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## Advancing Democracy through the UN: The Challenges on the Ground

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I would like to thank David Yang for that gracious introduction. I am very happy to be here today and honored to be on a panel with Dean Harold Koh and Mr. Doug Gardner of UNDP. They both bring a wealth of experience and dedication to the advancement of democracy and human rights around the world.

UN Secretary General Ban noted recently that the word "democracy" does not appear in the UN Charter. I would note that the word democracy also does not appear in the U.S. Declaration of Independence or the U.S. Constitution. However, justice figures prominently in the very first paragraph of both the UN Charter and the U.S. Constitution. The structures established by these founding documents—the Constitution and the Charter, established democratic systems designed to promote justice. Indeed, at the outset of this century when accepting the Nobel Peace Prize, former UN Secretary General Kofi Annan outlined the "three key priorities of the UN for the future: eradicating poverty, preventing conflict, and promoting democracy. Only in a world that is rid of poverty can all men and women make the most of their abilities. Only where individual rights are respected can differences be channeled politically and resolved peacefully. Only in a democratic environment, based on respect for diversity and dialogue, can individual self-expression and self-government be secured, and freedom of association be upheld."

During the Cold War, efforts to formally point out that democratic systems were the best way to foster both justice and prosperity, were stymied. However, in 2000 the United Nations took a giant step forward by drawing out the link between essential rights and democratic governance, stating in the Millennium Declaration that: "Men and women have the right to live their lives and raise their children in dignity, free from hunger and from the fear of violence, oppression or injustice. Democratic and participatory governance based on the will of the people best assures these rights."

Admirably, the UN resolved to increase its efforts dramatically to promote democracy and to strengthen the rule of law. In 2005 the World Summit Outcome document stated that "good governance is essential for sustainable development; that sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure are the basis for sustained economic growth..."

Promoting democracy is a cornerstone of U.S. foreign policy. Democracy is more than just free, fair, transparent, and inclusive elections – it also includes two

other pillars: good governance and strong democratic institutions--including an independent judiciary -- and, a strong civil society and an independent media ensuring government accountability. For decades, through the Agency for International Development and the work of my own Bureau at the State Department, the Bureau of Democracy, Human Rights and Labor, and our Embassies overseas, the United States has been on the ground in many countries promoting democracy, human rights, and the development of the necessary institutions to underpin them.

We are optimistic about the gains made in democracy over the last twenty years. We have seen much of Latin America and many countries of Asia, Africa, and Europe move from authoritarian or even totalitarian systems to become vibrant democracies. The United States, the international community, and most importantly, the citizens of countries undergoing democratization have strong reasons to hope that they will be better off living under a democratic form of government than they were living under their non-democratic predecessors. Democratic systems are not perfect, but they hold more promise for responsible, responsive, inclusive government that respects the rights of all citizens than any other system.

National programs alone, however, are not enough. The involvement of the international community is vital to the success of democratization efforts. Let me take a few moments and discuss some of the specific UN organs that are most active in promoting democracy and human rights, and share some perspectives on what they are doing well and what can be improved upon, at least from the U.S. government's perspective.

We deeply respect the work that the [Office of the High Commissioner on Human Rights](#) is doing globally to promote human rights and democratic governance. A measure of that respect is the voluntary funding we provide to OHCHR on top of our contribution to the regular UN budget; in fact, the \$10.5 million we donated in 2007 made the U.S. the largest voluntary contributor to the OHCHR's budget. Furthermore, we strongly supported the doubling of the OHCHR's budget as one of the outcomes of the 2005 World Summit in the belief that additional resources could be directed toward augmenting field activities.

Our experience has been that to be effective promoting human rights and democracy, you need people on the ground. We think the OHCHR could be even more effective if it expanded and deepened its field presence. With offices on five continents and in 10 countries and the Palestinian Territories, we are pleased the High Commissioner's office is out on the front lines of human rights and democracy promotion.

There is no doubt that OHCHR's 15 field offices have a tough job. They have a mandate to advance cooperative assistance on human rights – helping to foster civil society and independent media development, and judicial and legislative reforms that are essential to the protection of human rights and to a functioning democracy. At the same time, OHCHR has a duty to monitor and report on developments in individual countries. This sort of reporting can be difficult for a number of reasons. Most obviously, it can raise the ire of the local authorities whose cooperation is required to some extent.

For OHCHR to be effective, it has to be able to set up new offices when human rights situations in countries make them necessary, as determined by the High Commissioner. We are concerned over efforts by individual countries to constrain OHCHR's missions and to deny it permission to set up new offices in some countries. Country specific activities are at the heart of what OHCHR needs to be doing and their presence in the field has proven vital to improving human rights and fostering cooperation.

We hope that new High Commissioner for Human Rights Judge Navanetham Pillay can continue to expand the role of human rights in world affairs, and ensure the independence of her position despite the efforts of some states to limit her authority. She is personally dedicated to her mission, and particularly, the OHCHR's mandate to protect the victims of human rights violations all over the world. We look forward to working with her.

In one area, however, we disagree. While we have heard her call for governments to reconsider their position on participating in the Durban Review conference, as Secretary Rice has said, we believe it would be inappropriate to participate in ongoing preparations without confidence that it will avoid the problems of the first such conference, which was held in Durban in 2001. Unfortunately, we have no such confidence, and will not participate in a process that encourages voices of intolerance and prejudice. We look to High Commissioner Pillay to assist in undoing the damage that a few have perpetrated on the Durban process.

In that vein, I would also have to note our concern regarding the [UN Human Rights Council](#). It is no secret that we have many issues with the way the HRC has conducted itself since its establishment in 2006. During the negotiations of the new body's structure and mechanisms, we had hoped that the council would be structured to meet the goals stated in the 2005 World Summit Outcome document: "The council should address situations of violations of human rights,

including gross and systematic violations, and make recommendations thereon. It should also promote effective coordination and the mainstreaming of human rights within the United Nations system.”

Lamentably, the council has not lived up to these ideals. I say lamentably because I know that many dedicated professionals in governments and civil society worked to create the Council. I also say lamentably because we and others around the world had hoped the Council would prove itself a robust forum to debate human rights issues. Indeed, based on the premises that underpin its foundation, it should have been.

Unfortunately, the HRC has failed to adequately address threats to fundamental freedoms and long-established human rights. The Special Rapporteur for Cuba and Belarus were not renewed in June 2007, despite a lack of progress in those countries and their failure to cooperate with the Special Rapporteurs. Human rights violations by the regimes in North Korea, Iran, and Zimbabwe have been ignored. The Permanent Agenda of the Council was fixed in June 2007 with only one specific country item-- Israel, a country that has been singled out for some 21 unbalanced actions, including resolutions, special sessions, and reports in the HRC's short life. This negative record has led us to seriously question the HRC membership's collective commitment to live up to the ideals for which it was founded.

The U.S. has said repeatedly that we want a strong and capable UNHRC. The resolution founding the Council enshrined a review “no later than” five years after its formation. We believe that such a review is imperative to getting the Council on track.

Our disappointment with the HRC notwithstanding, we continue to work with other UN organizations and agencies on democracy and human rights promotion activities. The United Nations Development Program or UNDP is one of the UN development agencies, with a presence in 166-countries, that can bring together democracy, promotion of justice, and development in the UN's field programs, and can make practical contributions to countries' policies and practices in these areas. We note the assertion in UNDP's 2007 Annual Report: Democratic governance is crucial for development institutions, rules and standards, and participatory inclusive political processes play an important role in whether countries experience economic growth, whether women are empowered, and whether children learn how to read and write.

In 2007 the UNDP spent \$1.286 billion on democratic governance, the largest area of UNDP development cooperation, comprising 41% of its overall portfolio. Public administration reform is an important element of UNDP's programmatic activities. The \$636 million spent in 2007 on public administration represents almost half of the UNDP's total spending that year on democratic governance. The United States and many countries on UNDP's Executive Board are strong advocates for UNDP to continue to enlarge its role and focus energy in these important areas -- the United States alone provides nearly \$100 million annually to the UNDP budget through our assessed contributions, and of course, we work with the agency around the world.

In Uzbekistan, UNDP has stepped in to take on critical work that had previously been managed by other entities. It took over responsibility for helping Afghan refugees when the UN High Commissioner for Refugees was forced to close its office in 2006. Likewise, UNDP has provided support to legal clinics started by the American Bar Association since that organization was forced out of the country.

I also want to commend the work that UNDP is doing in Afghanistan under the auspices of the UN Assistance Mission to Afghanistan (UNAMA). UNDP is providing substantial technical assistance and guidance to the Afghans through the Enhancing Legal and Electoral Capacity for Tomorrow (ELECT) program, which embeds advisors in the Afghan Independent Elections Commission.

The UN is collecting funding from international donors and passing these monies to the Independent Elections Commission in support of the elections process. With assistance from UNDP and the international community, the Afghans are taking strides in preparation for the upcoming election cycle. UNDP also helps with donor coordination and technical meetings, facilitating international donor consensus related to key electoral questions.

One of the UN's signal accomplishments in the past few years has been in Iraq, where the United Nations Assistance Mission for Iraq (UNAMI) was established in 2003. UN international and national staff in Iraq assisted the interim government as it drafted the 2005 Iraqi Constitution, which in turn allowed the first functional and democratically elected Iraqi parliament in 40 years. UNAMI also serves as the primary technical advisor to the Independent High Electoral Commission (IHEC) on elections and provides oversight for all elections activities. It helped organize the successful implementation of two rounds

of general elections and a national referendum on the Constitution in 2006. The UNAMI-led International Electoral Assistance Team is now working hard with the IHEC to assist the Government of Iraq in holding upcoming provincial elections.

In addition to UNDP's activities in support of democratic development, UN peacekeeping missions play an essential role in establishing the conditions that can lead to democratic governance. The UN peacekeeping force in Congo (MONUC) assists the Government of the Democratic Republic of the Congo in establishing a stable security environment, and in organizing, preparing, and conducting local elections, while the OHCHR is heading a human rights 'mapping' exercise to document crimes committed in the country between 1993 and 2003, which will result in recommendations on needed judicial reforms and which may be used as a tool in the future to foster national reconciliation.

Finally, I want to highlight the [UN Democracy Fund](#), the UN's newest tool in promoting democracy globally. This unique Fund provides grant support directly to civil society organizations that are doing important democracy advocacy work. I am proud to say that the United States has been one of UNDEF's chief champions in the UN system – in fact, it was proposed by President Bush in his remarks to the UN General Assembly in 2005.

Since its inception in 2005, UNDEF has made grants to NGOs ranging from \$250,000 to \$350,000 for an array of projects aimed at strengthening civil society participation in democratic processes. Project objectives have included: providing governance, human rights, and rule of law training to civic leaders in Congo; strengthening the capacity of local media in Tajikistan; promoting and protecting the rights of indigenous and highland ethnic peoples in Thailand; providing human rights education through workshops and seminars in Iraq; and strengthening the voice and visibility of women in elections in Africa.

The participation and financial contribution of both developing and developed countries to UNDEF is unprecedented. Contributors are as diverse as Ecuador, Cyprus, Georgia, France, India, Lithuania, Mongolia, Bulgaria and Australia. To date, contributions total more than \$86 million from 35 donors, supporting 122 projects in 110 countries during the first round, and supporting the 86 projects of the second round, which are now being disbursed. The global participation in democracy promotion activities that UNDEF fosters is an important antidote to attempts by authoritarian regimes to delegitimize democracy assistance as intruding on purely internal affairs.

One of the reasons the United States government works so tirelessly at the [UN General Assembly](#) and in other multilateral fora, is that we see a critical connection between the norms set through international conventions, treaties and resolutions and respect for human rights and democratic practices on the ground. By addressing country-specific topics such as human rights abuses in Iran, Burma, or North Korea or thematic issues such as freedom of expression or democratic governance through resolutions in the General Assembly, the United Nations sends a clear message that the international community is watching these situations. Individual human rights defenders and democracy advocates, non-governmental and civil society organizations working to build democratic cultures and institutions in countries far away from New York or Geneva know that their work is valued and supported when the UN speaks out. The United States will continue to press the United Nations to address human rights and democracy issues robustly, with the seriousness of purpose that the UN charter mandates.

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