

# UN Reform: the Secretary-General's Proposals

## Summary and CAFOD response

### Introduction

Released on the 21 March, The Secretary-General's report titled 'In Larger Freedom: towards development, security and human rights for all' is a distillation of the actions which Kofi Annan deems are both vital and achievable in the coming months. It is a package of ambitious reforms, but ones that he judges are within reach. These reforms will be debated in the coming months, and some will need to be resolved before the UN Summit in September. Others may come down to decisions at that summit or soon after, but cannot be postponed indefinitely.

### **The proposal:**

- **Freedom from want**
- **Freedom from fear**
- **Freedom to live in dignity; and**
- **The changes in UN structures to protect these essential freedoms.**

The main theme of the reform package is that development, security and human rights are all intertwined; no strategy on security or development will succeed without also strengthening the instruments that deal with human rights. For example, proposals to achieve the Millennium Development Goals (MDGs) also must look at state capacity to enforce the rule of law to encourage businesses to take root; Governments pushing the counter-terrorism agenda would also benefit from investing in the UN's mediation offices in order to prevent a civil war from deteriorating into a failed state. The interdependence of states is emphasised, as is the importance of multilateral action.

### **A) Freedom from Want**

Focusing largely on the achievement of the millennium development goals, the Secretary-General emphasised the importance of **national strategies to eradicate poverty**.<sup>1</sup> This national strategy should not be considered a new instrument but should work with already existing initiatives, such as the poverty reduction strategy papers (PRSPs). Each national strategy should take into account the following seven 'clusters':

1. Gender equality
2. Environmental management
3. Rural development
4. Urban development and planning, particularly for slums
5. Health systems
6. Education
7. Science and technology

There is special emphasis on the need to have integrated government responses to the way that HIV/AIDS weakens countries on many levels. There is also special mention of the role played by civil society and the private sector: both groups require government guarantees such as enforcing the rule of law in order to be able to function and flourish.

The Secretary-General also reiterates the importance of donors setting a timetable to reach the development aid target of **0.7 per cent** of gross national income by no later than 2015. He calls for significant increases in aid in 2005 and 2006, reaching 0.5% by 2009. The report also

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<sup>1</sup> The millennium development goals can be found on this website:  
<http://www.un.org/millenniumgoals/>

calls for 100% debt cancellation for most HIPC countries, and pushes for the Doha round of multilateral trade negotiations to reach the development promise no later than 2006.

The report also calls for new efforts in combating desertification, retreating biodiversity and climate change. It pushes for better surveillance of infectious disease, a worldwide early warning system for all natural disasters, and much better support to science and technology for development.

## **B) Freedom from Fear**

The report states that development is at best hindered it or at worst reversed in a world troubled by violent conflict, paralysed by fears of terrorism and weapons of mass destruction, or where human rights are trampled by unresponsive or unrepresentative governments. Much like the report of the UN High Level Panel from December last year, it puts forward the hypothesis of a world so interdependent that threats to people's security in the poorest countries of the world are a threat to all of us. We cannot choose to focus on one set of threats, such as nuclear proliferation, and ignore the threat of civil war and the lack of regulation of small arms when the world is so interlinked – because of economic ties, environmental risks, political allegiances and population movements.

The Secretary-General pushes for a definition and united approach to **prevent catastrophic terrorism**. However, the report strongly states that any struggle against terrorism must not compromise human rights. He proposes a special Rapporteur who would report to the Commission on Human Rights on the compatibility of counter- terrorism measures with international human rights laws. There are also a number of technical recommendations regarding the disarmament and non-proliferation of nuclear, biological and chemical weapons.

In attempts to reduce the risk in prevalence of war, the report proposes strengthening the 'good offices' of the Secretary-General to carry out more **mediation** and strategic coordination of peace agreements, as these have proven successful in the past 15 years. In addition, there is a recommendation that the members of the United Nations make better use of other tools is to crack down on the profitability of war and impunity,. An important set of instruments would be diplomatic, financial or travel **sanctions** that target belligerents and individuals most directly responsible for violence. At the same time, the Security Council must strengthen monitoring mechanisms to mitigate the humanitarian consequences of sanctions on vulnerable people.

For **peacekeeping**, the Secretary-General pushes for improving the flexibility of UN missions by establishing strategic reserves that can be deployed rapidly. These reserves must benefit from working with newly developing standby battle groups in the European Union and developing capacities in the African union as well. He also repeats his policy of 'zero tolerance' for sexual exploitation, amongst peacekeepers.

The report seizes on the new idea, launched by the High Level Panel, for a **Peacebuilding Commission** in the United Nations. This commission, along with a new Peace Building Support Office within the Secretariat, would focus on bridging the relief-to-development gap. The aim of the two new instruments would be to make donor funding more predictable, to make programmes better tailored to each individual case, and to ensure co-ordination and to ensure political engagement in the medium- to long-term.

The Secretary-General also urges member states to go much further in enforcing arms embargoes, and strengthening legally binding international instruments to regulate the arms trade. We also must continue the crackdown on the production and use of landmines.

One of the most controversial moments in the history of United Nations revolved around the debate of whether to utilise to use force in ensuring Iraq's compliance with United Nations resolutions in 2003. For the **question of the use of force**, the Secretary-General report is clear: Article 51 of the UN Charter gives member states the rights to defend themselves against armed attacks. Where threats are imminent, but latent, the charter gives the Security Council the authority to use military force defensively in a way to preserve international peace and security. The Secretary-General recommends the Security Council adopts a resolution to set out guiding principles for future decision-making in a way that is transparent to all the member states of the United Nations.

### **C) Freedom to live in dignity**

The Secretary-General declares that living free from want and free from fear is not enough to fulfil human potential: all human beings have the right to be treated with dignity and respect. This demands that the members of the United Nations do more to strengthen commitments to establishing democracies, promoting the rule-of-law, and ensuring that international **humanitarian law** is enforced. Words are not enough: he calls for the strengthening of the United Nations to reduce selective application of these laws, arbitrary enforcement and breach without consequence.

Every country has the responsibility to ensure the **rule of law** at home as well as abroad. To this end the Secretary General proposes ways to support national judicial institutions with a dedicated Rule of Law Assistance Unit. The Secretary General also encourages all member-states to cooperate fully with the **International Criminal Court** and the International Court of Justice.

When a country's leaders fail to protect the rights of their citizens, responsibility shifts to the international community to act. The Secretary-General endorses the conclusions to the International Commission on Intervention and State Sovereignty as well as the UN High Level Panel, with the emerging norm of the '**responsibility to protect.**' In the cases where national authorities are unable or unwilling to protect civilians, the international community has a range of diplomatic, humanitarian and other methods to protect human rights and the well-being of civilian populations. If these methods prove not to be adequate, the Security Council may decide to take action as authorised by the UN Charter to enforce the protection of civilians. The report also outlines a **five point action plan** to prevent genocide.

The Secretary General proposes strengthening the Office of the High Commissioner for **human rights**, and a more robust human rights presence in the field during times of crisis. He also recommends the creating of a **democracy fund** to provide assistance to countries seeking to establish or strengthen their democracy.

### **D) Strengthening the United Nations**

The report argues that the original principles and purpose of the United Nations remain valid and relevant today, although the organs and institutions of the UN must change to reflect the needs of the times.

For the **General Assembly**, the Secretary-General proposes shifting the emphasis from deliberation and debate aiming for consensus to a much more streamlined agenda of substantive issues of the day, such as international migration. It also should engage much more actively with **civil society** recognising that civil society groups are now involved with nearly every level of the United Nations.

Perhaps the most controversial and hotly-proposed this year are the models for **reformation of the Security Council**. The Secretary-General states that the Security Council must be broadly

representative of the realities of power in today's world, extending more seats to African and Asian countries who were not represented in 1945 when the structure was defined. There are two models for the future Security Council, although this report does not narrow down to a final proposal. Both models extend the Security Council from 15 seats to 24. They differ, however, in the number of permanent seats offered, versus long-term (four-year) renewable seats. Neither model extends the veto.

The Secretary-General proposes changes to the Economic and Social Council as well, and suggests dropping the references to the Trusteeship Council altogether, as its mandate is finished.

In a bold move, the report recognises that the credibility of the current UN Commission on Human Rights has been undermined by its structure. Current practice is for countries to use the Commission to obstruct, rather than facilitate, human rights reporting and accountability. The Secretary-General proposes to replace the commission altogether with a smaller and more strategic **Human Rights Council**, whose members will be those who uphold the highest human rights standards.

In the UN Secretariate, the Secretary General calls for powers to rebuild his office to strengthen the powers of mediation, and to increase transparency and accountability. He also proposes a cabinet-style decision-making mechanism.

The report acknowledges that the system that makes up the humanitarian community of UN agencies and NGOs working together in **Humanitarian Response** has been functioning reasonably well, considering the circumstances of their work. Still, the Secretary-General pushed for humanitarian response to become more predictable and systematic— both in terms of funding but also standby capacity.

Better protection of **internally displaced people** would develop if more member-states accept the Guiding Principles on Internal Displacement as the basic international norm; they should also commit these principles into national legislation. The Secretary-General also presses member-states and particularly the Security Council to address the issue of the unacceptable **blockage of humanitarian relief**. The Secretary-General himself pledges to more systematically call the Security Council's attention to the question of **humanitarian space** and ensuring that humanitarian workers have safe and unimpeded access to vulnerable groups. There will be a more comprehensive review of humanitarian response reporting in June 2005.

#### **PEACE SECURITY AND THE UN: CAFOD RESPONSE:**

The Secretary-General's proposals for reform take many positive steps to increase the accountability of the organisation and to ensure that everyone, including the poorest and most vulnerable in the world, is served by the United Nations.

Some of the steps outlined in the document, such as the abolition of the current Commission for Human Rights and the proposal for the Peacebuilding commission, are quite bold. Other aspects of the report, such as the options for UN Security Council reform, take more of a cautious route.

Most of the proposals in this document are not new, and yet are very important and deserve a resurgence of support. The Responsibility to Protect, the Rule of Law proposals, and actions to support humanitarian law are all critical. It is worth reminding UN member states that words without the reinforcing actions ring hollow and promote cynicism.

CAFOD is particularly interested in the proposed idea of the Peacebuilding agency. This recognises the need to ensure the donors, peacekeepers, politicians and diplomats remain dedicated to supporting countries' transitions to peace. This should lead to a much better coordination of post conflict funding, demobilisation, reconstruction, etc. Since half of the conflicts we have now are the results of failed peace processes, this is a critical gap. The proposal is not yet fleshed out, however, and diplomats are still arguing over the details.

The emphasis on strengthening the UN's ability to mediate also makes good sense, and should be strongly supported. In the same vein, the push to increase the numbers and training of peacekeeping missions is overdue. It is also critically important to improve the coordination of the UN peacekeeping missions with regional peacekeeping facilities, such as those of the African Union or the European Union.

CAFOD also welcomes the references to the importance of the involvement of civil society organisations. The report recognises both the role as the providers of essential services in many countries, as well as the fact that civil society groups often serve as catalysts for garnering political change with the momentum of campaigning, such as in the drive for the elimination of landmines, and the current 'Make Poverty History' campaign.

CAFOD was somewhat disappointed that the report did not mention specific steps to tackle the trade in natural resources that can fuel war. The UK Africa Commission Report 'Our Common Interest' included the recommendation to establish a permanent body within the UN to monitor the trade and circulation of Conflict Resources. The system as it stands now rests on ad-hoc resolutions that have to be built from scratch each time; this makes nearly impossible any ongoing monitoring of the recommendations of UN resolutions. CAFOD also would have liked more specific reference to the need to regulate the arms trade, and the need for an International Arms Trade Treaty.

CAFOD welcomes the renewed emphasis on the right to life with dignity. Too often diplomats, UN officials, and the media present people caught up in war or disasters as merely victims, who should, it is implied, merely be grateful for whatever assistance the international committee is able to provide. This reform package moves in the right direction to affirm the rights of individuals, communities and civil society to do more than merely survive; they also must be able to be healthy and free to play active and constructive part in rebuilding their countries and holding their governments accountable.

In conclusion, CAFOD is broadly supportive of the proposals for UN reform, because we see the plans as constructive and a re-centring on what is important: the protection of the rights and dignity of the peoples of the world. The task at this important juncture is not to abandon the UN but to make it work better to fulfil the ideals on which it was founded: to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, and to establish conditions under which justice and the rule of law determine the protection for people's freedom and social progress.