and~~ external financial resources and facilitating approval of such programmes by the multilateral financial institutions;

- Support ~~the~~ African commitment to ensure that by 2015 all children have access to a complete, free and compulsory education of good quality, as well as to basic health care;
- Support the building of an international infrastructure consortium - involving the AU, NEPAD, the World Bank and the African Development Bank, ~~or be recognized by NEPAD as the lead agency to for facilitating~~ facilitate public and private infrastructure investment in Africa;
- Promote a comprehensive and durable solution to the external debt problems of African countries, including through 100% cancellation of multilateral debt consistent with the HIPC Initiative and ~~relief beyond HIPC in specific cases to secure long term debt sustainability; significant debt reduction and cancellation for heavily indebted non-HIPC low- and middle-income developing countries;~~
- Make efforts to fully integrate African countries in the international trading system, including through targeted capacity-building programmes ~~and on~~ bilateral and multilateral trade negotiations;
- ~~Commit to~~ Support the efforts of commodity dependent African countries to restructure, diversify and strengthen the competitiveness of their commodity sectors. ~~and decide to work towards market-based arrangements with the participation of the private sector for commodity price risk management;~~
- Supplement the efforts of African countries, individually and collectively, to increase agricultural productivity, in a sustainable way, as ~~set out in NEPAD's Comprehensive African Agricultural Development Plan; part of an African Green Revolution to be launched in 2005.~~
- Encourage and support the African Union ~~and regional~~ and sub-regional organizations' initiatives to prevent, mediate and resolve conflicts with the assistance of the United Nations, and in this regard welcome the proposals from the G8 to provide extra resources for African peace-keeping;
- Provide, as a priority, assistance for HIV/AIDS prevention, care and treatment in African countries ~~on a grant basis, and encourage pharmaceutical companies to make anti-retroviral drugs affordable and accessible in Africa~~ and ensure increased support for bilateral and multilateral assistance to combat malaria, tuberculosis and other infectious diseases in Africa.



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

Dear Colleague:

I would like to express again my appreciation for the work that President Ping and his team have done to prepare the draft Outcome Document for next month's High-Level Event. We share a desire and commitment that the Outcome Document set forth measures that can support our common agenda to counter the threat of terrorism. We have been interested to see the proposals of other delegations. Our own views on some of the remaining terrorism issues are described below.

Paragraph 65

With respect to the second sentence of paragraph 65, while we strongly support the condemnation of terrorism in all its forms and manifestations, we believe that the appropriate occasion to address the Secretary General's counterterrorism strategy will be after it has been discussed by the General Assembly. We do not believe that it would be appropriate for the present document to prejudge the General Assembly's consideration of this topic.

In the following sentence of the same paragraph, we have suggested two changes that are intended to make clear that this paragraph addresses only actions taken by terrorists. We consider these changes of critical importance to ensure that the scope of this paragraph is limited to terrorist actions, and does not address military activities that are appropriately governed by international humanitarian law. We also note that the two changes we propose to this paragraph were in a previous draft of the Outcome Document, but later removed.

Paragraph 66

With respect to paragraph 66, our changes are intended to more accurately reflect the importance of concluding a comprehensive convention against international terrorism, which would provide a non-exclusive list of certain actions which would amount to terrorist acts. We have changed the text of the paragraph to reflect this.

Paragraph 70

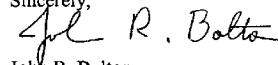
With respect to paragraph 70, as we have noted in the past, we believe it both appropriate and important for individual States to be the focus of efforts to assist victims of terrorism. The amendments that we have proposed are consistent with this focus on efforts at the national level.

Paragraph 72

With respect to paragraph 72, our proposed changes are intended to take into account that the International Convention for the Suppression of Acts of Nuclear Terrorism will not become open for signature until September, and that it is therefore not meaningful to distinguish between States that have become parties and States that have not yet become parties.

A clear, strong declaration on terrorism will bolster our common efforts to preserve peace and security. A statement that will contribute to the timely adoption of the proposed Comprehensive Convention on International Terrorism would represent a significant achievement in the UN's global effort to counter terrorism. I look forward to working with member states in reaching consensus on such a declaration.

Sincerely,



John R. Bolton
Ambassador

enclosure

Proposals of the United States

Terrorism

65. We strongly condemn terrorism in all its forms and manifestations, as it constitutes one of the most serious threats to international peace and security. We welcome the Secretary-General's counter-terrorism strategy and will consider it in the General Assembly ~~with a view to adopting it~~. We affirm that the targeting and deliberate killing by terrorists of civilians and non-combatants cannot be justified or legitimized by any cause or grievance, and we declare that any such action intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such an act, by its nature or context, is to intimidate a population or to compel a Government or an international organization to carry out or to abstain from any act cannot be justified on any grounds and constitutes an act of terrorism.

66. We resolve to conclude a comprehensive convention on international terrorism, ~~including a legal definition of terrorist acts~~, during the 60th session of the General Assembly.

67. We recognize that international cooperation to fight terrorism should be conducted in conformity with international law, including the United Nations Charter and relevant international conventions and protocols. States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law.

68. We acknowledge the important role played by the United Nations in combating terrorism and also stress the vital contribution of regional and bilateral cooperation, particularly at the practical level of law enforcement cooperation and technical exchange.

69. We urge the international community, including the United Nations to assist States in building regional and national capacity to fight terrorism. We further invite the Secretary-General to strengthen continuously, in consultation with the General Assembly and the Security Council, the capacities of the United Nations, its relevant funds, programmes and specialized and related agencies, to assist States in these endeavours.

70. We support support national efforts ~~commit~~ to assist victims of terrorism ~~around the world~~ and to provide them and their families with support to cope with their loss and their grief.

71. We call on the Security Council to consider ways to strengthen the verification, monitoring and enforcement by the Council in its role in counter-terrorism, including by consolidating States' reporting requirements.

72. We support efforts for the early entry into force of the International Convention for the Suppression of Acts of Nuclear Terrorism, and strongly encourage States to expeditiously consider becoming parties ~~which have not yet become a party to it, to do so and and if they have not done so~~ to accede to the 12 other international conventions and protocols against terrorism without further delay and fully implement them.



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

August 30, 2005

Dear Colleague:

I want to share with you the U.S. vision and key concepts for the creation of a UN human rights mechanism that can effectively address the most serious human rights situations. We must undertake reform of the UN's human rights bodies, particularly the discredited UN Commission on Human Rights (CHR), as a key aspect of overall United Nations reform. The United States supports the creation of a UN Human Rights Council to replace the CHR and to serve as the UN's primary body charged with promoting and protecting human rights.

The United States believes that the CHR has made valuable contributions to the protection and promotion of human rights. We must focus on those aspects of the CHR's mandate that are effective, in particular its capacity to examine information relevant to gross violations of human rights and fundamental freedoms. The United Nations should be equipped with UN machinery that can more effectively enhance UN Member States' ability to implement their human rights commitments, both by providing cooperation, assistance, and support to Member States and by addressing urgent or continuous serious human rights violations with appropriate consideration.

The attached edits to the Outcome Document reflect these key concepts. Let me review our suggested changes to the current draft of the Outcome Document, paragraph by paragraph:

Para 138 and others

The change to "support the establishment of," the change here and elsewhere from "shall" to "should," and the change in Para 140 to "facilitate its adoption" make clear that this Outcome Document is not the operative document launching the Human Right Council.

Para 139 a)

The Subcommittee's working methods and membership have often raised serious questions in the past. If we are seeking true reform, the problem of redundant or unnecessary entities must be addressed. The US favors abolishing the Subcommittee but, at a minimum, we believe the consultative process identified in Para 140 should be used to determine whether the new Council needs a body of independent experts to supplement its work. We believe these continuing consultations give meaning to this paragraph's assertion that "The Council should assume the mandate of the CHR and

preserve its strengths...” For the same reasons, we support “a” system of special procedures, not necessarily “the” same CHR system.

Para 139 a) iv

Our changes reflect the fact that States are only obliged to fulfill obligations under international law. The UDHR is a non-binding document; therefore, as a legal matter, States have no obligations under it.

Para 139 a) v

Nothing the Council will do could be more important than addressing urgent or continuous human rights situations around the world. We seek a very explicit mandate for the Council in this regard.

Para 139 b)

On size of the Council, the United States agrees with UN Secretary-General Annan that the proposed Human Rights Council should be smaller than CHR. A smaller Council will be more effective and efficient in reacting to serious human rights situations that require swift responses. We maintain that the range of 30-50 countries proposed in the Outcome Document is not acceptable, as a Council of 50 is not a meaningful reduction in size. We favor a Council no larger than 30.

On membership qualifications, we agree with UN Secretary-General Annan that the Council should be a “society of the committed” whose members “should have a solid record of commitment to the highest human rights standards.” Without improving the quality of membership in the new Council, it will face many of the same problems experienced in CHR where, as SYG Annan has said, “States have sought membership (in) the Commission not to strengthen human rights but to protect themselves against criticism or to criticize others. As a result,” the SYG continues, “a credibility deficit has developed, which casts a shadow on the reputation of the United Nations system as a whole.” The US agrees that the issue of membership is at the heart of CHR’s declining credibility and professionalism. It follows that States deemed to be a threat to international peace and security and thus subject to UNSC sanctions are not in a position to make recommendations to the international community about human rights issues. Similarly, States under investigation by a UNSC Commission of Inquiry or other UNSC procedure should not be permitted to serve on the Human Rights Council.

Para 139 c)

States voted onto the Council should have a proud record of supporting human rights. We favor a guaranteed peer review for all States elected onto the Council, unless they have undergone a review very recently, “within the past year.” The peer review we support does not duplicate existing UN activities or consume or distract the new Council.

Para 140

We favor the addition of "composition" of the Council to add more specificity to the request that the UNGA President conduct consultations with Member States regarding the establishment of the new Council.

My Government and I remain committed to working with you to realize these essential reforms.

Sincerely,

A handwritten signature in black ink that reads "John R. Bolton". The signature is written in a cursive style with a large initial "J" and "B".

John R. Bolton

Enclosure
Paragraphs 138-140
W/ Edits

Human Rights Council

138. Pursuant to our commitment to give greater priority to human rights in the work of the UN and to strengthen the human rights machinery of the organization, we endorse the establishment of ~~decide to establish~~ a standing Human Rights Council, as a subsidiary organ of the General Assembly to be based in Geneva, in replacement of the Commission on Human Rights. The General Assembly should ~~shall~~ review within 5 years whether the Council should be transformed into a principal organ.

139. The Human Rights Council should ~~will~~ have the following mandates, size and composition:

(a). It should ~~will~~ be the organ primarily responsible for promoting the universal respect for and, observance and protection of all human rights and fundamental freedoms ~~for all~~, without distinction of any kind and in a fair and equal manner, recognizing their indivisible, inalienable and interrelated character. The Council should ~~shall~~ assume the mandate of the Commission on Human Rights and preserve its strengths, including ~~the~~ system of special procedures, and also eliminate redundant or unnecessary entities such as the Subcommission for the Promotion and Protection of Human Rights. In particular, it should ~~will~~:

- i. Serve as a forum for dialogue for thematic issues on all human rights and fundamental freedoms and make recommendations to the General Assembly for the further development of international law in the field of human rights;
- ii. Promote international cooperation to enhance the abilities of Member States to implement human rights commitments and international norms and standards including through the provision of assistance by the Office of the High Commissioner for Human Rights to Member States, at their request through programmes of advisory services, technical cooperation and capacity building;
- iii. Promote effective coordination and the mainstreaming of human rights within the United Nations System, including by making policy recommendations to the General Assembly, the Security Council, the Economic and Social Council and other UN bodies. The Council should also work in close cooperation with regional organizations in the field of human rights;
- iv. Periodically review the fulfillment by all States of all their human rights obligations under international law, in particular under the United Nations Charter and the Universal Declaration of Human Rights. This procedure should ~~will~~ not duplicate the reporting procedures being carried out under the human rights treaties;
- v. Address any matters or situations related to the promotion and protection of human rights, specifically those related to ~~including~~ urgent or continuous human

rights situations, and make recommendations thereon to the member States of the UN and provide policy recommendations to the UN system.

(b) -The Council ~~should~~ comprise ~~between 30 to 50~~ members, each serving for a period of three years, to be elected individually and directly by the General Assembly, each by a two thirds majority and should not include any States subject to measures imposed under Article 41 or 42 of the UN Charter or the subject of a UN Security Council Commission of Inquiry or similar UN Security Council investigation of human rights violations. In establishing the membership of the Council, due regard ~~should~~ shall be given to the principle of equitable geographical distribution and the contribution of member States to the promotion and protection of human rights.

(c) Those elected to the Council should undertake to abide by human rights standard in their respect, protection and promotion of human rights, and ~~should~~ will be evaluated during their term of membership under the review mechanism, unless they have been ~~recently~~ recently evaluated within the last year before the start of their term in the Council.

(d) The arrangements made by the Economic and Social Council for consultations with non-governmental organizations under article 71 of the Charter should apply to the Council, as well as current practices observed in the Commission on Human Rights.

(e) The Council ~~shall~~ should provide an annual report to the UN General Assembly.

140. We request the President of the General Assembly to conduct consultations with Members States in order to facilitate its adoption during its 60th session, before 31 December 2005, of the modalities, functions, procedures and working methods of the Human Rights Council, and transitional arrangements from the Commission to the Council as well as the composition of the proposed Human Rights Council.



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

August 30, 2005

Dear Colleague:

I would like to express again my appreciation for the work that President Ping and his team have done to prepare the draft Outcome Document for next month's High-Level Event. We share a desire and commitment that the Outcome Document set forth measures that we can all support. To that end, we wish to state our principles relating to the section on "responsibility to protect" in the draft document. We believe there exists a widespread consensus in support of these principles which will enable us to reach agreement on an appropriate text.

The international community has a particular interest and role to play in cases involving genocide, ethnic cleansing, crimes against humanity and other large-scale atrocities in which national authorities are unwilling or unable to protect their citizens. The risk in such cases to international peace and security is clear, and the international community must be prepared to use diplomatic, humanitarian, and other peaceful measures to protect civilian populations against such atrocities.

In such cases, the role of the Security Council is critical. In carrying out that responsibility, the Council may, and is fully empowered to, take action under the Charter, including enforcement action, if so required. We reject the argument that the principle of non-intervention precludes the Security Council from taking such action. At the same time, we note that the Charter has never been interpreted as creating a legal obligation for Security Council members to support enforcement action in various cases involving serious breaches of international peace. Accordingly, we believe just as strongly that a determination as to what particular measures to adopt in specific cases cannot be pre-determined in the abstract but should remain a decision within the purview of the Security Council. For its part, the United States *stands ready to take collective action, in a timely and decisive manner, through the Security Council under Chapter VII of the UN Charter and, as appropriate, in co-operation with relevant regional organizations, should peaceful means be inadequate and national authorities be unwilling or unable to protect their populations.*

Our specific views on paragraph 118 are as follows:

Paragraph 118

With respect to the first sentence of paragraph 118, we agree that the host state has a responsibility to protect its populations from such atrocities, and we agree in a more general and moral sense that the international community has a responsibility to act when

the host state allows such atrocities. But the responsibility of the other countries in the international community is not of the same character as the responsibility of the host, and we thus want to avoid formulations that suggest that the other countries are inheriting the same responsibility that the host state has. The text should reflect this view. We also would add "other large-scale atrocities" to avoid legalistic debates about whether a particular situation constitutes, for example, genocide and to clarify that this document does not cover all war crimes, but only those that are of sufficient scale to warrant such international attention. This is in keeping with the approach in the Geneva Conventions themselves, which distinguish between "grave breaches" of the Convention, and other violations.

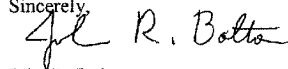
With respect to the second sentence of paragraph 118, the U.S. would delete the reference to "incitement." Such a reference raises a problem for the United States because of our traditional approach under the First Amendment to our Constitution.

With respect to the fifth sentence of paragraph 118, we would make changes to make clear that the obligation/responsibility discussed in the text is not of a legal character and to mirror the changes we have proposed to the first sentence of this paragraph. We do not accept that either the United Nations as a whole, or the Security Council, or individual states, have an obligation to intervene under international law. We also believe that what the United Nations does in a particular situation should depend on the specific circumstances. Accordingly, we should avoid language that focuses on the obligation or responsibility of the international community and instead assert that we are prepared to take action. It also would be desirable to insert a reference to economic means, such as sanctions, which can often make an important contribution in dealing with these issues. We would modify the text accordingly.

With respect to the sixth sentence of paragraph 118, we should not preclude the possibility of action absent authorization by the Security Council. There may be cases that involve humanitarian catastrophes but for which there is also a legitimate basis for states to act in self-defense. The text should not foreclose this possibility.

A clear statement on this issue will bolster our common efforts to prevent such atrocities. I look forward to a constructive dialogue with you and other delegations to achieve our mutual goal of a consensus text on this important issue.

Sincerely,



John R. Bolton
Ambassador

Enclosure: U.S. Proposed edits to Paragraph 118: Responsibility to Protect

United States Proposals: Responsibility to Protect

Responsibility to Protect

118. We agree that ~~each individual state is responsible for the protection of its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity and other large-scale atrocities~~ lies first and foremost with each individual State. We also agree that this responsibility to protect entails the prevention of such crimes, ~~including their incitement~~. We accept this responsibility and agree to act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the efforts of the United Nations to establish an early-warning capability. The international community, through the United Nations, also has ~~moral responsibility~~ the obligation to use appropriate diplomatic, economic, humanitarian and other peaceful means, including under Chapters VI and VIII of the Charter to help protect populations from ~~such atrocities~~ genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we stand ready to recognize our shared responsibility to take collective action, in a timely and decisive manner, through the Security Council under Chapter VII of the UN Charter and, as appropriate, in co-operation with relevant regional organizations, should peaceful means be inadequate and national authorities be unwilling or unable to protect their populations.¹ We stress the need to continue consideration of the concept of the responsibility to protect within the sixtieth session of the General Assembly.

¹ We underscore that national authorities have a responsibility to protect their populations and, in cases involving genocide, ethnic cleansing, crimes against humanity and other large-scale atrocities in which national authorities are unwilling or unable to protect their citizens, the international community should be prepared to use diplomatic, humanitarian, and other methods to protect civilian populations, and if such methods appear insufficient the Security Council may out of necessity decide to take action under the Charter, including enforcement action, if so required.



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

August 30, 2005

Dear Colleague:

As we move forward collectively in strengthening the United Nations so it can address the many challenges and threats confronting our world, it is essential that we have an Organization that is fully accountable, transparent, and efficient, with a workforce based on the highest standards of integrity and competency. The achievement of the many objectives across the broad spectrum of the reform agenda will not be possible unless the Secretariat and other UN institutions are effectively managed and have strong oversight and accountability mechanisms to support them.

While we generally agree with the thrust of the current text in this section, we believe that it needs to be strengthened to create a more forceful momentum for change. With this in mind, I'd like to share with you our views on key paragraphs. I have also enclosed our proposed specific revisions for this section of the Document.

- **Paragraph 141** – The paragraph suggests that the UN Secretariat is only accountable to the General Assembly, which is one component of the multifaceted UN. Accordingly, the United States proposes a change to clarify that the Secretariat is accountable to the membership of the Organization.
- **Paragraph 142** – The Secretary-General, as the chief administrative officer of the Organization, is clearly responsible for carrying out the duties involved with this position. There is no need “to encourage” him to do this. What is needed is for the UN’s membership to provide adequate authority and flexibility to carry out these responsibilities.

The reference to hiring and conditions of service for UN staff in the third bullet point should be focused sharply on efficiency, competence, and integrity—as the UN Charter states—and not on the need for “equitable” geographical distribution, which is of lesser importance. In addition, the hiring of individuals at senior and policy levels should not be singled out for special treatment.

- **Paragraph 143** – The need for a thorough review of regulations, rules, and policies dealing with human resources and budgetary issues has long been evident, and we support the Secretary-General’s intent to do so. With the current text in the first bullet point, however, the review would be constrained by “existing resolutions and ongoing endeavors.” As this approach would only produce a “business as usual” outcome, we have proposed a change to remove this constraint and give the Secretary-General a broader mandate for the review.

The second bullet point similarly sets constraints for the requested overview of mandates more than five years old because any recommended changes would have to be done “in accordance with rules and regulations on programme planning.” Here again, we believe this would result in a “business as usual” outcome rather than a serious, unfettered analysis of the UN’s many activities and operations. Consequently, we have proposed to remove this constraint.

- **Paragraph 145** – Making sure that the Secretary-General has sufficient authority and flexibility to move resources from low to high priority activities is critical to his mandate as the Organization’s chief administrative officer. By referring to the “relevant rules and regulations established by the General Assembly,” the text seems to pre-empt any proposal to make needed changes. We have proposed deletion of this phrase.
- **Paragraph 146** – While the U.S. has not proposed any substantive changes to this paragraph on oversight improvements, we want to stress our firm belief that better oversight, including a stronger and more independent Office of Internal Oversight Services, is absolutely critical to reforming the UN. The current text encompasses many of the necessary measures to do this.
- **Paragraph 147** – Reports of sexual exploitation and abuse by a small number of UN peacekeepers over the last year have made it clear that the Organization must change its policies and practices without delay. We therefore recommend that this text be strengthened to highlight the need for full and immediate implementation of the recommendations made by the Secretary-General’s advisor on this issue.

For the sake of the rest of the work that the UN does, it is important that we get this management portion of the UN reform effort right. I ask for your support in meeting the challenge before us and I look forward to working with you as we move forward.

Sincerely,



John R. Bolton
Ambassador

enclosure

U.S. Proposals for UN Management Reform Section

Secretariat

141. We recognize that in order to effectively comply with the principles and objectives of the Charter in a new changing world, we need an efficient Secretariat which is appropriately accountable to the ~~membership~~ General Assembly as the chief representative, deliberative body of the organization.

142. We recognize the necessity of having a capable, efficient and transparent Secretariat which operates in a culture of organizational accountability and integrity, and consequently:

- We ~~stress~~ recognize the role of the Secretary-General as the chief administrative officer of the Organization in accordance with Article 97 of the UN Charter, ~~encourage him to exercise his duties in accordance with the principles of the Charter,~~ and are committed to pledge to ensure that he will have sufficient authority and flexibility to carry out his managerial responsibilities;
- We welcome the reforms initiated by the Secretary-General, including new senior management committees and actions to strengthen oversight and accountability, reinforce ethical conduct, enhance transparency and improve management performance, and invite him to report to the General Assembly on the progress made in implementing all such measures;
- We urge the Secretary-General to ensure that the paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, integrity, with due regard paid to the importance of recruiting the staff on as wide and equitable a geographical basis as possible, ~~in particular in the senior and policy-making levels,~~ and encourage him to promote ~~secure~~ gender balance in the staffing of the Organization;
- We welcome the Secretary-General's efforts to ensure ethical conduct, more extensive financial disclosure for UN officials, and enhanced protection for whistleblowers, and his intention to create an Ethics Office with independent status within the Secretariat to provide the necessary capacity and advice on all ethics-related matters. We request that the Secretary-General submit further details on the creation of the Ethics Office to the General Assembly during the 60th session;
- We emphasize that ongoing management reform in the UN should make full use of information and communication technologies, helping to give greater efficiency in the use of resources and enhancing organizational capability throughout the UN system;

- We commend the Secretary-General's efforts to further enhance the effective management of the United Nations and for his commitment to modernize the United Nations, ~~in particular the Headquarters.~~

Management Reform

143. We further recognize the need to carry out managerial reforms in order to make more efficient use of the economic and human resources available to the Organization and thus better comply with its principles and objectives. In this context, we call on the Secretary-General to submit an implementation plan for management reforms to a plenary meeting of the General Assembly for consideration and decision in the first quarter of 2006, which will include the following elements:

- A full review of the budgetary and human-resources rules and policies under which the Organization operates, with a view to modernising and streamlining them and improving the effectiveness and efficiency of the UN Secretariat. This should be done ~~taking into account~~ with appropriate consideration of the relevant General Assembly resolutions and ongoing endeavours;
- A ~~over~~review of all mandates, originating from existing resolutions of the General Assembly ~~and its organs~~, older than five years ~~to complement the existing periodic review of activities~~. This review would take into account the Organization's continuing functions and priorities and would provide an indication of programmatic changes as well as resources which could be shifted, ~~in accordance with rules and regulations on programme planning~~, in order to strengthen and up-date the programme of work of the Organization;
- A detailed proposal on the framework for a one-time staff buy-out to modernize and improve personnel structure and quality, including an indication of costs involved, and mechanisms to ensure that it achieves its intended purpose.

144. We pledge to take early action on the Secretary General's implementation plan.

145. We commit to ensure that the Secretary-General has sufficient authority and flexibility to redeploy posts and resources, in order to ensure the most effective implementation of the Organization's mandates, ~~under which could require revisions to~~ the relevant rules and regulations established by the General Assembly, and invite him to report to the General Assembly each year on outcomes.

146. We acknowledge problems that have arisen as a result of weaknesses in the Organization's oversight and management processes. These disclosures have cast doubt on the credibility of the Organization's work, and therefore, we resolve to undertake the

following measures to strengthen and ensure the independence of the Organization's oversight bodies:

- We underscore the need to focus the expertise and resources of the OIOS on audit and investigations, and increase the capacity of the Office to carry out these functions;
- We request the Secretary-General to commission an evaluation of the UN's entire internal control environment, including the roles and responsibilities of management, internal oversight, the external Board of Auditors, and the Joint Inspection Unit in order to determine the way to strengthen the OIOS and the entire oversight system. This evaluation should take place within the context of General Assembly resolution 59/264 which called for the Secretary-General to undertake a comprehensive review of governance arrangements. Given immediate needs in this area, the recommendations arising from the evaluation should be presented to the 60th General Assembly in its second resumed session;
- We decide to establish an independent oversight advisory committee of experts whose members will be nominated by the Secretary General and appointed by the General Assembly. The purpose of this committee is to provide the General Assembly with better tools to exercise its governance responsibilities over the operations of the Organization. This committee would have the authority to, *inter alia*, make recommendations to the General Assembly on the resource and budget requirements for the OIOS, provide the Members States with assessments on the work of the OIOS and the external Board of Audit, and identify possible gaps in UN's oversight coverage;
- We authorize OIOS to provide internal oversight to United Nations' agencies that request such services. This should only be done in such a way as to ensure that internal oversight services to the UN Secretariat will not be compromised.

147. We insist on the highest standards of behaviour from all UN personnel and support the considerable efforts underway with respect to the implementation of the Secretary-General's policy of zero-tolerance regarding sexual exploitation and abuse by United Nations personnel, both at headquarters and in the field. We underscore the importance of the recommendations of the Secretary General's Advisor on Sexual Exploitation and Abuse by UN Peacekeeping Personnel, and urge that these recommendations be fully implemented without delay. We encourage the Secretary-General to submit proposals to the General Assembly leading to a comprehensive approach for victims' assistance by 31 December 2005.



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

August 29, 2005

Dear Colleague:

Creation of a UN Peacebuilding Commission (PBC) continues to be a priority for the United States. I wanted to take this opportunity to explain the parameters of a PBC that we believe the Outcome Document must reflect.

We believe strongly that a Peacebuilding Commission must be established as an intergovernmental advisory body under the direction of the Security Council. Its main purpose is to bring together relevant actors to assist and mobilize support to countries emerging from conflict. The Peacebuilding Commission is not a long-term development body. Its scope of work must focus on reconstruction and institution building in the immediate aftermath of conflict.

The mandate of the PBC will primarily concern issues relating to maintaining peace and security in post-conflict areas. Because Article 24 of the UN Charter confers on the Security Council primary responsibility for the maintenance of international peace and security, we propose that the Peacebuilding Commission function as a subsidiary organ of the Security Council.

With such carefully defined focus, we believe the Peacebuilding Commission will effectively fulfill a critical function. The PBC will compile information from all relevant sources, including international financial institutions, UN experts, NGOs and those in the field, to formulate its recommendations. Any member state should be able to request through the Security Council the advice of this central body. The PBC's recommendations and reports should be made publicly available as UN documents in order to improve coordination and information sharing through the UN system, promoting transparency and accountability in this process.

The PBC should operate on a consensus basis. The Organizational Committee of the PBC should develop its own procedures. Its membership, including representatives of the P-5 and five members elected through ECOSOC on an annual basis, is reflected in the attached U.S. draft. Member states that are chief providers of resources, both financial and human resources for peacebuilding activities, must be included. The Organizational Committee must have the flexibility to invite other states and parties to discussions as appropriate.

The Outcome Document appropriately recognizes the vital role of the United Nations in addressing the special needs of countries emerging from conflict towards recovery and reintegration. The United States would also emphasize the need to support

reconstruction. We support the establishment of a Peacebuilding Commission after the conclusion of the High Level Event and no later than December 31, 2005.

The following explanations are keyed to Paragraphs 76-87.

Paragraph 76

With respect to paragraph 76, we strongly support a coordinated approach to peacebuilding. However, the Commission's scope of work should be limited to recommendations on how the UN-system can better coordinate post-conflict stabilization and reconstruction efforts. It is not appropriate for the Commission to consider long-term political/economic development, which includes many actors outside the UN system. Additionally, we believe the Outcome Document is not an operational document, and thus has no legal authority to create a new body. As a political declaration, the Outcome Document cannot go beyond expressing support for establishment of the Commission. Finally, the Commission will be primarily concerned with issues of peace and security in post-conflict areas. Since the UN Charter confers the responsibility of international peace and security on the Security Council, it is only appropriate that the Commission take its direction from that body.

Paragraph 77

We believe that the Peacebuilding Commission should limit the scope of its work to post-conflict stabilization and reconstruction, not development. The Peacebuilding Commission will also not be providing information from the field, rather it will be formulating recommendations based on available information from UN actors and others in the field. With respect to the final sentence of this paragraph, we feel strongly that the Commission should operate in all matters on the basis of consensus, to ensure that only those issues with broad support among Commission members are acted upon.

Paragraph 78

The Security Council, acting under its Charter responsibilities to maintain international peace and security, should be able to refer matters to the Peacebuilding Commission at any time. Accordingly, individual Member States which seek the advice of the Commission should do so through the Security Council.

Paragraphs 79 and 80

In the interest of improving coordination and information sharing within the UN system, we believe all of the Commission's reports should simply be made publicly available as UN documents. This process will also promote transparency and accountability in the UN's post-conflict peacebuilding activities.

Paragraph 81

Since the Outcome Document will not itself be creating the PBC, we propose to use "should create" rather than "shall create."

Paragraph 82

We believe the PBC's membership should strike an appropriate balance between size and representativeness. Therefore, we prefer that members of the Organizational Committee be limited to five each from the Security Council, ECOSOC, troop contributors and financial contributors. Since the Organizational Committee will need to convene before any country-specific meetings take place, its membership should be outlined first. We believe that the criteria for membership should be as transparent as possible, and therefore we prefer the formula "top five" rather than "5 of the top 10" troop and financial contributors.

Paragraph 83

We believe it is important to specify that the Organizational Committee will invite non-member state parties to attend meetings of the PBC.

Paragraph 84

We believe that the scope of activities of a standing fund for post-conflict peacebuilding should be discussed further before articulating a detailed definition of its objectives. We prefer to strike the second sentence of the paragraph.

Paragraph 86

We believe that the Organizational Committee should itself define the PBC's rules of procedure and other modalities of its operation, and choose its Chair, based on the consensus principle. Financial arrangements for its functioning are properly the domain of the General Assembly, and therefore need not be mentioned in this paragraph.

Paragraph 87

We propose that the Security Council create the PBC. Any changes to the arrangements made at the PBC's creation would be made by the Council. Paragraph 87 is therefore unnecessary.

The following line-by-line edits to the Outcome Document reflect these key concepts. We remain committed to working with you to realize this important initiative.

Sincerely,



John R. Bolton
Ambassador

Enclosure:
Paragraphs 76-87 W/ Edits

Peacebuilding

76. Emphasizing the need for a coordinated, coherent, ~~comprehensive~~ and integrated approach to conflict resolution and post-conflict peacebuilding with a view to achieving sustainable peace, and recognizing the need for a dedicated institutional mechanism to address the special need of countries emerging from conflicts towards recovering, reintegration and ~~development~~ reconstruction, and recognizing further the vital role of the United Nations in this regard, we hereby support establishment of a Peacebuilding Commission under the direction of the Security Council as an intergovernmental advisory body, ~~which should be equipped with the appropriate mandate, functions, composition and technical capacity to assist and mobilize support~~ to assist and mobilize support to countries emerging from conflict.

77. Its main purpose is to bring together all relevant actors to marshal resources and advise on and propose ~~comprehensive~~ integrated strategies for peacebuilding and post-conflict recovery. To that end, the mandate of the Peacebuilding Commission should be ~~to it will provide necessary information in the immediate aftermath of war and focus attention on development~~ reconstruction and institution-building efforts necessary for recovery ~~from conflict and should~~ will support the development of integrated strategies for countries emerging from conflict, in order to prevent them from relapse into conflict. In addition, it ~~should~~ will provide recommendations and information to improve coordination of all stakeholders in and outside the United Nations, develop best practices, help to ensure predictable financing for early recovery activities, and extend the period of attention by the international community to post-conflict recovery. The Peacebuilding Commission should act in all matters on the basis of consensus of its members.

78. The Peacebuilding Commission ~~should~~ will consider matters brought before it by or ~~the Security Council's agenda brought before it by that body. In addition, with respect to matters of which the Security Council is not seized, a~~ Any Member State of the United Nations in an exceptionally difficult situation on the verge of relapsing into conflict should be able to request through ~~ECOSOC~~ the Security Council ~~the advice of that the Peacebuilding Commission decide to consider its situation, if the Security Council is not seized of the situation in question. The Peacebuilding Commission's Organizational Committee should consider the relevance of the request.~~

79. The Peacebuilding Commission should make ~~the outcome of its discussions~~ its advice and recommendations available as UN documents to all relevant bodies and actors of the United Nations including the international financial institutions.

80. The Peacebuilding Commission should ~~provide advice on Peacebuilding strategies for countries emerging from conflict to such bodies as are actively seized of the issue, in accordance with the Charter. In the initial stages of conflict recovery, and for as long as the Security Council is actively seized with the situation, the Peacebuilding Commission should provide advice to that body. Thereafter, the Peacebuilding Commission should provide advice to the ECOSOC.~~

81. The Peacebuilding Commission ~~should~~^{shall} submit an annual report to the General Assembly.

82. The Peacebuilding Commission ~~should~~^{shall} meet in variable configurations according to the matter at hand. The Peacebuilding Commission should have an Organizational Committee, responsible for developing its procedures and organizational matters, comprised of:

- (a) The five permanent members of the Security Council;
- (b) Five members of the Economic and Social Council, to be elected through ECOSOC on an annual basis;
- (c) Of the States not included in (a) and (b), the top five providers of assessed and voluntary contributions (to the UN funds, programs and agencies), as identified by the Secretary-General;
- (d) Of the States not included in (a), (b) and (c), the top five providers of military personnel and civilian police to UN missions, as identified by the Secretary-General;

Country-specific meetings of the Peacebuilding Commission should upon invitation of the Organizational Committee ~~comprise~~^{include}, in addition to the members of the Organizational Committee, representatives of:

- (a) the national authorities of the country under consideration, as appropriate;
- (b) countries in the region engaged in the post-conflict process, as well as relevant regional and sub-regional organizations;
- (c) the major financial and troop contributors involved in the recovery effort;
- (d) the senior United Nations representative in the field and other relevant UN representatives;
- (e) —(e)—such regional and international financial institutions as may be relevant;
- (f) other parties directly relevant for the country under consideration

The Peacebuilding Commission should have an organizational committee, responsible for developing its procedures and organizational matters, ~~comprised of:~~

- ~~(a) 7 members of the Security Council, including 5 permanent members and 2 non-permanent members;~~
- ~~(b) 7 members of the Economic and Social Council, elected from regional groups, and giving due consideration to those countries that have experienced post-conflict recovery;~~
- ~~(c) 5 of the top 10 providers of assessed contributions (to the UN regular budget) and voluntary contributions (to the UN funds, programs and agencies), to be selected according to procedures to be developed from a list provided by the Secretary-General;~~

~~(d) 5 of the top 10 providers of military personnel and civilian police to UN missions, to be selected according to procedures to be developed from a list provided by the Secretary-General;~~

~~Members in the above categories will be identified in the order set out above, with no double representation, and taking due account of geographical representation.~~

83. Representatives from the World Bank, the International Monetary Fund and other institutional donors should be invited by the Organizational Committee to participate in all meetings of the Peacebuilding Commission in a manner suitable to their governing arrangements, as well The Secretary-General or as a representative his representative should also be invited to participate by the Organizational Committee from the Secretary-General.

84. We request the Secretary-General to establish a multi-year standing fund for post-conflict peacebuilding, funded by voluntary contributions, and taking due account of existing instruments. ~~The primary objective of the Peacebuilding Fund will be to ensure the immediate release of resources needed to launch peace-related activities and arrangements, pending the convening of an international donor conference, as appropriate, and the subsequent release of pledged funds through existing bilateral and multilateral financing channels.~~

85. We request the Secretary-General to establish within the Secretariat and within existing resources a small Peacebuilding Support Office to assist and support the PBC. It should draw on the best expertise available within the UN system.

~~86. We request the President of the General Assembly, assisted by the Secretary-General, to conduct consultations with Member States in order to develop Members of the Organizational Committee should decide on the necessary modalities for the effective operation of the Peacebuilding Commission including its rules of procedure, with a view to ensuring the financial arrangements for its functioning, and selection of the Chairs, so that the body Peacebuilding Commission can begin operations no later than 31 December 2005.~~

~~87. The arrangements set out above will be kept under review, with a view to ensuring they are appropriate to delivering the agreed functions of the PBC. Future proposals to change the arrangements, hereby agreed, should be forwarded jointly by the Security Council and the ECOSOC for approval by the General Assembly.~~



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

September 1, 2005

Dear Colleague:

The U.S. is committed to building on our significant nonproliferation and arms control achievements of the post-Cold War era. Our new strategic relationship with Russia allowed us to rapidly negotiate the Moscow Treaty, the largest reduction in nuclear forces ever mandated by an arms control treaty. Other cooperative efforts, such as the Proliferation Security Initiative, the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, UNSCR 1540, and measures to strengthen existing regimes will accomplish much toward ridding the world of WMD materials and equipment.

Proliferation of weapons of mass destruction (WMD) and their delivery systems, and the possibility that terrorists might acquire such weapons, continue to be the preeminent threat to international peace and security. Our leaders should be in a position at the September High Level Event (HLE) to endorse enhanced efforts to address this threat. Unfortunately, the nonproliferation and disarmament section of the HLE Outcome Document, as currently drafted, does not express the gravity of the WMD threats facing the international community, nor does it place this challenge in the proper context.

Serious substantive differences remain relating to the draft text, in particular on the specific steps identified for action. I am writing you to suggest changes to the text which we believe will significantly strengthen and focus it with respect to responding effectively to current and emerging threats, and will contribute to a document that we can commend for adoption by leaders at the HLE. Our changes identify as well the proposals in the current draft that run contrary to U.S. policies and, as such, will not receive U.S. endorsement.

Our proposed amendments to this section, paragraphs 57-64, are attached to this letter. Accordingly, we are providing the following explanations for your consideration:

Paragraph 57

With respect to paragraph 57, we believe it is important, especially in the opening paragraph of this section, to recognize the preeminent threat to international security and the need for the UN and its member states to address it. There is abundant international support for strengthening efforts to ensure and enforce compliance with existing, well-defined arms control and nonproliferation agreements, and we believe leaders will want to add impetus to this realistic goal, rather than appealing to states to "pursue" unspecified "negotiations" in areas where treaties already exist.

Paragraph 58

We believe that our amendments help emphasize the most valuable product of full compliance with the referenced instruments: strengthened international security.

Paragraph 59

We propose language that we believe represents the most straightforward possible description of the Nuclear Nonproliferation Treaty's role in promoting international security, as well as language that covers the implementation of all of the NPT's provisions, and believe this would avoid misplaced, divisive debates regarding the interpretation of the Treaty and its various provisions. We propose similar amendments in paragraph 60 in order to maintain the integrity of all of the Treaty's provisions.

Paragraph 60

In general terms, this section as drafted is overly prescriptive, repetitive and unfocused, reflecting little that promotes reform of the UN. It emphasizes disarmament, when the true threat to international security stems from proliferation. It does not include issues of contemporary importance such as the Proliferation Security Initiative. It attempts to purport agreement on various issues which have not been resolved here or in other venues, including early entry into force of the Comprehensive Test Ban Treaty, a program of work for the Conference on Disarmament with specific reference to the Prevention of an Arms Race in Outer Space (PAROS), and aspects of the NPT which did not achieve consensus just three months ago at its Review Conference.

Paragraph 61

The U.S. remains committed to working with states to implement practical, effective measures to address the problem of illicit SA/LW trafficking in conflict regions where it is most urgent, while acknowledging the legitimacy of legal trade, manufacture, and ownership of arms. For the purposes of this document, however, we believe it is important to focus our attention on the cataclysmic threat posed by the proliferation of WMD and their delivery systems, and the possibility that terrorists might acquire such weapons.

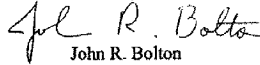
Paragraph 63

U.S. policy addresses all types of persistent and non-detectable landmines, and we are pushing for global restrictions on all such mines. The U.S. remains committed to generously funding humanitarian mine action and expects our total contribution to mine action to pass the one billion dollar mark this year. The U.S. did not and will not, however, become a party to the Ottawa Convention, and that is why the U.S. cannot accept references to the Ottawa Convention in this text.

Paragraph 64

With respect to paragraph 64, as we have noted in the past, without full compliance by all states parties to existing arms control and nonproliferation treaties, regional and international confidence in these agreements as instruments of peace and security will erode. This event is an excellent opportunity to demonstrate that there is a consensus among nations that noncompliance with existing, well-defined commitments will not be tolerated. Our proposed amendments to other paragraphs in this section seek to do so.

Sincerely,



John R. Bolton

Enclosure: U.S. Proposed Amendments: Disarmament and Non-Proliferation, Paragraphs 57-64

United States Amendments: Disarmament and Non-proliferation

57. ~~The proliferation of weapons of mass destruction and their means of delivery, and the possibility that terrorists might acquire such weapons remain the greatest threats to international peace and security. We emphasize that progress in disarmament and non-proliferation is essential to strengthening international peace and security and appeal to all States to pursue and intensify negotiations with a view to advancing disarmament and strengthening the international non-proliferation regime. We also recognize that noncompliance with existing arms control and nonproliferation and disarmament agreements and commitments may also threaten international peace and security of all nations and increase the possibility of terrorist acquisition of WMD. The UN and its member states must take all possible measures to address this threat.~~

58. ~~We urge all States to accede to the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention and we pledge to urge all states parties to comply fully with all the articles of those instruments, in order to strengthen international peace and security, enhance the multilateral framework for non-proliferation and disarmament and to achieve full adherence to these instruments.~~

59. ~~We reiterate our firm commitment to the NPT and its role in preventing the further spread of nuclear weapons, three pillars: disarmament, non-proliferation, and the peaceful use of nuclear energy. We look forward to strengthening the implementation of and compliance with the NPT, NPT's implementation, including through future Review Conferences.~~

60. We resolve to:

- ~~Appeal to all States to take action, unilaterally, bilaterally or multilaterally in a multilateral framework, to prevent the proliferation of weapons of mass destruction and their means of delivery in all its aspects and the possibility that terrorists might acquire such weapons;~~

~~Also appeal to the nuclear-weapon States to take concrete steps towards nuclear disarmament with the objective of eliminating all such weapons, including through the implementation of article VI of the Non-Proliferation Treaty;~~

- ~~Maintain a moratorium on nuclear test explosions pending the entry into force of the Comprehensive Nuclear Test Ban Treaty and call upon all States to sign and ratify the Treaty;~~

- ~~Ensure compliance and strengthen the verification by the International Atomic Energy Agency of the peaceful use of nuclear energy, including by national adoption and bringing into force without delay the Model Additional Protocol and call for universal accession to the comprehensive safeguards agreements the~~

~~standard for compliance which strengthen the nuclear nonproliferation regime and increase confidence that nuclear energy is devoted solely to peaceful purposes;~~

- ~~Support and continue to work towards the establishment of effectively verifiable nuclear-weapon-free zones, based on arrangements freely arrived at by consensus among the States of the region concerned, in order to reinforce regional peace and coexistence, prevent nuclear proliferation and advance disarmament;~~
- ~~Call upon the nuclear-weapon States to reaffirm their commitment to Negative Security Assurances;~~
- ~~Strengthen the Biological and Toxin Weapons Convention through continued multilateral and national efforts to improve its verification and national implementation, and encourage all States Parties to submit information on confidence-building measures as required by the Review Conference of the BTWC;~~
- ~~Complete the destruction of chemical weapons consistent with the Chemical Weapons Convention in a timely and effective manner;~~
- ~~Take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, and adopt and enforce appropriate effective laws which prohibit non-state actors from gaining access to such weapons and means of delivery, and otherwise comply in full with Security Council Resolution 1540;~~
- ~~Encourage States to endorse the Proliferation Security Initiative (PSI) and its Statement of Interdiction Principles (SOP);~~
- ~~Encourage States Parties to the Convention on the Physical Protection of Nuclear Material to seek early ratification of the amendment adopted on 8 July 2005, and we encourage those States that have not yet done so to promptly accede to the Convention on Physical Protection and of Nuclear Material and to ratify its amendment;~~
- ~~Respect the full right of States that meet their non-proliferation obligations under the NPT to the peaceful uses of nuclear energy, including through access to markets for nuclear fuel and related services;~~
- ~~Urge the Conference on Disarmament to agree on a programme of work which includes, *inter alia*, the commencement, without delay, of negotiations on a fissile material cut-off treaty and effective measures for the prevention of an arms race in outer space;~~
- ~~Explore effective measures to prevent and combat the proliferation of nuclear, chemical and biological weapons, related technology and materials, and their means~~

~~of delivery, as well as to ban their transfer to non-State actors, including by implementing effective national export controls;~~

- ~~• Urge States involved in the transport of radioactive materials by sea through SIDS regions to continue to engage in dialogue with SIDS and other coastal States to address their concerns, particularly those related to the further development and strengthening, within the appropriate fora of international regulatory regimes, to enhance safety, disclosure, viability, security and compensation in relation to such transport.~~

~~61. We commit to adopt and implement an international instrument to regulate the marking and tracing, illicit brokering, trade and transfer of small arms and light weapons. We also commit to implement the United Nations Plan of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.~~

~~62. We agree to ensure/insure the effective monitoring and enforcement of United Nations arms embargos.~~

~~63. We urge States parties to the Anti-Personnel Mine Ban Convention and Amended Protocol II to the Convention on Certain Conventional Weapons to fully implement their respective obligations, and we encourage those States that have not yet done so to promptly accede to those instruments. We also call upon States in a position to do so to provide greater technical assistance to mine-affected States.~~

~~64. We urge all States to take and implement confidence-building and disarmament measures, with a view to promoting and strengthening regional and international peace and security.~~