



AMERICA'S INTERESTS *in the* UNITED NATIONS

A U.S. Response to the
REPORT OF THE UN SECRETARY-GENERAL'S
HIGH-LEVEL PANEL ON THREATS,
CHALLENGES AND CHANGE

By Six Former U.S. Permanent Representatives
to the UN

PETER BURLEIGH
JAMES CUNNINGHAM
JEANNE J. KIRKPATRICK

DONALD F. MCHENRY
EDWARD PERKINS
THOMAS R. PICKERING

THOMAS WESTON, *Program Manager*
PARAG KHANNA, *Rapporteur*

Institute for the Study of Diplomacy
Edmund A. Walsh School of Foreign Service
GEORGETOWN UNIVERSITY

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The Institute for the Study of Diplomacy appreciates the grant provided by the UN Foundation, which made this project possible.

Note: The views expressed in this report do not necessarily reflect the views of any of the individuals or organizations, governmental or private, with which the individual participants in the discussion group are affiliated.

Institute for the Study of Diplomacy
Edmund A. Walsh School of Foreign Service
Georgetown University, Washington, D.C. 20057-1025
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ISD'S EXAMINATION OF AMERICA'S INTERESTS *in the* UNITED NATIONS

During the UN General Assembly meeting in September 2003, Secretary-General Kofi Annan created a High-Level Panel on Threats, Challenges and Change to provide him and the member states of the United Nations with ideas about the policies and institutions required for the United Nations to be effective in the twenty-first century. The panel submitted to him in December 2004 a report entitled "A More Secure World: Our Shared Responsibilities," an analysis of how to improve the collective institutionalized response to the most pressing threats and challenges to global peace and security. The report also presented more than one hundred specific recommendations to the secretary-general and the member states.

With a view to informing the U.S. administration, the Congress, and the public as they consider reactions and approaches to the panel's recommendations and the broader question of the U.S.'s engagement with the United Nations, the Institute for the Study of Diplomacy, with the support of the United Nations Foundation, developed a program to examine the panel's report from the perspective of U.S. interests in the United Nations in the years ahead.

The program brought together U.S. permanent representatives and long-serving acting permanent representatives to the United Nations from every U.S. administration of the last twenty-five years. They included ambassadors Thomas R. Pickering, Jeanne J. Kirkpatrick, Donald F. McHenry, Edward Perkins, James Cunningham, and Peter Burleigh. The permanent representatives held a lengthy private discussion followed by a public presentation on the campus of Georgetown University on February 14, 2005, chaired by ISD Board Chairman Pickering. There was no attempt to achieve a consensus of views on the part of the permanent representatives, although on some issues a near consensus was reached. Rather, the discussion elicited expression of a variety of views on the report itself and discussion of some issues not treated in the report, many of which point to recommendations

4 *America's Interests in the United Nations*

likely to elicit support from the United States and those that may not. The participants did not try to address the more than one hundred recommendations of the High-Level Panel but did take on a number of the most noteworthy.

The report of the deliberations was prepared by former Ambassador Thomas Weston, the project's program manager, and Parag Khanna, the program rapporteur.

CASIMIR A. YOST
Director

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A U.S. RESPONSE TO THE REPORT OF THE UN SECRETARY-GENERAL'S HIGH-LEVEL PANEL ON THREATS, CHALLENGES AND CHANGE

Thomas Weston and Parag Khanna

SUMMARY

The six former U.S. permanent representatives to the United Nations who gathered on February 14, 2005, at Georgetown University to deliberate on the UN Secretary-General's High-Level Panel report on Threats, Challenges and Change did so at a time of some controversy related to the accountability of UN bodies for recent misdeeds, real and alleged, especially those related to the Oil-for-Food program. Instead of focusing on those controversies, the permanent representatives deliberated on the implications of the panel's report and recommendations for U.S. interests in the UN organization, resulting in a discussion that highlighted agreement on the need for UN reform and on the elements of reform that could find favor with a broad spectrum of U.S. opinion. Those findings included the following:

- ◆ Most, but not all, of the permanent representatives welcomed the report, but most felt that it would have been strengthened by prioritizing the recommendations.
- ◆ All of the permanent representatives supported an activist U.S. government role in the United Nations and saw the necessity of this if a serious reform agenda was to be carried out.

6 *America's Interests in the United Nations*

- ◆ All of the permanent representatives placed emphasis on the necessity of fundamental reform of the UN Secretariat, arguing that it is a barrier to progress. Several participants particularly favored empowering the secretary-general and holding him accountable.
- ◆ Most permanent representatives were skeptical that the panel's call for an expanded Security Council would enhance the power and effectiveness of the Security Council.

The report was judged to be an excellent start on recommending ways to improve the United Nations, especially in the elaboration of a definition of terrorism, the emphasis on the importance of taking steps on furthering nonproliferation, the advancement of thinking on the use of force, and the need for reforming the institutions of the United Nations, especially the Secretariat. Questions were raised about whether the report would lead anywhere without sustained support from the United States and other key members of the United Nations. In fact, several permanent representatives called for enhancing the authority of the secretary-general over the Secretariat as a means of increasing accountability and effectiveness. There was no dissent about the need for ensuring the accountability of the secretary-general as the chief administrative officer of the organization for its operations. There was, however, wide recognition that full accountability was not possible without substantial changes in the personnel and management practices of the Secretariat to give the secretary-general the necessary authority and responsibility. It was noted that such changes would have to apply to the personnel of all member states, including the United States.

On the elaboration of criteria for the use of force, the examination of article 51 in the report, which appeared to increase its elasticity, was a step forward, even though the permanent representatives viewed as unrealistic in today's world acceptance of article 51 and chapter VII of the UN Charter as absolute constraints on member states' actions. The point was made that the expansion of acceptance of criteria on the use of force (especially with regard to the "responsibility to protect") was increasingly being honored, in particular by African states.

In a long discussion of the report's consideration of Security Council reform, there was no dissent from the view that any Security Council expansion could decrease the council's effectiveness and therefore had to be questioned in term of U.S. interests. Moreover, realistically, the permanent representatives agreed with the report's analysis that no permanent member of the Security Council was likely to give up either its seat or its veto. The change in Security Council membership viewed as most likely would be the eventual establishment of a European Union (EU) seat, though whether either of the current EU permanent five (P-5 members of the Security Council—that is, the United Kingdom and France) would be prepared to yield to an EU seat seemed remote—and a matter for EU members to resolve themselves. An evolutionary move toward more semipermanent members through choices by regional groupings and the weight of certain states within regions was noted. The other suggested potential evolutionary developments in the Security Council were moves to increase restraint in the use of the veto by permanent members, through adoption of the recommendation on “indicative voting” or through agreements by the permanent five on conditions under which use of the veto would be justified.

The call for reform of the UN Human Rights Commission in the report found wide support, although not proposals for universal membership. Several agreed that a depoliticization of human rights issues in the UN system was necessary.

The recommendation for the establishment of a Peace Building Commission was generally favored in terms of increasing the efficiency of peace-building efforts in the United Nations and across the specialized agencies and for its possibilities in leveraging additional resources for peace building efforts. Some concern was expressed about the implications of establishing a commission as a means of imposing restraints on unilateral U.S. peace-building efforts in this area. Concerns were also expressed about potential increases in costs to the United States should there be a move toward requiring assessed contributions for operations under such a commission. The potential for enhancing states' capabilities through peace building, especially since enhancing states' capabilities by definition included advancing of democracy, was noted.

THE REPORT OF THE HIGH-LEVEL PANEL

The report itself was introduced in the public session by Bruce Jones, the deputy research director of the UN High-Level Panel secretariat. Elaborating on the impetus for Secretary-General Kofi Annan's convening of the panel in late 2003, he said that, after the diplomatic crisis over the U.S. invasion of Iraq, it was essential to reconcile the divergent priorities of the United States and the United Nations. The United States had further delineated an array of new threats that the United Nations lacked a comprehensive strategy to confront. Hence the guiding question for the panel members was, "Could the UN reform itself to deal with new threats to international peace and security?"

The process was motivated by both successes and failures. Despite the either late or lacking peacekeeping missions in Rwanda, the former Yugoslavia, and other countries, Jones pointed out, more civil wars have been settled by mediation in the past decade than in the past several hundred years. The presence not only of peacekeepers, but also of an array of international mechanisms such as diplomatic observers, has contributed to this positive trend. There were, in short, enough failures to demand reform but also enough successes to guide it.

The panel adopted a framework focusing on six areas: wars between states; wars within states; organized crime; terrorism; nuclear proliferation; and social threats such as poverty, disease, and environmental scarcity—all of which affect the ability of citizens and states to participate in society. As the panel's final report noted, "Collective security built on weak states will fail." Both concerns raised by the United States as well as nontraditional threats were taken very seriously. The report argued that in all areas investigated, threats can cross borders and endanger state stability. Furthermore, consultations with scientific experts shed light on how issues such as conflict, disease, and state failure are deeply interconnected. The panel members therefore adopted the position that reciprocity in relations—or mutual aid—is critical in moving toward taking collective action to solve common problems.

THE DELIBERATIONS OF THE PERMANENT REPRESENTATIVES

The permanent representatives began with the key question for the United States of whether the United Nations—as it is represented in New York, specifically through the Security Council and the General Assembly—is worth the effort to reform. There was wide agreement that the answer is yes but some questioning about whether the United States has the “political stamina” to do so, which would require a sustained, multiyear commitment that engages the Congress in a bipartisan fashion. Some were skeptical that such a consistent approach is sustainable by any U.S. administration let alone whether it could be continued over multiple presidencies. All agreed, however, that it was difficult to imagine any of the High-Level Panel recommendations coming to fruition without strong U.S. support. Indeed, the entire dynamic within the United Nations without strong U.S. leadership would be hard to predict. It was noted that the more the United States leads in fostering reform, the more that reform will be in the U.S.’s interest. With few exceptions, such interests among many states are aligned with those of the United States.

One participant stated that, although the report was a useful effort, many of its recommendations stand little if any chance of being adopted or implemented. Another supported the High-Level Panel’s purpose, namely to adapt a 1945, interstate conflict era charter to the twenty-first century, where the prevailing form of conflict is intrastate. Though guidelines may be lacking to deal with civil wars, procedures have evolved over time through the very messy process of dealing with them in succession. If lessons were applied to future situations as is done in the report, that would represent progress.

Another former permanent representative was hopeful that the High-Level Panel would be a solid platform to generate greater understanding within the United States about what the United Nations is as a foreign policy tool. He argued that if the United Nations did not exist, the United States would have to sit down and try to invent something like it.

One permanent representative noted that there is broad support in the United States for the United Nations, but no clear consensus on its

10 *America's Interests in the United Nations*

universal utility in promoting U.S. interests. Polls show high support for the United Nations, but international issues related to the United Nations rank low on the public's priorities. Another permanent representative cautioned that, though the general public in the United States is very supportive of the United Nations, there is no agreed policy among the Congress, the Executive and the other branches of leadership about a framework for U.S. leadership. The United Nations has strong support in the general public and in the Congress, but many have specific reservations about particular provisions. A comparison was made of universal support among the U.S. public for the Declaration of Independence, but opposition on the part of many to statements therein quoted in isolation. One permanent representative was strongly of the view that detractors of the United Nations may not advocate for withdrawal, but they will continue to nag and investigate and undermine it. Another suggested recasting the United Nations in terms of the work of its specialized agencies to build support for practical efforts.

Several permanent representatives stated that many High-Level Panel proposals would not be accepted by many member states of the United Nations, nor by the Secretariat bureaucracy. For example, many member states could oppose the distinction between inter- and intrastate conflict. Overcoming such opposition will require diplomacy and leadership currently not present, according to one permanent representative.

It was noted that there are political forces in the United States that do not want to see the United Nations become more effective. Another permanent representative believed that it was not enough for the report to denounce unilateralism; rather, the High-Level Panel should have come up with better mechanisms for collective security. The panel did not resolve the tensions between unilateral versus collective action, hard versus soft threats, and legal versus illegal actions. Instead, it basically said that everything is important, thus nothing is more important than anything else. Collective security priorities, however, must exist. They must be identified, and the United Nations must be made to focus on them, overcoming its institutional paralysis. Many have not come to terms with the qualitatively new threats and the extraordinary will that needs to be brought to bear to confront

them. The secretary-general's letter of transmittal of the report to the General Assembly identified AIDS, weapons of mass destruction (WMD), and terrorism as key threats to focus on, which the permanent representatives agreed was a good start.

Secretariat

The permanent representatives discussed at length the need for management reform at the United Nations in several areas. They paid great attention to the dilemma of holding the secretary-general accountable, as the chief administrative officer of the organization, for the operations of the organization, without his having the necessary responsibility and authority necessary for managing the Secretariat or coordinating the work of the specialized agencies. Currently, the secretary-general is held accountable both personally and institutionally, but he lacks the internal clout within the Secretariat to enact reform. Indeed, the secretary-general often calls on key members for help directly, because he cannot get staff to support him. There remains a chronic inability to produce interagency cooperation within the United Nations, and no way to enforce secretary-general or task force decisions throughout the United Nations. Assistant secretaries-general and the deputy secretary-general have very little operational authority. As an example of the lack of responsiveness of national appointees to the secretary-general's staff, one permanent representative noted that the secretary-general was unable to compel more than twenty-four staff to volunteer to lead the UN's response to the mounting East Timor crisis in the late-1990s.

There was wide agreement for increasing the authority of the Office of the Secretary-General over internal management, including over personnel and resource allocation issues, and for the necessity of winning support from key member states (beginning with the United States) in order to sustain such reforms. Yet the United States insists on certain provisions that undercut the United Nations, and emphasizes the secretary-general's having accountability without giving him commensurate authority. There was some criticism for the perceived failure of the report to go as far as necessary in making recommendations on personnel and management reform.

12 *America's Interests in the United Nations*

UN committee reform must occur concurrently with other institutional reforms. The budgeting and payment system of the United Nations was assessed as dysfunctional and broken, likely to be corrosive in the long term. The gap between resources and accountability and the impact of payments is huge. Transparency of accounting is very low both internally and to members. The construction and reporting of the budget to members is completely inadequate. Responding to a comment about the prevalence of corruption within the United Nations and the assertion that many different countries continue to accept favors and perks in exchange for access, that UN Charter reform would not be necessary to immediately have an inspector-general or auditor independent of the secretary-general and that a 10 percent cut across the board to eliminate "dead wood" should be implemented, followed by codes of conduct and other performance enhancement measures, one permanent representative responded that key countries must give more support to the secretary-general to implement such internal reforms. Currently, the secretary-general lacks the authority to do this. Furthermore, he needs authority over budget committees, which are made up of both strong and weak members but which also have highly turf-conscious chairmen who tend not to see corruption as a problem severe enough to merit decisive action. Nonaligned countries remain too strong and are perpetually represented. They are as powerful as the heads of U.S. congressional appropriations committees. Budgetary reform therefore requires the United States, the European Union and Japan—together with key non-aligned movement states like Brazil and India, to build momentum and "overcome arthritic attitudes." The Oil-for-Food scandal, however, might serve to heighten awareness among such members of the seriousness of the corruption problem.

Another permanent representative added that beyond having an adequate investigative mechanism, a Public Service Commission could support the secretary-general and that performance appraisals for personnel at higher levels are needed. He also pointed out that the zero-budget growth policy begun in the 1980s and continued in subsequent years had not helped to cut "dead wood." Furthermore, such an approach did not address the misallocation of personnel resources, such as in the Department of Public Information, where more than

eight hundred employees fewer than one-twentieth are devoted to peacekeeping issues.

One permanent representative advocated the appointment of the secretary-general from the “world-at-large” rather than by the “my-turn” approach. Every region has now had its turn, so after the current secretary-general completes his turn, the rules should change. Even if the process continues to exclude citizens of the P-5, it should nonetheless be made more meritocratic and global. The Security Council should create an advisory committee of five to nine eminent people (former heads of state and government, for example) to provide their own nominations. The process could even be broadened to pick the top two to three levels of staff for the Secretariat. Lastly, the Military Staff Committee, though currently moribund, could actually be used more constructively to provide advice in peacekeeping and peace enforcement.

A comment was made that reforms proposed on matters of personnel and budgets had been around for decades, but the issue was how to actually implement them. A question was raised about whether returning to the policy of withholding payment—the “sledgehammer approach”—would work. One participant responded that a better approach would be for major donors to assemble a coalition with like-minded nonaligned countries and push for reform, particularly because the U.S.’s previous policy of not paying arrears brought great backlash.

The Security Council

The permanent representatives questioned whether any expansion of the Security Council would be in U.S. interests, given the probability that expansion would decrease its effectiveness. The P-5, according to an outgoing Chinese permanent representative, is “the most powerful club on Earth.” It is a “credit” to each P-5 member that they will never give up. However, semipermanent members already exist in a sense, so making this concrete or formal is feasible. Nations pushing for permanent seats are not looking for a more effective Security Council but rather to boost their own prestige. A Security Council with more members will be neither more democratic nor more effective. General Assembly membership views have always been

14 *America's Interests in the United Nations*

represented in Security Council deliberation, which have been made more open and transparent. Furthermore, the Non-Aligned Movement has always had enough votes in the Security Council such that if those countries stood together, they would be a “sixth veto.”

The Security Council works better than other UN institutions because it is small. The Secretariat bureaucracy has had too much power and the Security Council too little. Ideally, however, the Security Council would be slightly larger, adding an EU seat (or consolidating current EU members in an EU seat). There is a qualitative shift in the EU dynamic and thus the potential for a more assertive EU within the next several years, which may make this possible. The Security Council could also add Japan and semipermanent seats for the regions. One permanent representative argued that many African and other states want greater representation on the Security Council but would have to cooperate more to see their views represented in a sustainable manner, particularly under a rotational membership structure. Many agreed that the views and influence of non-Security Council member states are already present in the deliberations of the Security Council—there is rarely an occasion when consultation with non-Security Council members produces new information, insight, or perspective. In this sense, the Security Council is already a fairly good conveyor of the views of the larger UN membership.

The evolutionary potential for natural expansion of the Security Council should be coupled by the P-5's more restrained use of the veto. In support of the report's recommendation concerning “indicative voting,” one permanent representative emphasized that indicative voting could lead to greater restraint in veto usage. For example, the P-5 could abstain from using the veto in cases of genocide, interstate conflict, or nuclear nonproliferation (when backed by International Atomic Energy Agency [IAEA] reports)—unless two, three, or four veto-wielding states truly opposed a potential decision. This would represent a return to the 1945 “vital interest” exclusion but could only happen with U.S. leadership and support. In response to a question about the role of regional entities, one participant noted the greater need for cooperation with regional organizations such as the African Union. A regional approach can help solve diplomatic crises without reference to the Security Council.

Intervention and the Use of Force

The report refers to an “emerging norm” justifying international intervention. One permanent representative argued that this norm exists in Western Europe and North America perhaps, but not elsewhere in the world and certainly not as far as is implied by the report. It was noted that there is still no explicit solution to how to legitimize force when not authorized by the Security Council. The weakest part of the High-Level Panel report is what happens when the Security Council cannot agree on when to use force in the face of UN Charter responsibilities and/or the “emerging norm” of intervention.

One permanent representative expressed full support for the principles now referred to as the “responsibility to protect”; past years have witnessed too many appalling cases of the inability to act against major slaughter, from Srebrenica to Rwanda. Far more, therefore, needs to be done to prevent humanitarian disasters, despite the progress on speaking to social tragedies such as HIV/AIDS. Others added that all countries must at least get over their own exceptionalism. China has come around to accepting intervention elsewhere but draws the line on matters where it is involved. West African states have allowed peacekeepers where a UN mandate does not exist. Another permanent representative added that a gap exists between a strict charter interpretation of article 2(7), which prevents the United Nations from intervening in the domestic affairs of member states, versus the emerging international norm, which mandates such interventions. He stated that the United Nations would not be judged lightly if it continues to fail to act in preventing genocide. He repeated his previous assertion that the more the Security Council refuses to act, the more some states will be confirmed in their desire to take unilateral action. There was wide agreement that the report’s criteria of the “responsibility to protect” standard is reasonable, though it goes beyond a strict constructionist interpretation of the charter. No U.S. president could adhere strictly to the charter’s narrow definition anymore.

The importance of distinguishing between wars of prevention and of preemption was noted. The report, in the view of most of the permanent representatives, expands or increases the elasticity of article

16 *America's Interests in the United Nations*

51 so that self-defense is possible under a standard of "imminent danger" short of direct attack. Such an elastic interpretation of article 51 does not require charter reform.

Peace Building Commission

On the report's recommendation for establishing a Peace Building Commission, it was noted that it is not necessary in all cases to create new institutions and structures. Several participants responded positively to the idea of a Peace Building Commission but asked whether it might impose a constraint on leading states' efforts in this area while simultaneously increasing their costs. At the same time, the quality of peacekeeping operations needs to be seriously addressed, with an eye toward achieving greater accountability. The question also arose concerning whether the UN's failure to act in critical peacekeeping situations created the need for more unilateralism.

Another participant warned of the risks associated with turning legislative bodies such as the Security Council into administrative ones. This was the case with the Security Council's management of the Oil-for-Food program. The Security Council should therefore not overtake responsibility for such a Peace Building Commission.

Although the Peace Building Commission was proposed because its mandate was too large to graft onto the already overstretched Department of Peacekeeping Operations, questions were raised about whether a Peace Building Commission could really bring together diverse resources across the UN system. If a Peace Building Commission could be institutionalized within the United Nations, it would still have to be decided who would pay and who would have control. Would P-5 countries have added weight in the Security Council on matters pertaining to the activities of the commission? Though it was agreed that it is better to pay for peace building to improve states' capabilities, especially including responsiveness to citizens, rather than peacekeeping, there was no agreement that a Peace Building Commission was the best way to do this. One participant added that establishing a separate position of deputy secretary-general for peace building was a bad idea.

Human Rights Commission

With respect to the report's recommendations on the Human Rights Commission, most agreed that membership should be reformed without expansion. No one supported universal membership in the Human Rights Commission. It was added that former senior UN official Sergio Viera de Mello backed the idea of setting membership standards for the commission, a position that received some support.

Broad Definition of Security Issues

Many members of the United Nations have a greater interest in the report on the Millennium Declaration than in the Report of the High-Level Panel which, one permanent representative noted, had made a remarkable effort to insert disease, poverty, and environment as security issues. Some of this emphasis is superficial. These were important issues, but building up the departments in these areas could come at the expense of others. Another felt that the United Nations needed to do more to focus on issues at the top of the U.S.'s foreign policy agenda. The High-Level Panel, he argued, was very broad in integrating many different issues and showing their interrelationship, but at the expense of prioritizing. Bringing "soft issues" into the Security Council might also not be wise, given the already overloaded agenda and the council's lacking means to confront them.

One participant argued that building a consensus on global policy issues cannot be sweeping but rather must be built issue by issue. Furthermore, creating consensus is just a first step, mobilizing action is a second, and financing a third—each is difficult and requires great effort. The United States has taken the lead in a number of humanitarian initiatives, such as the Millennium Challenge Account and President Bush's AIDS Initiative, showing that the United States is prepared and willing to actually support UN-endorsed objectives. When asked about how to use the United Nations to spread democracy, the permanent representative noted that the best way to build peace is to build democracy and pointed to the many nongovernmental organizations working in this area already. Recalling that Freedom House, together with former Secretary of State Madeleine Albright, had

pushed within the State Department for the initial creation of the Democracy Caucus within the UN General Assembly, the permanent representative remarked that Eastern European nations were becoming very active in democracy promotion because of their own experiences under authoritarian regimes. Another participant elaborated that a Democracy Caucus among like-minded countries had been in development for a number of years and that the Community of Democracies had already had high-level meetings in Korea and Poland and this year in Chile. The next step would be to translate this into policy across the UN's institutions. This is particularly difficult, however, given the fragmentation of UN agencies and because many UN bodies are organized by regional groupings. Institutional thinking must move from region based to value based, he argued, as only cross-geographic support could truly promote global democratic reform.

The International Criminal Court (ICC)

Regarding the ICC, one permanent representative said that voting for or against the ICC is currently a no-win situation for the United States. The United States presently stands against the ICC but appropriates money to ad hoc courts. Vetoing the ICC now appears as supporting war criminals. Another affirmed that, to date, only the United States has accused Sudan of genocide, even though the UN investigation committee stopped short of applying that label (though it did refer to the genocidal intentions of certain Sudanese leaders). The UN investigation further recommends that the ICC adjudicate. He argued that the United States should abstain rather than block this ICC referral.

SUMMARY OF THE REPORT OF THE SECRETARY-GENERAL'S HIGH-LEVEL PANEL ON THREATS, CHALLENGES AND CHANGE

The report (submitted to the secretary-general on December 1, 2004, and available at www.un.org/secureworld) proposes a “comprehensive collective security” based on a new security consensus, stating that today’s security threats, as compared to those prevailing in the world at the founding of the United Nations in 1945, are interconnected, recognize no national boundaries, and require comprehensive strategies ranging outside of the traditional domains of the security community (into public health and poverty reduction) to meet them. Enhancing the capacity of various states to meet their obligations in these regards is presented as fundamental to protecting peace and international security. Implicit to the concept of enhancing state capability is that states reflect the will of their citizens.

The report calls on all states to recommit themselves to the goals of eradicating poverty, achieving sustained economic growth, and promoting sustainable development. The many donor countries that currently fall short of the goal of expending 0.7 per cent of gross national product for official development assistance should establish a timetable for reaching it. World Trade Organization members should strive to conclude the Doha development round of multilateral trade negotiations at the latest in 2006. Lender governments and the international financial institutions should provide highly indebted poor countries with greater debt relief, longer debt payment rescheduling, and improved access to global markets. Leaders of countries affected by HIV/AIDS need to mobilize resources, commit funds, and engage civil society and the private sector in disease-control efforts. States should provide incentives for the further development of renewable energy sources and begin to phase out environmentally harmful subsidies, especially for fossil fuel use and development.

The report calls on the Security Council to stand ready to use the authority it has under the Rome Statute to refer cases of suspected war crimes and crimes against humanity to the International Criminal

Court. Further, the United Nations should work with national authorities, international financial institutions, civil society organizations, and the private sector to develop norms governing the management of natural resources for countries emerging from or at risk of conflict. The United Nations should build on the experience of regional organizations in developing frameworks for minority rights and the protection of democratically elected governments from unconstitutional overthrow. Member states should expedite and conclude negotiations on legally binding agreements on the marking and tracing, as well as the brokering and transfer, of small arms and light weapons. A training and briefing facility should be established for new or potential special representatives of the secretary-general and other UN mediators. The Department of Political Affairs should be given additional resources and should be restructured to provide more consistent and professional mediation support.

According to the report, nuclear-weapon states must take several steps to restart disarmament, including honoring their commitments under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. The United States and the Russian Federation, other nuclear-weapon states, and states not party to the Treaty on the Non-Proliferation of Nuclear Weapons should commit to taking practical measures to reduce the risk of accidental nuclear war. Negotiations to resolve regional conflicts should include confidence-building measures and steps toward disarmament. States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should pledge a commitment to nonproliferation and disarmament, demonstrating their commitment by ratifying the Comprehensive Nuclear-Test-Ban Treaty and supporting negotiations for a fissile material cutoff treaty. All chemical-weapon states should expedite the scheduled destruction of all existing chemical weapons stockpiles by the agreed target date of 2012. States that are parties to the Biological and Toxin Weapons Convention should without delay return to negotiations for a credible verification protocol, inviting the active participation of the biotechnology industry. The Board of Governors of the International Atomic Energy Agency should recognize the Model Additional Protocol as today's standard for IAEA safeguards, and the Security Council should be prepared to act in cases of serious concern over

noncompliance with nuclear nonproliferation and safeguards standards. All states should be encouraged to join the voluntary Proliferation Security Initiative. The Conference on Disarmament should move without further delay to negotiate a verifiable fissile material cutoff treaty that, on a designated schedule, ends the production of highly enriched uranium for nonweapon as well as weapons purposes.

The United Nations, with the secretary-general taking a leading role, should promote a comprehensive strategy against terrorism, including dissuasion, efforts to counter extremism and intolerance, development of better instruments for global counterterrorism cooperation, building of state capacity to prevent terrorist recruitment and operations, and control of dangerous materials and bolstering of public health defense. Member states that have not yet done so should actively consider signing and ratifying all twelve international conventions against terrorism and should adopt the eight Special Recommendations on Terrorist Financing issued by the Organization for Economic Cooperation and Development-supported Financial Action Task Force on Money-Laundering and the measures recommended in its various best practices papers. The Al-Qaeda and Taliban Sanctions Committee should institute a process for reviewing the cases of individuals and institutions claiming to have been wrongly placed or retained on its watch lists. The Security Council, after consultation with affected states, should extend the authority of the Counter-Terrorism Executive Directorate to act as a clearinghouse for state-to-state provision of military, police, and border control assistance for the development of domestic counterterrorism capacities. To help member states comply with their counterterrorism obligations, the United Nations should establish a capacity-building trust fund under the Counter-Terrorism Executive Directorate. The Security Council should devise a schedule of settling predetermined sanctions for state noncompliance with the council's counterterrorism resolutions. The General Assembly should rapidly complete negotiations on establishing a comprehensive convention on terrorism, incorporating a definition of terrorism.

In its discussion of taking preemptive action for self-defense, the report concludes that article 51 of the Charter of the United Nations

22 *America's Interests in the United Nations*

should neither be rewritten nor reinterpreted, either to extend its long-established scope (so as to allow preventive measures to nonimminent threats) or to restrict it (so as to allow its application only to actual attacks). The Security Council is fully empowered under chapter VII of the Charter of the United Nations to address the full range of security threats with which states are concerned. The task is not to find alternatives to the Security Council as a source of authority but to make the council work better than it has. The panel endorses the emerging norm that there is a collective international responsibility to protect, exercisable by the Security Council's authorizing military intervention as a last resort, in the event of genocide and other large-scale killing, ethnic cleansing, or serious violations of humanitarian law that sovereign governments have proved powerless or unwilling to prevent. In considering whether to authorize or endorse the use of military force, the report states, the Security Council should always address—whatever other considerations it may take into account—at least the following five basic criteria of legitimacy: seriousness of threat, proper purpose, last resort, proportional means, and balance of consequences.

On peacekeeping, the report recommends that states do more to transform their existing force capacities into suitable contingents for conducting peace operations and strongly support the efforts of the Department of Peacekeeping Operations to improve its use of strategic deployment stockpiles, standby arrangements, trust funds, and other mechanisms in order to meet the tighter deadlines necessary for effective deployment. States with advanced military capacities should establish standby high-readiness, self-sufficient battalions at up to brigade level that can reinforce UN missions and should place them at the disposal of the United Nations. The United Nations should have a small corps of senior police officers and managers (fifty–one hundred personnel) who could undertake mission assessments and organize the startup of police components of peace operations.

The report does not take a definite position on reform of the Security Council but does recommend that such reforms meet a series of principles, including increasing the involvement in decisionmaking of those who contribute most to the United Nations, bringing into the decision-making process countries more representative of the broader

membership, not impairing the effectiveness of the Security Council, and increasing the democratic and accountable nature of the body. The report suggests two models for Security Council enlargement, asserting that such enlargement is essential.

The panel recommends that under any reform proposal, there should be no expansion of the veto. A system of “indicative voting” should be introduced, whereby members of the Security Council could call for a public indication of positions on a proposed action. Processes to improve transparency and accountability in the Security Council should be incorporated and formalized in its rules of procedure.

The report recommends the establishment of a Peace Building Commission to identify countries that are under stress, to organize proactive assistance in preventing that process from developing further, to assist in the planning for transitions between conflict and post-conflict peace building, and to marshal and sustain the peace-building efforts.

The report notes the need for reform of the Commission on Human Rights, suggesting universal membership.

The report suggests the need for changes in the Secretariat, including the establishment of an additional deputy secretary-general position, responsible for peace and security. The secretary-general should be provided with the resources he requires to do his job properly and the authority to manage his staff and other resources as he deems best.

Information on ISD activities, including a calendar of events and publication information is available on the World Wide Web at:

<http://data.georgetown.edu/sfs/programs/isd/>

Institute for the Study of Diplomacy
Edmund A. Walsh School of Foreign Service
1316 36th Street, N.W.
Georgetown University Washington, D.C. 20057

Telephone: (202) 965-5735

Facsimile: (202) 965-5652

AMERICA'S INTERESTS *in the* UNITED NATIONS

Virtually none of [the important reforms proposed] will work if there isn't a parallel, very serious, look at the internal operations of the UN, and loosening up its management structure so that the man at the top . . . actually has the authority to force high performance from staff throughout the system.

—AMBASSADOR PETER BURLEIGH

I have the most intense interest in supporting what has been called the responsibility to protect . . . which is supported in the Report.

—AMBASSADOR JEANNE J. KIRKPATRICK

I'm deeply concerned by the increasing disconnect . . . between the Security Council and the necessity to face up to its responsibilities, including the use of force. The Report has two hints that begin to address the closure of this gap: an indicative vote by permanent members and a call for more restraint on the use of the veto.

—AMBASSADOR THOMAS R. PICKERING