

#### **BACKGROUNDER**

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# The U.S. Must Oppose the U.N. Pact for the Future

Brett D. Schaefer

#### **KEY TAKEAWAYS**

The Pact for the Future is an unwise effort to bestow additional responsibilities on an organization that is unable to manage its current responsibilities.

Instead of attempting to restore the U.N. to centrality in world affairs, the Secretary-General should be calling for reassessment, retrenchment, and refocus.

Hubristic efforts like the unrealistic Pact for the Future merely divert the U.N. and, as it falls short of promised goals, further erode its reputation.

ach September, world leaders travel to New York to attend the United Nations General Debate. While the speeches garner the most attention, more substantive work is conducted in side meetings and high-level meetings where governments finalize and agree to various statements and agreements. The resulting political statements are generally non-binding, but they serve as member state endorsements of the agendas, which are then interpreted as instructions to the United Nations system and used to guide budgetary and policy plans. On September 22-23, 2024, the 79th session of the General Assembly will feature the Summit of the Future at which governments are expected to endorse the Pact for the Future, which includes a Global Digital Compact and a Declaration on Future Generations.<sup>2</sup>

Proposed by Secretary-General António Guterres, the Summit of the Future aims to "reinvigorate the structures and the trust necessary for effective global governance." The scope of this effort is extraordinary: for example, a huge development aid "stimulus;" increased climate finance; endorsement of government censorship of misinformation and disinformation; establishment of rules and norms governing the use of artificial intelligence; and negotiation of legally binding instruments on autonomous weapons, arms in outer space, and plastic pollution. Predictably, the text is replete with affirmations of the leading role of the United Nations in addressing these issues and requests for the Secretary-General to develop plans to implement the commitments outlined in the Pact.

In short, the Pact for the Future is an overt effort by the Secretary-General to affirm that the United Nations should be the primary venue for addressing international development, international peace and security, and emerging technologies and innovations under its global governance. It is clear why the Secretary-General would have an interest in bolstering the power and influence of the United Nations. It is far less clear why governments would be so inclined given the organization's failure to address the very responsibilities that the Pact would charge it with resolving. The Pact is an unwise effort to bestow additional responsibilities on an organization that is unable to manage its current remit.

#### The Pact for the Future

The Pact is the culmination of a multi-year initiative launched in 2021 by the Secretary-General in his *Our Common Agenda* report to "address the triple crisis of climate disruption, biodiversity loss and pollution destroying our planet," overhaul governance arrangements to deliver universal social protections and benefits, assert new basic human rights like access to the Internet, establish a global code of conduct for information integrity, and strengthen the multilateral system under the leadership of the United Nations, among other goals.<sup>4</sup> Echoing President Franklin Roosevelt, the Secretary-General called for a New Global Deal for a renewed social contract to govern the global commons ("the high seas, the atmosphere, Antarctica and outer space") and global public goods (such as "global aspirations for peace") "that are shared by and benefit us all" under the auspices of the United Nations.<sup>5</sup>

The report was fleshed out in 11 policy briefs released in 2023.6 The scope of these reports was very broad, encompassing everything from addressing the needs of future generations, spelling out a new vision for peace and security, and reforming the international financial architecture to combatting

misinformation, disinformation, and hate speech. In many instances, they involve an expansion of authority for the United Nations. For example:

- 1. The first policy brief calls for governments to consider the impact of current decisions on future generations and to create "a Special Envoy for Future Generations to serve as a voice for future generations" in the U.N. system to promote "fair and equitable distribution of opportunities and resources" and "prevent developments that could threaten the survival of future generations" such as "climate change, conflict and new technologies."
- 2. The second policy brief on responding to complex global shocks proposes granting the Secretary-General, with minimal consultation from governments,<sup>8</sup> standing authority to convene and operationalize an Emergency Platform in the event of crises of sufficient "scale, severity, and reach" that might include climatic or environmental events, pandemics, "disruptive activity in cyberspace or disruptions to global digital connectivity," or "disruptions to global flows of goods, people or finance."
- 3. The third policy brief urges that youth be engaged in policy and decision-making because they are "a driving force for societal change through social mobilization—pushing for climate action, seeking racial justice, promoting gender equality and demanding dignity for all." The brief recommends that youth—defined by the U.N. as people who are 15 to 24 years of age<sup>11</sup>—be accorded preferential status and access to decision making at local, national, regional, and global levels, including establishing arrangements for direct youth participation in the General Assembly and Security Council.
- 4. The fourth policy brief proposes the development of new measures beyond gross domestic product, which is characterized as a "harmful anachronism" that places "disproportionate value on activities that deplete the planet." The proposal's new metrics would be designed to achieve such outcomes as respect for the planet, reduction of inequities, and promotion of "ethical economies."<sup>12</sup>
- 5. The fifth policy brief proposes adoption of a Global Digital Compact to set "principles, objectives and actions" to "to achieve the governance required for a sustainable digital future." The brief laments that

technology-related innovation and income are not equitably distributed and complains about the lack of sufficient guardrails and regulatory oversight of new technologies. It recommends billions of dollars in financial commitments for digital connectivity and public infrastructure and services, U.N.-supported digital transformation initiatives, and numerous government commitments to, among other things, "promote meaningful and equitable employment opportunities through innovative regulation, social protection and investment policies."<sup>13</sup>

- 6. The sixth policy brief proposes significant changes in the international financial architecture, which it characterizes as "entirely unfit for [its] purpose" and "unable to support the mobilization of stable and long-term financing at scale for investments needed to combat the climate crisis" and social challenges like "extreme inequality" and "entrenched gender bias." The brief advocates shifting more governing authority to developing countries, delinking voting power from contributions to the IMF and World Bank, removing limits on and lowering the cost of borrowing for developing countries, phasing out financing for fossil fuel projects, a "massive" scaling up of development and climate financing, adopting a global minimum corporate tax rate, and redesigning the "[g]lobal tax architecture for equitable and inclusive sustainable development."<sup>14</sup>
- 7. The seventh policy brief proposes "strengthening global governance of outer space" and developing "normative frameworks" over traffic coordination, space debris, weaponization of space, and exploitation of resources, all under the auspices of the U.N.<sup>15</sup>
- 8. The eighth policy brief proposes a "Code of Conduct for Information Integrity on Digital Platforms" that would promote "measures that limit the impact of mis- and disinformation and hate speech." The brief expresses particular concern about "weakening trust" in news media, hate speech, "greenwashing" by fossil fuel companies, "mis- and disinformation about the climate emergency [that] are delaying urgently needed action," and misinformation and disinformation during the COVID-19 pandemic. The brief proposes that these concerns be addressed through a combination of national and private-sector initiatives to combat misinformation, disinformation, and hate speech. <sup>16</sup>
- 9. The ninth policy brief calls on governments to "uphold and strengthen

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the multilateral system as the only viable means to address an interlocking set of global threats" such as conflicts, civil wars, and violence from non-state actors that drive migration, suffering, and violations of human rights. It also calls for the elimination of nuclear weapons, "more sustainable and predictable financing" for U.N. peacebuilding initiatives, recognition of the links between climate change and conflict, universal ratification of "treaties banning inhumane and indiscriminate weapons" and new treaties on autonomous weapons and arms in space, reduction of military expenditures, and reform to make the Security Council more "just and representative." <sup>177</sup>

- 10. The tenth policy brief notes that millions of children are not being schooled, that teaching remains "rooted in rote learning," and that "education systems may even be working against our common goals by reinforcing harmful stereotypes and practices that drive inequality, division and environmental degradation." The brief proposes making "curricula relevant for today and for the future" by focusing on sustainable development and "fostering a culture of civic responsibility, peace and respect for human diversity." It recommends allocating "at least 6 per cent of gross domestic product and 20 per cent of total government spending to education," increasing development assistance to "0.7 per cent of gross national income," and "increasing the share of aid for education to 20 per cent of all official development assistance." 18
- 11. The final policy brief focuses on reforming the U.N. system with the goal of "[p]lacing gender equality, women's rights and equitable geographical representation front and centre" and nurturing a "United Nations ecosystem that champions global diversity, inclusion, human rights, young people and environmental sustainability." 19

Collectively, these policy briefs recommend empowering the U.N., allocating more resources to and through the organization, shifting power and authority away from the United States and other developed countries to developing countries, and promoting leftist ideology and policy objectives, particularly with respect to climate change.

#### The Summit of the Future

The Summit of the Future, scheduled for September 22–23, is the capstone of the Pact for the Future.<sup>20</sup> Preceding the annual U.N. General Debate, the

Summit will capitalize on the presence of roughly two-thirds of the world's heads of state and government to announce global endorsement of the Secretary-General's policy objectives. Although the Pact for the Future will not be legally binding, it will subsequently be referenced and characterized in U.N. documents and resolutions as a commitment that all governments will be pressed to honor just as the similarly non-binding 2015 Agenda for Sustainable Development and the related Sustainable Development Goals (SDG) are treated as holy writ in Turtle Bay. Significantly, the Pact uses terms like "affirm," "commit," "decide," "obligation," "pledge," and "will," which are often used in binding treaties, and asserts those commitments sweepingly.

The Pact in several instances asserts positions that conflict with U.S. policy. For example, it "reaffirm[s] the obligation of all States to comply with the decisions of the International Court of Justice in cases to which they are parties" even though the U.S. and other nations have withdrawn their consent to compulsory jurisdiction of the Court. Similarly, the Pact states that:

[W]e remain committed to actively promoting and protecting all human rights and fundamental freedoms, including civil, political, economic, social and cultural rights. This includes the right to development. We recommit to realize our respective obligations to respect, protect and fulfill human rights and to implement all relevant international human rights instruments. All human rights are universal, indivisible, interdependent and interrelated. Human rights are mutually reinforcing and must be treated in a fair and equal manner, on the same footing, and with the same emphasis.<sup>22</sup>

The U.S., however, has not ratified the International Covenant on Economic, Social and Cultural Rights and other U.N. human rights treaties and does not recognize many of the "rights" promulgated by those agreements or various U.N. resolutions, including the "right to development."<sup>23</sup>

Some will argue that the Pact is non-binding and therefore of little concern. History says otherwise. Should the U.S. join the consensus in approving the Pact at the September Summit, U.N. officials and other governments will contend that the U.S. supported this language and will accuse America of violating its commitments if it fails to heed the action items included in the Pact.<sup>24</sup>

## **Eroding Legitimacy**

The concerns highlighted within the Pact for the Future often have merit. Great-power rivalries, emerging technologies, outer space competition,

development failures, instability, terrorism, migration, and other matters need to be addressed. In some cases, they will need to be addressed multilaterally to be addressed effectively, but the Pact focuses myopically on the U.N. as the sole, best solution. According to the Secretary-General, "Enhanced international cooperation is the only way we can adequately respond to these shocks, and the United Nations is the only organization with the reach and legitimacy to convene at the highest level and galvanize global action." However, the U.N.'s history and recent events cast serious doubts on the Secretary-General's assumptions regarding the organization's ability to respond effectively to these concerns.

Most prominently, the U.N. Security Council is increasingly gridlocked due to the opposing interests of its veto-wielding members. This gridlock has prevented action on a host of critical issues like Russia's invasion of Ukraine, but it has also impeded efforts to address other matters, including applying tighter sanctions and international pressure on North Korea and Iran, which flout the Pact's goals of "strengthening the disarmament and non-proliferation architecture" and "total elimination of nuclear weapons." Although the current revision of the Pact is rather vague on Security Council reform, it endorses enlargement of the Council. Most current proposals involve significant expansion of membership and, possibly, the veto, which would only exacerbate the current gridlock.

In some instances, the Pact is a solution in search of a problem. For example, the draft Global Digital Compact, to be appended to the Pact, laments a digital divide that keeps many people from being able to access the Internet, but the Secretary-General's Policy Brief notes that since 2002, access to the Internet has increased fivefold from 1 billion to 5.3 billion.<sup>29</sup> This is evidence that the divide is being bridged, not evidence of the need for U.N. intervention.

In other instances, the Pact seeks to double down on ill-conceived efforts like the Sustainable Development Goals<sup>30</sup> that even the Secretary-General admits are "woefully off-track."<sup>31</sup> In typical U.N. fashion, getting them back on track supposedly requires a massive funding surge financed by huge increases in foreign assistance by the U.S. and other developed nations and "reform of the international financial architecture"<sup>32</sup> to lessen the voting power of the U.S. and developed countries and loosen restrictions on developing countries' access to concessional finance.<sup>33</sup> It is doubtful that an SDG stimulus or redistribution of voting power in international financial institutions would result in development advances—but both would advance the intense desire of many developing-country governments to secure more power and funding.

The Pact also jabs at the U.S. by including a commitment to finance the U.N. budgets "in full, on time and without conditions"<sup>34</sup> and calls for support for binding agreements to regulate or ban small arms and light weapons, autonomous weapons, land mines, ammunition, plastics, international taxation, and other matters about which the U.S. has voiced concerns.<sup>35</sup>

The most egregious problem with the Pact, however, is its failure to grapple with the fact that the U.N. has not fulfilled the purposes outlined in the U.N. Charter—maintaining international peace and security, respecting self-determination, coordinating governments to work toward common ends, and promoting human rights and fundamental freedoms—for the simple reason that most member states themselves oppose them. The following are some glaring examples.

**Human Rights Bias.** The Pact reiterates the need for U.N. human rights mechanisms to act with "impartiality, objectivity and non-selectivity." Yet the U.N. violates this impartiality with regularity. The most obvious example of bias is the U.N.'s treatment of Israel. In 2023, the General Assembly passed 21 resolutions condemning countries for human rights violations; of these, 14 focused on Israel. Contrast this with Russia (two resolutions) and Burma, Iran, North Korea, and Syria (one resolution each). The Human Rights Council similarly has a separate agenda item focused on Israel and one for all other nations, and more than one-third of the 301 condemnatory resolutions adopted by that body have targeted Israel.

Of course, it is not just which countries are targeted, but which are not. For instance, China, Cuba, and Saudi Arabia have not been condemned by the U.N. General Assembly or the Human Rights Council in nearly two decades at least, according to a UN Watch database that tracks the record of such actions from 2006 to the present. Although self-determination is among the primary purposes and principles in the U.N. Charter, the majority of U.N. member states are not politically free according to Freedom House. It is therefore hardly surprising that they elect their peers to the Human Rights Council and vote for their values in the General Assembly.

But not even the Secretary-General "walks the walk" on human rights. His partiality to restrictions on freedom of expression is well established<sup>41</sup> and is reflected in the Pact. The Pact states, "We will respect, protect, promote, and fulfill all human rights, recognizing their universality, indivisibility, interdependence and interrelatedness," but the preference for economic, social, and cultural rights is clear. The only "rights" specifically endorsed in the Pact are the right to development (twice) and the "inalienable right of all countries to develop research, production and use of nuclear energy for peaceful purposes without discrimination."<sup>42</sup> Civil and political

rights are given short shrift, lumped into the catchall pledge to "respect, protect and fulfil all human rights and fundamental freedoms." <sup>43</sup>

Meanwhile, the right to freedom of expression is specifically under assault in the Pact, which calls on states to address "the risks to sustaining peace posed by disinformation, misinformation, hate speech and content inciting harm, including content disseminated through digital platforms...." The definitions of misinformation, disinformation, hate speech, and harmful content are highly subjective and are frequently used for political purposes as illustrated by the U.N. and individual governments during the COVID-19 pandemic. 45

**Peacekeeping Failure.** The Pact asserts that U.N. peace operations are "critical tools to maintain international peace and security." The truth is that the record of U.N. peacekeeping is mixed. There have been successful operations, such as those in the Ivory Coast (Côte d'Ivoire) and Liberia, but there also have been disasters in Somalia and Rwanda. Currently:

- South Sudan has been beset by violence despite robust U.N. peacekeeping operations in the country since before it became independent in 2011.
- Haiti remains a failed nation even after six peacekeeping operations.
- Some missions, such as the U.N. Peacekeeping Force in Cyprus (UNFI-CYP), remain in perpetual stasis with no progress decades after their deployment.
- The U.N. Interim Force in Lebanon (UNIFIL) operation allows Hezbollah to arm and launch attacks from an area that is supposed to be disarmed except for U.N. and Lebanese armed forces.<sup>47</sup>

Then there are disturbing, repeated incidences of sexual exploitation and abuse by U.N. peacekeepers, disastrous missteps like the introduction of cholera to Haiti, and failures to protect civilians even in the face of genocide.<sup>48</sup>

Recent trends indicate that U.N. member states see diminishing value in U.N. peacekeeping operations. There were 20 active peacekeeping operations during several years in the 1990s with nearly 70,000 uniformed personnel deployed in those operations. In 2015, more than 106,000 uniformed personnel were deployed on 16 operations. <sup>49</sup> Currently, however, there are only 11 peacekeeping operations with less than 63,000 uniformed

personnel.<sup>50</sup> Despite recent instability in Ethiopia, Sudan, Haiti, and elsewhere, the Security Council has declined to deploy new operations, and in 2023, the international community elected to support a *non*-U.N. operation for Haiti.<sup>51</sup>

**Undefined Terrorism.** The Pact condemns terrorism "in all its forms and manifestations" and reaffirms that "all terrorist acts are criminal and unjustifiable regardless of their motivation or how their perpetrators may justify them." <sup>52</sup> Terrorism is indeed a threat to international peace and security, but the U.N. has never been able to agree on a definition of terrorism, which begs the question of how it proposes to fight something that it cannot identify.

True, the Security Council has a Counter-Terrorism Committee,<sup>53</sup> the U.N. has an Office of Counter-Terrorism,<sup>54</sup> and U.N. officials often condemn specific acts as terrorism, but these condemnations and categorizations of terrorism by the U.N. are inconsistent and politicized. For instance, two of the largest, most dangerous terrorist organizations—Hamas and Hezbollah—are not listed by the U.N.,<sup>55</sup> and their acts of terrorism are enabled by some U.N. member states.<sup>56</sup>

**Climate Scare.** The Pact commits member states to enhancing their addressing of climate change by adopting ambitious emissions reductions that supposedly are necessary to limit global warming to 1.5 degrees Celsius and enhancing their funding of efforts to combat and adapt to climate change. The Secretary-General has been traversing the globe to issue dire warnings of the threat,<sup>57</sup> claiming that by failing to act, "humanity has opened the gates to hell" and unleashed extreme weather events.<sup>58</sup> These hyperbolic declarations are not supported by the U.N.'s own reports,<sup>59</sup> but they do follow in a long line of proclamations of climate catastrophe that have failed to materialize.<sup>60</sup>

More fundamentally, the U.N. plan to address this threat is fatally flawed. Even if every nation fully complied with its Paris commitments—a highly dubious prospect—the 1.5 degree goal is not achievable according to the U.N.'s own projections.<sup>61</sup> In a tacit admission, the Secretary-General recently stated that "[g]lobal leaders must step up" and do more by, among other things, "cutting global emissions by 43 percent compared to 2019 levels by 2030, and 60 percent by 2035" and "put[ting] the world on track to phase out fossil fuels...including [by] ending new coal projects and new oil and gas expansion now."<sup>62</sup> These actions would be hugely disruptive and economically prohibitive, and their adoption would be extremely unlikely. Moreover, drastic steps seem to be at odds with recent projections indicating that extreme climate scenarios are less and less likely under current

trends.<sup>63</sup> The U.N. should be an honest broker in its attempts to coordinate governments' efforts to work toward common ends.

### **Policy Recommendations**

In the words of the Secretary-General, the Summit of the Future "is a once-in-a-generation opportunity to reinvigorate global action, recommit to fundamental principles, and further develop the frameworks of multilateralism so they are fit for the future."<sup>64</sup> The Pact for the Future does the opposite, positing unrealistic responsibilities for the U.N. as its influence and reputation fade. Making the U.N. fit for the future must include the prospect of retrenchment or alternative avenues. Instead, the Pact contemplates only doubling down in terms of scope, resources, and additional authority for the United Nations.

At the Summit of the Future, the assembled governments will dutifully state their support for the Pact, but the prospects for implementation and fidelity are dim. The Pact will join a long list of U.N. declarations that are honored generally in the breach and whose most practical use is to serve as a diplomatic and rhetorical cudgel to attack the U.S. when it does not provide the financial resources demanded by developing countries or ratify agreements or adopt policies sought by left-wing activists.

The prudent path for the U.S. would be not to join the consensus in supporting the Pact for the Future in the upcoming Summit. While many governments think little of violating pledges at these conferences, and while fewer still will be called to account for failing to honor the pledges, the U.S. will face constant pressure and criticism if it does not follow through on the Pact's action items. Nonetheless, the Biden–Harris Administration will almost certainly support it—a mistake that the next Administration should correct. In the meantime, Congress can help to protect U.S. interests by:

• Declaring that the U.S. is not obliged to honor non-binding agreements like the Pact for the Future even if the Administration supports them. The U.S. is a constitutional republic that has three co-equal branches of government, and the Congress is not bound by political statements made by the President. This includes commitments to climate funding, such as the Paris Agreement, and obligations and commitments within the Sustainable Development Goals and development assistance targets, such as the 0.7 percent of gross national income that the U.N. would have developed countries devote to official development assistance.

- Affirming support for the long-standing U.S. practice of with-holding or conditioning U.S. funding for the U.N. and other international organizations. The Constitution grants Congress the power of the purse, and it is within Congress's authority to authorize and provide funding as it deems appropriate and to restrict access to funds contingent on specified conditions regardless of the commitments made by the President. In addition, Congress should explicitly reject calls in the Pact to refrain from "economic coercion," which is a vital tool to advance and protect U.S. foreign policy interests and objectives.
- Protecting U.S. authority in the World Bank and the International Monetary Fund. As the largest financier, the U.S. has the largest share of voting power at 15.49 percent in the International Bank for Reconstruction and Development<sup>66</sup> and 16.5 percent in the IMF.<sup>67</sup> Blocking amendments to the organization's respective Articles of Agreement requires more than 85 percent of the voting stock. Through legislative instruction and its power of the purse, Congress should oppose any changes that would reduce U.S. votes below this threshold.
- Recognizing the U.N.'s limitations on human rights. Most of the U.N. membership is neither politically nor economically free. Unfortunately, this majority holds sway over the human rights mechanisms in the U.N. system, which manifests as disproportionate action against Israel; the ability of repressive governments like Algeria, China, Cuba, Qatar, Russia, and Sudan to win election to the Human Rights Council; 68 and the inability to gather enough support to dismiss individuals like Francesca Albanese, who retains her position as U.N. Special Rapporteur despite "antisemitic" statements. 69 The U.S. should not fund or participate in such flawed bodies, nor should it fund treaty bodies or human rights mandates based on human rights treaties that the U.S. has not ratified.
- Opposing excessive expansion of the U.N. Security Council or new veto-wielding permanent members. The Biden–Harris Administration has supported significant expansion of the Security Council for several years and recently endorsed an even larger expansion, including six new permanent members. This is a mistake. The U.S. has supported minor expansion of the Security Council's membership to include major economic powers like Japan or rising powers like India for many years

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but historically has opposed significant expansion, especially if new permanent members are to be granted veto power, out of concern that it would exacerbate gridlock, thereby undermining the Council's already limited ability to respond to threats to international peace and security. Changes in the composition of the Security Council require amendment of the U.N. Charter, which must be adopted according to the ratification process by two-thirds of the member states and all permanent members of the Security Council. The Senate should reject amendments proposing significant expansion of the Council if they are submitted for its advice and consent.

#### Conclusion

The U.N. assumed great prominence in the post–Cold War era. With support from the world's sole superpower, the U.N. was tasked with handling numerous peace and security matters and for a time deployed more armed forces as peacekeepers than were deployed by any nation other than the U.S. It assumed a mantle of moral judgement on human rights and international law. It placed itself at the center of international development efforts through the Millennium Development Goals and successor Sustainable Development Goals. Its budget and staff expanded significantly to manage these new mandates.

Its fall from grace has been steep. The international response to COVID-19, led by the World Health Organization, was inept and politicized. Treaty negotiations founder on divergent interests and disagreements. Conflicts in Ukraine and between Israel and Iranian proxies in the Middle East reveal the U.N.'s impotence in addressing serious security crises. Even in Africa, where it historically has exerted significant influence, the U.N. has proven wanting, unable to address civil wars in Sudan, Ethiopia, and elsewhere. Governments are increasingly asking U.N. peacekeeping operations to leave.

The Pact for the Future is an attempt by the Secretary-General to restore the U.N. to prominence and centrality in world affairs. He should instead be calling for reassessment, retrenchment, and refocus. There are areas and activities, such as humanitarian assistance, where the U.N. can provide unique contributions. Hubristic efforts like the unrealistic Pact for the Future merely divert the U.N. and, as they fall short of achieving their promised goals, further erode its reputation.

**Brett D. Schaefer** is the Jay Kingham Senior Research Fellow in International Regulatory Affairs in the Margaret Thatcher Center for Freedom at The Heritage Foundation.

#### **Endnotes**

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