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June 14, 2005

Dear Representative:

On behalf of the American Bar Association, I write to urge you to oppose provisions of H.R. 2745, the United Nations Reform Act, which would require withholding a portion of the United States' assessed contributions unless specific reforms are implemented at the United Nations.

The ABA has long supported a strong and effective United Nations as essential to achieving peace, promoting sustainable development and advancing the rule of law around the world. While the UN has been for over fifty years, and remains today, a critical component in addressing international crises and challenges, there is broad consensus that reforms are needed, and the ABA supports improvements to the UN to enhance its ability to effectively and efficiently promote and protect international human rights and the rule of law. For example, the ABA supports fundamental reform of the UN human rights process, including the establishment of a new Human Rights Council, and supports strengthening the operations of the recently created Democracy Caucus.

We are greatly concerned, however, about efforts to tie the payment of the United States' assessed contributions to the enactment of reforms, as would be required under H.R. 2745. Payment of assessed contributions to the United Nations is a legal obligation owed by all member states under Article 17 of the UN Charter. It is inconsistent with that legal obligation to condition payment of U.S. assessments on either reform or reorganization at the United Nations, or to link payment to restrictions on funding for specific programs.

Moreover, failure to pay our financial obligations damages the U.S. political credibility and marginalizes U.S. influence on the very reforms it seeks to implement at the UN. The U.S. should exercise its leadership to promote a positive reform agenda and work cooperatively with other like-minded member states to implement needed changes in the UN system. H.R. 2745 would effectively tie the hands of the Administration in negotiating reform proposals and hinder our ability to work toward implementation of reforms that would benefit our national interests and strengthen the institution as a whole.

In that regard, it is our understanding that Representative Tom Lantos plans to offer a substitute measure that would not require automatic withholding of assessed contributions, but would grant discretion to the Secretary of State to determine

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necessary actions in this regard. While we do not support any restrictions on assessed dues, we would note that this alternative would provide more flexibility to the Administration to negotiate reforms from a positive platform and would lessen the possibility that the U.S. would again fall into arrears to the UN.

The UN is an indispensable organization for advancing U.S. interests in world affairs, and U.S. political and financial support is critical to the success of its operations. If we fail to pay our assessed contributions, we do grave damage to our ability to insist that other countries abide by their international agreements, undermine our leadership role in strengthening human rights and erode the nation's commitment to expanding the rule of law in the world. For these reasons, we urge you to reject the provisions of H.R. 2745 that mandate the withholding of U.S. dues to the United Nations.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans".

Robert D. Evans