

The United Nations at the core of "anotherworld"

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One of the lessons derived from the crisis in Irak is the return of UNO into the political debate, even though there remains a diversity of opinions about it among NGOs and the citizens involved against the war: "useless and inefficient", instrumentalized by the USA and the major powers" are phrases still often heard...

Must UNO be reinvented? When, for the first time in the history of mankind all the peoples (or almost) of the planet are meeting on the same premises? Shouldn't, on the contrary, this great vision for the third millennium be highly valued and be given its full historical magnitude for our children and grandchildren?

Shouldn't we also emerge from the false dilemma: "another UNO for"another world" as Régis Debray writes it, or "another world" for "another UNO"? The answer is a complex one and it may reside in overtaking that contradiction and acting for the three "R": reinforcing, renovating and reforming...

Here are some of the themes I am going to tackle but, before that, would like to revert to the frame, the context of the debate concerning the evolution of UNO.

1.1.The world has changed:

The creation of UNO in was dependent on the logics of the Nation-States, the old "Westphalian" order according to which the states remain the only judges of their security in their own sovereignty. This historical context explains the structuring of the Security Council, for example, in which the most powerful can oppose any measure which might harm their interests, through the right of veto. But it has also, from the start, instituted a compromise in contradiction with the budding supranational order. The embryo of a world collective security System has developed through the responsibility given to the Security Council concerning any "threat to peace and international security". In fact, the development of the UNO System with its agencies, its specialised institutions, its treaties and conventions has generated the process of building a "global world governance".

Two principal features distinguish to-day this global governance: the development of globalisation and the place taken by civil society. Globalisation means the end of the rigid separation between the national and the international spheres on the economic and technological levels but also on the political, social and cultural ones and , on the contrary, it means their increasing interpenetration..."Not only are the commercial and financial markets more and more globalised but also the associations of civil society and the movements of citizens who, thanks to their flexible partnerships and their networks, reinforce their presence and their influence" the former president of Brazil, Enrique Cardoso says (1) and I will add to this information and the media.

Let us try to understand in more detail what transformations of the world we witnessed since the United Nations were created, an evolution which has accelerated during the last decade.

The first new development is the beginning of the transfer of some of the nation-states powers to other authorities. By ratifying the Charter (and by acknowledging its supremacy over any other treaty), by creating the Security Council with the ability to resort to force if peace and international security were threatened, the founder states have created a system of world collective security. They have thus accepted, in fact, an implicit transfer of sovereignty in this reserved territory of States, even though they tried to keep escape routes such as the right of self-defence, non intervention in the fields of their national competence which remain derogatory.

Since 1945, the signature of dozens of international treaties in the most various fields, the widening of competence of international, commercial and financial organizations trigger many added partial surrenders of sovereignty. Even though, paradoxically, in the wake of decolonization, and then, after the Soviet Union collapsed, many new very small States were born, asserting strongly their identity within new frontiers, the general trend is the questioning of tight physical as well as legal frontiers. This is caused to happen on the geopolitical level through the formation of economic-political ensembles (the European Union, Alena and Mercosur on the american continent) as well as on the physical level by the development of modern means of transport and communication (satellites, internet).

All these treaties, these international agreements set the rules, the norm of common life for the peoples of the earth: they herald the appearance, difficult no doubt but real, of international law. The entry in force of the International Penal Court, a permanent institution with a universal purpose, is the latest example.

Another great novelty is the importance taken by civil society and the part it played in the two last decades in the emergence of new norms.

The great conferences in the nineties, dedicated to children, environment, human rights, the population, women and social policy made it possible to materialize the new notions of sustainable human development, human security and peace culture which I have mentioned previously. Their distinctive feature is to give back to Human, the individual, its first place in the concerns of society. Through these debates, this launching of ideas, of proposals (the NGO forum of the millennium in May 2000 is an object lesson of the fact), the civil society associations have created a "public space" unheard of before. These large conferences helped organizations from the South to gain more power, including protection from the criticisms of their national governments by the "UNO shield".

Another change, this time in opinions, more recent and still in its infancy, is the increasing delegitimation of war as a political tool. This refusal of war, of force and violence in international relations is becoming a more and more pressing demand in world public opinions as is shown by the polls published on the occasion of the US intervention in Iraq. This development also counteracts what was one of the bases of state sovereignty: the right to wage wars. Obviously, for an hyper-power such as the USA this refers to a new notion and state of affairs difficult to accept. Nevertheless, by seeking the Security Council's approval in 2002 to justify a war against Iraq, George W. Bush implicitly acknowledged this preeminence, even though he decided to override the decision! This is why I think the credibility of UNO emerged rather reinforced on the legal level, contrary to what some commentators intimated.

Saying this, I am not being angelical: nation-states remain the main feature of international relations and we found it again with the American intervention in Iraq. We live a paradoxical situation: there has never been such danger of unilateralism when multilateralism was developed to such an extent.

"In fact, it is not UNO which has changed, but the world" as a United Nations working document admits (2). In a changing world, civil society plays a far greater part than previously in debates, decision making, fashioning world public opinion and UNO affairs.

In this environment, more and more voices are heard saying that "the time has come" for changes (3). Kofi Annan has also clearly stated at the opening of the General Assembly of September 2004 that member-states should take "strong decisions" in 2005 for the 60th anniversary Assembly. What changes? What decisions?

I shall deliberately not mention the problematic of the UNO balance sheet: insufficiencies, real or alleged weaknesses, but also achievements. I will concentrate only on the problematic of the necessary or demanded evolutions and reforms.

Mentioning UNO reform leads to distinguish the Charter which represents the founding principles from UNO, which is its complex structure, its "machinery". The latter is supposed to be consistent with the principles asserted by the phrase: "We, the peoples of the United Nations". The question of a deep reform of the whole UNO system, the Charter included, is posed by an increasing number of NGOs, Governments, UN officials responsible for UN departments, even though the track of reinforcing existing means is far from being totally explored.

1.2. Reforming for better efficiency

One of the conditions for obtaining a large support for the reforms is first to persuade that UNO is useful and therefore to restore its credibility. It is indispensable to restore an "appetite for UNO" in the peoples of the world, in their vital forces, in their youth. This requires meeting three challenges:

- Fulfilling the objectives of the millennium (4): this is an essential question of credibility. It is in proportion as the peoples find, in practical terms, that their daily conditions have improved, thanks to the active support of the United Nations that their outlook will begin to change.

Four years after, in September 2004, the results remain low. . The financing has evolved little,

in spite of the unanimous decisions taken at the Conference on financing development in 2002. Experts estimate that 50 thousand million dollars extra, each year, until 2015 would be needed to reach the Millennium objectives. More than 50 Heads of States, being urged by five countries: Brazil, France, Chili and Spain, have presented in September 2004, at the UNO, exceptional financing proposals to fight against starvation and poverty (5). Let us not underestimate these proposals which, in the main, take up the proposals of NGOs and developing countries. If they were adopted, it would cause an electro-shock. It would be paradoxical if they were poo-pooed by those who presented them.

-Enforcing the Treatises and making them efficient: it is a tremendous stake to be able to make the already signed treatises come into force, in terms of credibility vis a vis the governments and opinions.

The question of the improvement of the checking systems in the treatises is thus paramount; the debate on the efficiency of inspections in Irak has been essential in this matter. Giving more material and technological means to UNO for these missions might be an aim of the European Union's foreign policy. It is certainly one of the stakes for the unification of Europe, with a policy of support to multilateralism, to reinforce what already exists in the Constitution draft, but in too weak a manner.

The potential weight of the European Union at the United Nations should not be underestimated. When the General Assembly session was resumed in September 2004, the representative of the European Union who was the dutch foreign Minister emphasized the weight conferred by the number of members enlarged to 25, underscoring that the Union represented from then on 36% of the ordinary budget of UNO. With its 25 member-states, the European Union represents 13% of the members of UNO and 30% of world economy, 36% of the current budget of UNO and about Half the voluntary contributions to its funds and programs. Its contribution to military operations allowed by UNO amounts to 50,000 soldiers. Europe is a key to the future of UNO and to multilateralism.

- Involving civil society: the idea that associations and companies are the key-actors in world political and social affairs and that UNO must make them take a more active part in the process of decisions taken by the governments is central in the report established by a group of independant personalities, actuated by the former president of Brazil, Femando Henrique Cardoso (6). This report estimates that UNO should reduce more actively the "democratic deficit" which is obvious in the midst of world governance. The better integration of civil society and the reinforcement of the role of members of parliaments in international institutions would make it possible to tackle one of the chief incoherences in the contemporary world, namely that the substance of politics is more and more international whereas the political process (the way in which decisions are obtained) remains essentially national.

When you speak of reforming the UN, you must first keep in mind that many means at its disposal are not used: their being operational depends on the building up of a political balance of powers between states. Nothing to-day in the Charter really checks certain decisions: it all depends once more on the balance of powers among states, on our creativity and our ability in mobilizing opinion, in order to widen the interpretation of the Charter in the desired direction. It has, in effect, been done by the Security Council states to allow peace keeping operations for which there was no explicit provision in the Charter to begin with: now, it is sufficient to declare that an internal situation constitutes a "threat for peace and international security".(Haiti, the Congo)

Several examples can be taken: thus, the principle of permanent forces exists in the Charter : an attempt to reactivate the concept had taken place in the late nineties: The planned committee of the army-staff had been installed in 1999. It only meets since to sign the minutes of the meeting. The principle of pre-identified forces in some countries has been adopted on the proposal of Lakdar Brahimi, but it does not progress much materially, because it is held up by the problem of the means which the countries with the military capacities wish to grant. According to numerous specialists, the difficulties in altering existing structures could be bypassed by creating subsidiary organisms, notably for dealing with crises. This is how some projects have been put forward for a permanent centre of prevention of conflicts, of prospective or consultative cells for the limitation or the reduction of military spending as it is recommended in the Charter, "by diverting toward armament only the minimum human and economic resources of the world"(art 26), of a cell for military advice, even advice on economic safety.

In the same way, without any structural reform, the efficiency of the General assembly and of the Security Council could be improved: reduction and concentration of the orders of the day, of the projects or resolutions submitted to debate, systematic consultations or hearings of NGOs: only the

political will of the states are at stake,

1.3. Reforming and renovating to democratise

Other deeper measures are, of course, necessary not only to renovate, but also to reform the institution, notably to find a new balance in the weight of the Security Council and the General Assembly of the UN respectively. These reforms can be obtained through modifications of the Charter, therefore with the agreement of all permanent members.

Some measures are more in the forefront of the political and mediatic stage:

- The more often quoted, including at the opening of the new session of the United Nations in September 2004 is the extension of the Security Council with a better geographical representation. "The Security Council must be more representative, more efficient, more legitimate" is a remark often heard. Wouldn't a mere increase in numbers of the Security Council, unaccompanied by other reforms risk leaving more questions unanswered than solved? What will happen among the permanent members of the Security Council if some have the veto and others not, some are nuclear powers and others not? In this context, I think it possible to obtain, if there is pressure, a drastic limitation of the right of veto to the questions coming under chapter VII of the Charter (the use of force) which might constitute a compromise for the present permanent members and the candidates to the status. This would, no doubt constitute a first step forward. This is why I consider that fighting for the abolition of nuclear arms is participating fully in the struggle to reform and reinforce the UN for; it is not very likely that the right of veto can be abolished as long as nuclear powers still exist...
- The introduction of the notion of collective responsibility of the international community", forcing the UN to act in serious situations with a risk of genocide, accompanied with strict criteria, should also progress, especially as the General Assembly has already adopted a report on "the responsibility to protect" in 2003. This is a better approach than the notion of "right to interfere" as it was advocated by B.Kouchner and seems more liable to eventual unilateralism.
- Other demands from NGOs or developing countries will be more difficult to put into place or decide, such as the objective of giving more weight to the General Assembly by deciding to make some of its resolutions enforceable (on criteria of enlarged majority), to reinforce the role of the Secretary General in the coordination of specialised institutions, funds and programs of the UN system. Some proposals contemplate the creation of "a general Assembly of the Peoples" with compulsory consultative advice and right of recommendation...
- As for me, the major stake of reform is the reform of the link between the UN and world economic and financial problems. Why?
- Because of the drawing back in front of neo-liberalism in the 90's, the worsening of inequalities and the numerous problems which overburden the population of entire countries, we have witnessed during this last decade what we must define as bypassing the UN, with the creation of the WTO (OMC), then G5 and G7 and the inordinate role of the IWF (FMI) and the World Bank.
- Because of the need to improve the situation of billions of human beings, of dozens of countries materially, it will always be illusory to speak of world governance;
- Because of the need to create the conditions for stabilisation and pacification in numerous countries of the world.

The UN report to world financial or economic institutions looks much vaguer in the eyes of world public opinion. Only the question of the amount of public help to development and the demand to raise it to 7% of IBP (PIB) has given a concrete dimension to the debate. For a long time, the developing countries and the NGOs specialized in cooperation and development have alone raised these subjects. Since the 2000's, the success obtained by some networks for the cancellation of the debt of poorer countries (Campaign Jubilee 2000 for example) and the widening of the influence of altermondialists made a wider public more sensitive to the danger of inordinate financialisation and liberal deregulation triggered by IWF and WTO.

This is why to-day an increasing number of developing countries and NGOs ask for the democratization of international financial institutions, their control, even integration in the UN system. They think that UN coordinating mechanisms of world financial, economic, social and environmental policies must be created. Several propose either to reform the Economic and Social Council

(ECOSOC) to convert it into an economic, social and environmental Security Council with some influence, if not effective authority on the agencies, funds and programs of UNO, the Bretton Woods institutions (International Monetary Fund and World Bank) and the World Trade Organization, or to create directly a new structure of Economic Security Council, if the reform of ECOSOC is too difficult to implement.

The International Monetary Fund and the World Bank ought to take up their original missions. The IMF should only see to the monetary balance and world macroeconomics. The World Bank was in charge of financing reconstruction and development. To-day, both lend money, most of the time on short term, dictating their home policies to developing countries. They impose deregulation and free trade on the South, while the North protects its economy carefully....The criticisms against WTO, created in 1995 are sharp, about its opaque functioning (arbitrations made by anonymous panels of experts) as well as about its aims: extension of the liberalisation of exchanges to services and cultural production. Many (7) wish, as a minimum, that these organisms should democratize the way they make decisions.

Progress on these questions might be a strong point of convergence to create a powerful balance of world powers for a reform in depth of the United Nations.

Let us be aware that a huge mobilization of civil society will be necessary even for the reinforcement of some dispositions for which provisions are made in the Charter and to a greater extent, if we want to introduce genuine structural reforms. This mobilisation can only succeed if coalitions and reinforcing of joint efforts with this in view take place in the anti-war and altermondialist movements. But, in order to preserve the unity of action, these movements have often limited themselves to the slogan "No to war", setting aside all other questions among which the place of the United Nations, for there were diverging appreciations. Will it be possible to go on discarding this debate, considering it as incidental or subsequent, "for later". Isn't there a risk of weakening these gatherings ultimately, by depriving them of any prospect?

A credible balance of powers will depend on the ability to build up coalitions with groups of states: third world countries, specially on economic reforms. Northern countries on democratisation and governance. Even among the great powers, the iraki crisis revealed shades of opinions not to say differences about the approach to multilateralism. This is a point we must go into deeper in the second part of the conference. Let's not forget that, during this decade, some significant evolutions happened on the basis of this type of alliance: let us quote the coalition for the elimination of land mines (a powerful network of NGOs, humanitarian institutions. International Red Cross and Handicap international, states like Canada and Sweden) or the coalition for the success of the International Penal Court built on the same pattern.

2. Conclusion:

The balance-sheet of UNO is not perfect: " The Organisation has not sent mankind to Paradise but it has played a vital part in preserving it from hell", according to the phrase of the american diplomat Cabot-Lodge. Let us be clear: "It is in fact impossible to imagine how our world could work without the principles and the practises of multilateralism to prop it up" (8) and multilateralism is specially embodied by the UN system.

The diversity of approaches with regard to the building of world governance shows that reinforcement, evolution and reform of the UN structures must not be opposed. These structures have been created in the wake of the great chaos of World War II. Their transformation, in a context devoid of world crisis, will require a considerable political effort to alter UN practises and, at the same time, make the planetary environment itself evolve. I simply remind, those who question the possibility of overtaking these obstacles, of the political strength of the convergence between public opinions, the anti-war states camp and the UN officials against the war in Irak. What is at stake is reissuing on a much higher level this "magic coalition". In any case, if one thinks it desirable to make the UN institutions play a truly "central" part in international relations, one cannot expect their complete transformation or their complete "democratisation".

Notes

- 1) *Civil Society and Global Governance*, a contextual study made by Federico Enrique Cardoso, president of the group of eminent personalities on the relations between the United Nations Organisation and civil society, 2003.
- 2) *The UN System and Civil Society- Inventory and Analysis of Practices, Information* document designed for the Group of Eminent Personalities, 2003.
- 3) *Appeal for the february 2005 WSF*: "reclaim our UN, timr to mobilize the world society to strengthen and democratize the UN" UBUNTU network.
- 4) Seven priorities: to reduce extreme poverty, to insure primary education, to promote the equality of sexes, reduce the infantile death-rate, to improve maternal care, to fight against aids and insure sustainable development.
- 5) Centre for new UNO: <http://www.org//french/newscentre>.
- 6) Group of Eminent Personalities on the relations between UNO and Civil Society, 2003.
- 7) This synthesis is largely inspired from the *London Declaration* adopted by the NGO network Ubuntu, 01/04/2004.
- 8) Kofi Annan, *Millenium Report*, United Nations General Assembly, 6-8 September 2000. <http://www.un.org/french/millenaire/report>.