REPORT NO. 1 OF THE
SECTION OF INTERNATIONAL LAW
AND PRACTICE

RECOMMENDATION*

BE IT RESOLVED, That the American Bar Association:
Supports the return of the United States to membership in the
United Nations Educational, Scientific and Cultural Organization
("UNESCO");
Supports increasing efforts of the United States Government di-
rected toward that purpose; and
Urges the United States Government to finalize arrangements
necessary to enable the United States Government to renew at the
earliest feasible time its membership in UNESCO.

REPORT

UNESCO is one of fifteen spe-
cialized agencies of the United Na-
tions. The United States promoted
its creation in 1945 and has been
among its leading participants in
the ensuing years. Founded by
forty-four nations, UNESCO’s
membership has more than tripled.
Until recent years, UNESCO en-
joyed wide-spread support for its
important efforts in behalf of the
entire world community.

UNESCO’s constitutionally man-
dated functions are to promote col-
laboration among nations in
education, science, culture and
communications through both the-
etorical research and action-orient-
ed programs. Its role has become
all the more important as the North-
South dialogue among developed
and Third World nations has pro-
gressed, as the inter-dependence
among national economies has be-
come evident, and as scientific ad-
vances present new opportunities
and increased global dangers. Its
programs are intended to explore
critical issues and to pursue the de-
velopment and implementation of
consensus solutions. UNESCO has
been the most important interna-
tional body which is concerned ex-
clusively with these functions.

The United States resigned from
UNESCO in 1984, followed by
Great Britain and Singapore a year
later. The withdrawal by the United
States resulted from controversial
policies and management practices

*The recommendation was approved. See page 34.
instituted by the former Director General. These practices included charges of imprudent budgetary imbalances, autocratic management, and anti-western bias.

The Section of International Law and Practice (the "Section") adopted the following recommendation in February 1986, later adopted by the House of Delegates, which supported efforts to bring about reforms in UNESCO:

**BE IT RESOLVED, That the American Bar Association:**

Supports efforts of the United States and other nations to bring about reforms in the United Nations Educational, Scientific and Cultural Organization ("UNESCO") designed to:

- emphasize its core programs in the fields of education, science, communications and culture;
- revise programs which duplicate activities of other United Nations agencies and infringes on their mandates;
- eliminate politicization of UNESCO;
- reform budgetary and management practices to eliminate waste;
- strengthen the Executive Board and improve management and personnel recruitment practices; and
- Supports the active continued participation of the United States, through its observer mission and its reform observation panel of private citizens, in efforts to rehabilitate and improve UNESCO, so that the United States will be in a position to consider a return to membership.

Significant progress has occurred since 1984, progress sufficient to warrant the United States to renew its membership.

In October 1987, the leadership of UNESCO changed. A former education minister of Spain and a highly respected biochemist, Federico Mayor, was elected to a six-year term as UNESCO's Director General. Mr. Mayor immediately pledged to reform UNESCO and to lead the organization out of its financial and political crisis.

In the months that followed, the new Director General began the process for effective management and budgetary reform. UNESCO's Executive Board has approved proposals for the next six year plan. The most important reform is the acceptance of zero based budgeting under which all programs will receive periodic evaluation. There will be increased emphasis on fewer programs. Programs will be concentrated in UNESCO's core fields. The Executive Board's plan includes staff reductions and proposals to increase management efficiency. Our Western allies support these new initiatives.

As is the case with any large enterprise, institutional reform requires careful planning and effective implementation takes time. Under the new leadership, the planning and implementation process is progressing and should be encouraged. There have been a number of important staff changes. The commitment to effective reform has been made.

Already, a substantially reoriented UNESCO is observable. On assuming office, Mr. Mayor stressed that all major decisions would be preceded by "exhaustive consultations" which would result in decisions "which would serve the
interests of the developed and the developing countries." He pledged that UNESCO would refocus attention on the education, scientific, and cultural functional areas of its responsibility, and reduce its involvement with political issues. He emphasized a vision of universality in which all nations were represented and respected, and where the "freedom of the individual is an inseparable principle." Mr. Mayor has been true to his pledge.

A few months ago, Mr. Mayor took especial interest in the Conference of Nobel Prize Winners. In sharp contrast to the former UNESCO focus, among the conclusions of the Conference were that:

- "Mankind’s wealth also stems from its diversity. This diversity must be protected in all its aspects—cultural, biological, philosophical, spiritual. To this end, the virtues of tolerance, listening to others, and refusing ultimate truths must be unendingly reiterated.
- Governments must make unambiguous and binding commitments to respect human rights, as well as the treaties they have ratified."

There is a great deal that must be done to reorganize UNESCO. The reforms instituted during the past year are an important beginning. As the Deputy Assistant Director-General, Mr. Akihiro Chiba, recently observed, "it is evident that UNESCO suffers from the absence of the United States, Britain and Singapore, but those countries also suffer from not being represented in the international fora."

UNESCO needs the United States to complete its internal reorganization and its program reorientation. Approximately one-third of UNESCO’s budget had been contributed by the United States, and the lack of this contribution has severely restricted UNESCO’s ability to institute reforms. Representatives from the United States have been essential contributors of expertise and UNESCO has suffered from the withdrawal of the skill and experience offered by United States representatives.

The Section recommends that the United States pursue accords necessary to enable it to renew its membership for the following essential reasons:

- The United States was a founder of UNESCO because the work of the institution is important to the United States and to mankind. Despite recent difficulties, UNESCO continues to be essential and its programs are significant.
- UNESCO has accepted the need for the reforms suggested by the United States and other nations. It now has new leadership that is committed to developing and implementing necessary management and program reforms.
- UNESCO needs the assistance of the United States and can not complete reform without the United States. The United States has a responsibility to assist in the reorganization which it promoted, and to contribute its resource share and experience to that effort.
- No useful purpose will be served by the continued absence of the United States.
On the contrary, the renewal of membership will facilitate UNESCO activities and will enable the United States effectively to make its contribution.

Respectfully submitted,

STEVEN C. NELSON, Chairman
Section of International Law and Practice

February, 1989

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