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United Nations Reform: U.S. Policy and International Perspectives

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Summary

Since its establishment in 1945, the United Nations has been in a constant state of transition as various international stakeholders seek ways to improve the efficiency and effectiveness of the U.N. system. Recent controversies, such as corruption of the Iraq Oil-For-Food Program, allegations of sexual abuse by U.N. peacekeepers, and instances of waste, fraud and abuse by U.N. staff, have focused renewed attention on the need for change and improvement of the United Nations. Many in the international community, including the United States, have increased pressure on U.N. member states to implement substantive reforms. The 110th Congress will most likely continue to focus on U.N. reform as it considers appropriate levels of U.S. funding to the United Nations and monitors the progress and implementation of ongoing and previously-approved reform measures.

In September 2005, heads of U.N. member states met for the World Summit at U.N. Headquarters in New York to discuss strengthening the United Nations through institutional reform. The resulting Summit Outcome Document laid the groundwork for a series of reforms that included establishing a Peacebuilding Commission, creating a new Human Rights Council, and enlarging the U.N. Security Council. Member states also agreed to Secretariat and management reforms including improving internal U.N. oversight capacity, establishing a U.N. ethics office, enhancing U.N. whistle-blower protection, and reviewing all U.N. mandates five years or older.

Since the World Summit, U.N. member states have worked toward implementing these reforms with varied degrees of success. Some reforms, such as the creation of the Human Rights Council and the Peacebuilding Commission, have already occurred or are ongoing. Other reforms, such as U.N. Security Council enlargement, have stalled or not been addressed. U.N. member states disagree on whether some proposed reforms are necessary, as well as how to most effectively implement previously agreed-to reforms. Developed countries support delegating more power to the Secretary-General to implement management reforms, for example, whereas developing countries fear that giving the Secretary-General more authority may undermine the power of the U.N. General Assembly and therefore the influence of individual countries.

Congress has maintained a significant interest in the overall effectiveness of the United Nations. Some Members are particularly interested in U.N. Secretariat and management reform, with a focus on enhanced accountability and internal oversight. In the past, Congress has enacted legislation that links U.S. funding of the United Nations to specific U.N. reform benchmarks. Opponents of this strategy argue that tying U.S. funding to U.N. reform may negatively impact diplomatic relations and could hinder the United States' ability to conduct foreign policy. Supporters contend that the United Nations has been slow to implement reforms and that linking payment of U.S. assessments to progress on U.N. reform is the most effective way to motivate member states to efficiently pursue comprehensive reform. This report will be updated as policy changes or congressional actions warrant.

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Introduction

U.N. reform is an ongoing policy issue for the United States, and may be a point of focus during the 110th Congress. As the single largest financial contributor to the U.N. system, the U.S. government has an interest in ensuring the United Nations operates as efficiently and effectively as possible. Congress has the responsibility to appropriate U.S. funds to the United Nations, and can impose conditions on payments. On several occasions, Congress has sought to link U.S. funding of the United Nations to specific reform benchmarks.

In recent years, there has been growing concern among some in the international community that the United Nations has become ineffective and unwieldy in the face of increasing global challenges and responsibilities. In response to these concerns, then-U.N. Secretary-General Kofi Annan and some U.N. member states proposed a series of management, programmatic, and structural reforms to improve the organization. Many of these reforms are in various stages of implementation, while others are still being considered by member states. Secretary-General Ban Ki-moon, who assumed the position of Secretary-General in January 2007, has indicated that he will continue to support U.N. reform efforts.

This report focuses on current U.N. reform efforts and priorities from the perspective of several key actors, including the U.S. government, the U.N. Secretary-General, selected groups of member states, non-governmental organizations (NGOs), and a cross-section of groups tasked with addressing U.N. reform. It also examines congressional actions related to U.N. reform, as well as future policy considerations.

Background

Reform Trends

Since the establishment of the United Nations in 1945, U.N. member states and past secretaries-general have repeatedly attempted to reform the organization. These reform efforts tend to be cyclical, with member states considering waves of new reform proposals every five to ten years. The reform attempts can be initiated by a member state, groups of member states, and/or the current secretary-general. They generally focus on three areas of concern: (1) perceived inefficiencies and lack of accountability in the U.N. Secretariat; (2) duplication and redundancy of U.N. mandates, missions, and/or programs; and (3) evidence of fraud, waste, abuse and/or mismanagement of U.N. resources.

Proposed reforms often reflect the political, economic, and cultural climate of the time. For example, in the 1950s and 1960s, member states focused on increasing membership on the U.N. Security Council and the U.N. Economic and Social Council (ECOSOC) to account for growing U.N. membership.[1] In the 1970s, as the economic and political gap between developed and developing countries grew more pronounced, the General Assembly requested the Secretary-General to appoint a group of experts to recommend structural changes that would help the United Nations address "problems of international economic co-operation."[2] The most recent wave of U.N. reform may be driven by a combination of U.N. budgetary and financial issues, controversy over mismanagement of the Iraq Oil-For-Food Program, perceived ineffectiveness of U.N. human rights mechanisms, and recent allegations of sexual abuse committed by U.N. staff and peacekeepers, among other things.

Reform Efforts (1980s and early 1990s)

U.N. reform initiatives in the 1980s and early 1990s focused primarily on financial and structural issues. In 1986, under pressure from the United States and other industrialized countries, the General Assembly established a high-level group of 18 intergovernmental experts to "review the efficiency of the administrative and financial functioning," of the United Nations. The group made 71 recommendations to the General Assembly, including a revised budgetary process that introduced the use of consensus-based budgeting.[3] In the early 1990s, U.N. Secretary-General Boutros Boutros-Ghali introduced broad reform proposals in reports, "An Agenda for Peace," (1992) and "An Agenda for Development" (1994).[4] Some of these reform initiatives proposed in the early 1990s led to substantive changes to the U.N. structure.[5]

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[1] U.N. membership grew from 51 countries in 1945, to 114 countries in 1963. Currently, the United Nations has 192 member states. Amendments to the Charter related to increased membership are discussed in the "Mechanics of Implementing Reform," section of this report.

[2] The General Assembly approved some, but not all, of the recommendations in 1977. For more information on this group and other U.N. reform efforts prior to the 1980s, see "Reforming the United Nations: Lessons from a History in Progress," by Edward C. Luck, *Academic Council on the United Nations System — Occasional Papers Series*, 2003.

[3] U.N. document, A/RES/41/213, December 19, 1986. The group of experts was convened, in part, because of U.S. legislation popularly known as the "Kassebaum-Solomon Amendment," which directed that U.S. contributions to the U.N. regular budget be reduced if larger U.N. financial contributors did not have a more substantial influence in the U.N. budget process. See "Previous Reform Legislation" section of this report.

[4] In response to the proposals in Boutrous-Ghali's reports, the General Assembly created five open-ended working groups to consider reforms in specific areas, including peace, development, the Security Council, the U.N. financial situation, and strengthening the U.N. system. Only one working group completed its work (the Working Group on Development), and three stopped meeting due to an inability to reach agreement on key issues. The fifth Security Council Working Group still meets regularly. For more information on this working group, see "The Mechanics of Implementing Reform" section of this report.

[5] Notably, in 1994 the General Assembly established the Office of Internal Oversight (continued...)

Reform Efforts (1997 to 2005)

Kofi Annan ran for Secretary-General on a platform of reform and introduced many reform proposals during his tenure, most notably in 1997, 2002, and 2005. Annan also appointed several independent panels and commissions to propose reforms on specific issues, such as the effectiveness of U.N. peacekeeping operations.[6] Annan first proposed a "two track" reform program that recommended cutting Secretariat administrative costs, combining three smaller departments into one large Department of Economic and Social Affairs (DESA), and creating the post of Deputy Secretary-General.[7] Over time, some of these early reform initiatives were achieved.[8] In September 2002, Annan proposed additional reforms, including a reorganization of the budget and planning system to make it less complex; a thorough review of the U.N. work program; establishing a high-level panel to examine the relationship between the United Nations and civil society; improving U.N. human rights protection; and enhancing U.N. information services.[9]

In September 2003, Annan appointed a High-Level Panel on Threats, Challenges and Change to evaluate how the United Nations addressed present-day threats to international peace and security.[10] The Panel recommended enlarging the U.N. Security Council, establishing a Peacebuilding Commission, and enhancing the role of the Secretary-General. Annan drew from many of the Panel's recommendations in his 2005 report, *In Larger Freedom: Toward Development, Security, and Human Rights for All.*[11]

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[5] (...continued)
Services (OIOS) to enhance and improve oversight in the United Nations.

[6] Annan appointed a special panel on U.N. Peace Operations in March 2000 to make recommendations for improving the peacekeeping system. The panel's recommendations were consolidated into what is known as the "Brahimi Report." A number of the report's recommendations, such as increasing the number of staff in the Department of Peacekeeping Operations, were implemented. Other recommendations, particularly those involving U.N. member state personnel commitments for deployment, have yet to be achieved.

[7] Annan subsequently outlined the thematic and technical aspects of these reform proposals in his report, *Renewing the United Nations: A Programme for Reform*, (A/51/950, July 14, 1997) which was endorsed by the General Assembly on December 19, 1997.

[8] Completed reforms include establishment of a strategic planning unit; creation of a senior management group; establishment of a Department for Disarmament and Arms regulation; creation of the Deputy-Secretary-General position; and the establishment of a U.N. Development Group to better coordinate U.N. development mechanisms and programs.

[9] U.N. document, A/57/387, September 9, 2002, *Strengthening the United Nations: An Agenda for Further Change*. Some of the 2002 reform proposals were implemented, including centralization of U.N. information around regional hubs, starting with Western Europe; strengthening the Office of the High Commissioner for Human Rights; and the establishment of a policy planning unit in the Department of Economic and Social Affairs.

[10] The Panel's report, *A More Secure World: Our Shared Responsibility*, was released on December 2, 2004, and is available at [http://www.un.org/secureworld/].

[11] See "Commissions, Task Forces, and Groups" section for more information on the report, (continued...)

The 2005 U.N. World Summit. In September 2005, U.N. reform efforts seemed to gain momentum as heads of state and government met for the 2005 World Summit at U.N. Headquarters in New York. The Summit convened to review the progress made in the fulfillment of the 2000 Millennium Summit goals and commitments made in other earlier U.N. conferences.[12] It provided the groundwork for potentially significant changes to the U.N. system, with a focus on strengthening the United Nations through various reforms. The Summit Outcome Document was negotiated by 191 member states and adopted by consensus on September 16, 2005. The document laid the foundation for reforms such as: establishing a Peacebuilding Commission; strengthening the Central Emergency Response Fund (CERF);[13] establishing a Democracy Fund; strengthening the Security Council; improving U.N. system coordination; and creating a new Human Rights Council. Member states also agreed to Secretariat and management reforms, including (1) establishment of an ethics office; (2) greater whistle-blower protection; (3) strengthening oversight capacity; (4) review of all General Assembly mandates over five years old; and (5) full financial disclosure by U.N. staff.[14]

Recently Adopted and/or Implemented Reforms and the New Secretary-General

Adopted Reforms

U.N. member states have worked toward implementing reform with varied results since the 2005 World Summit. Some reforms, particularly initiatives related to internal oversight, human resources reform, and Security Council enhancement, are stalled or have not been addressed. Other reforms, such as changes to CERF, the establishment of the Human Rights Council, and the creation of a Peacebuilding Commission, are already completed or are underway. Some management and budget reforms endorsed by heads of state and government at the World Summit were also implemented, including the establishment of a U.N. Ethics Office, enhanced whistle-blower protection policies, and improved financial disclosure policies for U.N.

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[11] (...continued)
which was released on March 21, 2005. A copy is available at [http://www.un.org/largerfreedom/].

[12] The 2000 Millennium Summit was held from September 6-8, 2000, in New York. Its theme was "the role of the United Nations in the 21st Century." More information on the Summit is available at [http://www.un.org/millennium/summit.htm].

[13] CERF was re-launched on March 9, 2006, with an aim of ensuring a more timely and efficient response to humanitarian disasters. The Fund is administered by emergency relief coordinators on behalf of the Secretary-General, and as of January 31, 2008, over $619.1 million has been committed and pledged by U.N. member states and NGOs. More information is available at [http://ochaonline.un.org/cerf/CERFHome/tabid/1705/Default.aspx].

[14] U.N. document, A/RES/60/1, *2005 World Summit Outcome*, September 16, 2005.

staff.[15] On July 7, 2006, the U.N. General Assembly reached consensus on a series of additional management reforms,[16] including

- establishment of the post of Chief Information Technology Officer to assist in the replacement of an outdated U.N. information system;
- authorization of approximately $700,000 for the Secretary-General to strengthen the U.N. procurement system;
- full operation of a U.N. Ethics Office, with a need for strengthening internal oversight and accountability;[17]
- "experimental" authorization of up to $20 million in discretionary spending for the Secretary-General to meet the needs of the organization;[18] and
- adoption of International Public Sector Accounting Standards.[19]

System-wide Coherence. The 2005 World Summit Outcome Document also called on the Secretary-General to improve system-wide coherence and coordination by "strengthening linkages between the normative work of the United

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[15] The improved financial disclosure requirements were expanded to include senior managers, procurement officers, and individuals who invest in U.N. assets. The new requirements lowered the threshold for accepting gifts and provided mechanisms for improving the monitoring of disclosure forms. Secretary-General Ban Ki-moon agreed to submit a disclosure form and release it to the public. Former Secretary-General Annan submitted the form but did not make it publicly available. The newly-implemented U.N. whistle-blower protection policy was labeled the "gold standard" for other international organizations. More information is available at [http://www.un.org/reform/highlights.shtml].

[16] These reforms were proposed in Secretary-General Annan's March 2006 report, *Investing in the United Nations: For a Stronger Organization Worldwide*, available at [http://www.un.org/reform/].

[17] The U.N. Ethics Office was established on January 1, 2006. Initially, some U.N. member states expressed concern that the office was insufficiently staffed. In May 2007, however, Robert F. Benson of Canada was appointed director of the office, and additional staff were hired. The office has provided increased ethics training for U.N. staff, including workshops and materials for distribution, such as a May 2007 publication entitled, *Working Together: Putting Ethics to Work*, available at [http://www.unescap.org/asd/HRMS/odlu/files/ethics.pdf].

[18] The resolution includes nine criteria for how the money may be spent by the Secretary-General, including a stipulation that if over $6 million is spent per biennium, the Secretary-General must receive prior approval from the U.N. Advisory Committee on Administrative and Budgetary Questions (ACABQ).

[19] U.N. press release, GA/10481, General Assembly Approves Reform Measures to Strengthen United Nations, July 7, 2006.

Nations system and its operational activities."[20] Accordingly, in February 2006, the Secretary-General announced the creation of a High-Level Panel to examine how the U.N. system can work more effectively, especially in the areas of development, humanitarian assistance, and the environment.[21] The Panel's final report emphasized the overall value and progress of the United Nations, but also noted that without substantial reforms the United Nations will be "unable to deliver on its promises and maintain its legitimate position at the heart of the multilateral system."[22]

The Panel recommended the concept of "One U.N.," to promote greater coherence and consolidation of U.N. departments and agencies at the country, regional, and headquarters level, and also recommended an overhaul of U.N. business practices to bring greater focus on achieving the Millennium Development Goals (MDGs).[23] On December 8, 2006, the United Nations announced that it would test a One U.N. pilot program in Vietnam with an aim of ensuring "faster and more effective development."[24] Secretary-General Ban supports the findings of the Panel, emphasizing his "intention to keep implementing those proposals that build on existing inter-governmental processes and reform initiatives."[25]

Overhaul of Internal Justice System. On April 4, 2007, the General Assembly adopted a framework resolution to create a new system of internal justice administration.[26] The system, which should be functional by January 2009, will be part of the Secretariat and coordinated through a new Office of the Administration of Justice that will operate in two tiers — the U.N. Dispute Tribunal and the U.N.

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[20] U.N. document, A/RES/60/1, *2005 World Summit Outcome*, September 16, 2005, p. 36.

[21] The 15-member Panel released its report, *Delivering as One*, on November 9, 2006. The Panel met over a six month period and engaged in a thorough examination of the strengths and weaknesses of the U.N. system. For a list of Panel members, their affiliations, and a copy of the Panel's final report and recommendations, see [http://www.un.org/events/panel/].

[22] U.N. document, A/61/583, *Delivering as One, Report of the Secretary-General's High-Level Panel*, November 9, 2006.

[23] Examples of MDGs include cutting the number of people living on less than a dollar a day by half; ensuring that all children receive primary schooling; reduce the number of people who do not have access to safe drinking water by half; and reverse the spread of diseases such as malaria and HIV, among other things. More information on MDGs is available at [http://www.un.org/millenniumgoals/].

[24] The United Nations currently has 11 agencies in ten separate buildings in Hanoi. The One U.N. Initiative would consolidate these agencies into one building to avoid duplication and harmonize management practices. The United Nations recently announced the establishment of One U.N. initiatives in seven additional countries: Albania, Cape Verde, Mozambique, Pakistan, Rwanda, Tanzania, and Uruguay. For more information, visit [http://www.undg.org/?P=7].

[25] U.N. press release, "Secretary-General Gives Priority to Streamlining U.N. with Greater Cohesion," March 29, 2007.

[26] U.N. document, A/RES/61/261, April 4, 2007.

Appeals Tribunal.[27] The resolution establishes formal and informal channels to protect U.N. staff facing disciplinary action, and provides additional accountability among staff, especially managers.[28] The current internal justice system is criticized by member states for being "slow, cumbersome, ineffective, and lacking in professionalism."[29] The system is backlogged with cases and many of its employees lack formal legal training or qualifications.

Mandate Review. The Outcome Document negotiated by member states at the 2005 U.N. World Summit called for a systematic review of all U.N. mandates five years or older, a process that has never before been undertaken. Member states are currently reviewing mandates in the Working Group of the Plenary on Secretariat and Management Reform, but progress is slow due to resistance from some countries that fear that mandates important to them will be discarded. If the working group recommends a mandate for removal, the General Assembly would need to amend the resolution that established the mandate. In November 2006, the first phase of mandate review, which examined all mandates five years or older that have not been renewed, was completed.[30] The second phase of review is currently underway and focuses on mandates five years or older that have been renewed. On May 23, 2008, U.N. member states reached preliminary agreement on the status of humanitarian assistance mandates. On June 20, 2008, member states began reviewing the cluster of mandates on African Development.[31]

Secretary-General Ban Ki-moon and U.N. Reform

On December 14, 2006, Ban Ki-moon of South Korea took the oath of office to succeed outgoing U.N. Secretary-General Annan.[32] Ban stated that U.N. reform is "the most pressing and principled issue of today," and that it will be a top priority

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[27] These tribunals replace the Joint Disciplinary Committee and Joint Appeals Board. The current internal justice system was established in the late 1940s and was designed to administer internal justice for only several thousand employees in very few locations.

[28] Resolution A/RES/61/261 also abolishes the Panels on Discrimination and Other Grievances, and transfers responsibility to the U.N. Office of the Ombudsman. The office will "encourage staff to seek resolution through the informal system," and will also house a Mediation Division to provide mediation services for the staff in the Secretariat and in U.N. funds and programs.

[29] U.N. documents, A/RES/61/261, April 4, 2007.

[30] The working group's report designated 74 mandates as completed and referred discussions on the Regular Programme for Technical Cooperation (RPTC) mandate to other relevant bodies for further evaluation and analysis. The working group's status report on Phase I of mandate review is available at [http://www.centerforunreform.org/system/files/Status+Report_Nov.+27.pdf].

[31] For more information see, "General Assembly Begins Review of African Development Mandates,"*Reformtheun.org*, July 1, 2008. For general information on U.N. mandate review efforts, see [http://www.un.org/mandatereview/].

[32] Prior to becoming U.N. Secretary-General, Ban was the Minister of Foreign Affairs and Trade for the Republic of Korea. A biography of Secretary-General Ban is available at [http://www.un.org/News/Press/docs/2006/sg2118.doc.htm].

during his tenure.[33] Ban has indicated that his overall reform priorities will include consolidation and better coordination in the U.N. system, improving morale, accountability, and professionalism for U.N. staff, and restoring trust in the United Nations.[34]

Proposed Disarmament and Peacekeeping Restructuring. In February 2007, Ban introduced his first set of reform initiatives. He proposed the establishment of a new Department of Field Support to improve the coordination and effectiveness of U.N. field activities. He also called for the Department of Disarmament Affairs (DDA) to become an office under the Secretary-General instead of a stand-alone department. He noted that the U.N. disarmament and non-proliferation agenda needs revitalization, and will require "a greater role and personal involvement of the Secretary-General."[35] Ban's proposals were met with skepticism by many developing countries, which were concerned with the possible downgrading of DDA and the impact of a new Department of Field Support on current peacekeeping operations.[36]

On March 15, 2007, after extensive consultations among the Secretary-General and member states, the General Assembly approved two framework resolutions offering preliminary support for Ban's proposals. The first resolution supported establishment of an Office of Disarmament Affairs (ODA). It stated that DDA will retain its budgetary autonomy and "the integrity of the existing structures and functions."[37] It also stated that the High-Representative for ODA should be appointed at the rank of Under-Secretary-General and report directly to the Secretary-General. The resolution requested that after appointing the High-Representative, the Secretary-General report to the General Assembly on the financial, administrative, and budgetary implications of the reorganization, as well as report on the ODA's activities at the 62nd session of the General Assembly.[38] On July 2, 2007, the Secretary-General appointed Sergio Duarte, a career diplomat from Brazil, as High Representative.

The second General Assembly resolution addressed peacekeeping restructuring and supported establishing a Department of Field Support to be headed by an Under-Secretary General. It requested that the Secretary-General submit "a comprehensive report ... elaborating on the restructuring of the Department of Peacekeeping Operations and the establishment of the Department of Field Support, including

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[33] "U.N. Security Council Reform is Most Pressing Issue — New Secretary-General," *ITAR-TASS Russian News Agency*, November 1, 2006.

[34] U.N. press release, SG/2119, GA/10558, Speech of Secretary-General Ban Ki-moon on Taking Oath of Office, December 14, 2006.

[35] For detailed information on Ban's restructuring proposals, see U.N. document, A/61/749, February 15 2007.

[36] Farley, Maggie, "Ban's U.N. Peacekeeping Reforms Rejected," *Los Angeles Times*, February 6, 2007.

[37] U.N. document, A/61/L.55, March 13, 2007.

[38] U.N. document, A/RES/61/257.

functions, budgetary discipline and full financial implications."[39] The General Assembly supported Ban's proposal in principle. In late June 2007, the Assembly approved the restructuring, establishing the Department of Field Support with a new Under-Secretary-General to head the Department.[40] A significant point of contention among some member states during negotiations was the level of autonomy the Secretary-General would have to organize the Secretariat vis-á-vis the Assembly's authority to determine the budget and how it should be spent. Thus, in its initial framework resolution the General Assembly required the Secretary-General to provide comprehensive information on the functions, budgets, and other financial implications of the reorganization.

Other Reform Initiatives. Secretary-General Ban has raised other aspects of U.N. reform, including:

- **Financial Disclosure** — Ban submitted his mandatory personal financial disclosure form and released it to the public. He encouraged other U.N. staff to follow his example of public financial disclosure, but will not make it a requirement.[41]

- **Staff Mobility** — Ban announced the availability of several Secretariat positions to be filled by internal U.N. staff. He encouraged other managers to do the same, noting the importance of staff mobility among U.N. agencies and departments.

- **Security Council Reform** — Ban calls Security Council reform "an important and sensitive issue."[42] He supports enlarging the Council, and has stated he will use his position as Secretary-General to facilitate cooperation among member states in order to build a broad consensus for Security Council enhancement.

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[39] U.N. document, A/RES/61/256, March 15, 2007. For more information on the peacekeeping restructuring, see CRS Report RL33700, *United Nations Peacekeeping: Issues for Congress*, by Marjorie Ann Browne.

[40] The framework resolution, A/RES/61/256 was adopted March 15, 2007 and the Assembly adopted A/RES/61/279 on June 29, 2007.

[41] Secretary-General Ban has repeatedly stressed the importance of financial disclosure, stating on his website that public disclosure is "an important voluntary initiative," that "demonstrates that U.N. staff members understand the importance of the general public and U.N. Member States being assured that... staff members will not be influenced by any consideration associated with his/her private interests." The U.N. Secretariat maintains a public list of financial disclosures by senior U.N. officials, which is available at [http://www0.un.org/sg/PublicDisclosure.shtml].

[42] U.N. press release, SG/2120, Transcript of Press Conference by Secretary-General-Designate Ban Ki-moon, December 14, 2006.

Congress and U.N. Reform

Generally, Congress supports the United Nations and its mission. It authorizes and appropriates U.S. funds to the organization each year, and often utilizes U.N. mechanisms to further U.S. foreign policy objectives.[43] Congress can also be critical of the United Nations, however, especially when some Members believe that the organization may not be running as effectively as it could be. When this happens, Congress may use a wide range of legislative tools to influence and direct U.S. policy at the United Nations. Such efforts may include considering "sense of the Congress" resolutions; holding hearings to investigate U.N. programs or oversee Administration policies; and determining U.S. nominees for U.N. posts. Placing financial conditions or limits on U.S. funding to the United Nations is another common congressional policy approach to U.N. reform.

U.S. Funding as a Tool for U.N. Reform

Overview and Options. In the past, Congress has used its authority to limit U.S. funds to the United Nations as a mechanism for influencing U.N. policy.[44] In some cases, Congress withheld a proportionate share of funding for U.N. programs and policies of which it did not approve. Since 1980, it has withheld funds from regular budget programs, including the U.N. Special Unit on Palestinian Rights (for projects involving the Palestine Liberation Organization), and the Preparatory Commission for the Law of the Sea.

The overall impact of withholding a proportionate share of assessed payments depends on the origin of the program's funding. If a program is funded by the U.N. regular budget and the United States withholds a proportionate share of its normal contributions, the cost of the program will most likely be covered by surplus regular budget funds. Some U.N. programs are funded from several budgets that may include the U.N. regular budget, specialized agency budgets, and separate conference and administrative budgets. Because of this, it may be more difficult for U.S. proportionate withholdings to have a significant impact because the program's funding comes from several sources. In such cases, a U.S. withholding would largely be a symbolic gesture that may not affect the program's operation or funding levels. If the United States withholds funds from a program funded primarily by member state contributions, however, the impact of a U.S. withdrawal could be greater. Currently, the only proportionate U.S. withholding from the U.N. regular budget is

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[43] Congress has enacted laws supporting U.N. policies and/or requiring that U.N. member states comply with U.N. Security Council resolutions or the directives of other U.N. bodies. For example, the John Warner National Defense Authorization Act for FY2007 (P.L. 109-364, §302) states, "Congress urges ... in the event Iran fails to comply with United Nations Security Council Resolution 1696 (July 31, 2006), the Security Council to work for the adoption of appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations."

[44] For a more detailed examination of U.S. funding of the United Nations, see CRS Report RL33611, *United Nations System Funding: Congressional Issues*, by Marjorie Ann Browne and Kennon H. Nakamura.

for some activities and programs related to the Palestine Liberation Organization or entities associated with it.[45]

In addition to withholding a proportionate share of U.S. funding, Congress may consider enacting legislation decreasing or increasing U.S. assessment levels or linking payment of U.S. arrears to policies it favors. In October 1993, for example, Congress directed that the U.S. payments of peacekeeping assessments be capped at 25% (lower than the assessment level set by the United Nations).[46] Congress also used this strategy to further its U.N. reform policies. Enacted legislation such as the Helms-Biden Agreement linked U.S. assessment levels and the payment of U.S. arrears to reform benchmarks (see Appendix A for more information on legislation).

Arguments For and Against Linking U.S. Funding to U.N. Reform. Opponents of linking U.S. funding to progress on U.N. reform are concerned that doing so may weaken U.S. influence at the United Nations, thereby undercutting its ability to conduct diplomacy and make foreign policy decisions.[47] Some argue that withholding U.S. assessed payments to the United Nations infringes on U.S. treaty obligations and alienates other U.N. member states. Opponents also note that withholding U.S. funds could have an impact on diplomatic relations outside of the U.N. system. Additionally, some contend that U.N. reform legislation proposals may be unrealistic because the scope and depth of reforms required by the legislation cannot be adequately achieved in the proposed time frames.[48]

Supporters of linking U.S. funding to specific reforms argue that the United States should use its position as the largest U.N. financial contributor to push for the implementation of policies that lead to comprehensive reform. They note that despite diplomatic and political pressures from many countries, the United Nations has been slow to implement substantive reform. Advocates also argue that some previously implemented reforms, such as the new Human Rights Council, have proved to be ineffective. They believe that tying U.S. funding to U.N. reform may motivate countries to find common ground on divisive issues. They also emphasize that past legislation that threatened to cut off U.S. funding of the United Nations (such as the

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[45] Foreign Assistance Act of 1961 (P.L. 87-195; Sec. 307; 22 USC 2227), as amended.

[46] Foreign Affairs Authorization Act for FY1994 and 1995 (P.L. 103-236), April 30, 1994. On September 30, 2002, Congress lifted the 25% cap on Peacekeeping assessment to allow the United States to pay its current assessments (P.L. 107-228, section 402). For more information on U.N. Peacekeeping funding, see CRS Report RL33700, *United Nations Peacekeeping: Issues for Congress*, by Marjorie Ann Browne.

[47] Additionally, some observers contend that if the United States were to delay or stop payment of its arrears, it may risk losing its vote in the General Assembly — a generally undesirable outcome for many Members of Congress and the Administration. In 1999, for example, the United States came very close to losing its General Assembly vote. Under Article 19 of the U.N. Charter, a U.N. member state with arrears equaling or exceeding the member states's assessments for the two preceding years will have no vote in the General Assembly.

[48] "The Right Approach to Achieving U.N. Reform," *Better World Campaign Fact Sheet*, available at [http://www.betterworldcampaign.org].

Kassebaum-Solomon amendment) was effective, and led to substantive changes in U.N. operations and programs.

Possible Instruments for Furthering U.S. Reform Policy

Congress's influence over U.S. funding of the United Nations is a powerful tool for furthering U.S. reform policy at the United Nations. However, there may be other strategies for Congress to consider when advocating its reform agenda. These strategies have been widely used by many past and current Members of Congress and the Administration, and include, but are not limited to:

- **Resolutions** — Members of Congress may propose and/or enact simple or concurrent resolutions expressing an opinion, fact, or principle in one or both chambers of Congress. Some Members of Congress have used these resolutions to voice an opinion about U.S. policy in the United Nations/or the United Nations itself.

- **Working with the U.N. Secretary-General** — Some previous and current Members of Congress and Administrations have worked to earn the support of U.N. secretaries-general to help advocate their positions. Developing a relationship with the chief administrative officer of the United Nations can be valuable during some negotiations, where the Secretary-General can act as a bridge among member states that disagree on issues. In addition, U.S. citizens have also held key U.N. reform-related posts at the United Nations, which some Members of Congress believe may play a role in furthering U.S. reform policy interests.[49] Most recently, Christopher Burnham served as U.N. Under-Secretary for Management.[50]

- **Collaborating with U.N. Member States** — The United States may wish to continue to reach out to other U.N. member states to build consensus and form partnerships on reform policies, either within the framework of the United Nations or bilaterally.[51] Some

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[49] Article 100 of the U.N. Charter states, "In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization." A copy of the U.N. Charter is available at [http://www.un.org/aboutun/charter/].

[50] Under-Secretary-General Burnham stepped down before Secretary-General Annan's term ended in 2007. Prior to Christopher Burnham, the post was held by Catherine Bertini, also a U.S. citizen. The new U.N. Under-Secretary-General for Management for Secretary-General Ban is Alicia Bárcena Ibarra of Mexico.

[51] In the 1970s and 1980s, for example, the "Geneva Group" was formed to encourage dialogue and cooperation among like-minded U.N. member states. It was composed mostly of Western countries that were the United Nations' largest financial contributors. The group focused mainly on financial and budgetary issues, and some contend it was instrumental in bringing about budgetary restraint in some of the U.N. specialized agencies. For more

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observers have noted that U.S. support for certain U.N. reform initiatives can be a liability because some member states may view U.S. support as self-serving. In these cases, the United States may consider allowing like-minded countries advocate its reform agenda.

- **Identifying Key Priorities** — The United States may wish to focus on a small number of reform priorities and pursue them vigorously in both multilateral and bilateral fora. It may also consider compromising with other member states on U.N. reform issues that it has identified as lesser priorities.

Former Secretary-General Kofi Annan often stated that U.N. reform is a process and not an event.[52] With this in mind, the 110th Congress may wish to continue monitoring the implementation and overall progress of recently-approved reform initiatives. It may also consider future reform initiatives proposed by member states and the Administration, as well as by Secretary-General Ban Ki-moon or Members of Congress.

Administration Policy

The United States generally supports the mission and mandate of the United Nations. It played a key role in establishing the United Nations in 1945, and serves as one of five permanent members of the Security Council. Some Administrations have been critical of the United Nations, however, and have advocated sweeping reform of the organization.

The George W. Bush Administration is an active participant in recent U.N. reform efforts. Prior to and since the adoption of the 2005 World Summit Outcome Document, the Administration attempted to work with like-minded countries and the U.N. Secretary-General to move a reform agenda forward. Some initiatives supported by the United States, particularly management and oversight reforms, were not approved or considered by the General Assembly. In addition, the Administration expressed its displeasure with the overall effectiveness of some previously implemented reforms.[53] The Administration has stated, however, that it will continue

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[51] (...continued)
information, see *The United States and Multilateral Institutions,* edited by Margaret P. Karns and Karen A. Mingst, Unwin Hyman Publishers, 1990, p. 313; and *United Nations: Law, Policies and Practice,* edited by Rudiger Wolfrum, Martinus Nijhoff Publishers, 1995, p. 70-71.

[52] U.N. press release, SG/SM/10089, "Transcript of Press Conference by Secretary-General Kofi Annan at United Nations Headquarters," September 13, 2005. This is a view shared by many who are involved in formulating U.N. reform policy.

[53] On May 25, 2006, then-U.S. Ambassador to the United Nations John Bolton stated that overall reform results "have not been particularly encouraging," and that there have been "no real notable successes so far." Ambassador Bolton also stated that while the United States does not agree with all of then-Secretary-General Annan's proposed reforms, it agrees
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to advocate its reform agenda, though it does not support mandatory withholding of U.S. payments to the United Nations.[54] It has identified several key priorities that it believes will help the United Nations "move towards a goal of strong, effective, and accountable organization."[55]

Management, Budget and Secretariat Reform

The Administration views management, budget, and secretariat reform as a top U.S. priority for U.N. reform. It contends that substantive change in the United Nation's management and budget structure, particularly within the Secretariat, may contribute to the implementation of more effective U.N. policies and further reforms.[56] In a statement before the General Assembly in 2005, President Bush said that meaningful reforms "include measures to improve internal oversight, identify cost savings, and ensure that precious resources are used for their intended purpose."[57] President Bush also emphasized the creation of U.N. structures to "ensure financial accountability and administration and organizational efficiency."[58] Specifically, the Administration advocates:

- **Increased Oversight and Accountability in U.N. Management Structures** — This includes enhanced oversight of procurement activities and management in the Secretariat, including the Department of Peacekeeping Operations, as well as a fully independent Office of Internal Oversight Services (OIOS).[59] The Administration also advocates increasing the authority of the Secretary-General to hire and deploy personnel.

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[53] (...continued)
with "his diagnosis of the problem and supports his efforts." Testimony by then-U.S. Ambassador to the United Nations John Bolton before the Senate Foreign Relations Committee, Challenges and Opportunities in Pushing Ahead on U.N. Reform, May 25, 2006. Available at [http://www.state.gov/p/io/rls/rm/66904.htm].

[54] Testimony by then-U.S. Ambassador to the United Nations John Bolton before the Senate Foreign Relations Committee, Challenges and Opportunities in Moving Ahead on U.N. Reform, October 18, 2005, available at [http://www.state.gov/p/io/rls/rm/55341.htm].

[55] Drawn from U.S. Department of State Fact Sheet, "U.S. Priorities for a Stronger, More Effective United Nations," June 17, 2005, available at [http://www.state.gov/documents/organization/53104.pdf].

[56] Testimony by then-U.S. Ambassador to the United Nations John Bolton before the Senate Foreign Relations Committee, May 25, 2006.

[57] "President Addresses United Nations High-Level Plenary Meeting," Office of the Press Secretary, The White House, September 14, 2005.

[58] The National Security Strategy of the United States of America, Executive Office of the President, March 2006, p. 45.

[59] OIOS is dependent on much of its funding from the U.N. programs that it audits, which some believe creates a conflict of interest. For more information, see U.S. Government Accountability Office Report GAO-05-392T, *United Nations: Sustained Oversight is Needed for Reforms to Achieve Lasting Results*, March 2, 2006, and GAO Report 08-84, *United Nations Progress on Management Reform Efforts has Varied*, November 2007.

- **Review of All U.N. Program Mandates and/or Missions** — The Administration has pushed hard for a full mandate review, stressing that the United Nations has over 9,000 mandates and/or programs, some of which may be duplicative or obsolete. It maintains that cost savings resulting from identifying and eliminating these programs can be transferred to fund other reforms.[60]

- **Fiscal Discipline** — The Administration believes that the United Nations should implement reforms within existing U.N. budget resources, and encourages reallocating funds from programs identified as lower priority to those identified as higher priority.[61]

The Administration also generally supports some management reform initiatives that were recently approved by the General Assembly and Secretariat, including the establishment of the U.N. Ethics Office, increase in internal oversight funding; improved whistle-blower protections, and stricter U.N. staff financial disclosure requirements.[62] Most recently, the U.S. Mission to the United Nations established a "Whistleblower Hotline" for U.N. staff who wish to report "cases of corruption, malfeasance, waste, harassment, and/or retaliation" within the U.N. system.[63]

U.N. Transparency and Accountability Initiative. In 2007, the U.S. Mission to the United Nations established the U.N. Transparency and Accountability Initiative (UNTAI), which tracks the adoption of management reforms by U.N. funds and programs. According to the Administration:

> The initial U.N. management reforms authorized by world leaders at the September 2005 World Summit have begun to take shape through the introduction of a number of initiatives relating to increased transparency and accountability in the U.N. Secretariat affairs. Unfortunately, U.N. funds and programs have lagged far behind in the adoption of any such reform measures.[64]

To address these issues, the U.S. Mission sent letters to several U.N. funds and programs requesting information on efforts to implement various management reforms. Specifically, the United States requested information on eight key areas that

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[60] "Statement by Ambassador Mark D. Wallace, U.S. Representative for U.N. Management and Reform, on 'Investing in the U.N.: For a Stronger Organization Worldwide,'" U.S. Mission to the United Nations press release, July 7, 2006.

[61] Testimony by then-U.S. Ambassador to the United Nations John Bolton before the Senate Foreign Relations Committee, May 25, 2006.

[62] Ibid.

[63] The U.S. Mission assures confidentiality for whistleblowers who use the hotline. More information is available at [http://www.usunnewyork.usmission.gov/Issues/reform_whisleblow.html].

[64] As evidence of this, the Administration cites abuses by the government of North Korea involving U.N. Development Program (UNDP) humanitarian and development activities. See "United Nations Transparency & Accountability Initiative," U.S. Mission to the United Nations, available at [http://www.usunnewyork.usmission.gov/Issues/reform_untai.html].

it maintains will lead to greater oversight and increased transparency and accountability among U.N. entities:

- availability of internal U.N. audits and other reports to U.N. member states;
- public access to all relevant documentation related to operations and activities, including budget information and procurement activities;
- whistleblower protection policies;
- financial disclosure policies;
- an effective Ethics Office;
- independence of the respective internal oversight bodies;
- adoption of international accounting standards; and
- establishment of a cap on administrative overhead costs.

The Administration received initial responses from UNDP, the U.N. Children's Fund (UNICEF), and the U.N. Population Fund (UNFPA). The responses, which are part of an ongoing dialogue among the U.S. Mission and these U.N. entities, discuss steps that the organizations are taking to address the issues raised by the United States.[65] According to the Administration, the United States will continue to track the status of reform efforts by these organizations and other U.N. funds and programs.

Peacebuilding Commission

The Administration supported the creation of a U.N. Peacebuilding Commission, which was established by concurrent General Assembly and Security Council resolutions on December 20, 2005.[66] The Commission's mandate is to advise and propose "integrated strategies for post-conflict recovery, focusing attention on reconstruction, institution-building and sustainable development, in countries emerging from conflict."[67] Many consider the Commission to be a key component of broader U.N. reform efforts, though U.S. officials have stated that it is not as significant a priority for the United States as management and budget reform.[68] The Commission operates under the authority of the Security Council and has a 31-member organizational committee.[69]

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[65] Copies of the correspondences between the U.S. Mission and U.N. funds and programs are available at [http://www.usunnewyork.usmission.gov/Issues/reform_untai_let.php].

[66] U.N. documents, A/RES/60/180 and S/RES/1645(2005), December 20, 2005.

[67] Further information on the Peacebuilding Commission is available at [http://www.un.org/peace/peacebuilding/].

[68] "Remarks by Ambassador John Bolton on the Peacebuilding Commission, at the Security Council Stakeout," U.S. Mission to the United Nations press release, December 20, 2005, available at [http://www.un.int/usa/05_266.htm].

[69] The United States is currently a member of the organizational committee. For a list of members, see [http://www.un.org/peace/peacebuilding/mem-orgcomembers.shtml].

Democracy Initiatives

The Administration identified democracy promotion — particularly the U.N. Democracy Fund (UNDEF) — as a U.S. priority for U.N. reform. On September 21, 2004, President Bush proposed the establishment of UNDEF to provide resources and assistance for projects that promote emerging democracies. The Fund accepts voluntary funding from U.N. member states and promotes activities related to democratic governance, rule of law, electoral assistance, and anti-corruption in new democracies.[70] In 2005, Secretary-General Annan established UNDEF as a U.N. trust fund, and held its inaugural advisory board meeting on March 6, 2006. The United States has contributed over $25 million to UNDEF. As of July 23, 2008, U.N. member states have pledged or contributed more that $97 million.[71]

Human Rights Council

The Administration generally supported the establishment of a Human Rights Council (the Council) to replace the now-defunct Commission on Human Rights as a component of U.N. reform. The previous Commission was criticized by the United States and other countries over the composition of its membership when countries perceived by many to have poor human rights standards were elected as members. On March 15, 2006, the U.N. General Assembly agreed to a resolution creating the new Council, but the United States was one of four countries to vote against the resolution, contending that the new Council "lacked stronger mechanisms for maintaining credible membership."[72]

The United States has expressed disappointment with the Council's work during its first two years, which focused primarily on alleged Israel's human rights abuses in the Occupied Palestinian Territories and in Lebanon.[73] On April 8, 2008, U.S. Permanent Representative to the United Nations, Zalmay Khalilzad, stated that the United States would withhold a portion of its contributions to the 2008 U.N. regular budget equivalent to the U.S. share of the Human Rights Council budget.[74] Khalilzad stated that the Council "is less willing to take affirmative action, but is more willing to focus on Israel-bashing exercises."[75] On June 6, 2008, the Administration further

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[70] For further information on UNDEF, see [http://www.unfoundation.org/features/un_democracy_fund.asp].

[71] Top UNDEF donors include Australia, India, Japan, Qatar, and the United States. For a list of all donors, see [http://www.un.org/democracyfund/XFinancialContributions.htm].

[72] Drawn from then-Ambassador Bolton's statement in the U.N. provisional verbatim record. U.N. document, A/60/PV.72, March 15, 2006, p. 6.

[73] For more information on the Human Rights Council, see CRS Report RL33608, *United Nations Human Rights Council: Issues for Congress*, by Luisa Blanchfield.

[74] U.S. Mission to the United Nations press release #075(08), "Statement by Zalmay Khalilzad on the Durban II Conference and the Human Rights Council," April 8, 2008, available at [http://www.usunnewyork.usmission.gov/press_releases/20080408_075.html].

[75] U.S. Mission to the United Nations press release #075(08), "Statement by Zalmay (continued...)

announced that the United States would engage with the Council "only in matters of deep national interest."[76] According to the Administration, instead of focusing on human rights situations around the world, the Council "turned into a forum that seems to be almost solely focused on bashing Israel." The official added that future U.S. participation will be "ad hoc."[77] The United States did run for a seat in the first three Council elections and is currently a Council observer with no voting rights.

Convention on Terrorism

The Administration supports the adoption of a Comprehensive Convention on International Terrorism as part of its U.N. reform platform. However, disagreement among U.N. member states regarding the definition of terrorism has delayed progress on the Convention. The United States agrees with Secretary-General Annan's assertion in his 2005 report, *In Larger Freedom*, that "the right to resist occupation does not justify the targeting and killing of civilians."[78] Currently, a draft legal framework for the Convention is being considered by the Ad Hoc Committee established by General Assembly Resolution 51/210 of December 17, 1996, which met in February 2007.[79]

Development

The Administration identifies economic development as a U.N. reform priority, and aims to build "healthy institutions and strong economies through trade, foreign investment, and aid," with a focus on "supporting good governance and sound economic policies."[80] At the 2005 U.N. World Summit in New York, the United States joined other member states in agreeing to a $50 billion a year increase in funding (until 2010) to combat poverty, and supported assistance for anti-malaria initiatives, education, and healthcare. The Administration also reaffirmed its commitment to achieving the U.N. Millennium Development Goals (MDGs) by 2015.

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[75] (...continued)
Khalilzad on the Durban II Conference and the Human Rights Council," April 8, 2008, available at [http://www.usunnewyork.usmission.gov/press_releases/20080408_075.html].

[76] Daily Press Briefing, Sean McCormack, Spokesperson, U.S. Department of State, June 6, 2008, available at [http://www.state.gov/r/pa/prs/dpd/2008/jun/105716.htm].

[77] Ibid. The State Department official also stated, "Part of our strategy is to take a look at any suggestions or thoughts we have to improve the performance of the Council. There's a five-year review period, and that review period is going to fall outside the term of this Administration, but of course... we feel as stewards of the national interest, we are going to think about ways that might improve the function of the Council."

[78] "Statement by Ambassador Anne W. Patterson, Acting U.S. Ambassador to the United Nations, on U.S. Proposals for U.N. Reform in the General Assembly," U.S. Mission to the United Nations press release, June 22, 2005.

[79] More information on the activities of the Ad Hoc Committee is available at [http://www.un.org/law/terrorism/index.html].

[80] "U.S. Priorities for a Stronger, More Effective United Nations," *U.S. Department of State Fact Sheet*, June 17, 2005.

Security Council Reform

One of the most discussed issues in the U.N. reform debate is the possibility of modifying the composition and size of the Security Council so that it more adequately reflects present-day political and economic realities. The Administration is generally open to Security Council reform but stresses that the Council should be changed only if it will increase the Council's overall effectiveness.[81] It supports Japan as a permanent Security Council member given its democratic and human rights record, and its role as the second largest contributor to the United Nations.[82] The Administration believes that developing countries deserve increased representation in the Council, and maintains that any new potential permanent members should meet specific criteria, including the "size of economy and population; military capacity; contributions to peacekeeping operations; commitment to democracy and human rights; financial contributions to the United Nations; non-proliferation and counter-terrorism records; and equitable geographic balance."[83] The Administration states it will remain engaged in the Security Council reform debate, and will continue to be an active participant in the U.N. Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council. It has not supported any of the Security Council reform proposals that were submitted for consideration by U.N. member states or former Secretary-General Annan.

Reform Perspectives and Priorities

A significant challenge for advocates of U.N. reform is finding common ground among the disparate definitions of reform held by various stakeholders. The global community has no common definition of U.N. reform and, as a result, there is often debate among some over the scope, appropriateness, and effectiveness of past and current reform initiatives. One method for determining how a stakeholder defines "U.N. reform" may be to identify policy priorities in the U.N. reform debate. In some cases, common objectives among stakeholders have translated into substantive reform policy, though shared goals do not always guarantee successful outcomes.

Recent reform debates in the U.N. General Assembly and its committees drew attention to fundamental differences that exist among some member states, particularly developing countries (represented primarily by the Group of 77 and China), and developed countries (including the United States, Japan, and the United Kingdom). Developed countries, which account for the majority of assessed

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[81] Statement by then-Ambassador John Bolton on Security Council reform and expansion, to the General Assembly, U.S. Mission to the United Nations press release, July 21, 2006.

[82] In 2006, Japan contributed 19.46% (approximately $332.2 million) of the U.N. regular budget. For more information on individual member state contributions to the United Nations, see CRS Report RL30605, *United Nations Regular Budget Contributions: Members Compared, 1989-2006*, by Marjorie Ann Browne and Luisa Blanchfield.

[83] Statement by Ambassador Mark Wallace, December 11, 2006, available at [http://www.un.int/usa/06_393.htm].

contributions to the U.N. regular budget, would like the Secretary-General to have greater flexibility and authority to implement reforms, specifically those related to oversight and human resources. Developing countries, however, generally object to policies that may enhance the power of the Secretary-General and decrease the power of the General Assembly and its budget and administrative committees. Observers are concerned that this difference in reform philosophy will create a deadlock in the General Assembly and significantly delay the implementation of some key management and budget reforms.

Selected International Perspectives

Stakeholders engaged in the U.N. reform debate have different perspectives on how U.N. reform should be implemented and how to prioritize specific U.N. reform issues.[84] Several key actors, including the European Union, the Group of 77 and China, developed countries, and non-governmental organizations, have weighed in on several reform issues, most notably management and budget reform and development.

European Union (EU). The EU is composed of 25 countries, accounting for 13% of the vote share in the U.N. General Assembly and approximately 38% of the U.N. regular budget.[85] The EU's reform initiatives often focus on management reform and increasing the U.N. capacity for development. The EU "attaches great importance to keeping U.N. management reform on track," and "vigorously supports "management reforms such as mandate review.[86] It also views the work of the Secretary-General-appointed Panel on System-Wide Coherence as a high priority, and supports the Panel's efforts to explore how the U.N. system may improve system coordination in the areas of development, humanitarian assistance, and the environment. The EU actively supports the reform of core U.N. organs, including

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[84] The groups of U.N. member states discussed in this report are only a few of many political and geographical alliances in the United Nations. Others include the Non-Aligned Movement, the Organization of the Islamic Conference, and the African Union. Israel is a temporary member of the Western European and Others Group (WEOG), but it is excluded from the system of regional groups outside of U.N. Headquarters in New York. The United States is not a member of any regional group but participates in WEOG as an observer and is "considered part of that group for the electoral purposes." For more information, see Chapter 3, "Groups and Blocs," in *Politics and Process as the United Nations: The Global Dance*, by Courtney B. Smith, Lynne Rienner Publishers, London, 2006, p. 64. A list of U.N. alliances is available at [http://www.eyeontheun.org/view.asp?1=11&p=55].

[85] Each U.N. member state has one vote in the U.N. General Assembly regardless of its affiliations. For more information, see "The EU at the U.N. — Overview," at [http://www.europa-eu-un.org/documents/infopack/en/EU-UNBrochure-1_en.pdf].

[86] "EU Priorities for the 61st U.N. General Assembly," July 18, 2006, available at [http://www.europa-eu-un.org/articles/en/article_6242_en.htm].

the Security Council, General Assembly and ECOSOC,[87] and it also attaches particular importance to the implementation of the Millennium Development Goals.[88]

The Group of 77 and China (G-77). The G-77 is a loosely affiliated group of 132 U.N. member states representing the interests of developing countries.[89] It has played a significant role in recent reform debates due in part to its large membership, which can be a significant voting bloc in the General Assembly. The G-77 generally supports U.N. reform and has long viewed development as a key U.N. reform issue, emphasizing that it should be given the "utmost priority by the United Nations."[90] The G-77 views reform as a process to examine how the mandates of the United Nations can work through "well-coordinated synergies to achieve the Millennium Development Goals." It believes that U.N. reform should not alter the "intergovernmental nature of our [the United Nations] decision-making, oversight, and monitoring process." Additionally, the G-77 does not view reform as a mechanism to "reduce budget levels ... to fund more activities from within the existing pool of resources, nor to redefine the roles and responsibilities assigned to the various organs." [91]

The G-77 supported some management reforms adopted by the U.N. General Assembly, including the establishment of an ethics office and whistle-blower protection policy. It has, however, actively opposed other initiatives proposed by the Secretary-General, particularly those proposals that it feels may weaken the authority of the General Assembly in the areas of management, budget, and oversight.[92] The G-77 also maintains that the positions of all member countries should be taken into consideration during the reform process. The G-77 has also expressed concern that reform initiatives proposed by the Secretary-General may be influenced by the larger U.N. financial contributors, such as the United States, Japan, and some members of the European Union.[93]

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[87] An October 25, 2005 EU paper on ECOSOC reform is available at [http://www.europa-eu-un.org/articles/en/article_5350_en.htm].

[88] "EU Priorities for the 61st U.N. General Assembly," July 18, 2006, available at [http://www.europa-eu-un.org/articles/en/article_6242_en.htm].

[89] The G-77 was established in 1964 and represents approximately 69% of U.N. member states. For more information and records of G-77 statements made at the United Nations, see [http://www.g77.org/index.html].

[90] U.N. document, A/60/879, Statement Adopted by the Special Ministerial Meeting of the Group of 77 and China, Putrajaya (Malaysia), June 7, 2006.

[91] U.N. document, A/60/907, June 27, 2006.

[92] For example, the G-77 opposed proposals by Secretary-General Annan that gave the Secretariat more power to move, hire, and fire U.N. Secretariat staff, as well as to modify and consolidate the budgeting process.

[93] "Statement on Behalf of the Group of 77 and China on Secretariat and Management Reform: Report of the Secretary-General entitled 'Investing in the United Nations'" New York, April 3, 2006, available at [http://www.g77.org/Speeches/040306.htm]. See also, Meena Raman," G-77 Ministers Voice Concerns on U.N. Reform," *South-North Development Monitor*, May 30, 2006.

Developed Countries. In some cases, the reform priorities of developed countries may not always align with the reform priorities of the G-77 and other developing countries. While the G-77 views development as a top U.N. reform priority, many developed countries tend to focus on management, budget, and structural reform. Generally, developed countries make significantly larger financial contributions to the U.N. system than developing country member states and therefore may want to ensure that their funds are used in what they perceive as the most effective way. For example, the United States and the EU, which together accounted for over 50% of the U.N. regular budget in 2005, view management and budget reform as a top priority. Japan, which contributed approximately 19.5% of the U.N. regular budget in 2006, also views management reform as a priority, specifically noting the importance of Secretariat reform, Security Council reform, and system-wide coherence.[94]

The differing perspectives on U.N. reform among developing and developed nations were highlighted in December 2005 when a group of U.N. member states, led primarily by developed countries such as the United States and Japan, sought to link progress on management reforms to the U.N. budget. The countries placed a spending cap of $950 million (about six months of U.N. spending) on the two-year $3.6 billion budget in hopes that the General Assembly would adopt a series of management and budget reform measures proposed by Secretary-General Annan.[95] On May 8, 2006, the General Assembly's Fifth Committee (Administrative and Budgetary) bypassed the traditional practice of budget-by-consensus and voted on a resolution, supported by the G-77, that approved some reforms but delayed the consideration of several others. The developed nations that imposed the budget cap were disappointed with the outcome, and eventually lifted the budget cap in June 2006 because they were unwilling to cause a shutdown of the United Nations.[96]

Non-Governmental Organizations (NGOs). Generally, many NGOs believe that the United Nations needs reform, though they may differ on the best way to achieve this goal. NGO interest in a specific U.N. reform issue is largely dependent on the mission and purpose of the organization. One U.N. reform issue that has captured the attention of some NGOs is the improvement of U.N. human rights mechanisms. The majority of human rights organizations generally supported the creation of a new U.N. Human Rights Council to replace the discredited U.N. Commission on Human Rights. Many believed that the Council was an improvement

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[94] The foremost institutional reform priority for Japan is changing the composition of the Security Council to "reflect the realities of the international community in the 21st Century." For more information on Japanese U.N. reform priorities, see the Japanese Ministry of Foreign Affairs publication, "Japan's Efforts for Reform of the U.N.," available at [http://www.mofa.go.jp/policy/un/reform/pamph0608.pdf].

[95] Annan's reforms were proposed in his March 2006 report, *Investing in the United Nations: For a Stronger Organization World Wide.*

[96] On July 7, 2006, the General Assembly approved the reforms recommended by the Fifth Committee. (See U.N. document, A/RES/60/283, July 7, 2006.) A list of the approved reforms is available in the "Recently Adopted Reforms and the New Secretary-General" section of this report. For more information and additional resources on the six-month budget cap controversy, [http://www.globalpolicy.org/finance/docs/unindex.htm].

over the Commission because its structure made it more difficult for countries with poor human rights records to be elected as members. Since the Council began its work in September of 2006, however, some NGOs have been concerned that it has paid too much attention to alleged Israeli human right abuses in Lebanon and in the Occupied Arab Territories.

NGOs closely monitored the progress on management reforms proposed by Secretary-General Kofi Annan in 2005 and 2006. On June 8, 2006, 42 organizations delivered a letter to Secretary of State Condoleezza Rice that offered their "continued support" for the management reforms proposed by Annan. The letter expressed concern with the G-77's opposition to the reforms, and criticized the United States' threat to withhold U.N. funding in response to G-77 opposition, which "may have harmful and potentially irreparable effects on our shared goal of improving the United Nations."[97] Other NGOs expressed dissatisfaction with ongoing reform efforts and the work of the United Nations in general. Some believe that the current reform attempts do not go far enough to improve the organization.[98]

Commissions, Task Forces, and Groups

Since the United Nations was established in 1945, many commissions, panels, committees, and task forces (hereafter referred to collectively as "groups") have been created to examine ways to improve the United Nations.[99] These groups are established by a variety of stakeholders, including past secretaries-general, individual member states, groups of member states, NGOs, academic institutions, and others. The following paragraphs will address the findings of a cross-section of these groups — the Volcker Commission, the U.S. Institute of Peace U.N. Reform Task Force, and Secretary-General Kofi Annan's report, *In Larger Freedom: Toward Development, Security, and Human Rights for All.*

Though the circumstances and mandates for each group are different, they made similar recommendations for improving the United Nations. Notably, each group highlighted the need for enhanced internal oversight and Secretariat reform, including staff buyouts and enhanced financial disclosure requirements. The groups also emphasized the need for overall streamlining and consolidation of the U.N. system (see Appendix B for a side-by-side comparison of the recommendations).

The Volcker Commission. In April 2004, Secretary-General Annan, with the endorsement of the U.N. Security Council, appointed an independent high-level

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[97] A copy of the June 8, 2006 letter from 42 NGOs to Secretary of State Condoleezza Rice is available at [http://www.unausa.org/site/pp.asp?c=fvKRI8MPJpF&b=1833403].

[98] See Appendix D for a selection of U.N. reform perspectives and resources.

[99] For a discussion on the effectiveness of various U.N. reform groups, see keynote speech at University of Waterloo made by Edward C. Luck, Director of the Center on International Organization at Columbia University, "U.N. Reform Commissions: Is Anyone Listening?" May 16, 2002, available at [http://www.sipa.columbia.edu/cio/cio/projects/waterloo.pdf].

commission to inquire into corruption in the U.N.-led Iraq Oil-for-Food Program.[100] The Commission, led by former Federal Reserve Chairman Paul Volcker, concluded that the failures of the Oil-For-Food Program were evidence of a greater need for "fundamental and wide-ranging administrative reform" in the United Nations.[101] The Commission recommended: establishing an Independent Oversight Board to review U.N. auditing, accounting, and budgeting activities; creating the position of Chief Operating Officer to oversee administrative matters such as personnel and planning practices; providing fair compensation to third parties involved in U.N. programs (while ensuring that the compensation does not lead to inappropriate profit); and expanding financial disclosure requirements to cover a variety of U.N. staff, including those working on procurement.

U.S. Institute of Peace U.N. Reform Task Force. In December 2004, Congress directed the U.S. Institute of Peace to create a bipartisan task force to examine ways to improve the United Nations so that it is better-equipped to meet modern-day security and human rights challenges.[102] Congress appropriated $1.5 million to the Task Force and required that it submit a report on its findings to the House Committee on Appropriations.[103] The Task Force identified improving internal oversight as its single most important reform recommendation. It supported the creation of an independent oversight board to direct the budget and activities of the Office of Internal Oversight Services (OIOS). It also recommended several management reforms, including establishing the position of Chief Operating Officer, creating a U.N. Ethics Office, and enhancing whistle-blower protection. It supported broadening the U.N. staff financial disclosure policy, and recommended the review of all U.N. mandates five years or older, as well as the incorporation of sunset clauses

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[100] U.N. document, A/RES/1538, April 21, 2004. The Committee was chaired by Paul Volcker and included Professor Mark Peith of Switzerland, an expert on money laundering from the Organization for Economic Cooperation and Development (OECD); and Justice Richard Goldstone of South Africa, a former prosecutor with the International Criminal Tribunals for the former Yugoslavia and Rwanda. The Commission's final report was released on October 27, 2005. For more detailed information on the functioning of the Iraq Oil-For-Food Program, see CRS Report RL30472, *Iraq: Oil For Food Program, Illicit Trade, and Investigations*, by Kenneth Katzman.

[101] "Briefing by Paul A. Volcker Chairman of the Independent Inquiry Committee into the U.N. Oil-For-Food Program for the Permanent Subcommittee on Investigations of the U.S. Senate," Washington, DC, October 31, 2005.

[102] Consolidated Appropriations Act, 2005 (P.L. 108-447, December 8, 2004). In the report accompanying the act, conferees stated that they were "deeply troubled by the inaction of the United Nations on many fronts, especially in regard to the genocide in Darfur, Sudan and the allegations of corruption regarding the United Nations Oil-For-Food Program." Conferees directed that the task force should include experts from the American Enterprise Institute, Brookings Institution, Council on Foreign Relations, Center for Strategic and International Studies, Hoover Institution, and the Heritage Foundation.

[103] The Task Force was co-chaired by former Speaker of the House Newt Gingrich and former Senate Majority Leader George Mitchell, and released its first report, *American Interests and U.N. Reform* in June 2005. Following the 2005 U.N. World Summit in New York, the Task Force released an updated report entitled, *The Imperative for Action*, in December 2005. The USIP Task Force reports are available at [http://www.usip.org/un/report/].

into all new mandates. The Task Force supported incorporating results-based budgeting into the U.N. system, and a one-time buyout for all unwanted or unneeded staff. It recommended the creation of a new U.N. Human Rights Council to replace the discredited Commission on Human Rights, but was unable to come to consensus on Security Council reform.[104]

In Larger Freedom: Towards Development, Security, and Human Rights for All. On March 21, 2005, Secretary-General Annan released his report, *In Larger Freedom*, in response to the findings of the High-Level Panel on Threats, Challenges and Change.[105] The report was presented to member states as a starting point for discussion at the 2005 U.N. World Summit, and included the following management reform recommendations:

- the review of all U.N. mandates over five years old;
- a one-time staff-buyout to ensure U.N. Secretariat staff meets current needs;
- the establishment of a cabinet-style decision-making body in the Secretariat to improve management and policy activities;
- the review of all budget and human resource operations; and
- a comprehensive review of Office of Internal Oversight Services to examine ways to enhance its authority and effectiveness.

In addition, Secretary-General Annan proposed a broad range of institutional and programmatic reforms, including modifying the composition of the U.N. Security Council so that it more adequately reflects current political realities, and replacing the Commission on Human Rights with a new Human Rights Council. Annan also recommended streamlining the General Assembly agenda and committee structure so that the Assembly can increase the speed of its decision-making and react more swiftly and efficiently to events as they occur.[106]

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[104] The Task Force stated that any Security Council reform should "enhance the effectiveness of the Security Council and not in any way detract from the Council's efficiency and ability to act in accordance with the U.N. Charter." (See page 7 of the Task Force's report, *American Interests and U.N. Reform*.)

[105] See "Reform Efforts (1997-2005)" section of this report for more information on the High-Level Panel.

[106] Annan also supported reforming the U.N. Economic and Social Council (ECOSOC) so that it may better coordinate with economic and social agencies and departments within the U.N. system. More information on ECOSOC reform is available at [http://www.centerforunreform.org/node/186] and [http://www.globalpolicy.org/socecon/un/reform/articlesindex.htm].

Implementing Reform: Mechanics and Possible Challenges

Mechanics of Implementing Reform

Previous and current U.N. reform initiatives encompass an array of organizational issues that may require different processes for implementation. These reforms might be achieved by amending the U.N. Charter or through various non-Charter reforms. Charter amendment is a rarely used practice and has only occurred on three occasions. Non-Charter reforms are more common and comparatively easier to achieve.

Amending the U.N. Charter. Articles 108 and 109 provide for potential changes to the U.N. Charter. Article 108 of the Charter states that a proposed Charter amendment must be approved by two-thirds of the full General Assembly, and be ratified "according to the constitutional processes" of two-thirds of U.N. member states, including the all permanent members of the Security Council.[107] The Charter was first amended in 1963 to increase U.N. Security Council membership from 11 to 15 members, and to increase ECOSOC membership from 18 to 27. It was last amended in 1973, when ECOSOC membership increased from 27 to 54.[108] Examples of possible reform initiatives that might involve amending the U.N. Charter include, but are not limited to: increasing Security Council membership — either permanent or and non-permanent members; increasing membership on ECOSOC; and adding or removing a principal organ.[109]

Article 109 of the Charter allows for a convening of a General Conference of U.N. members with the purpose of "reviewing the present Charter." The date and place of the Conference would be determined by a two-thirds vote in the General Assembly, and an affirmative vote from any nine Security Council members. Potential revisions to the Charter would be adopted at the conference by a two-thirds vote (with each country having one vote), and take effect when ratified by the governments of two-thirds of U.N. member states. A Charter review conference has never been held.

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[107] Article 108 of the U.N. Charter states, "Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the members of the United Nations, including all the permanent members of the Security Council." A copy of the U.N. Charter is available at [http://www.un.org/aboutun/charter/].

[108] Simma, Bruno, *The Charter of the United Nations: A Commentary*. Second Edition, Vol. II. New York, Oxford University Press, 2002, p. 1367-1357.

[109] Principal organs of the United Nations include the Trusteeship Council (TC); Security Council; General Assembly; Economic and Social Council; International Court of Justice; and the Secretariat. There is an ongoing effort to abolish the TC, a system that was designed to administer and supervise U.N. trust territories. The TC suspended its operations on November 1, 1994, with the independence of its last trust territory, Palau.

Non-Charter Reform Process. Since 1945, the General Assembly has authorized reforms of its own processes and procedures — as well as those of the Secretariat — without Charter amendment. The General Assembly has established various fora for discussing reform issues, including a Committee on the Charter of the United Nations[110] and a Working Group on the Security Council.[111] The General Assembly has also implemented reforms on its own by adopting proposals introduced by member states or the Secretary-General.[112] The Secretary-General can also implement reform in his capacity as chief administrative officer. For example, as part of his reform proposal in 1997, Annan established a Senior Management Group to "ensure more integrated and cohesive management of the Secretariat."[113] The Secretary-General can also make administrative decisions regarding the organization of some U.N. departments.

Other non-Charter reforms have included the establishment of consensus-based budgeting in 1986; the creation of an Office of Strategic Planning in the Secretariat, authorized by Kofi Annan in 1997; and the establishment of a Peacebuilding Commission by the Security Council and General Assembly in 2006.[114]

Possible Challenges to Reform

Achieving meaningful and comprehensive U.N. reform is a significant and ongoing challenge for U.N. member states. Congress may wish to take possible reform obstacles into account when considering legislation that exercises oversight or supports a reform agenda.

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[110] The "Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization," was established in 1974 to consider "any specific proposals that Governments might make with a view to enhancing the ability of the U.N. to achieve its purposes," as well as "suggestions for the more effective functioning of the U.N. that might not require amendments to the Charter." The Committee also makes recommendations for possible Charter amendments. Most recently, in 1995 it proposed an amendment to delete "enemy state" clauses in the Charter. For more information on the Committee, see [http://www.un.org/law/chartercomm/].

[111] The "Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council," was established in 1993, and a copy of its most recent report is available at [http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1757].

[112] For example, on March 15, 2006, the Assembly negotiated and approved a resolution replacing the previous U.N. Commission on Human Rights with a new Human Rights Council, which was considered a key component of U.N. reform by many member states and NGOs.

[113] U.N. document, A/52/684, November 10, 1997.

[114] An example of a possible non-Charter reform could be the redistribution of regional seats on the Security Council or ECOSOC. For further discussion on possible non-Charter reforms, see article by Louis B. Sohn, "Important Improvements in the Functioning of the Principal Organs of the United Nations that Can be Made Without Charter Revision," *American Journal of International Law*, October, 1997.

National Self-Interest and Differing Reform Perspectives. Each U.N. member state has its own political agenda and foreign policy goals, and may also have its own definition of U.N. reform. As a result, member states often hold differing views on how best to implement reform and how to measure the success or failure of a given reform initiative. In some cases, failure to reach consensus can lead to significant delay, or failure, of certain reform initiatives. Some member states package their policy priorities as U.N. reform to further their own policy goals. This can cause distrust among member states as countries question whether reform proposals by other member states are based on self-interest or a genuine desire to improve the U.N. system.

Competing Priorities. Some observers cite the inability of U.N. member states or secretaries-general to effectively prioritize reform initiatives as an obstacle to U.N. reform. When Secretary-General Annan presented his 2005 reform proposals, for example, he requested that they be adopted by the General Assembly not in increments, but as a package of reforms.[115] Instead of considering a large series of reform proposals, some observers argue that member states should select only a few reform priorities and work toward their adoption and implementation. Others contend that the most efficient way to achieve reform may be for member states first to adopt reform initiatives they can agree to and then gradually work toward tackling the more divisive and complicated reform issues.

Organizational Structure and Bureaucracy. The United Nations is a highly complex and decentralized organization, and therefore may be slow to consider or implement potential reforms. Some argue that there is a "culture of inaction"[116] in the United Nations, and that U.N. managers and staff are resistant to the implementation of new programs or changes to existing programs. Many contend that prospective and agreed-to reforms lack clear plans for implementation, including deadlines and cost estimates. They stress that this overall lack of planning may affect the progress and ultimate success of reforms already implemented, as well as those reforms currently being considered by the General Assembly.[117] Some also emphasize that without proper implementation plans and follow-up, U.N. member states will be unable to adequately gauge the overall effectiveness of reforms.

Limited Resources. Many observers note that a significant challenge for U.N. reform efforts may be the effective implementation of reforms within the current U.N. budget. Some reform initiatives, such as the Peacebuilding Commission, were established by member states to operate "within existing resources."[118] Many argue that the existing U.N. budget limits may not be able to support all of the reform initiatives currently being considered. Some member states,

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[115] "The Secretary-General's Statement to the General Assembly," New York, March 21, 2005, available at [http://www.un.org/largerfreedom/sg-statement.html].

[116] "Annan's 'Culture of Inaction.'" *The Chicago Tribune,* December 12, 2006.

[117] U.S. Government Accountability Office Report, GAO-07-14, *United Nations Management Reforms Progressing Slowly with Many Awaiting General Assembly Review,* October 2006.

[118] U.N. document, A/RES/60/1, *2005 World Summit Outcome*, September 16, 2005.

including the United States, however, contend that money saved from other reforms, such as mandate review, could create a funding source for further reforms and/or the creation of new U.N. programs or bodies.

External Influences. The complex relationships that exist among member states outside of the U.N. system may be another challenge affecting U.N. reform efforts. These relationships are entirely independent of the United Nations but can affect how countries work together within the U.N. framework to achieve reform objectives. Military conflict, religious and ethnic differences, political conflict, trade and economic issues, and geography can all potentially impact reform cooperation among U.N. member states.

Appendix A. Previous Reform Legislation

When considering U.N. reform issues, the 110th Congress may wish to explore the nature and effectiveness of past legislative approaches and how or if they may have influenced the adoption of reform measures at the United Nations. There is evidence that legislation such as the Kassebaum-Solomon Amendment and the Helms-Biden Agreement may have led, either directly or indirectly, to substantive changes in U.N. policies. The following paragraphs highlight selected reform legislation from 1986 to the present and note any subsequent changes to internal U.N. policy.

Kassebaum-Solomon Amendment (1986-1987)[119]

In the mid-1980s, some Members of Congress expressed concern that U.S. influence over the U.N. budget was not proportionate to its rate of assessment. In 1986 Congress passed legislation, popularly known as the "Kassebaum-Solomon amendment," which required that the U.S. assessed contribution to the U.N. regular budget be reduced to 20% unless the United Nations gave major U.N. financial contributors a greater say in the budget process.[120] Subsequently, in 1986 the General Assembly adopted a new budget and planning process that incorporated consensus-based budgeting as a decision-making mechanism, thus giving member states with higher assessment levels a potentially greater voice in the budget process.

U.N. Office of Internal Oversight Services (1993)

In the early 1990s, some Members of Congress and the Administration were concerned with the apparent lack of oversight and accountability within the U.N. system. In 1993, as part of the FY1994 State Department Appropriations Act, Congress directed that 10% of U.S. assessed contributions to the U.N. regular budget be withheld until the Secretary of State certified to Congress that "the United Nations has established an independent office with responsibilities and powers substantially similar to offices of Inspectors General Act of 1978."[121] On July 29, 1994, the U.N. General Assembly established the Office of Internal Oversight Services (OIOS) which reports directly to the Secretary-General and provides "internal auditing, investigation, inspection, programme monitoring, evaluation and consulting services to all U.N. activities under the Secretary-General's authority."[122]

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[119] For a more detailed account of the Kassebaum-Solomon Provisions, see CRS Report RL33611, *United Nations System Funding: Congressional Issues*, by Marjorie Ann Browne.

[120] Foreign Relations Authorization Act, FY1986 and 1987 (H.R. 2608, P.L. 99-93), Section 143, August 16, 1985.

[121] U.S. Department of State Appropriations Act, 1994 (H.R. 2519, P.L. 103-121), October 27, 1993.

[122] More information on OIOS is available at [http://www.un.org/depts/oios/]. See U.N. document, A/RES/48/218 B, August 12, 1994, for a detailed description of its mandate.

Helms-Biden Agreement (1999)

In the late 1990s, Congress and the Administration negotiated and agreed to legislation that would further U.S. reform policy at the United Nations. The Helms-Biden bill authorized payment of some U.S. arrears if specific reform benchmarks were met and certified to Congress by the Secretary of State.[123] Under the terms of Helms-Biden, the United States agreed to: (1) pay $819 million in arrearages over fiscal years 1998, 1999, and 2000, and (2) forgive $107 million owed to the United States by the United Nations in peacekeeping costs if the United Nations applied the $107 million to U.S. peacekeeping arrears. For arrearage payments to occur, Congress required that the U.S. assessment for contributions to the U.N. regular budget be reduced from 25% to 22% and that the peacekeeping contribution be reduced from 30% to 25%.[124] In December 2000, the U.N. General Assembly reduced the regular budget assessment level to from 25% to 22%, and the Peacekeeping share from approximately 30.4% to 28%. In subsequent years, the U.S. peacekeeping assessment continued to fall and is now close to 26.5%.

Henry J. Hyde U.N. Reform Act (2005)

In the 109th Congress, the House of Representatives passed, but Congress did not enact, H.R. 2745, The Henry J. Hyde United Nations Reform Act. The act would have required that the United States withhold 50% of its assessed payments beginning in calendar year 2007 if the United Nations did not implement 32 of 40 changes, including 15 mandatory reforms (the potential withholding would have come from FY2008 funds). The proposed changes included transferring 18 U.N. programs from mandatory to voluntary funding, and reducing funding for U.N. General Assembly Affairs and Conference Services. Under the act, the State Department would have been required to certify and report to Congress that each condition was accomplished. The Bush Administration did not fully support the Hyde Act because it was concerned the automatic withholdings would impact its ability to pursue its foreign policy objectives.

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[123] The Helms-Biden Agreement was incorporated into the Consolidated Appropriations Act for FY2000 (H.R. 3194, P.L. 106-113), November 19, 1999.

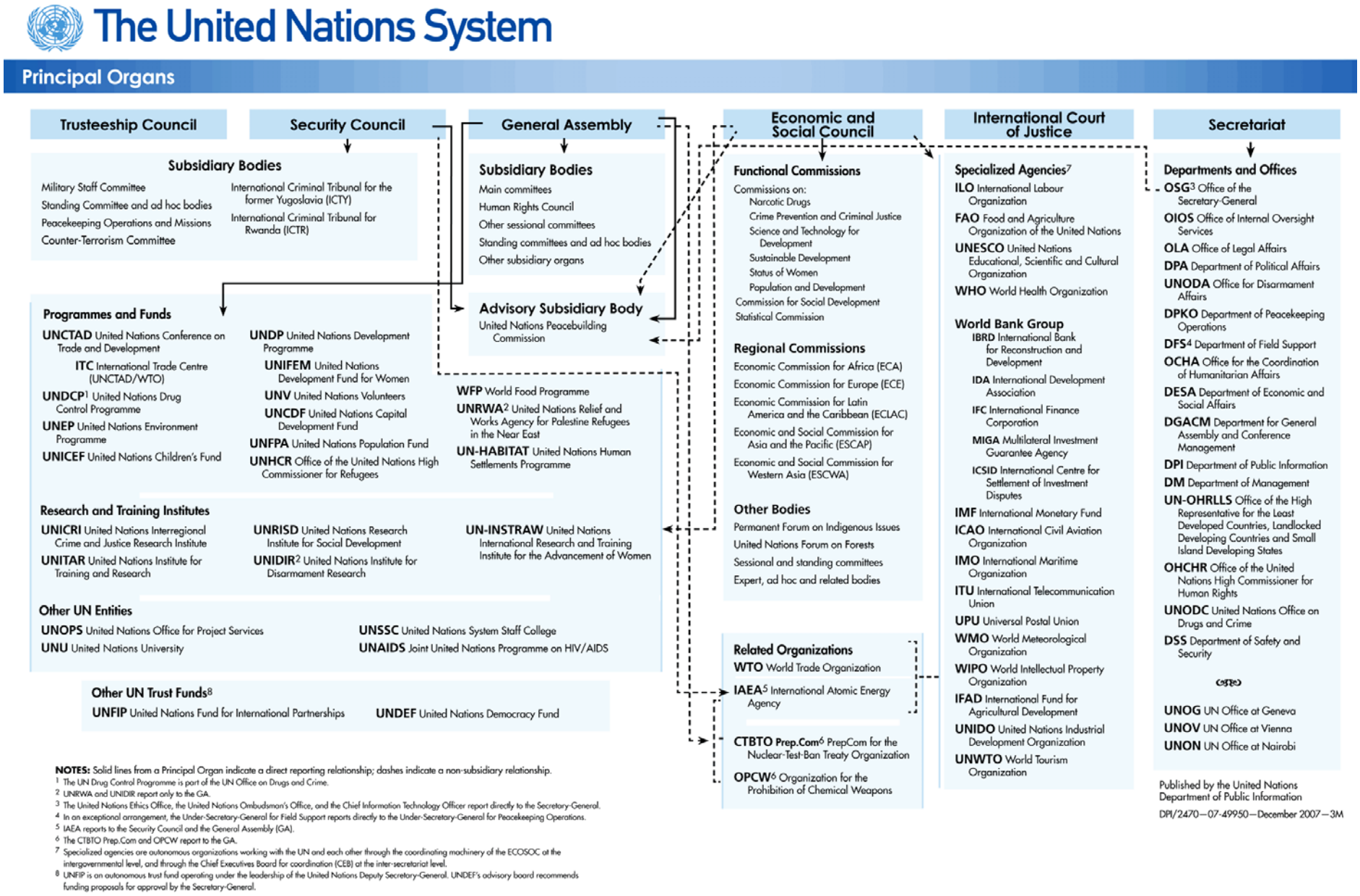
[124] See CRS Report RL33700, *United Nations Peacekeeping: Issues for Congress*, by Marjorie Ann Browne for further information.

Appendix B. Key U.N. Reform Recommendations and Proposals by Independent and U.N. Affiliated Groups

Report of the Task Force on the United Nations **(June 2004, December 2005)**	***In Larger Freedom: Towards Development, Security and Human Rights for All*** **(March 2005)**	***Report of the Independent Inquiry Committee into the United Nations Oil-for-Food Program*** **(October 2005)**
Improved management reform, including:	*Secretariat reform,* including	*Strengthen U.N. management practices, including:*
Establish an Independent Oversight Board to function as an independent audit committee;	Review of the Office of Internal Oversight Services and general strengthening of internal oversight;	Establish an Independent Oversight Board with responsibility over internal and external audits and investigations;
Establish the role of Chief Operating Officer (COO);	Creation of a cabinet-style decision-making mechanism;	Create the position of Chief Operating Officer (COO);
Establish policies for improved financial disclosure standards, whistle-blower protection; and	Authority/resources for Secretary-General to realign and/or buy-out Secretariat staff; and full review of budget and human resources operations; and	Expand financial disclosure requirements for U.N. staff, including the Secretary-General, Deputy-Secretary-General, and those involved in procurement and/or disbursement;
Review of all U.N. mandates and sunset clauses for new mandates.	Review of all U.N. mandates five years or older.	Improve coordination and framework for cross-agency U.N. programs; and
Reorganization of the General Assembly;	Streamlining the General Assembly to speed-up decision-making processes;	Ensure third party agencies involved in U.N. programs are entitled to fair compensation.
Replace the Commission on Human Rights with a new Human Rights Council;	Replace the discredited Commission on Human Rights with a new Human Rights Council;	
Identification of U.N. programs that could be more effective if funded by voluntary contributions; and	Modify composition of the Security Council to reflect current political realities; and	
Improving the Department of Peacekeeping Operations so that it becomes “a more independent program” with its own rules and regulations to address its unique mission.	Reform ECOSOC so it may better coordinate the U.N. development agenda and guide other economic and social agencies in the United Nations.	

Appendix C. Organizational Chart of the U.N. System

(as of December 2007)



Source: [http://www.un.org/aboutun/chart_en.pdf]

Appendix D. Additional U.N. Reform Resources

Websites (NGOs, Think Tanks, U.S. Government, United Nations)

Better World Campaign — U.N. Reform
[http://www.betterworldcampaign.org/us-un-relations/un-reform.html]

Center for U.N. Reform Education
[http://www.centerforunreform.org/]

Eye on the U.N. (joint project of Hudson Institute and the Touro Law Center Institute for Human Rights)
[http://www.eyeontheun.org/]

Global Policy Forum — U.N. Reform, An Analysis
[http://www.centerforunreform.org/]

Heritage Foundation — International Organizations
[http://www.heritage.org/Research/InternationalOrganizations/]

ReformTheUN.org
[http://www.reformtheun.org/]

United Nations Association of the USA
[http://www.unausa.org]

U.N. Reform (Official U.N. web page)
[http://www.un.org/reform/]

U.S. Department of State
[http://www.state.gov/p/io/c15031.htm] and [http://www.un.int/usa/]

U.S. Institute of Peace U.N. Reform Task Force and Report
[http://www.usip.org/un/report/index.html]

U.S. Government Reports (CRS and GAO)

CRS Report RL33611, *United Nations System Funding: Congressional Issues*, by Marjorie Ann Browne and Kennon H. Nakamura.

CRS Report RL33608, *United Nations Human Rights Council: Issues for Congress,* by Luisa Blanchfield.

CRS Report RL33700, *United Nations Peacekeeping: Issues for Congress*, by Marjorie Ann Browne.

CRS Report RL30605, *United Nations Regular Budget Contributions: Members Compared, 1989-2006*, by Marjorie Ann Browne and Luisa Blanchfield.

Governmental Accountability Office (GAO) Report 08-246, *United Nations Management Reforms and Operational Issues*, January 24, 2008.

GAO Report 08-84, *United Nations Progess on Management Reform Efforts Has Varied*, November 2007.

GAO Report 07-597, *United Nations Organizations: Oversight and Accountability Could be Strengthened by Further Instituting International Best Practices*, June 2007.

GAO Report 07-14, *United Nations Management Reforms Progressing Slowly with Many Awaiting General Assembly Review*, October 2006.

GAO Report 06-330, *United Nations: Lessons Learned from Oil for Food Program Indicate the Need to Strengthen UN Internal Controls and Oversight Activities*, April 25, 2006.

GAO Report 06-701T, *United Nations: Internal Oversight and Procurement Controls and Processes Need Strengthening*, April 27, 2006.

GAO Report 06-577, *United Nations Procurement Internal Controls are Weak*, April 2006.

GAO Report 06-575, *United Nations Funding Arrangement Impede Independence of Internal Auditors*, April 2006.

GAO Report 05-392T, *United Nations Sustained Oversight Is Needed for Reforms to Achieve Lasting Results - Statement of Joseph A. Christoff, Director, International Affairs and Trade*, March 2, 2006.

GAO Report 04-339, *United Nations Reform Progressing, but Comprehensive Assessments Needed to Measure Impact*, February 2004.