

117TH CONGRESS
1ST SESSION

S. 2494

To counter malign influence, require transparency, and promote accountability within the United Nations system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 28, 2021

Mrs. BLACKBURN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To counter malign influence, require transparency, and promote accountability within the United Nations system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United Nations Trans-
5 parency and Accountability Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

1 (A) the Committee on Foreign Relations of
2 the Senate;

3 (B) the Committee on Appropriations of
4 the Senate;

5 (C) the Committee on Foreign Affairs of
6 the House of Representatives; and

7 (D) the Committee on Appropriations of
8 the House of Representatives.

9 (2) EMPLOYEE.—The term “employee” means
10 a staff member who is compensated in any form in
11 the general services, professional staff, or senior
12 management of the United Nations system, includ-
13 ing a consultant, a contractor, or a subcontractor.

14 (3) MALIGN INFLUENCE OPERATIONS.—The
15 term “malign influence operations” means a coordi-
16 nated, integrated, and synchronized application by a
17 Member State of national diplomatic, informational,
18 military, economic, or other capabilities, to foster at-
19 titudes, behaviors, or decisions by a United Nations
20 entity, or within the United Nations system, that
21 furthers the national interests and objectives of a
22 Member State, in a manner inconsistent with the
23 United Nations Charter.

1 (4) MEMBER STATE.—The term “Member
2 State” means a country that is a Member State of
3 the United Nations.

4 (5) SENIOR-LEVEL EMPLOYEE OF THE UNITED
5 NATIONS.—The term “senior-level employee of the
6 United Nations” means an individual who is em-
7 ployed in the professional staff or senior manage-
8 ment of the United Nations system, serving at the
9 level of D–1 or higher.

10 (6) UNITED NATIONS ENTITY.—The term
11 “United Nations entity” means—

12 (A) the United Nations General Assembly;

13 (B) the United Nations Economic and So-
14 cial Council;

15 (C) the United Nations Security Council;

16 (D) the United Nations Secretariat;

17 (E) an organization related to any of the
18 entities referred to in subparagraphs (A)
19 through (D);

20 (F) a specialized agency; or

21 (G) a subsidiary body.

22 (7) UNITED NATIONS SYSTEM.—The term
23 “United Nations system” means an aggregation of
24 all United Nations entities.

1 (8) UNITED STATES CONTRIBUTION.—The term
 2 “United States contribution” means an assessed or
 3 voluntary contribution, whether financial, in-kind, or
 4 otherwise, from the United States Government to a
 5 United Nations entity.

6 **TITLE I—COUNTERING MALIGN**
 7 **INFLUENCE OPERATIONS**
 8 **WITHIN THE UNITED NA-**
 9 **TIONS SYSTEM**

10 **SEC. 101. FINDINGS.**

11 Congress finds the following:

12 (1) Article 100 of the United Nations Charter
 13 provides that United Nations Secretariat staff “shall
 14 not seek or receive instructions from any govern-
 15 ment or from any authority external to the Organi-
 16 zation”.

17 (2) Furthermore, it requires Member States to
 18 “respect the exclusively international character of
 19 the responsibilities of the Secretary General and the
 20 staff and not to seek to influence them in the dis-
 21 charge of their responsibilities”.

22 (3) For decades, Russia has manipulated the
 23 United Nations procurement process to its own ben-
 24 efit, especially in air assets. Russian nationals in key
 25 procurement and personnel positions inside the

1 United Nations have repeatedly drafted procurement
2 contracts designed to ensure that Russian airframes
3 and pilots have an unfair advantage when bidding
4 for these contracts.

5 (4) According to Human Rights Watch, the
6 People's Republic of China (referred to in this sec-
7 tion as the "PRC") has used its leadership roles
8 within the United Nations to block nongovernmental
9 organizations critical of the PRC from being accred-
10 ited to the United Nations. PRC diplomats have vio-
11 lated rules of the United Nations by harassing activ-
12 ists by photographing and filming them on the prop-
13 erty of the United Nations, as well as contacting em-
14 ployees of the United Nations in efforts to intimi-
15 date and harass them.

16 (5) In 2013, PRC authorities detained Cao
17 Shunli after she tried to attend trainings in Geneva
18 on the Human Rights Council. She was arrested at
19 Beijing Airport and disappeared for several weeks.
20 She had previously called on the Chinese Communist
21 Party to work with civil society during the drafting
22 of the PRC's second Universal Periodic Review, a
23 mechanism by which the United Nations Human
24 Rights Council reviews the human rights records of
25 Member States. After 5.5 months in detention, she

died in a military hospital in Beijing. When non-governmental organizations at the Human Rights Council called for a moment of silence in memory of Cao, the PRC delegation blocked the request.

(6) In a 2019 interview with China Central Television, Wu Hongbo, the former Under Secretary General of the United Nations and head of the United Nations Department of Economic and Social Affairs (referred to in this section as “UNDESA”), stated publicly that as an employee of the United Nations, he prioritized the PRC’s interests above the impartiality of the United Nations system. When discussing how he demanded the United Nations police expel Dolkun Isa, an accredited nongovernmental organization participant, from the United Nations headquarters, Wu Hongbo described him as a “Xinjiang separatist” and bragged about intimidating an Assistant Secretary General who complained. He went on to say, “I think being a Chinese diplomat means one can’t be careless, when it is about protecting China’s national interest and safety. We have to strongly defend the motherland’s interests.”.

(7) Despite this action, Wu Hongbo was succeeded as Under Secretary General and head of

1 UNDESA by Liu Zhenmin, another PRC national.
2 Under Secretary General Liu continues to prioritize
3 PRC national interests above the impartiality re-
4 quired in his role.

5 (8) On September 19, 2019, the Department of
6 State expelled two members of the Permanent Mis-
7 sion of Cuba to the United Nations for “attempts to
8 conduct influence operations against the United
9 States”.

10 **SEC. 102. STATEMENT OF POLICY.**

11 It is the policy of the United States—

12 (1) to identify, report, and hold accountable
13 Member States that engage in malign influence op-
14 erations and United Nations employees who act in-
15 consistently with the principals of impartiality en-
16 shrined in the United Nations Charter;

17 (2) to oppose the election as the head of any
18 United Nations entity of nationals from Member
19 States that engage in malign influence operations;
20 and

21 (3) to support Taiwan’s membership or mean-
22 ingful participation, as appropriate, in relevant
23 United Nations entities in which Taiwan has ex-
24 pressed an interest in participating.

1 **SEC. 103. DESIGNATION OF SENIOR OFFICIAL.**

2 The Secretary of State shall designate a Senate-con-
3 firmed senior-level official of the United States Mission
4 to the United Nations—

5 (1) to provide guidance regarding implementa-
6 tion of the policies specified in section 102;

7 (2) to fulfill the reporting requirements under
8 section 104; and

9 (3) to coordinate the implementation of this
10 title within the United States Government.

11 **SEC. 104. ANNUAL REPORTS ON MALIGN INFLUENCE OPER-**
12 **ATIONS.**

13 (a) IN GENERAL.—Not later than August 1, 2022,
14 and annually thereafter for 4 years, the Secretary of State
15 shall submit to the appropriate congressional committees
16 an unclassified report, which may include a classified
17 annex, regarding malign influence operations.

18 (b) CONTENTS.—Each report submitted under sub-
19 section (a) shall include, with respect to the preceding 12-
20 month period—

21 (1) a list of Member States determined to be
22 engaged in malign influence operations;

23 (2) actions inconsistent with the principle of im-
24 partiality enshrined in the United Nations Charter
25 by the government of any Member State described
26 in paragraph (1); and

1 (3) a description of the impact of such oper-
2 ations on the interests and security of the United
3 States.

4 **SEC. 105. IMPLEMENTATION.**

5 The President shall direct the United States Perma-
6 nent Representative to the United Nations to use the
7 voice, vote, and influence of the United States at the
8 United Nations to implement the policies specified in sec-
9 tion 102.

10 **SEC. 106. PRESIDENTIAL ACTIONS IN RESPONSE TO MA-**
11 **LIGN INFLUENCE OPERATIONS.**

12 (a) **POLICY.**—It shall be the policy of the United
13 States—

14 (1) to oppose malign influence operations; and
15 (2) to promote respect for the impartiality and
16 independence of the United Nations system in coun-
17 tries designated as malign global actors pursuant to
18 subsection (b).

19 (b) **DESIGNATIONS OF COUNTRIES AS MALIGN GLOB-**
20 **AL ACTORS.**—

21 (1) **ANNUAL REVIEW.**—Not later than Sep-
22 tember 1, 2022, and annually thereafter for the fol-
23 lowing 4 years, the President shall—

24 (A) review the reports required under sec-
25 tion 104 and any other available evidence or in-

1 formation to determine whether the government
2 of a country included in the most recent report
3 required under section 104 has engaged in ma-
4 lign influence operations that threatened the in-
5 terests or security of the United States during
6 the preceding 12-month period or since the date
7 of the last review of the country under this sub-
8 paragraph, whichever period is longer; and

9 (B) designate as a malign global actor
10 each country the government of which has en-
11 gaged in such operations that have so threat-
12 ened the interests or security of the United
13 States.

14 (2) CONGRESSIONAL NOTIFICATION.—Whenever
15 the President designates a country as a malign glob-
16 al actor under paragraph (1)(B), the President shall,
17 as soon as practicable after the designation is made,
18 transmit to the appropriate congressional commit-
19 tees the designation, including an explanation for
20 why the designation was made.

21 **SEC. 107. REPORT ON ACCOUNTABILITY OF SENIOR-LEVEL**
22 **EMPLOYEES OF THE UNITED NATIONS.**

23 Not later than 90 days after the date of the enact-
24 ment of this Act, the Secretary of State shall submit to
25 the appropriate congressional committees a report on fea-

1 sible mechanisms and ongoing efforts to increase the ac-
2 countability of senior-level employees of the United Na-
3 tions.

4 **TITLE II—SUPPORTING UNITED**
5 **STATES ENGAGEMENT IN THE**
6 **UNITED NATIONS SYSTEM**

7 **SEC. 201. OFFICE OF MULTILATERAL STRATEGY AND PER-**
8 **SONNEL.**

9 (a) IN GENERAL.—The Secretary of State shall es-
10 tablish an Office of Multilateral Strategy and Personnel
11 as a separate office within the Bureau of International Or-
12 ganization Affairs of the Department of State and shall
13 appoint an individual to be the head of that office.

14 (b) DUTIES.—The head of the Office of Multilateral
15 Strategy and Personnel shall—

16 (1) advocate for the employment of United
17 States citizens by all international organizations of
18 which the United States is a member, including the
19 United Nations system;

20 (2) coordinate the interagency support of non-
21 United States candidates for leadership or oversight
22 roles within such international organizations when—

23 (A) no United States citizen candidate has
24 been nominated for election to such a leadership
25 role; and

1 (B) providing such support is in the inter-
2 est of the United States;

3 (3) develop and maintain a publicly accessible
4 database of open positions at such international or-
5 ganizations;

6 (4) provide details on how United States citi-
7 zens may submit applications for such positions;

8 (5) communicate regularly with members of
9 Congress to solicit the names of qualified candidates
10 for such positions;

11 (6) maintain a comprehensive and current list
12 of all United States citizens employed by such inter-
13 national organizations; and

14 (7) regularly report to Congress on the number
15 of such citizens and identify any discrimination,
16 prejudice, or perceived bias against such citizens
17 seeking to secure such employment.

18 (c) COORDINATION.—

19 (1) IN GENERAL.—The head of the Office of
20 Multilateral Strategy and Personnel shall coordinate
21 all nominations by the relevant agencies of the Fed-
22 eral Government for election within the United Na-
23 tions system.

24 (2) RECOMMENDATIONS.—Heads of agencies of
25 the Federal Government shall recommend to the

1 head of the Office of Multilateral Strategy and Per-
2 sonnel for consideration candidates for election, pro-
3 motion, or advocacy within relevant international or-
4 ganizations.

5 (d) PERSONNEL.—The Secretary of State shall en-
6 sure that the Office of Multilateral Strategy and Personnel
7 is adequately staffed at all times to fulfill its duties under
8 subsection (b).

9 (e) REPORTING.—The head of the Office of Multilat-
10 eral Strategy and Personnel shall report directly to the
11 relevant Deputy Assistant Secretary within the Bureau of
12 International Organization Affairs.

13 **SEC. 202. JUNIOR PROFESSIONAL OFFICERS.**

14 (a) INCREASE IN JUNIOR PROFESSIONAL OFFICER
15 POSITIONS.—The Secretary of State shall increase by not
16 less than 50 percent the number of Junior Professional
17 Officer positions sponsored by the United States within
18 the United Nations system over the number of such posi-
19 tions so sponsored as of the date of the enactment of this
20 Act.

21 (b) COORDINATION.—Not later than December 31 of
22 each year, the head of each bureau of the Department of
23 State shall submit to the head of the Office of Multilateral
24 Strategy and Personnel established pursuant to section
25 201—

(1) the amount of funding each bureau has designated during the preceding fiscal year for Junior Professional Officer positions in the United Nations system; and

(2) the number of such positions that existed on the last day of such fiscal year.

TITLE III—TRANSPARENCY AND ACCOUNTABILITY FOR UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS

SEC. 301. FINDINGS.

Congress finds the following:

(1) As underscored by repeated revelations of waste, fraud, and abuse, oversight and accountability mechanisms within the United Nations system remain deficient, despite decades of reform attempts, including those initiated by Secretaries General of the United Nations.

(2) Notwithstanding the personal intentions of any Secretary General of the United Nations to promote institutional transparency and accountability within the United Nations system, the Secretary General lacks the power to impose far-reaching man-

1 agement reforms without the concurrence of the
 2 General Assembly.

3 (3) The United Nations Office of Internal Over-
 4 sight Services (referred to in this section as the
 5 “OIOS”) is tasked with providing transparency and
 6 accountability to Member States.

7 (4) The United States successfully led efforts
 8 within the General Assembly to expand OIOS, re-
 9 sulting in increased independence of the office and
 10 an enhanced ability to expose fraud, waste, abuse,
 11 and other misconduct.

12 (5) However, to an unacceptable degree, major
 13 donor states, including the United States, lack ac-
 14 cess to reasonably detailed, reliable information on
 15 the use of funding made available through single-
 16 country trust funds, and the outcomes and results
 17 stemming from United Nations activities that would
 18 allow them to determine the overall performance of
 19 the United Nations system.

20 **SEC. 302. ANNUAL REPORT ON FINANCIAL CONTRIBU-**
 21 **TIONS.**

22 Section 4(b) of the United Nations Participation Act
 23 of 1945 (22 U.S.C. 287b(b)) is amended—

24 (1) by striking “Not later than” and inserting
 25 the following:

1 “(1) IN GENERAL.—Not later than”; and

2 (2) by adding at the end the following:

3 “(2) CONTENTS.—Each report required under
4 this subsection shall set forth, for the fiscal year
5 covered by the report, information relating to—

6 “(A) the total amount of all United States
7 contributions to international organizations in
8 which the United States participates as a mem-
9 ber;

10 “(B) the approximate percentage of United
11 States contributions to each international orga-
12 nization, when compared with all contributions
13 to any such international organization, from
14 any source; and

15 “(C) for each United States contribution,
16 information relating to—

17 “(i) the amount of the contribution;

18 “(ii) a description of the contribution
19 (including whether assessed or voluntary);

20 “(iii) the department or agency of the
21 United States Government responsible for
22 the contribution;

23 “(iv) the purpose of the contribution;
24 and

1 “(v) the identity of the international
2 organization receiving the contribution.

3 “(3) PUBLIC AVAILABILITY OF INFORMATION.—

4 Not later than 14 days after submitting each report
5 required under this subsection, the Director of the
6 Office of Management and Budget shall post a pub-
7 lic version of the report on a text-based, searchable,
8 and publicly available internet website.”.

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