

The United States Wages *Conventional* Warfare At the United Nations

A WEDO FACTSHEET

At the United Nations, where countries and interest groups meet to decide economic, social and political issues, the United States wields enormous influence. As a permanent member

The Richest and the Stingiest

The U.S. may be the richest nation on the planet but it's also the stingiest. With its meager allocation of 0.1% of its gross national product in official development assistance, the U.S. falls woefully short of contributions by other industrialized nations and way below the 0.7% target agreed to in the UN.

of the Security Council, it has a veto over UN decisions, and with the world's largest economy, it is expected to pay a proportionate share of the UN budget. Whether or not the U.S. cooperates and compromises with other nations largely determines whether

the United Nations can succeed in its mission of promoting global equality, development, and peace.



How has the U.S. used its influence?

It has tried to establish a double standard for international rules, seeking condemnation of its enemies, but endeavoring to exempt itself and its allies from any UN scrutiny. It portrays itself as a world leader in human rights and environmental issues, yet has failed to sign or ratify many of the major treaties or “conventions” addressing these concerns. When new conventions are under negotiation, the U.S. is among the most confrontational countries, waging a continual diplomatic war for exemption from international standards.

U.S. unilateralism in foreign policy dates back many decades, but the George W. Bush administration has taken it to new extremes. Here is a look at the U.S. stance on a few of the more than 500 existing UN multinational treaties.

WOMEN

Convention on the Elimination of All Forms of Discrimination against Women:

CEDAW is an international bill of rights for women. The U.S., Afghanistan and Sao Tome/Principe are the only three countries that have signed but not ratified this convention. Opened 18 December 1979; in force since 3 September 1981; signed by the U.S. 17 July 1980.1
• <http://www.unhchr.ch/html/menu3/b/eicedaw.htm>

Convention on the Political Rights of Women:

Opened 20 December 1952; in force since 7 July 1954; ratified by the U.S. 8 April 1976.
• <http://www.unhchr.ch/html/menu3/b/22.htm>

Convention on Consent to Marriage, Minimum Age for

Marriage and Registration of

Marriages: Opened 7 November 1962; in force since 9 December 1964; signed by the U.S. 10 December 1962, but not ratified.
• <http://www.unhchr.ch/html/menu3/b/63.htm>

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others:

A June 2002 U.S. State Department report on trafficking criticized several U.S. allies for doing too little to combat it, but the U.S. has not signed this treaty. Approved: 2 December 1949; in force since 25 July 1951.
• <http://www.unhchr.ch/html/menu3/b/33.htm>

ENVIRONMENT

Stockholm Convention on Persistent Organic Pollutants: Only after strong pressure

Planet Too Hot? No Problem

The Bush administration has downplayed the risks of global warming and refused to ratify the Kyoto Protocol to the United Nations Framework Convention on Climate Change on the grounds that it would damage the U.S. economy. The U.S. is the world's largest producer of greenhouse gases. Most of the rest of the world has begun to implement the protocol and reduce emissions, including the closest allies of the U.S., the European Union, Japan and Russia.

• <http://unfccc.int/resource/docs/convkp/kenp.pdf>

from environmental groups did the U.S. sign this treaty to reduce and/or eliminate releases of chemicals harmful to human and the environment, like industrial products and by-products. Opened 23 May 2001–22 May 2002; not yet in force; signed by the U.S. 23 May 2001, but not ratified.
• http://www.chem.unep.ch/sc/documents/convtext/convtext_en.pdf or www.chem.unep.ch/so/

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal:

Opened 22 March 1989; in force since 5 May 1992; signed by the U.S. 22 March 1990, but not ratified.
• <http://unfccc.int/resource/convkp.html>

Convention on Biological Diversity:

Opened 5 June 1992; in force since 29 December 1993; signed by the U.S. 4 June 1993, but not ratified.
• <http://www.biodiv.org/doc/legal/cbd-en.pdf>

Convention on the Protection and Use of Transboundary Watercourses and Interna-

tional Lakes: Opened 17 March 1992; in force since 6 October 1996; not signed by the U.S.

• <http://www.unep.org/env/water/text/water>

Statutes of the International Centre for Genetic Engineering and Biotechnology:

Opened 4 April 1984; in force since 3 February 1994; not signed by the U.S.
• http://www.icgeb.trieste.it/GENERAL/Statutes_ICGEB.pdf

The UN Convention on the Law of the Sea:

Opened 10 December 1982; in force since 16 November 1994; not signed by the U.S.
• http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm

DISARMAMENT

Comprehensive Nuclear-Test-Ban Treaty: This treaty bans all forms of nuclear weapons testing, but it will not go into force until ratified by all 44 countries with nuclear weapons or facilities. As of summer 2002, 165 nations had signed the treaty and 93 had ratified it, including 31 of the 44 key nations. Opened 24 September 1996; not yet in force; signed by the U.S. 24 September 1996, but not ratified.

When Bush Comes To Shove

In July 2002, the administration, acting against its own State Department recommendations, declared it would withhold its contribution of \$34 million to the United Nations Population Fund, which supports family planning and maternal health programs in more than 140 countries. The organization, which has a proven track record of reducing maternal and child mortality rates, estimates that the loss of U.S. funding will translate into two million more unwanted pregnancies, 4,700 more maternal deaths, and 77,000 more deaths among children under five.

One of the Bush administration's first acts on taking office was to eliminate U.S. aid to foreign organizations that in any way support the right to abortion. This law would have been unconstitutional if it had been applied to U.S. organizations. The administration also works to scrap use of the established term “reproductive health” from all upcoming international texts.

• <http://www.agi-usa.org/pubs/journals/2613700.html>

• <http://disarmament.un.org/TreatyStatus.nsf/>

Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction: Also known as the Ottawa Treaty, this convention is a crucial tool of the international movement against landmines. One hundred and twenty-five states are party to this Convention by ratification, accession or approval. The U.S. opposes it, along with North Korea, Iran and Iraq (those countries labeled as an “axis of evil” by President Bush), among others. Opened 3 December 1997; in force since 1 March 1999; not signed by the U.S.

• <http://www.unog.ch/fr/frames/disarm/distreat/ottawa.htm>

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be

Invalidating nuclear, biotech arms agreements

In December 2001 the U.S. withdrew from the 1972 Antiballistic Missile Treaty with Russia—the first time in the nuclear era that the U.S. has renounced a major arms treaty—prompting Russia to withdraw from the Start II disarmament agreement of 1993.

• <http://www.nuclearfiles.org/docs/1972/720526-abm.html>;
• <http://www.state.gov/www/global/arms/starhtml/start2/stiitoc.html#TREATYTOC>

In 2001, country delegations met to strengthen the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (biological) and Toxin Weapons, and on their Destruction. The U.S. walked out of the meeting and declared that the proposed protocol was dead.

• http://www.nti.org/id_newswire/issues/2001/11/21/4s.html

My Way or the Highway

In 1984 the U.S. quit UNESCO (the UN Educational, Scientific and Cultural Organization) and ceased contributions to UNESCO’s budget, protesting the New World Information and Communication Order (NWICO) project that sought to lessen world media dependence on multinational wire agencies. The U.S. charged UNESCO with “curtailment of press freedom”, mismanagement and other faults, despite a 148–1 UN vote in favor of NWICO. UNESCO terminated NWICO in 1989, but the U.S. has still refused to rejoin.

• http://www.unfoundation.org/unwire/util/display_stories.asp?objid=4252

excessively Injurious or to have Indiscriminate Effects: Opened 10 April 1981; in force since 2 December 1983; signed by the U.S. 8 April 1982; ratified by the U.S. 24 March 1995.

• <http://disarmament.un.org/TreatyStatus.nsf/>

International Convention against the Recruitment, Use, Financing and Training of Mercenaries: Opened 4 December 1989–31 December 1990; in force since 20 October 2001; not signed by the U.S.

• <http://www.un.org/documents/ga/res/44/a44r034.htm>

International Convention for the Suppression of Terrorist Bombings: Opened 12 January 1998–31 December 1999; in force since 23 May 2001; signed by the U.S. 12 January 1998, but not ratified until 26 June 2002.

• <http://untreaty.un.org/English/Terrorism/Conv11.pdf>

International Convention for the Suppression of the Financing of Terrorism: Opened 10 January 2000–31 December 2001; in force since 10 April 2002; signed by the U.S. 10 January 2000; ratified 26 June 2002.

• <http://untreaty.un.org/English/Terrorism/Conv12.pdf>

HUMAN RIGHTS

Convention on the Rights of the Child: The CRC is the most widely and rapidly ratified human rights treaty in history, with 191 participating nations. The only two non-ratifying countries are the U.S. and Somalia, which lacks a functioning government. Opened

20 November 1989; in force since 2 September 1990; signed by the U.S. 16 February 1995, but not ratified.

• <http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Opened 25 May 2000; in force since 12 February 2002; signed by the U.S. 5 July 2000, but not ratified.

• <http://www.unhchr.ch/html/menu3/6/protocolchild.htm>

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Opened 25 May 2000; in force since 18 January 2002; signed by the U.S. 5 July 2000, but not ratified.

• <http://www.unhchr.ch/html/menu3/dopchild.htm>

International Covenant on Economic, Social and Cultural Rights: Opened 16 December 1966; in force since 3 January 1976; signed by the U.S. 5 October 1977, but not ratified.

• http://www.unhchr.ch/html/menu3/b/a_cescr.htm

International Covenant on

When Time to Talk, U.S. Prefers To Walk

The U.S. left the UN International Conference on Racism, officially because of heavy criticism aimed at Israel. A conference debate on racism in U.S. society and demands for compensation for slavery may have provided additional reasons for the U.S. decision. Nations rarely walk out of debates, opting instead to enter reservations in keeping with accepted diplomatic norms for recording dissent.

• http://www.unfoundation.org/unwire/util/display_stories.asp?objid=17592

Civil and Political Rights: Opened 16 December 1966; in force since 23 March 1976; signed by the U.S. 5 October 1977; ratified by the U.S. 8 January 1992.

• http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty: Opened 15 December 1989; in force since 11 July 1991; not signed by the U.S.

• http://www.unhchr.ch/html/menu3/b/a_opt2.htm

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Opened 10 December 1984; in force since 26 June 1987; signed by the U.S. 18 April 1988; ratified by the U.S. 21 October 1994.

• http://www.unhchr.ch/html/menu3/b/h_cat39.htm

International Convention on the Elimination of all Forms of Racial Discrimination: Opened 21 December 1965; in force since 4 January 1969; signed by the U.S. 28 September 1966; ratified by the U.S. 21 October 1994.

• http://www.unhchr.ch/html/menu3/b/d_icerd.htm

International Convention on the Suppression and Punishment of the Crime of Apartheid: Opened 30 November 1973; in force since 18 July 1976; not signed by the U.S.

• <http://www.unhchr.ch/html/menu3/b/11.htm>

ECONOMY/LABOR

Of the eight core UN conventions relating to work and the International Labour Organization, the U.S. has ratified two. This places the U.S. level with China, Armenia, Burma and Oman, and behind Afghanistan, Qatar, Somalia and Vietnam, which have each signed three.

• <http://ilolex.ilo.ch:1567/english/docs/declworld.htm>

Among the labor related treaties the U.S. has not ratified:

Freedom of Association and Protection of the Right to Organize Convention: Adopted: 9 July 1948; in force since 4 July 1950

• http://www.unhchr.ch/html/menu3/b/j_ilo87.htm

Right to Organize and Collective Bargaining Convention:

Opened 1 July 1949; in force since 18 July 1951

• http://www.unhchr.ch/html/menu3/b/j_ilo98.htm

Convention concerning Minimum Age for Admission to Employment: Adopted: 26 June 1973; in force since 19 June 1976

• <http://ilolex.ilo.ch:1567/scripts/convide.pl?C138>

JUSTICE

Rome Statute of the International Criminal Court: The ICC is a permanent court for prosecution of individuals on war crimes, such as genocide and crimes against humanity, that were previously handled by temporary tribunals. The U.S. and most of its allies signed the treaty, but in an unprecedented action, the U.S. declared 6 May 2002 that it no longer considered itself bound by it, claiming the court might try American citizens

Just Say Non-Compliance

Since 1945, the International Court of Justice in The Hague has been a forum for settling disputes between states. On 7 October 1985, the U.S. declared it would no longer abide by the court's decisions and terminated its agreement to the Declaration Recognizing as Compulsory the Jurisdiction of the International Court of Justice, which it had signed on 26 August 1946. This move followed a court finding that the U.S. had infringed on another nation's sovereignty by mining the ports of Nicaragua. In 1986 the International Court of Justice ruled that the U.S. was in violation of international law in Nicaragua. The U.S. refused to recognize the Court's jurisdiction. A UN resolution calling for compliance with the ICJ decision was approved by 94 states and opposed by two—the U.S. and Israel.

• <http://www.icj.org/icjwww/ibasicdocuments/ibasictext/ibasicdeclarations.htm>,
http://www.icj-cij.org/icjwww/lcases/iNus/inus_ismmaries/

What Is A Treaty? The process from draft to international law

Treaty means an agreement, binding under international law, made between two or more political authorities, like governments. The name (convention, protocol, treaty, etc.) has no relation to the strength of the agreement, but only shows the importance the involved parties attribute to it. All multilateral agreements (those between three or more parties) go through certain stages before they come into force:

STEP 1: The draft—usually written by working groups of government delegates to the UN and its sub-organizations.

STEP 2: The presentation to the UN General Assembly, which debates amendments and votes on whether to adopt the treaty text. Adoption formally establishes the form and content of a treaty.

STEP 3: The opening of the treaty for signature by states wishing to become a party to the treaty. Signature shows that the states have begun the process required by their governments for ratification; and agree to refrain from acts contrary to treaty objectives.

STEP 4: Ratification—a country expresses formal intent to be bound by treaty provisions and to bring its national laws into compliance. The ratification process differs in each country but usually gives governments time to seek citizens' approval for the treaty provisions.

STEP 5: Entering into force—compliance by ratifying governments is induced by international diplomatic pressure and domestic political and legal weight. The United Nations has no enforcement mechanisms, and most treaties are non-self-executing, which means that they cannot override domestic laws. A treaty usually specifies a number of states that must ratify before it goes into effect.

OPTIONAL PROTOCOLS: Some parties to a treaty may wish to take it further than the majority does. They may add an optional protocol for signature and commitment by any state already a party to the original protocol.

ecution of individuals on war crimes, such as genocide and crimes against humanity, that were previously handled by temporary tribunals. The U.S. and most of its allies signed the treaty, but in an unprecedented action, the U.S. declared 6 May 2002 that it no longer considered itself bound by it, claiming the court might try American citizens

on 'frivolous' charges. Opened 17 July 1998–31 December 2000; in force since 1 July 2002; signed by the U.S. 31 December 2000; "unsigned" by the U.S. 6 May 2002.

• <http://www.un.org/law/icc/statute/romefra.htm>

Vienna Convention on the Law of Treaties: This codification of the legal framework for international treaties and the resolution of conflicts over treaties is central for the functioning of international law. Opened 23 May 1969; in force since 27 January 1980; signed by the U.S. 24 April 1970, but not ratified.

• <http://www.un.org/law/ilc/texts/treaties.htm>

Convention on the Prevention and Punishment of the Crime of Genocide: In ratifying this treaty, the U.S. Congress formally reserved to itself the right to define what constitutes genocide. Opened 9 December 1948; in force since 12 June 1951; signed by the U.S. 11 December 1948; ratified by

the U.S. 25 November 1988.

• http://www.unhchr.ch/html/menu3/b/p_genoci.htm

Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity: Opened 26

November 1968; in force since 11 November 1970; not signed by the U.S.

• http://www.unhchr.ch/html/menu3/b/p_limit.htm

United Nations Convention against Transnational Organized Crime: Opened 12 December 2000; not yet in force; signed by the U.S. 13 December 2000, but not ratified.

• http://www.unodc.org/Documents/Conventions/dcatoc/final_documents/383e.pdf

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