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Preventing Repressive Regimes from Using the U.N. to Advance Their Interests

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The United Nations was founded in 1945 to maintain international peace and security and undertake collective measures to remove threats to peace; to promote equal rights and self-determination of peoples; to help solve problems of an economic, social, cultural, or humanitarian character; and to encourage “social progress and better standards of life in larger freedom.”¹ The United Nations has failed more often than it has succeeded in meeting these objectives. A significant reason for this failure is its universal membership, which grants repressive, abusive, or dictatorial regimes the same stature and privileges as states that abide by the U.N.’s founding principles. These states use their membership to undermine the objectives of the organization and to shield one another from scrutiny and actions to curb their abuses. The case of Iran demonstrates how a U.N. member can flout the organization’s principles while avoiding sanction and maintaining great clout. The United States should take steps within and outside of the U.N. to prevent bad actors like Iran from exerting undue influence on international processes.

Iran’s Violations of Basic U.N. Principles. The U.N. Charter proclaims that all U.N. member states must be “peace loving” and “shall refrain in their international relations from the threat or use of force against the territorial integrity...of any state.”² The current Iranian regime, however, bases no small part of its foreign relations policy upon destroying another U.N. member, Israel. Iranian President Mahmoud Ahmadinejad has stated that Israel “must

be wiped off the map” and that “Zionists are the true manifestation of Satan.”³ True to his word, Ahmadinejad, with the support of Supreme Leader Ayatollah Ali Khamenei and the clerical mullahcracy, continues to sponsor terrorist groups such as Hamas and Hezbollah as part of Iran’s ongoing unofficial war against Israel.⁴ Iran’s aggression is not limited to Israel. By harboring senior members of al-Qaeda and arming terrorists in Iraq with deadly bombs, Iran has become a clear danger to U.S. national security.⁵ Iran’s support of terrorism violates many U.N. Security Council resolutions, including Resolution 1373, passed after the 9/11 terrorist attacks.⁶

Through its nuclear weapons program, Iran also threatens the Middle East region and the world. Defying Security Council resolutions with impunity, Iran has come to realize that the U.N. and the International Atomic Energy Agency (IAEA) are unwilling or unable to stop its nuclear ambitions. Iran is also developing an arsenal of ballistic missiles that could potentially deliver the nuclear weapons it is eagerly pursuing. The Iranian Shahab-3 missile can reach every nation in the Middle East, and Iran is allegedly developing missiles that could reach Europe and beyond.

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The Iranian regime also poses a serious danger to the Iranian people.⁷ Iranian protesters and dissidents are routinely beaten, tortured, and killed.⁸ The U.S. Department of State reports that Iran “continued to commit numerous, serious abuses [including]: severe restriction of the right of citizens to change their government peacefully; unjust executions after reportedly unfair trials; disappearances; torture and severe officially sanctioned punishments such as death by stoning;...political prisoners and detainees; severe restrictions on civil liberties including speech, press, assembly, association, movement, and privacy; severe restrictions on freedom of religion;... violence and legal and societal discrimination against women, ethnic and religious minorities, and homosexuals.”⁹ Iran violently represses its ethnic Arab and Kurd populations as well as its religious minorities, such as the Baha’i community, whose members are routinely detained and arrested.¹⁰ Non-Muslims are protected in Iran only so long as they “refrain from engaging in conspiracy or activity against Islam.”¹¹ All of these actions are in contravention of Iran’s obligations under multilateral treaties such as the International Covenant on Civil and Political Rights, a cornerstone of human rights protections, as well as the Universal Declaration of Human Rights.

Iran’s Impunity at the U.N. Despite its failure to live up to the basic principles of the United Nations and its efforts to undermine those principles, Iran is lionized within the U.N. organization. The U.N. membership has acted several times lately to reward or protect Iran from scrutiny or action:

- When the Iranian Revolutionary Guard illegally kidnapped 15 British naval personnel lawfully operating in Iraq’s territorial waters pursuant to U.N. resolutions, the U.N.’s response was inappropriately muted. There was no condemnation by the U.N. Security Council, much less a Chapter VII resolution stating that the unjustified abduction amounted to an act of war. Instead, the Security Council issued a tame press statement expressing its “grave concern.”
- Despite its serial violation of IAEA demands and Security Council resolutions relating to its nuclear program, Iran was recently reelected to serve as the vice-chair of the U.N. Disarmament Commission, which makes recommendations relating to nuclear and conventional disarmament. This not only undermines the public perception of the organization’s commitment to disarmament and non-proliferation, but also inhibits the effectiveness of that body to address

1. Charter of the United Nations, Preamble and Article 1, at www.un.org/aboutun/charter/index.html.
2. *Ibid.*, Article 2.
3. Mahmoud Ahmadinejad, speech at “The World Without Zionism” conference, Tehran, October 26, 2005, at www.nytimes.com/2005/10/30/weekinreview/30iran.html, and “Ahmadinejad in Sudan: ‘Zionists Are the True Manifestation of Satan,’” *Haaretz*, March 1, 2007, at www.haaretz.com/hasen/spages/832229.html.
4. See U.S. Department of State, Office of the Coordinator for Counterterrorism, “Country Reports on Terrorism 2005,” April 2006, p. 173, at www.state.gov/documents/organization/65462.pdf.
5. Faye Bowers, “Iran Holds Al Qaeda’s Top Leaders,” *The Christian Science Monitor*, July 28, 2003, at www.csmonitor.com/2003/0728/p01s02-wome.html, and Michael R. Gordon, “The Struggle for Iraq: Deadliest Bomb in Iraq Is Made by Iran, U.S. Says,” *The New York Times*, February 10, 2007, p. A1.
6. United Nations Security Council, Resolution 1373, United Nations Document S/RES/1373, September 28, 2001, at www.un.org/Docs/scres/2001/sc2001.htm.
7. See Freedom House, *Freedom in the World 2006* (Lanham, Maryland: Rowman Littlefield, 2006), pp. 337–342, at www.freedomhouse.org/template.cfm?page=15&year=2006, and Human Rights Watch, *World Report 2007* (New York: Human Rights Watch Publications, 2007), pp. 463–468, at <http://hrw.org/wr2k7>.
8. Amnesty International, *Report 2006*, at <http://web.amnesty.org/report2006/irn-summary-eng>.
9. U.S. Department of State, “Iran,” *Country Reports on Human Rights Practices 2006*, March 6, 2007, at www.state.gov/g/drl/rls/hrrpt/2006/78852.htm.
10. Amnesty International, *Report 2006*; U.S. Commission on International Religious Freedom, *Annual Report 2006*, May 2006, pp. 187–188; and U.N. General Assembly Resolution 60/171, 60th Session, U.N. Doc. A/RES/60/171, at 2(a), March 7, 2006.
11. Constitution of the Islamic Republic of Iran, art. 14.

one of the world's most pressing disarmament issues, Iran's pursuit of nuclear weapons.

- In its most recent session, the Human Rights Council decided to discontinue consideration of the human rights situation in Iran under the "1503" procedure.¹² Consideration of situations under 1503 are held in confidential proceedings to encourage government cooperation, making it difficult to determine the reasoning for discontinuing the situation in Iran.¹³ However, the decision is surprising considering that many human rights organizations and the U.S. Department of State have argued convincingly that severe human rights abuses and government sanctioned oppression and mistreatment demanded scrutiny by the Council. Despite evidence of extensive human rights abuse, 25 of the Council's 47 members voted to end scrutiny of Iran.¹⁴

Recommendations. Iran's treatment within the U.N. system is an extreme case, but is not unique. On the contrary, the organization finds itself similarly handicapped in holding other abusive, aggressive, or oppressive regimes to account for their failure to abide by basic U.N. principles. Specific examples include the inability to sanction or take substantive action against Sudan's government for its actions in Darfur; refusal to confront Robert Mugabe over his increasingly violent actions to preserve his authority that have led to mass refugees and widespread poverty; the weak stance of the U.N. toward abuses in Burma; and the inability to constrain the tyrannical regime in North Korea.

The U.S. should recognize that the source of these problems is not the U.N., *per se*, but the mem-

bership of the organization, and take actions to combat the collective influence of repressive states in the U.N. system:

- **Reform U.N. membership.** Over the years, the U.N. has regarded self-rule to be the main prerequisite for membership, rather than whether a proposed new member is a "peace-loving state [that is willing to] accept the obligations contained in the present Charter and, in the judgment of the Organization, [is] able and willing to carry out these obligations."¹⁵ As a result, some U.N. members routinely violate the Charter principles yet enjoy the privileges of U.N. membership, which they can take for granted. Based on the Charter principles, there is no justification for Iran's U.N. membership. It is an aggressive actor, poses an increasing threat to international peace and security, is a proliferator of weapons of mass destruction, and is a repressive, undemocratic regime that persecutes its own citizens. Iran does not deserve membership alongside free, democratic countries that observe the founding principles of the organization.

The U.N. should reprimand those countries that habitually violate U.N. principles. The U.S. should raise the issue of ejecting the worst violators. Some may suggest that this goes against the spirit of the United Nations, but the procedures for revoking U.N. membership are set forth in Chapter 2 of the U.N. Charter, which states:

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the

12. The Working Group on Situations (WGS) examines the particular situations referred to it by the Working Group on Communications under the 1503 procedure. The WGS, which makes recommendations to the Council on how to proceed on particular situations, recommended that the Council discontinue consideration of the situations in Iran and Uzbekistan leading into the 4th Session of the Council. The WGS is composed of representatives from five countries. Stunningly, Zimbabwe is one of the five countries on the WGS despite massive abuses of its own that merit Council consideration. See Office of the United Nations High Commissioner for Human Rights, "Working Group on Situations," at www.ohchr.org/english/issues/situations/index.htm.

13. Office of the United Nations High Commissioner for Human Rights "Human Rights Council Round-Up: Adopts Ten Resolutions and Four Decisions, Including on Follow-up to Missions to Darfur and Occupied Palestinian Territory," Press Release, March 30, 2007, at www.unhcr.ch/hurricane/hurricane.nsf/view01/21184A0A02055F5BC12572AE005D09C6.

14. Human Rights Watch, "UN: Rights Council Fails Victims in Iran, Uzbekistan," March 27, 2007, at <http://hrw.org/english/docs/2007/03/27/uzbeki15577.htm>.

15. Charter of the United Nations, Article 4.

General Assembly upon the recommendation of the Security Council.¹⁶

Obviously, the drafters of the Charter envisioned the possibility of ejecting nations from the organization. A two-thirds vote in the General Assembly would be difficult to achieve, as would a Security Council recommendation for the ejection of a member country, but the threat alone may encourage better behavior and shame U.N. member nations into being more vocal and rigorous in their support of freedom and human rights.

- **Forge freedom coalitions.** The U.S. should push for the establishment of an Economic Freedom Caucus and an officially-recognized Democracy Caucus at the U.N. These two groups would bring together countries that share common values on human rights, freedom of religion, equal rights, representative government, free trade, and economic freedom. There are nations that agree with the U.S. on economic and political freedom but which do not vote with the U.S. on these issues due to regional loyalties and other pressures. Members of these caucuses could be convinced to vote with the U.S. on crucial matters at the Human Rights Council and the Economic and Social Council and would be seen as supporting common principles, rather than the U.S. Creating alternative coalitions and voting blocs could serve U.S. interests by countering the efforts of other voting blocs (such as the G-77 and the Organization of the Islamic Conference) and establishing reliable allies to support U.S. efforts to expand freedom, basic rights, and the rule of law.
- **Establish coalitions of like-minded states to address issues of mutual concern.** The broad membership of the U.N. sometimes proves useful but also creates enormous constraints on the

body. The U.S. should seek to establish coalitions of like-minded states to supplement the U.N. and take action when the U.N. proves unable or unwilling to address vital concerns and threats. One example of such a coalition is the Proliferation Security Initiative, through which participating nations clamp down on trade in technology and equipment used to develop weapons of mass destruction and other weapons and related materials that pose a threat to international peace and security. These coalitions should be flexible and non-exclusive. Different members could be included in discrete coalitions depending on interest or suitability to undertake humanitarian or security operations that they determine to affect their security interests, to conduct reputable election monitoring, to issue joint statements or judgments on human rights situations around the world, and to coordinate joint sanctions regimes on rogue states.

Conclusion. Iran is a prominent example of how a nation can routinely violate the principles of the U.N. without fear of sanction and even prosper within the body. Other examples include Sudan, North Korea, Zimbabwe, and Burma. The U.S. should recognize that the source of many of these problems is not the U.N. but its membership. The U.S. should, therefore, take actions to combat the collective influence of repressive states in the U.N. system while simultaneously exploring alternative coalitions to address issues of international importance.

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16. Charter of the United Nations.