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**THE UN IN 2005: LETTER FROM THE UNITED NATIONS –
REFORM AT THE UNITED NATIONS: PROSPECTS AND
AUSTRALIAN INTERESTS**

The United Nations is in crisis. There are many complacent diplomats in New York who recoil from such blunt language but most now agree with the sentiment, even if they don't necessarily agree on what needs to be done.

Kofi Annan pointed to this crisis in his now famous "Fork in the Road" speech on 12 September 2003. And he, more than most, knows how high the stakes are in this 60th Anniversary year of the Organization as we grapple with change on a scale, in one hit, that has not been contemplated before.

Australia remains, as we have been for 60 years, a strong supporter of the United Nations. I don't need to tell this audience why we have a substantial national interest in effective multilateralism. That is why it is such a matter of concern to us that the Institution seems to be in such a mess.

Why is this so? What are the elements of the mess that we are talking about?

Critics from both the right and left, to use loose labels, have focused their despair with the current state of the United Nations on Iraq. Critics on the right blamed the UN for inaction, for letting Iraq off the hook as it were. And

critics from the left blamed the UN for failing to stop the war, for being powerless in effect.

Now that is a vast oversimplification of a debate that had many shades to it - and I should add that the participants in the debate have themselves almost universally been guilty of vast oversimplification in analysis of the handling of the issue of Iraq at the UN.

But it is true that the Iraq debate did, historically, focus the world on the United Nations as had not been the case, perhaps since the inception of the institution in 1945. And the divisions over Iraq were certainly a significant factor, provoking Kofi Annan to give his “Fork in the Road” speech. In it, he said that the UN had come to a point in its history where it had to change and that not to do so, was to risk a slide into complete irrelevance.

But I have to say that I believe that the truth is that Iraq was essentially incidental to most of the problems which are causing the United Nations to fail. I appreciate that “fail” is a harsh word – but I have chosen it very deliberately.

Iraq illustrated the flaws in the operation of the Security Council in circumstances where there are irreconcilable differences between nations, in particular, between great powers with veto wielding rights. But seen from the perspective of its 60 year history, the case of Iraq was no more than a regrettable reversion to the habits and practices of the Cold War. During the Cold War, the rivalry between the Soviet Union and the United States effectively neutered the Security Council for the first 45 years of its life. The best evidence of that is in the fact that the Council had only adopted a little

over 600 resolutions by 1990, but that it has adopted almost another 1000 in the 15 years since. Put another way, 40 percent of the Council's resolutions were adopted in its first 44 years, while the remaining 60 percent have been adopted in the last 15 years. This means the Council has gone from a pre-1990 average of 15 resolutions per year to around 63 per year – a fourfold increase. It's not necessarily the only – or even the best – way to measure the Council's productivity and effectiveness – but it's a pretty good clue.

As in the Cold War, Iraq represented a clash of wills between two Great Powers - and therefore doomed the Security Council to powerlessness.

For us in Australia, as committed members of the Coalition in Iraq, this was a tragic failure by the Security Council; and it said an uncomfortable amount to us and to others about the collapse in global consensus on global security. But the issue did not, in itself, demonstrate the principal flaws of the United Nations, except in so much as those flaws have been implicit, including in the Charter, since 1945.

So what, I hear the restless amongst you starting to cry, am I on about? What is it about the UN which is failing if it's not the Security Council?

An answer you will get from many neocon critics these days – especially in the United States - would focus quickly on the Secretary-General and the Secretariat. That is especially the case in the wake of the great controversy about the Secretariat's handling of the Oil for Food Programme in Iraq. That controversy and the various enquiries into it, including the UN's own enquiry

led by former Fed. Chairman Paul Volcker, has been grist to the mill for critics in Washington – and it must be said in other capitals as well.

Now, Oil for Food is a whole story in itself and it has undoubtedly weakened what, until recent times, has been a very powerful Secretary-General. It has also revealed real problems of accountability in the Secretariat and in the UN institution as a whole.

But I am certainly not a Kofi basher. The Secretariat, despite its many failings, including failings of accountability, remains a significant international asset.

Kofi Annan is my friend and apart from that I admire him greatly. He is a man of tremendous personal charm, charisma and ability and he has done a great deal to contribute to global peace and security. Easily overlooked, recently, has been his determined effort to improve the quality and management of the Secretariat and he has done more than any Secretary-General before him in this respect. Those of us in the group of the most significant donors to the UN coffers should be grateful for the improvements he has introduced to the management of our money. Much more needs to be done in this regard, but the Secretariat continues to include great numbers of very able and highly motivated people.

So I guess the restless amongst you are getting even more restless now. But I am not going to make this any easier for you when I point out some other significant bits of the UN that I also assuredly do not have in my sights when I refer to failure at the United Nations. Here, I point particularly to the specialized agencies of the UN, who do, quite frankly, magnificent work and

who, in these days which are characterized by more criticism than praise, carry the burden of the positives in the UN's global reputation.

UNICEF, for example, is deservedly one of the world's most admired institutions. It is so, not just because it marshals extraordinary support for children all over the world, but also because it delivers on some of the toughest tasks in peace-building in a very effective and efficient way. The best recent example I can give you is the way in which UNICEF ensured the reopening, so quickly after military conflict, of schools in Afghanistan. This was an event characterized by a remarkable degree of gender balance; the sight of little Afghan girls, reintroduced to mainstream life after the dark Taliban tyranny was an extraordinary success for UNICEF and indeed, for the international community as a whole. Could anyone but UNICEF have done this? I don't think so.

I won't hold up progress in my march towards eventually identifying failings at the UN by detailed commentary on many of the other specialized agencies who do similarly admirable and irreplaceable work. The United Nations Development Programme has not always been an effective aid agency; but they are now and, increasingly, they do as much as the World Bank to further the global fight against poverty and infectious disease. The World Health Organisation, the Food and Agriculture Organisation and the World Food Programme are iconic parts of the international landscape. Many scores of millions of people in the world only escape starvation on a daily basis because of the heroic and highly successful work of the World Food Programme.

So where on earth, I hear you cry, am I going with this? Having pointed out that Iraq is not particularly relevant to the proposition, that the Security Council operates well enough within the limits which the Charter sets, that the Secretary-General and Secretariat are good people with a strong record, and that the specialized agencies are an indispensable part of the way the world is organized - why do I still find that the institution is in serious trouble?

The short answer is that while a lot of the flesh of this particular Big Apple is still crisp and juicy, the core of the apple is rotten. And in recent years the rottenness at the core has started to show on the skin.

What do I mean by the core? Let's go back to basics.

The six principal organs of the United Nations, as I'm sure you all know, are the International Court of Justice, the Secretariat, The Trusteeship Council, The Security Council, The Economic and Social Council, and the General Assembly. The combination of those organs is, I suppose, the core of the institution.

But we need to look a bit more critically at this list. I have said to you that the Secretariat, and the Secretary-General in particular, despite their manifest imperfections, are a net asset. The Security Council, despite reverting to type over Iraq, is probably the most successful organ of the UN and, despite spectacular failures and omissions such as Rwanda, has done a great deal to establish peace and security in the world since the end of the Cold War. Statistics show that there is significantly less fighting going on now in the world than was the case in 1990 and an important reason for this is because the

Security Council has been prepared to intervene to stop conflict and build peace.

The Trusteeship Council is moribund - its task of overseeing decolonization is over. It exists in little more than name and should, in my view, be abolished. But it is not part of the rotten problem. The International Court of Justice is not rotten, either, although it probably contributes less to world peace and security than some would wish for it to do.

The great negatives at the core are ECOSOC, the General Assembly and the six working committees that are subordinate to it. These are organs that lost their way many years ago and get worse with every passing year. They are appalling beyond description - wasteful, unfocused and indulgent. They are not, as I often say, worth the paper they are written on.

The cruel, appalling truth is that delegates at these institutions are playing a giant confidence trick on the world. They appear to be discussing issues of importance when, in reality, they are squabbling, middle level or junior diplomats behaving like children fighting in the sandbox. It is a long time since the discussion and the debate in these places attracted any interest on the part of the media or for that matter, on the part of serious levels of government in serious countries.

Why is this so?

There are many reasons but the main one is a problem with the Agenda. The last General Assembly's Agenda had 178 items on it and it passed 318 long,

wordy, resolutions – none of which you will have ever heard of, and few of which said anything concrete. The list of 178 items, plus vast numbers of sub-items, was a reflection more of past concerns than contemporary issues - for example, Middle East items that go back scores of years and which get rolled over year after year with meaningless Resolutions which do no more than call for another pointless and meaningless report from the Secretariat (already overburdened by such reporting requirements) and “resolve to stay seized of the matter” – jargon for putting it on the agenda again next year.

Meanwhile, today’s real life issues don’t make it to the list. There is, for example, no debate in the General Assembly – indeed precious little attention given anywhere in the UN, despite claims to the contrary in the Security Council – to terrorism. That, in part, reflects a chronic inability among Member States to agree on a definition of terrorism and therefore to agree on a Comprehensive Convention against terrorism. Kofi Annan, in a recent speech in Madrid, laid out a United Nations plan of action on terrorism and, as I shall argue later, this must be one of the main foci at this year’s Summit. But the record at the General Assembly in recent years on this subject has been woeful.

A draft of such a document exists and in 2001, after September 11th, as the facilitator of the draft, Australia sought to galvanize agreement. But decades old pettiness and division, rooted primarily but not solely in the Middle East, prevented agreement even at a time when a united world was aghast at what had happened at the World Trade Centre.

One clear result of this failure on the part of the General Assembly to address, in any spirit of reality, the real issues of today, has been that leaders increasingly

take problems to other forums for resolution. These days nobody except the most unrealistic Palestinian diplomats have any confidence that the General Assembly can contribute to peace in the Middle East. When the Norwegians sought to address that issue, they produced a peace plan out of negotiations in Oslo, not New York – negotiations held in secret rather than in the laboured manner of the General Assembly. Equally, when a small group of Heads of Government sought to come together during the course of the 58th General Assembly on the issue of terrorism, they did so, not at United Nations Headquarters but, pointedly, at a conference centre on the other side of Manhattan.

The General Assembly is the single truly universal organization in the world. That is its strength – its representativeness. But its strength has been deeply sapped by pettiness and work habits of the worst kind. The Emperor has no clothes.

Over the years, the international community has reposed such trust in the UN and its processes that serried ranks of multilateral diplomats have built their careers on serving in New York. Many of my colleagues are there for the second or third time and many of them – you will not be surprised that I am not prepared to nominate individuals by name – have had a couple of rounds as kids playing in the sandbox, wasting their and their government's time and money arguing over commas, full stops and prepositions in resolutions in the Economic and Social Issues Committees, or about individual posts at junior levels in the Secretariat in the budget or Fifth Committee.

These institutionalized UNocrats are the people that tell me I don't know what I am saying when I engage in colourful criticism of these core organs of the

UN. It is they who say that I must understand that achievements in the international community, particularly international law, are only achieved incrementally, over time, with a great deal of effort – and let me add, a great many lunches.

I concede that it is always going to be slow to achieve consensus among 191 Member States. I concede also that that possibility has not completely disappeared and that it can be revived on occasions for honorable objectives. My friend and colleague the New Zealand Ambassador, who is indeed highly experienced in multilateralism and has served at the UN more than once, but who is more practical than most, is leading a process of negotiation which is painful and slow, but is making inexorable progress towards an international Convention on the rights of persons with disabilities. When it is done, it will no doubt be a useful addition to international law, and more particularly, will establish standards in a so far neglected part of international social policy.

But with no disrespect to that process, there has been no equivalent process in place to deal with terrorism, to deal with weapons of mass destruction, to deal with poverty, hunger and disease or the many other great and pressing issues of the day. Those issues are beyond the General Assembly or the Economic and Social Council. Regrettably they are too often not even on the agenda

The rotten core has started to rot other parts of the apple. The UN started life with two great assets. The first was the Charter, a great document by any standard which has stood up well and remains relevant and a tremendous credit to its creators. The UN's other great asset has been its high standing in the

world. There is no other universal icon like it. It has stood for hope and peace and the best in international aspirations.

Today's tragedy is that that standing is dramatically eroded. In part, that is because of campaigns of ideologues who are determined to bring the UN down. But that is too facile an explanation to account for the despair of many of us who are supporters of the idea and of some of the reality.

Every year during the General Assembly, parliamentarians from all over the world come to spend time at the UN. Both sides of politics in Australia send a politician to join the Australian delegation. It is a reflection of Parliamentary interest in and respect for the UN. In every case, in the four General Assemblies I have been here for, the Parliamentarians have put political differences aside, in an effort to contribute to Australian and international interests during their three months with us. In every case they have come with deeply rooted respect for the institution. And in every case they have been appalled at what they have found in the General Assembly, the Committees, and the Economic and Social Council. They go away, in the main still hopeful, but deeply distressed at the wasting international asset which they have visited.

All this has contributed, in my view, as much as any row over Iraq or criticism of the Secretary-General for the Oil for Food scandal, to a serious image problem for the UN. And, like most image problems, it is rooted in unpleasant reality.

I have described the reality as it manifests itself in the kids in the sandbox phenomenon. But behind that is a deeper reality - the consensus achieved in

1945 on objectives for the institution, particularly objectives related to international peace and security, has collapsed. Of course, from one perspective, that consensus only existed fleetingly in 1945, and then again at the end of the Cold War in 1990.

But the other great post-war phenomenon - woven through the history of the Cold War and the history of the United Nations - was the phenomenon of decolonization. In 1945 the UN had 50 Member States. In 2005 it has 191. Two-thirds of the membership are poor, developing states. They have fought, reasonably enough, to have the issue of development front and centre at the UN.

But they have done a very bad job and pursued their aims too often with destructive tactics. The United States attracts a lot of rhetorical blame for its so-called unilateralist policies, seen by many as under-cutting multilateral approaches. But it is not the United States which is responsible for the rottenness of the core organs of the UN.

The fault for this lies primarily with the Group of 77, a coalition of 132 developing countries who negotiate with one voice on development issues at the United Nations. The problem with the G77 is its diversity, which leads to two problems. First, it is extraordinarily difficult to achieve consensus – often all they can agree on is that developed countries need to give them more money. Second, on contentious issues, the Group is often dominated by powerful hardliners to the detriment of more moderate members. Powerful individual states can hold the whole G77 hostage to extremist positions. The result is a turgid, unconstructive debate which is not taken seriously by policy makers.

The curious irony is that it is the G77 who stand to gain most from a truly effective multilateral system, which gives proper attention to their concerns, both development concerns and security concerns. But it is they, as a Group, who so easily get swept up in a group psychology, become diverted and have their agenda stolen.

The catastrophic failure of Member States operating together in the General Assembly to focus on what is really important and contemporary can now only be remedied, I believe, by a truly bold and publicly striking effort on the part of the global community to establish a new consensus. This is what Kofi Annan had in mind in calling for the holding of this year's Summit and by, in preparation for the Summit, commissioning the High- Level Panel on Threats, Challenges and Change. The Panel reported to him in December and, drawing on its findings and other inputs like the Sachs Report, the Secretary-General reported to Member States on 21 March, laying out a specific set of Decisions to be made by Heads of Government in September. Their task will be no less than the reinvention of the United Nations. Kofi Annan has not expressed it not quite in those terms but let us be clear that that is what is necessary.

And the cost of failure will be high indeed. The cost of failure, will, in my judgment, be to consign to the United Nations to the same fate as that suffered by the League of Nations in the 1930s.

But I should say immediately that more than a strong outcome from the September Summit will be needed to truly make the United Nations and multilateralism effective. A new and real global consensus will be needed to

underpin a revitalization of the UN's organs, including the General Assembly and ECOSOC. In this context, let me quote one of the key paragraphs from the High-Level Panel's Report:

“What is needed today is nothing less than a new consensus between alliances that are frayed, between wealthy nations and poor, and among peoples mired in mistrust across an apparently widening cultural abyss. The essence of that consensus is simple: we all share responsibility for each other's security. And the test of that consensus will be action.”

The Summit is an essential first step down that action road. It is the first place where action can signal commitment to renewed consensus. And Summit outcomes will need to be built on in a truly purposeful way, rather than having delegations at the General Assembly lapse back after September into their chronically bad habits.

What might the Summit produce by way of outcomes which could effectively begin the process of building a new global consensus? And what might be an outcome that captures the world's attention and does something to renew interest and trust in the United Nations?

The Secretary-General produced a very important Report to Member States on 21 March, which, in effect, is the Agenda for the Summit. He drew heavily on the findings of his High-Level Panel and other inputs, such as the Millennium Project, led by Jeffrey Sachs.

I personally – and this was the view of our government as well – thought it was a very good Report, not least because it is crisp, focused and short! The Report itself is only 54 pages. And it is admirably direct in its analysis and recommendations. It is a sign of how corrupted the agenda at the UN is that the negotiation of the Modalities Resolution for the Summit spent endless hours debating whether Member States “welcomed” or simply “took note” of the Secretary-General’s Report!

As important as the Report itself is the seven-page Annex, in which the Secretary-General lists issues for decision by Heads of State and Government at the September Summit. These issues are organized under four headings – or Clusters:

- Freedom from Want
- Freedom from Fear;
- Freedom to Live in Dignity; and
- Imperative for Collective Action : Strengthening the United Nations, the last being essentially a set of proposals for institutional change.

But Kofi Annan understands that he personally can’t deliver change. Only Member States, working together, can do that.

And so the ball is in Member States’ court. And the choir master in New York is the President of the General Assembly. The current President is the Foreign Minister of Gabon, Jean Ping by name. Distant Australians might be forgiven for being sceptical about the representative of a small West African country, but I want to tell you all that Jean Ping is one of the most robust and able

people I have met in New York. He carries his very heavy responsibilities in this process with impressive lightness and matches clarity of vision with deftness and good humour.

He has appointed ten Ambassadors – two from each of the five regional groups – to support him in the preparation of the Outcomes document from the Summit. I am one of those ten and the pace of preparations has heated up significantly over recent weeks. Indeed, it is only with the greatest possible indulgence on the part of the President that I have been allowed to come to Australia at this time. Every day the debate grows more intense.

The tasks ahead of us are enormous. Getting consensus agreement on some very big issues is going to be very hard. I told the Secretary-General the other day that I go to bed every night intimidated and sobbing. He didn't believe me and I don't suppose it's true. But there is an enormous amount to be accomplished in a very short space of time.

We are in a race to the line and many traditional North-South divisions have opened up in the debate on individual issues. I will not try to cover the entire agenda for you, but let me identify six areas where, at a minimum, I believe personally we will need specific outcomes. I should say immediately that my Government does not yet have a fixed view on all of this and so this list, particularly, is a reflection of personal views.

1. Leaders will need to commit themselves to convincing language on the security/development nexus, language which is underpinned by new, concrete commitments to development. Talk of a “grand bargain” between developed

and developing countries has happily receded as understanding has grown that we **all** have an interest in development and security equally. They are indivisible sides of the same coin.

Let me add in passing that, in this context, I expect Australia would much welcome any contribution the Summit could make to some sort of breakthrough in 2005 on trade negotiations, which contributed to the real rolling back of agricultural subsidies, doled out to farmers in a truly mad fashion by both the Europeans and the United States, creating a lunatic global economic distortion. Between them, the EU and the United States are responsible for agricultural subsidies of US\$350 billion a year – a billion dollars a day. Doing something about that would do more for the developing world than any increase in development assistance – although there is certainly also an expectation that the Summit will generate significant new funds for development.

2. Change in both the composition and the work methods of the Security Council will need to be agreed if the Summit is to be credible. I have already argued that the Security Council works better than most other organs of the UN, but it is still highly unrepresentative and, although I think that fixes on other issues are as important as something on the Security Council, global expectations on this issue are so high that a formula will need to be devised and agreed. The Secretary-General offers us two possible formulas – but I suspect we have not yet found the final key to change.

3. Specific outcomes will be needed on terrorism and weapons of mass destruction. The Secretary-General endorses the Panel's identification of the

elements of a definition of terrorism which might be the basis for re-igniting stalled negotiations towards a Comprehensive Convention on Terrorism.

Equally, although it is hard to see how it will happen, a specific effort to prop up the non-proliferation regimes would also be a major success in consensus building at the Summit.

4. The UN machinery on human rights is in utter disrepair and disrespect.

The Secretary-General has made a bold proposal for the creation of a Human Rights Council as an alternative to the current unsatisfactory Human rights Commission. The debate on this in New York is vigorous, but something radical will be necessary to restore a real sense that the UN is a place where human rights are advanced, rather than retarded.

5. The Secretary-General recommends the creation of new machinery within the UN to deal with peace-building – a Peace-Building Commission. This is the proposal which has attracted most universal support amongst Member States, although that support is, as yet, skin deep. Discussion so far on what the Commission's powers should be and where it should be located in the United Nations (in particular whether it is connected to the Security Council or to ECOSOC) has raised the spectre of division, rather than consensus, on its creation. All are agreed, however, that there is a significant institutional gap which this proposal can potentially fill. Again, it will be a test of our ability to forge consensus to get agreement on the shape and function of a Peace-Building Commission.

6. The Oil for Food scandal and recent revelations about misconduct in UN peacekeeping missions has underlined a persistent lack of accountability in the

Secretariat and related organs. Despite their strengths, this is an issue which, for the sake of the reputation of the UN, Heads of Government will need to address at the Summit. And they will need to address it with specific proposals. At the same time, we hope that they can truly empower the Secretary-General to get on with the task of running the institution, unhindered by interference by individual Member States and able to continue with a vigorous program of effective management reform.

That is a menu of just six items where, if effective consensus emerged, I believe we could have a good outcome from the Summit. It is not exclusive, as the Secretary-General's Report would suggest. There is a rich field for drawing on and no shortage of items on which to agree. There is just a shortage of agreement.

You will note that even in my massively reduced short-list of six items there is no reference to the General Assembly or ECOSOC, although you will recall that I have argued that these are the rotten core of a failing institution. But if the UN embraces larger change and if a new global consensus can be built, then the General Assembly and ECOSOC could conceivably begin to work as was originally envisaged by the UN's founding fathers. The key element that is currently missing is political will.

If the Summit can be the beginning of real cultural change at the UN, then we do not need to change the Charter or alter the structure of the General Assembly or ECOSOC. If there is a cultural change, then the recurrent efforts to revitalize those organs can work, rather than, as is now the case, where

efforts at revitalization immediately run into the bad habits practiced over many years by the kids playing in the sandbox.

So there is a desperate need for change. The cost of failure at the Summit will be an even more thoroughly failed institution. The UN will not disappear overnight, but we will be left without effective multilateralism and with an institution which is a faint echo of the aspirations of its founders. We will manage without it, but we will manage less well. Some of us will manage better than others and Australia, as one of the richest and most successful societies on earth, will do better than most. But every society depends on successful mechanisms for international co-operation. And we will have less to work with than we all need. And we will also be denied the utility of an effective organization when we encounter some future global crisis.

I hope that leaders in capitals all over the world have contemplated the real significance of that.