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THE UN IN 2003 : LETTER FROM NEW YORK

To say 2003 was a bad year for the United Nations is undoubtedly a significant understatement.

We in the international community who still broadly support the UN, are a long way from the euphoria of late 2001, when, in the immediate aftermath of the appalling terrorist attacks on the World Trade Centre, the Security Council reacted decisively with Resolutions 1368 and 1373, established the Counter Terrorism Committee and, with the undivided support of the Council, authorized the removal of the Taliban in Afghanistan. The emblem of those measures of activity was the Nobel Peace Prize, shared between the Organization and the Secretary-General, Kofi Annan.

2003, by comparison, has been wracked by the divisions over Iraq, which have preoccupied us all interminably and have polluted the negotiating environment generally. Divisions rendered the Security Council, at a crucial moment in its history, impotent.

This sad period in the Council's history was a major contributor in 2003 to the dented image of the Organization as a whole. That manifested itself in curious and sometimes contradictory ways. Significant disillusion with the UN was evident on both sides of the debate on Iraq. There were those in, for want of a better expression, old Europe who were disillusioned because the Security Council did not stop the war. There were others in the United States, among the Coalition and indeed more generally, that had worries

that some States could play such a spoiling role in respect of an issue where there was a self-evident threat to peace and security.

Sadly, also, the Iraq debacle in the Council fed into broader developing global unease with the state of health of the United Nations organization. Everybody appears to have a complaint. The actors in the Middle East feel that the Organization does nothing to advance the cause of peace there; the Africans complain that the organization does little to alleviate poverty or stem the spread of AIDS; in our region some of us feel that the trans-Atlantic axis seems to be always the organizing principle in New York and detracts from attention to issues in our part of the world; the Japanese complain that they are paying 20 per cent of the bill and do not get proper representation; and all of us at headquarters have a strong sense of frustration with processes that seem tired, ritualistic and unfocused.

Against this background, there has been a sliver of good news in the shape of a more robust mood of support for change than has, I believe, ever been the case before. These are dangerous words, as reform has been talked about at the UN incessantly for most of its 58 year history. But, from whatever perspective, there is sufficient by way of dissatisfaction with what we have at the moment to unite broadly disparate groups in a common commitment - rhetorical at least - to trying to achieve some sort of change. This won't be easy, but we have already seen some tentative steps in that direction. The current President of the General Assembly, for example, is doing his level best to tidy up the work habits of that very untidy outfit – an outfit that, after all, in Charter terms, is the central organ of the United Nations. It is supposed to be the principal deliberative and policy-making body in which everyone has a voice and where all the concerns of all of the nations can be focused on jointly.

But, even wishing the President well in his endeavours will not make the General Assembly much of a better place. There is a more deeply systemic set of problems in the way in which the organs of the United Nations work - or don't work - together. It is against this background that Kofi Annan has announced the establishment of his so-called

Blue Ribbon panel to focus on “contemporary global security threats and recommend necessary changes to the way in which the UN works”.

This is a good thing, indeed an essential thing. It is plain that the 191 Permanent Representatives in New York are unable, amongst themselves, to focus on and effect the necessary changes to make the Organization work better. It will require something like the Secretary-General’s panel to look at what changes are necessary, to come up with a package of proposed changes that can attract widespread support and to lay them on the table. Only with such an external stimulus, it seems clear, can progress be made.

All good countries and true need to support the panel and I hope they will. It is impossible, however, to be confident about that and indeed, it is even impossible, to speak very frankly, to be confident that the panel will be able to come up with the sort of package which is needed. There has been some questioning in New York of the Panel’s credentials and it is true that it is a mixed bag. Gareth Evans is on it, however, and as the youngest member and one of the most vigorous and experienced, he will make a major contribution.

The time-lines for the panel to report are admirably short – by August of next year. One can only hope that the combined talents produce something which is pithy, practical and widely welcomed. They face a daunting challenge.

In a year of some self-reflection, the greatest cause for re-examination – and certainly the most tragic – was the vicious attack on the UN headquarters in Baghdad on 19 August. This event not only cast a pall over the United Nations for all of the rest of the year; it challenged attitudes and practice within the UN. It certainly swept away the last vestige of any legend of UN inviolability. This, together with a deeply-changed attitude among UN staff, and an obviously rapidly escalating bill for UN security measures, will change the nature of UN operations in the field. It will also affect the traditional and – in the main - desirable self-perception which the Organization and its idealistic staff have about themselves, an asset which most of us value in the Organization.

In some ways, the worst development for the UN in 2003 has been the way in which its travails this year have emboldened its critics, who are now even more trenchant and more fundamental in their attacks on the Organization. There are some who talk openly now about hastening the UN's demise. To decent, moderate Australians that may seem ludicrous. I promise you that is sometimes the way it is seen by the strongest critics of the United Nations, in the United States, for example.

So, for those who believe in the Organization, it has been a very dispiriting year. Spare a thought for Kofi Annan, caught in the middle of the swirling currents and determined desperately to promote the Organization's relevance and authority. He embodies this personally, of course, and even in these very tough times for the Organization, continues to enjoy greater standing than any Secretary-General before him. I never knew Hammarskjold, of course. But Kofi Annan has an extraordinary way of garnering instant warmth and respect. It is worth noting that he is certainly the only Secretary-General in my working lifetime who has an easy capacity to speak to anyone in the world at any time. George Bush will always take his call. It has not been the case with previous Secretaries-General. He spends 30 per cent of his time on the telephone, cajoling, persuading and linking leaders all around the world: a truly extraordinary asset in truly difficult times.

I know that the Secretary-General has often been a bit depressed this year by the turn of events and who could blame him. This is the more remarkable given his naturally sunny and optimistic disposition. But it has been a rough year.

As is always the case, however, it is important to keep things in perspective. Above all, I believe it is important to recall that we are often judging the Organization against expectations of it, which have developed only over the last dozen or so years.

The Security Council was impotent in February and March of this year, but it was, of course, an even less useful organ for most of the Cold War. Armchair critics who express

disappointment that the Security Council does not play a more significant role in the maintenance of global peace and security should remind themselves that for 40 years the Security Council was, in effect, little more than a footnote, while the real organizing principle in global power politics was the relationship between Moscow and Washington.

The Council's performance since the end of the Cold War has been, to say the least, mixed. There have been important successes, notably and, frankly, principally, East Timor. Sierra Leone was another important success, thanks in significant part to a major UK effort. And, of course, the UN's response to Iraq's invasion of Kuwait was a text book model of how the system could work.

But it has too often worked in an unsatisfactory way and, in that sense, the events of this year are not so exceptional. There seems, too often in my view, to be a craving for neat and tidy solutions to international relations problems and, in all of that, a greater expectation of the Council than of national governments, whose successes in dealing with peace and security since the Berlin Wall came down have also been pretty sporadic, to say the least.

And the last year has not been a picture of completely unrelieved gloom, even for the Council.

The overwhelming focus on Iraq during the year had many deleterious effects, not least the delay it caused to other issues where a focus was needed. But, it has to be said that in respect, for example, of the Congo and Liberia, the Council was finally able to act and to do so in a reasonably decisive fashion. The latter part of the year also enabled a cold-eyed look at how things were going in Afghanistan in the Council and allowed them to at least begin to contemplate the sort of remedial action that will be needed there. So despite all of the continuing difficulties generated by the Iraq dispute, the Council has been able to do some useful work this year.

The Secretary-General himself also played a crucial role at the Iraq Reconstruction Conference in Madrid. Had he not been there, I am sure that it would not have been as

successful as it was. Even, then, on the issue that caused greatest damage, the UN was able to play a constructive, indeed vital, role.

And some other business proceeded, unimpaired by the debates on Iraq - East Timor, by far and away, again, the best example of this.

And the Organization's most virulent critics always overlook the ongoing and fundamental activities of the specialized agencies. Where would we be without UNICEF, without UNDP, without the World Food Programme? The Secretary-General's efforts to lend greater impetus to the struggle against HIV/AIDS has not had notable successes this year, despite a major new commitment by the United States. But that's hardly Kofi Annan's fault; and in so many other respects the United Nations humanitarian agencies continue to be the frontline for the international community's humanity and self-respect.

A singular success in 2003 was the establishment of the International Criminal Court. Following the entry into force of the Rome Statute on 1 July 2002, we elected the first bench of judges and the Prosecutor in early 2003. The doors of the Court are now open and investigations have commenced. In altogether too typical a way, the procedures involved in electing the Judges left quite a lot to be desired, but the establishment of the Court underlines the continuing importance of the norm-setting role which can only be achieved under the umbrella of the single universal organization in the world. There has, of course, been a furious debate about the ICC, but over time, I believe it will have the same normative impact as other great achievements in international law, like, for example, the Law of the Sea.

But the success with the ICC is also a reminder that norms established under the aegis of the UN can easily be challenged, as we are seeing, particularly in the area of non-proliferation. There is a crucial and Herculean struggle underway here and one which we can not afford to lose. We must protect the non-proliferation regimes and make them work as well as possible; if they continue to decay and fail to deter would-be proliferators, then we will have to look to other ways for protecting our security. There is

no choice here. The first responsibility of all sovereign governments is to protect their people from security threats.

In that context, also, it continues to be a source of frustration and sadness that the international community cannot agree on the terms of the Comprehensive Convention on Terrorism, despite considerable Australian efforts, including as a facilitator of negotiations. On this, frankly, there was no action in New York in 2003 and the fact that there was no action reflected significantly reduced attention to the issue of terrorism generally at the UN. This is a tragedy as it is plainly the most significant contemporary security threat.

Despite the vigor with which Resolutions 1368 and 1373 were passed in 2001, the Counter-Terrorism Committee is floundering in bureaucratic detail and contributing less than it did initially to the fostering of international cooperation and the development of international norms in dealing with terrorism. A telling example of how the UN can be left behind on these issues occurred in the shape of a Norwegian-sponsored Heads of Government conference on terrorism, held at the time of the opening of the General Debate this year, but held outside of the confines of the UN, without support from the UN and with no UN-related purpose to it. It is surely a matter of regret that we are reduced to a situation where the number one global security threat is being dealt with at Heads of Government level in a forum separate from the United Nations. In this context, at least, it is the UN which is the problem and not its critics.

But as I have said, 2003 was not as bleak as it may have appeared at first blush. The caravan rolled on and positive activity occurred, even if there were not so many positive outcomes. "Outcomes" is not such a familiar concept at the UN, especially not at the General Assembly. But process is not always unimportant and keeping the process going until the opportunity to fix things arises is a time honoured diplomatic method. It is much practiced at the UN.

The last word, however, must be about the critical need for change.

After the Charter and the Universality of the Organization, the UN's reputation has been its most valuable asset these last 58 years. Its reputation is now under significant challenge. Visitors come to the hallowed halls expecting much more than they find. They go to debates on subjects that interest them at the General Assembly and are shocked by the sloppy process and the unfocussed exchanges. They are looking for precision from the Security Council which is not there. They cast around, particularly if they are from the developing world, in the direction of ECOSOC looking for practical action and find repetitive debate on most issues. More than just the failure of the Security Council in February/March has accelerated a decline in the Organization's global standing.

There are some things that cannot be fixed by change at the United Nations. Fundamentally, the problem in February/March related to deep disagreement between the great powers – or should I say the powers who have the power of veto in the Security Council. In that sense, we were harking back to the Cold War, to the brand of ineffectiveness which the Security Council then regularly peddled. Many of the disagreements between the powers involved in February and March still exist and they will continue to afflict the Council's effectiveness. As I said, there's not much we can do about that. We shouldn't expect that there is.

But there is a lot that can be done to make the Organization more contemporary and to make it better reflect the positions and concerns of the modern world. There are two blindingly obvious examples which spring immediately to mind. First, the Security Council needs to be remodeled. And we need to undertake this task even though the history of Security Council reform has been so problematic and the prospects are still so difficult. Perhaps things have plummeted to such a depth that the veto-wielding powers can be persuaded that something needs to be done, perhaps in the context of what is referred to by Kofi Annan as a need to "rebalance the fundamental organs of the Organization". Secondly, perhaps, also, in addition to fiddling at the edges of the working habits of the General Assembly, we might do something really bold with its Agenda, like, for example, starting each new year with a blank piece of paper and

inscribing an agenda which reflects the problems of today, rather than those of 50 years ago.

Kofi Annan's Blue Ribbon panel has got a huge responsibility. I believe that the future of the Organization is, in many ways, in their hands. I believe that it is, in effect, the last best chance for the United Nations to renew itself and to re-establish a position of respect and authority in the world – a position which has been so eroded in recent years, and in 2003 in particular.

In the end, however, whatever the panel comes up with will have to be agreed to by Member States. If Member States are not up to the task of creating positive interaction with each other on the basis of a sensible menu presented by Kofi's panel, the UN will become a museum and problem-solving will be taken elsewhere. If so, 2003 will be seen as the beginning of the end. If not, of course, 2003 might just be remembered as the year when the international community decided to do something real to give renewed life to this unique global asset.

And perhaps there will be enough by way of consensus support for sensible change to give life to the idea of a second San Francisco Conference in 2005 – 60 years after the birth of the Organization and five years after the adoption of the Millennium Goals. Perhaps we might, as an international community, go into such a Conference – and come out of it – really committed to a practical, focused institution – not trying to do more than is sensible to expect of it, but certainly trying to do more than the empty theatre which daily afflicted our life in New York in 2003.