

**MAY:** The 75<sup>th</sup> session of the United Nations General Assembly opens on Tuesday, September 15<sup>th</sup>. The UNGA, or “UNGA” as it’s sometimes called in the bubble, is the universal representative body of the UN. It has 193 members with the Vatican and Palestine – really meaning the Palestinian authority – has what are called observer states. Taiwan has been denied membership for more than two decades at Beijing’s insistence.

In past years, this annual event has featured a gathering of world leaders and rulers. I don’t think those terms are synonymous. At UN Headquarters in Turtle Bay, Manhattan Island, New York, New York, lots of limousines, lots of colorful costumes, lots of speeches, and lots of languages simultaneously translated.

This year, due to a virus that we now believe somehow escaped from a laboratory in Wuhan, China, and then spread globally, the conference will be mostly online. President Trump, however, has said he will appear in person.

What, if anything, is worth watching? That’s just one of the questions I’m going to be asking three FDD analysts today. For those of you tuning in who may not be familiar with our institution, FDD is a nonpartisan policy institute focused on foreign policy and national security. Our experts produce timely research, analysis, and policy options for Congress, the administration, the media, and the wider national security community. We take no foreign government or foreign corporate funding we never have and we never will.

Today’s event is the first from FDD’s International Organizations Program. Every year, the U.S. Congress appropriates billions of dollars to the UN, to affiliated international organizations, to international financial institutions, regional organizations, and multilateral development banks. These contributions, which really come from American taxpayers, are often provided with little or no effective U.S. oversight and without a comprehensive strategy to advance U.S. interests.

FDD’s International Organizations Program leverages FDD’s regional and subject matter expertise within our Centers on American Power to research, analyze, and develop actionable policy recommendations to counter America’s adversaries at the UN and other international organizations. For more information on this program and FDD, we encourage you to visit our website, [fdd.org](http://fdd.org).

I’m pleased to introduce our panelists today. Richard Goldberg, senior advisor at FDD, is a former White House National Security Council official, who spent a decade on Capitol Hill overseeing U.S. foreign assistance. Orde Kittrie is a tenure law professor and expert on lawfare. Indeed, he’s written the book on the subject, and he’s a senior fellow at FDD. Emily de La Bruyère, also is a senior fellow at FDD focusing on China. By the way, I’m Cliff May, FDD’s founder and president. Thank you for joining us today.

Guys, let’s start off with some context. On the UN website, this session is being built as the historic UNGA 75. I wonder, it is really? I mean we’ll hear some powerful people posture, plead, perhaps threaten, but what’s historic about it?

Let me also mention this. This year’s theme is “The Future We Want, the UN We Need: Reaffirming our Collective Commitment to Multilateralism.” Now I don’t think anyone would argue that it’s not a good idea for nations to work together collectively to solve problems, but what some people have in mind here is the UN becoming increasingly a global government, with the U.S. accepting the UN’s authority and surrendering some sovereignty to the UN and affiliated organizations.

Also, I should have mentioned on the UNGA agenda: this session, the pandemic, sustainable development, climate change, and nuclear disarmament. Rich, maybe you begin. Do you have high expectations that this will be a historic session?

**GOLDBERG:** I have high expectations that there will be a very nice rhetoric about the United Nations coming from all corners, but really it's an opportunity to look back, not forward, because when we look back over 75 years and we look back to the founding of the United Nations coming out of the ashes of World War II, the commitment to ensure that never again was something that could be upheld, the commitment to keeping international peace and security to prevent another world war, things like the Universal Declaration of Human Rights that was so fundamental at its founding.

We look forward 75 years later today and we don't see the basic principles, the values, and the commitments that were made in 1945 all the way till now really being something that is continuing to be upheld. There may be areas in which it's working. There may be areas in which it's not working. Holistically, though, we have a system that no longer really works, in my view, for U.S. interests. It's something where all kinds of powers can come get what they want out of the system at certain times. We are seeing the rise of China, Russia, revisionist powers using their influence and leverage within the system, within specialized agencies of the system to undermine the United States.

Obviously, on the basic question of human rights, when we have things like the Human Rights Council, where some of the greatest human rights abusers of our time sit in judgment of what is a human rights abuse, we have to question the fundamentals of the system.

**MAY:** Yeah. There's a lot to unpack here, and we'll get to it. Orde, do you want to just say a few words on the same subject, just on what your expectations are for the session?

**KITTRIE:** Yeah. Look, I mean I think, as usual, the UN General Assembly is going to be full of speeches and posturing. I think one way of looking at it is to think of the UN General Assembly, a dog and pony show, as the price we pay for the rest of the UN system, those parts of the UN system that are valuable to the U.S., those parts of the UN system that provide a valuable coordinating mechanism on various issues, and, of course, the UN Security Council, which I think is very valuable for the U.S., including because it allows the US and the other P5 states to make international laws binding on every UN member, to authorize the use of force and to impose sanctions.

You have to remember, since 1990, the Security Council has adopted more than 50 sanctions resolutions against at least 20 different target states and several nonstate actors. This to me has been a valuable tool for multilateralizing and legitimizing U.S. sanctions against our adversaries such as Iran and so many others. The U.S. has a veto at the UN Security Council, unlike the UN General Assembly. So, the UN Security Council can't really hurt us. It can only help us.

**MAY:** Okay. Well, you raised some questions there that I'll come back to. Let me go to Emily and just ask you about your expectations for the session.

**DE LA BRUYÈRE:** I mean I absolutely think that this session is historic, but I think it's historic because the need for multilateral action and international cooperation has never been higher. I worry that the ability of the UN today to match that need, or at least to match that need in a way that aligns with the global norms and global interests that it's intended to preserve, has never been lower.

I think the big fear too is that events like the “UNGA,” to speak as within the bubble, make world leaders feel like they are filling this void and creating the multilateral cooperation, but really it is just rhetoric. And so, it is not only unproductive, but in fact counterproductive because efforts stall at language and nobody really picks up on that.

**MAY:** I want to talk a little bit and provide a little bit of historical context too in terms of what has or has not been achieved at these sessions in the past over all these years. Now you mentioned, Rich, in 1948, the UN General Assembly adopted the Universal Declaration of Human Rights. Of course, that was a long time ago. I think we can debate whether that led to the so-called international community embracing a common understanding of human rights.

In 1975, the General Assembly passed a Zionism is Racism resolution, which was an attack on the right of the Jewish people to self-determination and part of their ancient homeland. The resolution was repealed in 1991. I don’t think it’s an exaggeration to say that the UN has become a de facto enemy of Israel. Feel free to comment on that later if you want to.

In 1999, the General Assembly declared its adoption of the Rome Statute, establishing the international criminal court as “one of the greatest achievements of the past 10 years”. I would argue, and we’ll get back to this as well, and, Orde, if you particularly want to comment on this, that the ICC has achieved very little, spending a lot of money, and is today targeting the U.S. and Israel, countries that are not subject to its jurisdiction.

One more thing. In 2000, the General Assembly unveiled the Millennium Declaration. It set forth the millennium development goals, targets for reducing poverty, halting the spread of AIDS, and other metrics of development. I’m not sure how successful that effort has been. Is there any one of you, am I missing anything important in terms of the history of the UN General Assembly sessions over the past 75 years?

**KITTRIE:** So, this is Orde. I’d say that, indeed, one of the biggest black marks on the UN is its handling of Israel. Numerous UN bodies richly condemn Israel while ignoring other countries’ abuses, right? For example, the UN Economic and Social Council in 2019 chose only one country to condemn for violating women’s rights, and that was Israel, while ignoring the world’s worst abusers of women’s rights, including Saudi Arabia.

As we know, the U.S. ultimately withdrew from the World Health Organization. One of the problems with the World Health Organization was that its annual assembly dedicated an agenda item for resolution to only one country in which it condemned Israel and only Israel, right? While the annual assembly voted 96 to 11 for a Palestinian drafted resolution condemning Israel for health conditions in the occupied Palestinian territory. There was no agenda item or resolution on any other country, including Syria, Russia, or Yemen, where 19.7 million people lack access to healthcare services.

Of course, it was referenced to the UN Human Rights Council, which is a farce focused on slamming Israel while whitewashing the world’s actual human rights abusers. For example, between the UNHRC’s establishment in 2006, in 2018, when the U.S. withdrew from the UNHRC, the council had adopted more resolutions condemning Israel than against the rest of the world combined.

Meanwhile, egregious human rights violators, including China and Saudi Arabia, have never been the subject of a single resolution. This really is the par excellence exemplar of what is wrong with the UN system and what needs to be changed if UN is going to live up to the founding vision that Rich referred to.

**MAY:** Orde, I’m going to ask one more question to you, but, again, others can chime in. But I know you know the answer to this, and making it simple for people to understand. The U.S. is by far the most important funder of the UN.

We pay much more than the next three nations combined. China is number nine on the list last I saw. Russia is number 18. And both are permanent members of the UN Security Council, which means both have vetoes in that body.

So as complex as it is, can you explain essentially how it is determined by the UN General Assembly how much Americans and others must pay? Just for broad understanding, the U.S. is responsible, has been for some time, for contributing 22% of the general fund and 28% of the peacekeeping fund.

**KITTRIE:** Yeah. So, it is a complicated formula that the UN General Assembly comes up with. It's subject to a kind of renegotiation every three years. It has to do with various economic indicators and such. Indeed, the U.S. ends up paying a larger portion than any other country of UN expenses. There's a serious question as to whether we get the value out of it that we put in. Certainly, it's clear that we don't get the influence at the UN that one might expect from footing such a large portion of the bill.

**MAY:** One other part of this is that the U.S., as you know, and you've mentioned the UN Human Rights Council, which is really an Orwellian body. It's the worst violators of human rights in the world get on that body so then they're not criticized. And we've withdrawn from it, but we still support it. Why? Because that entity receives its money from the general fund, so we end up supporting it anyway.

Is there no way out of that predicament where we can say, "This organization, we're not supporting it. We don't think it's doing what it should do. We do not want our money going toward it"? Is that impossible?

**KITTRIE:** Well, it's all sort of a negotiation with the other members of the General Assembly. Budgetary decisions at the General Assembly are generally made by consensus. There's a tremendous inertia there. The U.S. was able to get some changes a couple of decades ago in response to Jesse Helms and others leading the U.S. pulling back from paying its bills to the UN.

The challenge is that, according to the UN's own rules, if you don't pay your bills, you lose your vote. And so, there's a bit of a brinkmanship issue there. It was resolved, I think, ultimately, well, a couple of decades ago. The question is whether there's an appetite to go through that exercise again. But that's pretty much what you have to do to force a renegotiation of the terms.

**MAY:** Rich, there are plenty of experts, I don't think you disagree, who think that the UN is pretty much riddled with corruption. The UN bureaucracy has refused independent audits, which is something, I guess, that's been proposed. Is there also nothing we can do about that?

**GOLDBERG:** Well, the UN has what is called the single audit principle for its agencies, which is to say that the board of auditors and its internal oversight services are the only ones allowed to do a financial audit for a UN agency.

And so, if the United States were to come along and say, "Hey, listen. We're the number one donor to this specialized agency. We don't want to just take a UN board of auditors' audit at face value. We have a lot of questions. We want to look under the hood. We want to bring in our own auditing team," we would be told, "No, you can't do that," even as the top investor to that agency. That's actually happened in the past with the UN agency that deals with so-called Palestinian refugees, UNRRA, which the Trump administration withdrew its funding for just a couple of years ago.

Now I will say we're obviously casting a very negative blanket across the UN system, but it's not a holistic system, right? It's not one thing, its dozens of agencies that have their own independent mission going on, their own mandate, their own boards, their own governance styles, their elections, maybe no elections. Sometimes they get their source of funding from the General Assembly. Sometimes it's all voluntary contributions. Sometimes people are elected to become council members or leaders based on the General Assembly's vote and some of them are within those that are members of the organization themselves.

I think what we really need to do, and Orde touched on this earlier when he talked about the Security Council, we really need to start looking at what is all of the different pieces within the pie? Instead of just saying we hate the pie, or we want to cut funding to the pie, or we want to continue to support funding for the pie and the pie just needs to be bigger, let's look at the slices and let's actually ask how much money are we spending for each of the agencies? What is it producing for the United States? What is it producing for the world, for international peace and security, for human rights, for the values?

We're talking about UN at 75. Is this agency living up to the standards and values of the founding of the United Nations, or is it being hijacked by people who don't hold the same values that drove the founding of the United Nations 75 years ago?

I think we will find that in some cases, there's a way for the U.S. to exert its influence and to take advantage of the governance structures, the fact that we are largest funders, to drive agendas that are good for the world and good for traditional international order that we helped establish 75 years ago.

We're going to find a lot of them that are not anymore. The systems are rigged against us in a way where you can say, "Oh, if we were just inside the organization, if we were members and we were giving money, we could make an impact." But if the system's rigged against you in those cases, it doesn't work. We can talk about examples.

**MAY:** Emily, I see you nodding on some of that. Do we want to agree or disagree?

**DE LA BRUYÈRE:** I think we absolutely agree. I mean, from the Chinese perspective, China's international strategy rests on subverting international organizations, and they do that by gaming the systems. The U.S. is uniquely ill-equipped to respond to this because the U.S. is uniquely bad at competing systemically. We either move very tactically within existing institutions like some institutions, or we treat them in a very binary way of yay or nay.

We aren't good at adjusting their context or evaluating their rules and trying to work their rules, or really frame the framework, if you will. That puts us even in areas where we should have an upper hand because we are the leading funder or we have positions of leverage, it puts us on the defensive and puts us at a disadvantage vis-a-vis China and other players, because there are other players who might be adjusting the battlefield.

**MAY:** We're mostly talking about the General Assembly in this session, but, Rich, you opened up something. A question occurs to me on the UN Security Council I want to put to you. Two things, I guess. Talk for a second about how you think we should view the Security Council generally. But more specifically, you've been a strong advocate for the U.S. to its authority under a specific UN Security Council resolution, one that President Obama was very proud of, to now snap back sanctions and a conventional arms embargo on Iran's rulers. There are those who say and have said to you, Rich, if you do that, it will damage the UN Security Council. You can't use that resolution the way you describe. Maybe if you, can unpack this controversy for us.

**GOLDBERG:** Yeah. So, in general, I do think that over 75 years, Orde is mostly right in his characterization of the Security Council, that because of the permanent member veto right gives the United States power and influence to stop bad things from happening. The United States has used its veto, for instance when the Security Council wants to condemn Israel or do certain things that we don't agree with. But remember that also works the other way around, which is Russia and China have a permanent member veto as well. And they also block things that we think are good and would help secure peace, international security, promote our values. This year alone, we've seen Russia block aid and ways to assist the Syrian people in Syria by using its veto. It's done that multiple times to protect the Assad regime and really to allow crimes against humanity to ensue, completely undermining the whole point of the United Nations system.

And so, the Security Council has gone through crises in the past. It has at times found consensus and passed sanctions. But what happens when we actually come to loggerheads and the United States says this is important for international peace and security and other members disagree? We have disagreements and ultimately things are resolved through unilateral means. We've seen that in terms of military conflict in the past. We've seen that in terms of sanctions, obviously U.S. sanctions on Iran right now. Those who believe that U.S. could not on its own impose sanctions on Iran unilaterally without the blessing of the United Nations, without European Union support and others have been proven completely wrong over the last two years during the maximum pressure campaign. And even those who are supporters of the Iran nuclear deal readily admit that that is true. And so right now, what we have is a crisis in the Security Council.

We're on the clock going until September 21<sup>st</sup>, which is a 30 day period of the so-called snapback under UN Security Council Resolution 2231. This is a Security Council resolution that endorsed the Iran nuclear deal back in 2015, and it had a very peculiar unconventional mechanism built into the resolution that said that if any of the original participants of the nuclear deal, defined those countries out including the United States, at any point thought that Iran was breaching its commitments, doing what it's doing today effectively with respect to enrichment of uranium, production of heavy water, testing advanced centrifuges, et cetera, that you could send a letter to the Security Council and effectively disintegrate, self-destruct the resolution, bring back prior resolutions of the Security Council, and reimpose whole series of restrictions and sanctions on Iran. And so, five years later, the Trump administration has actually invoked this mechanism.

But interestingly, what has happened is the other Security Council members who disagree politically with the United States over the Iran nuclear deal have ganged up and said, "Oh, you know what? We will not recognize the U.S. right to do this. We think it's forfeited its standing. It pulled out of the nuclear agreement. We're not going to read the straight text of the Security Council resolution that gives the U.S. this right in perpetuity. We're going to make up our own rules and ignore the United States." And that's a very serious challenge to the rules of the Security Council because this mechanism, the snapback mechanism, the way it worked was if one of the P5 put forward this allegation that Iran was in breach, it really protected the P5's right to use its veto to stop any attempt to keep the sanctions relief at the UN going for Iran.

What the Security Council is now doing is saying, "We're just going to ignore the U.S. complaint. We're not going to have a resolution. We're not going to have a vote that the U.S. can use it to veto on," effectively evading, diminishing the U.S. veto power, and not just the U.S. veto power, but a precedent for the future of all veto powers. And so, we don't know how this is going to play out. The Trump administration says at the end of the 30 days, they're going to enforce the snapback. They're going to declare that there has been a snapback. There's going to be a disagreement in international law. And once again, ultimately the United States will fall back on unilateral tools and unilateral means to enforce its interpretation of international law at this time. And I think we do have a question mark of the Security Council going forward.



If you have Russia and China using their veto power to block things that a majority of the council would say are in the interest of peace and security for the world, for instance, not allowing the arms embargo on Iran to expire, but you also have a council that is willing to rewrite resolutions on the fly to deny the United States its own rights of the council with its permanent member veto, I think we have to have a consideration of what are the merits of this council going forward. We do have a veto when somebody actually puts forward a resolution. Is this basically a place where we can bring issues to light, have a bully pulpit, talk about things, and then block anything we see as bad with the veto, and really never view the Security Council as an avenue to put something proactively forward for good, and then rely on unilateral tools of power going forward to actually stop wrongs in the world when we see them? Or is this something that we're going to overcome and actually have a way where China or Russia with their veto powers can actually find consensus with the United States going forward?

One last point, I'll throw out there. A lot to chum the water. I know Orde is probably going to have a lot to respond. Should we also think about fundamental reforms of the Security Council? Should there be additional permanent members added? Is it time to think about India as a permanent member of the Security Council? Russia and China likely not going to support that. But is that something we should start talking about? Should we talk about different rules? There's also been an unspoken agreement that the United States as a permanent member and other permanent members wouldn't run to head UN agencies, that we would leave that privilege to non-permanent members to be able to run specialized agencies in the United Nations. Maybe it's time to reconsider that, especially what Emily can probably tell us about what China's doing already to try to take over some of these UN agencies.

**MAY:** Orde, if you want to respond, I'll let you, but I've got another question for you and I want to make sure we get this in there and that you get an ample time to talk about it. I noted that the UN General Assembly has said in the past that one of his great achievements was its adoption, it's facilitation of the creation of this International Criminal Court. And then you know a lot about this. I know you've studied this a lot. Maybe just talk a little bit about how that International Criminal Court went off the rails, which I think you'd agree is what's happened.

**KITTRIE:** Yes, absolutely. The International Criminal Court is another outstanding example of an international organization going off the rails. This was an international organization, the International Criminal Court, that was founded with the goal of holding people who commit genocide, people who commit war crimes, people who commit gross human rights abuses, crimes against humanity, holding them accountable when the governments of which they are accountable are unwilling or unable to prosecute them themselves. So, you have a situation where the ICC is going after the U.S. and going after Israel, despite the fact that both the U.S. and Israel have explicitly chosen not to subject themselves to International Criminal Court jurisdiction, and a situation where both of them are indeed holding their own troops accountable for alleged violations. At the same time, the International Criminal Court is going on this wild goose chase against non-members over which it doesn't have jurisdiction.

It's doing a very poor job of managing its own house. 2018, there was a study done, a survey done showing that half of ICC employees complained of sexual harassment and other abuse. At the same time, the ICC spent \$2 billion over the course of two decades and has achieved only a total of eight convictions, only four of them for serious crimes. And the ICC's efforts to go after the US and Israel is led by Fatou Bensouda, an ICC prosecutor who has served for most of the last nine years. ICC prosecutors get nine-year terms. Fatou Bensouda never should have been elected as the ICC prosecutor given her apparent complicity in crimes against humanity herself when she earlier served as attorney general for one of the world's worst dictators, Yahya Jammeh of Gambia. Gambia is by the way an ICC member state and Bensouda conveniently enough has claimed the ICC has no jurisdiction.

So here she is not going after the dictator of Gambia who engaged in all kinds of crazy crimes, ordering death squads that chopped two Americans to bits, torturing women that were accused of being witches, et cetera. And at the same time, she is to distract, I think, from her own woes, going after the U.S. and Israel for how they defended themselves against actual acts of terrorism. So, this is really a paradigmatic example of when international organizations go off the rails. And this is a particular international organization where we have the opportunity to push back, including because there's an election coming up in December for a new ICC prosecutor. And this goes to a question, which I know Rich and Emily as well and yourself have talked about, which is how the U.S. can do a better job vis-a-vis elections for the leadership of these international organizations.

As we've seen, there are 15 key UN member agencies. The Chinese have managed to get themselves elected to the leadership of four out of the 15. No other country including the U.S. is the leader of more than one out of the 15. And the Chinese are using their leadership of these international organizations to corrupt these organizations and to pursue Chinese interests, not the interest for which the organizations were set up. So, these are very real threats to international organizations, to the UN, which I think the 75<sup>th</sup> anniversary of the UN provides a really good opportunity to think about how we can push back, how we can ensure that these organizations do, as Rich said, what they were set up to do.

**MAY:** And Orde, just before I leave you on this question, you mentioned there were 15 main or significant UN affiliated organizations. How many organizations overall are there that are UN affiliated and that the U.S. probably contributes to?

**KITTRIE:** So overall, the U.S. contributes to I think 194 different international organizations. And this is something where, 194 different international organizations, treaty bodies, councils, groups, bureaus, centers, commissions, funds, and peacekeeping operations. The U.S., as Rich pointed out earlier, does need to take a real close look, undertake an objective analysis of which of these make sense and which don't. This is not, by the way, a hugely controversial idea. The Clinton administration, for example, withdrew from both the UN World Tourism Organization and also the UN Industrial Organization, UNIDO, on the grounds that U.S. participation in then was a waste of U.S. taxpayer dollars.

The Trump administration withdrew from the UN Relief and Works Agency, UN Educational, Scientific and Cultural Organization, the UN Human Rights Council, and the World Health Organization. So, there is a withdrawal from some of these when they are seen to not advance U.S. national security, but there needs, I think, to be a systematic look at all of them to figure out what else works and doesn't work for the U.S. with regard to the 194 different international organizations on which it spends a total of some \$12 billion in funding per year.

**MAY:** And one more question along this line. It's a hard question. I'm going to ask you to try to be succinct on it. We say there were elections for these organizations and for the leadership of these organizations. Explain how those elections work. It's not simply like ballots are set up all over the UN property and people come in and write little X's into their boxes. How does it work?

**KITTRIE:** Sure. I'll give an example, the International Criminal Court, which as I mentioned, is having elections in December for the prosecutor, which is the most important position, and also for several judge positions. And what happens there is candidates are put forward by member states and ultimately there's a ballot, a vote of The Assembly of States Parties. And in the case of the International Criminal Court, there was a committee of the ICC that put forward four candidates, sort of a short list, but the ICC doesn't need to, the member states don't need to stick to that short list. So, in fact, what's going on is a lot of horse trading, a lot of negotiating back and forth as to which country is going to support who. And sometimes things turn out well for the U.S. in this regard. There was an election to head the World



Intellectual Property Organization within the last year or so. The Chinese put forward a candidate. The U.S. built a coalition which succeeded in defeating the Chinese candidate.

The International Atomic Energy Agency, that organization now has a Director General who is, I think, more effective in doing things that are consistent with U.S. national security. Of course, that's not his mandate, but he's certainly better from a U.S. perspective than some of his predecessors. The International Atomic Energy Agency. And there was a campaign in which the U.S. engaged to influence that election. It seems to me we need to take a systematic approach to UN elections across the board because the Chinese are clearly taking a systematic approach and they're using not only appropriate horse trading, but there's evidence that they're also engaging in bribery to ensure that their candidates win. And if so, that's something we need to bring to the fore and push back against.

**MAY:** Yeah, let's explore this. Thank you, Orde. Emily, let's explore this in a little more depth. You mentioned, Orde mentioned that China's rulers do pay a lot of attention to this sort of thing and they've been kind of successful. Now Orde mentioned the World Intellectual Property Organization. It needs to be stressed that Beijing is the world's leading thief of intellectual property. They've stolen hundreds of billions of dollars year after year of American intellectual property. So, there's a lot of good reason they'd want to be the head of the World Intellectual Property Organization. It'd be very convenient for them. Happily, that didn't come to pass.

The World Health Organization, the U.S. contributes 10 times what China does but China has had somebody who was very close to it leading that organization, and very much their person leading that organization. And I think we've seen in this last pandemic the consequences of that, both in terms of apologizing and really being deceptive in favor of China, eliding China's responsibility for what's happened here. And also, the Taiwanese had a very good handle on what was going on and what needed to be done about it, and the World Health Organization said, "Well, Beijing would object so we can't really talk to them or listen to them or take their advice." Talk about any of this, Emily. You know a lot about it.

**DE LA BRUYÈRE:** Well, there's so much there. And I think it's important to take a step back and look at what China's trying to accomplish. So, China's international agenda, its global ambitions, they hinge on setting international rules. And China uses subversion of international organizations in order to do that, in order to make sure that the global architecture, of which obviously international organizations are a key part, aligns with, or at the very least does not contradict, Chinese interests. And China is unapologetic about using international organizations like the UN to that end, and having an agenda that is not simply about global norms or the world's interests. Leadership of key organizations and specialized agencies, that's a really strong example. And you just laid out a number of incidents that we know. We know that China uses its economic and its diplomatic relationships with other states to harvest their votes. And we also know that this has a clear effect on what specialized agencies do.

In 2014, a Chinese official was appointed secretary general of the UN International Civil Aviation Organization or ICAO. The year after that, Vietnam filed a protest because the ICAO's flight maps for the Sanya Islands, which are disputed territory between Vietnam and China, were only reflecting China's territorial claims. Then there's the International Telecommunications Union. A former Chinese official has been head of the International Telecommunications Union since 2014. And during those six years, he has overseen Huawei-sponsored ITU events, has ushered in the approval of Huawei-proposed technical standards, and has been a loud defender of Huawei. So, you see any number of examples in which China is gaming international organizations, and then using that to propel its global agenda.

And this is a really, it's a brilliant strategic move, because China is trying to reshape the international order, but China's not doing that by trying to build a new order because doing that would be expensive and it would be abrasive. Instead, China goes in and uses what already exists and therefore uses international resources, including those taxpayer dollars that you talked about earlier, to propel what it wants to do. It's this very parasitic approach. And what it means is that this global architecture that was designed to promote global norms and global interests instead ends up promoting an orthogonal set of norms and China's interests.

**MAY:** Also, along these lines, people who go to work for these international organizations. If an American goes to work for these organizations, and all of us have probably met some of these folks, they consider themselves international civil servants. They don't listen to their own government at this point. They take it as a matter of pride. I now work for the international community, I don't listen to Washington, to The White House, to the State Department. This is not the case of Chinese nationals who go to work for these organizations, they are expected, I think you'll agree, to listen to what Beijing says and follow Beijing's directives. And once more if they don't, more than a strong letter will follow.

**DE LA BRUYÈRE:** Absolutely, and that also applies for the record, for industry organizations, because there are international organizations of all sorts, those include meetings of the private sector. And when Chinese company representatives go to industry association meetings, they go charged with propelling China's strategy for that. And there are examples, for example, at 3GPP, which is the industry association for telecommunications. And that then pretty much determines what telecommunication standards the ITU adopts. There was a meeting of 3GPP where the Lenovo CEO voted for a standard that wasn't the Chinese standard and had been endorsed by U.S. and European companies. And he votes for that, and then is roundly reprimanded across Chinese press, across Chinese social media. Had to issue a public apology and has never voted against a Chinese standard since.

**MAY:** Richard, we've mentioned a lot, well, quite a few international organizations, certainly the most famous ones like the International Atomic Energy Agency. There are quite a few organizations that probably nobody has heard about that are nonetheless significant and consequential. Do some come to your mind that people should be aware of and should be concerned about how the U.S. has lost control of them, or may be in danger of that?

**GOLDBERG:** Yeah, I think Emily touched on a couple of them. I don't know how many people have ever heard of the ITU, the International Telecommunications Union. This is a very important standard setting body for telecommunications, for 5G, for next generation communications, for the internet. And there's a lot of private sector involvement in this organization on the sidelines, that it's not just state actors that are involved and the Chinese know that. The Food and Agriculture Organization, right? They have a huge agribusiness, they want to make sure that they can take advantage not just of their own exports, but also food supply to those in need, part of their Belt and Road Initiative. Similarly, Orde mentioned UNIDO. A blast from the past, from the '90s. Back on the front page, another Chinese led organization at this point that's actually holding sponsored events for the Belt and Road Initiative.

And so, clearly we have a lot of agencies, the Postal Union, standards setting, the International Standards Organization itself, ISO, these are things we're really need to be careful of because the Chinese have a very strategic view of how they're going to exploit UN agencies for their long-term national advantage and those do not comport with most of the international community, certainly not with the United States and not with our allies in Europe.

And so, we actually do need to start building multilateral bridges to US allies to say, "Wake up to what's happening." One of the things we don't talk about here is that the disconnection... Anybody who's worked with the United Nation System knows that there's this disconnect between the home capital and New York, or the home capital and Geneva,

or Vienna or wherever the specialized agency is. And you can have ambassadors just cutting deals without the home capital, without the foreign ministry really being involved. And that has to end the idea of voting blocks needs to end for major U.S. allies in the world. Where you're going to vote in an election because, "Well, it's my regional block or it's my traditional block." That is way old thinking, and if we are going to remain steadfast supporters of The United Nations, and actually ensure that the UN's next 75 years upholds its founding values, then we need to have a real conversation with our allies about how we are approaching all of these different UN agencies to ensure that we are not allowing the Chinese to exploit them.

**MAY:** And Emily, we've now mentioned the Road and Belt Initiative a couple of times, very briefly, just make sure everybody understands what that project is, what it means to do. And as a component of that, I think you'll agree with me, that Beijing is trying very hard, with some success to get the UN to embrace its Belt and Road Initiative as a great global project that we should agree with.

**DE LA BRUYÈRE:** Absolutely. And I'll try to do this briefly, but the Belt and Road Initiative operationalizes China's international strategy. So, China has for decades sought to take advantage of international resources and to penetrate international networks while protecting its own resources and its own networks. And that plan is evident in China's Go Out strategy, which comes out in the 1990s and then down the road in the industrial plans we get since then. The Belt and Road Initiative is kind of the international manifestation of all of those, and is a label that goes on many of China's engagements with the international world are designed to propel this strategy.

But one of the key things is that China doesn't just want UN endorsement and approval of plans like the Belt and Road initiative, it also uses those initiatives in order to gain the international system. So, this is evident in, as we've already mentioned, China using bilateral relationships to harvest votes in the UN, but China also is keen on using engagements with regional organizations that are often under the auspices of Belt and Road or other similar plans using those engagements with regional organizations to chip away at or influence whatever blocks they're a part of therefore to influence the international system that they feed into.

We see this in China's institutionalized relationships with centralized and Eastern European countries, just 17 plus one. And that forms our relationship through which China is able to prevent Europe from organizing in any uniform way against Beijing's offensive. And a similar approach holds in terms of how China uses Belt and Road, and again, other international engagements to influence industry and commercial actors who then in turn have leverage over the international environment. So, it's very much a two way street where the UN and international organizations are designed to promote China's international plans, but then China uses those plans and that presence to increase its leverage over the international organizations.

**MAY:** Orde, I'm going to start with you on this next question, but I wanted others to, Emily and Rich to weigh in. So, the Trump administration has taken a pretty aggressive approach to at least several UN agencies over the last few years. We've mentioned some of this, withdrawing from the UN Human Rights Council, defunding UNRRA, which is sort of fights welfare for Palestinians and I think the charge would be that Hamas pretty much directs it, certainly influences and strongly imposing just very recently sanctions on, not least, the Chief Prosecutor Bensouda, you mentioned at the International Criminal Court. There are plenty of people in Washington who would say, "Well, this is the wrong approach, much better you join the organization, you participate, you try to change it from within." Orde, who's right or what's the better way?

**KITTRIE:** I think it really depends on the international organization. I can tell you that vis-a-vis the international criminal court, the U.S. would be crazy to join the International Criminal Court and thus be subject to ICC jurisdiction. Presidents of both parties refused to join the International Criminal Court because they were afraid of what's happening now, that the International Criminal Court would politicize what it's doing. Use its prosecutorial discretion to go after the U.S. in a case where going after the U.S. isn't consistent with international law or the ICC charter.

Now there's a question though, as to what is the most effective way, if you're going to stay out of pushing back? Obviously, the Trump administration imposed sanctions on the ICC prosecutor and another ICC official. It's not clear that those sanctions have led the ICC to back off from what it was doing. Instead, there's evidence that the ICC has gotten its back up and is sort of doubling down on going after both the U.S. and Israel, which is subject to a similar investigation. I've proposed that what the U.S. could have done, maybe still should do, vis-a-vis the ICC, is team with its allies, U.S. allies. In the case of the ICC over 50% of the ICC budget is contributed by close U.S. allies and led by Japan and Germany.

It seems to me that you could be partnering with those allies who anyway, have expressed dissatisfaction with the direction in which the ICC is going and who have a particular opportunity now in light of the ICC elections to sit down and say to prosecutorial candidates, "Look, I'm not comfortable supporting you if you're going to take the same view of prosecutorial discretion that Fatou Bensouda did." The ICC prosecutor position and the election are so important because of the prosecutorial discretion. The prosecutor issues, certain documents make certain decisions that are not dependent on the votes of the assembly of States parties. And so, in cases like that, I think the U.S. needs to do a better job of working with its allies. I would note though, that there are other cases in which the Trump administration has taken, what some have called, a hardline approach, threatening to withdraw from an organization in which it was a party or a treaty in which was a party.

And those threatened withdrawals appear to have gotten the U.S. at least arguably a better deal. That was the case with the North American Free Trade Agreement, the renegotiation, the U.S.-Korea Free Trade Agreement, and also the Universal Postal Union. In all of those cases, the Trump administration threatened to withdraw from the deal and that threat, it managed to parlay into what at least arguably looks like a better deal. So again, this is to say that I think you need to take, and Rich has talked about this too, a case by case approach. What works in one organization does not necessarily work and is not necessarily appropriate vis-a-vis another organization.

**MAY:** So, we're almost at the end here, I want to give everybody a minute for final thoughts or to answer questions I should've asked and didn't get around to. But one thing you might elaborate, Orde has said some about this already, is really in terms of the UN and its international organizations, what should be the approach? What would you advise the next administration to have as its approach? There are those who insist it's high time to begin a really serious process of reform. And then there are those who insist that's a fool's errand, no reform is possible, you're never even going to be able to audit and know what's going on. If you can close your organization down or at least get the U.S. out of it. And then there are those who take sort of a middle position, arguing that the best approach you can do is not to give the UN more money and power, give it a little less if you can, but leave well enough alone, or maybe in this case leave bad enough alone. I guess, Rich, why don't you start?

**GOLDBERG:** Yeah, I think I'll sort of jump off of what Orde's last piece was to both answering the last question and this one and sort of my summation, which is you do have to look on a case by case basis, but the key elements here are the governance structure of the agency or the organization in my view, of whether or not it is rigged against us, or it is simply there for the taking and we just need to engage and actually try with our allies to advance our shared common values. It might be the case, in the General Assembly, for instance, that it is rigged against us. Organizations that take

their governance, direction, their mandates, their leadership, their elections from the General Assembly, like the Human Rights Council, is rigged against us.

Going back in to the Human Rights Council and paying money to the Human Rights Council over and above what it gets from the GA is not going to change the structure of the Human Rights Council, you will still be validating sitting in a council with human rights abusers with having China be the arbiter of what is free speech and freedom of religion in the middle of crimes against humanity in Xinjiang.

And so again, there could be agencies, some of them that Orde described where if we engage, if the structure gives us the ability to win elections with our allies, to support candidates who are interested in doing the right thing and advancing the values of the United Nations and of the specialized agency, we should support that. But it shouldn't be assumed that the U.S. is handing over cash. What we really need from the State Department, whoever wins in the election, the State Departments, from congressional oversight committees, The Appropriations Committee, The Foreign Affairs, Foreign Relations Committee is a zero-based budgeting approach.

Assume we didn't provide anything to the UN system, what do we agree on has to be there? What is irreplaceable by our own foreign unilaterally, bilaterally? What do we think is really adding value to the international community and is advancing U.S. interests? If there's something that fits in a question mark, perhaps because there's a lack of oversight, there's mismanagement, there's bloat, there's just traditional waste, fraud and abuse, or we are seeing it undermining U.S. interests primarily by our top global competitors, Russia and China. Then we need to take a step back and say, if we are going to fund this organization and we are going to participate, what would have to change in the governance structure of this organization so that we are not at a disadvantage, the minute we walk in the door? What would have to change so it is not rigged against us. And if those changes are not made, don't write the check.

**MAY:** Emily, your final thoughts?

**DE LA BRUYÈRE:** I mean, I could not agree more. And we so need a taxonomy that says we can resolve this problem, we can't resolve this problem. But as we do that, we also need to present positive alternatives. It's not enough to say this institution isn't working for us, we're out. We also have to say, here's something else that is going to work and have a narrative around that that's positive and that draws in our allies and our partners and the private sector, so that they can get on board and create something that is an alternative to whatever it is that China and other spoilers are doing.

At the same time, and the important thing is competing systemically, but there are actions, more tactical actions that we can take within a strategic framework. If we look around at where we currently stand in international organizations and also more broadly and say, where can we take low cost moves that are going to have an outsized effect on our competitors and force them to take actions that are defensive or for us desirable. And there's one in particular in the context of international organizations today that could have tremendous effective vis-a-vis China, which would be to give diplomatic recognition to Taiwan and push for Taiwan participation in international organizations. And doing that would put Beijing on the defensive, it would do that while taking a stand aligned with global norms, with human rights, with a democracy and with a strong U.S. partner. And it would do all of that at low cost for the U.S.

**MAY:** Very interesting. Orde, really final, final. We've only got like 30 seconds, we're really out of time.



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**KITTRIE:** Sure. I mean, look, my view as I began, was the U.S. does derive great benefit overall from the rules based international order. So many of today's problems, including COVID are global in scope and require global cooperation to address. But the international system and the UN, in particular, have a of problems. One is waste and corruption. Another is the discrimination against Israel. And another is the way that China has been exploiting elections and otherwise exploiting international organizations. And it seems to me that the next administration of whichever party, needs to have a strategy for pushing back against all three of those.

**MAY:** Well, thank you Orde. Thank you, Emily. Thank you, Rich, and thanks to everyone who participated today. We appreciate your insights, we appreciate your input and want to hear from you on these and other subjects. If you're not already receiving updates from FDD, please visit [fdd.org](http://fdd.org) and you can subscribe and do our work. You can see part of our work, all of our work, whatever and the various threats, the various solutions. Thanks again for joining us, we hope we see you again very soon.