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## **Collective Security and the United Nations:**

### **The Work of the High-Level Panel on Threats, Challenges and Change**

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"...the object of the exercise [Panel] is to find a credible and convincing collective answer to the challenges of our time. We must show that the United Nations is capable of fulfilling that purpose, not just for the most privileged Member States but also those that are concerned with the threats posed by poverty, hunger and disease. We must understand that a threat to some is a threat to all, and needs to be addressed accordingly." — UN Secretary-General Kofi Annan, 18 February 2004

## 1 Mandate of the High-Level Panel on Threats, Challenges, and Change

When United Nations Secretary-General Kofi Annan announced the High-Level Panel on Threats, Challenges and Change (HLP) to the General Assembly on 23 September 2003, he called on it "to recommend clear and practical measures for ensuring effective collective action, based upon a rigorous analysis of future threats to peace and security, an appraisal of the contribution that collective action can make, and a thorough assessment of existing approaches, instruments and mechanisms, including the principal organs of the United Nations."<sup>1</sup> Instead of being asked to formulate policies on specific issues or on the role of the UN in specific places, the HLP was to advise the organization on reforms necessary to cope with emerging challenges.

The international context in which the HLP has operated has been anything but pacific. The US government-led march to war in Iraq and the attendant war on terrorism shook the very foundations of collective security and further undermined confidence in the multilateral system. These developments bore full witness to the dearth of international consensus and commonality of purpose that existed in the area of inter-

national security in 2003, evidenced not least by Security Council paralysis around Iraq. The attack on the UN mission in Baghdad on 19 August 2003 equally traumatized the world organization. In the months preceding the formation of the HLP, there was a growing tendency of one group of states, led by the US, to pronounce its right of unilateral, pre-emptive military strike, irrespective of established international norms and considerable opposition from the Security Council and other authoritative agencies. Meanwhile, another group of states highlighted the dangers such unilateralism and indiscriminate use of force may pose to international order and the collective security of humans as well as states. The UN and the international system more broadly were suffering from a severe crisis of multilateralism, and although there was general agreement in the UN on the need for collective responses to a variety of threats, there was also profound division over the exact nature of those threats and what shape collective responses should take.

In addition, the capacity of the UN to respond independently to new threats, and to serve as a focal point for collective responses, was thrown into question. Throughout the Cold War the UN had been dominated by the two-power rivalry that characterized it. The end of the Cold War marshaled a major change: unthinkable goals had become both thinkable and doable in the Security Council — for example, the first Gulf War. However, there had been no sustained attempt to think through the UN's institutional architecture. Member states often opted for ad hoc procedures in responding to crises. This situation had consequences for the UN: fewer successes than there might have been, and more failures (e.g., Rwanda, Bosnia and Somalia). The UN needed to change if it were to avoid being marginalized.

The creation of the HLP promised a fresh analysis and appraisal of emerging threats, challenges and change. Yet, despite receiving a clear mandate, a considerable amount of confusion and discord has surrounded the panel. Much confusion stemmed from uncertainty over how much emphasis the HLP would (and should) place on reforming the principal organs of the UN. On the other hand, discord arose over the HLP's composition and the role that social and economic factors would (and should) play in its calculus of principal threats to human and state security.

<sup>1</sup> The panel consists of 16 eminent international figures, and is chaired by Thailand's former Prime Minister, Anand Panyarachun. The members of the panel are:

Anand Panyarachun (Thailand), Robert Badinter (France), João Clemente Baena Soares (Brazil), Gro Harlem Brundtland (Norway), Mary Chinery-Hesse (Ghana), Gareth Evans (Australia), David Hannay (United Kingdom), Enrique Iglesias (Uruguay), Amre Moussa (Egypt), Satish Nambiar (India), Sadako Ogata (Japan), Yevgeny Primakov (Russian Federation), Qian Qichen (China), Nafis Sadik (Pakistan), Salim Ahmed Salim (Tanzania), and Brent Scowcroft (United States).

That the HLP was principally concerned with collective security and not UN reform soon became clear. Under the clear guidance of Secretary-General Annan the HLP chose not to begin by reviewing existing mechanisms of collective security, seeing this as inhibiting progress towards the identification and assessment of new, principal security threats. It chose instead to conduct a threat-by-threat analysis. By approaching collective security from this angle, the HLP concluded, the range of viable institutional choices for effective collective action would inevitably be narrowed. UN reform was thus a secondary consideration of the panel.

Furthermore, after the HLP's formation, there was a widespread belief, particularly among smaller countries from the South, that its composition and analytic focus were regrettably limited in scope. Its composition was criticized on the grounds that it did not reflect the full-range of state and non-state actors that have come to be recognized by states as well as broader publics as legitimate stakeholders in international policy-making structures. For instance, critics argued that as international terrorism largely is a non-state phenomenon, the HLP ought to include individuals that have long-standing experience outside government. Such persons would allow for a more equitable balance inside the panel between traditional, inter-state collective security considerations and the more contemporary societal- and human-centered perspective. Moreover, given the inter-relationship between security and development, many wanted the HLP's report to explicitly reflect this reality. As discussed in greater detail below, the HLP responded to this criticism by broadening its view of what constitutes a threat to one's security to include various economic and social factors.

The mandate of the HLP is thus a direct reflection of the international context out of which it grew — a context in which the achievement of effective, multilateral responses to common problems depends on a shared understanding of existing threats and challenges, and a firm commitment by governments to uphold established institutions, rules and norms of the multilateral system.

## 2 Areas of Inquiry of the HLP

Whereas there is much agreement in the UN on the need for collective, multilateral responses to security threats worldwide, much less consensus exists on the precise nature of those threats. Consequently, the HLP could not take a narrow view of threats, focusing exclusively on "hard" security threats like interstate war, intrastate conflict, weapons of mass destruction and terrorism.<sup>2</sup> So-called "soft" threats like poverty, environmental hazards and infectious disease had to be treated as equally problematic. Indeed, security threats as understood during the Cold War had largely disappeared. Some old threats remained, for example, the Palestine question and Kashmir, but there were many new, often intractable, problems. Consequently, the HLP

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<sup>2</sup> This approach contrasts with the approach of the International Commission on Intervention and State Sovereignty and its report, *The Responsibility to Protect* (Ottawa: IDRC Publishers, 2001), which essentially focused on hard security issues. Though the primary impetus and core mandates of the ICISS Commission and the HLP differ, there is significant overlap between the issues the two studied (e.g., the principle and process involved in the so-called "right of humanitarian intervention" (i.e., when should military intervention occur, under whose authority, and how); how to prevent and rebuild after intervention; collective (state) versus human (individual) security; the question of whether the UN is organized to respond effectively to international crises and thus ought to be reformed; how the emergence of new international actors should be approached; the role of weapons of mass destruction and whether a policy of proliferation or disarmament should be pursued; the role of sovereignty in international relations; and so on). Also, like the ICISS Commission, the HLP is undertaking twelve months of intensive research, worldwide consultations and deliberation, which will culminate in a final report to be presented to UN Secretary-General Kofi Annan. Unlike the 30,000 words that were allotted to the ICISS Commission for its final report, the HLP has only 15,000. This places a limitation on how many issues the HLP can cover at considerable length. Another important difference between the two panels or commissions lies in the international political context in which each has operated. While US domestic politics placed major constraints on the ICISS Commission, present-day US domestic politics, and in particular the 2004 Presidential elections, place even greater constraints on the ability of the HLP to propose reforms that enjoy international support. Thus, the HLP's final report will not be finalized until after the outcome of the November 2nd Presidential elections has been made official.

rejected a hierarchy of threats, dropping altogether the language of "hard" and "soft" threats and adopting a human-centered approach to analyzing new threats and challenges to collective security.<sup>3</sup>

Still, it remains to be seen whether such a shift in the HLP's analytic focus will result in a truly unconventional analysis of collective security, especially given how high issues like terrorism and the spread of nuclear weapons rank in the national security considerations of the major powers. Perhaps the most difficult analytical problem the HLP will face in drafting its report is the question of how to recommend policies that would promote human security while appeasing the national security concerns of states. In other words, how can states fight new security threats without violating the civil liberties of their citizens? The HLP decided that both needed to be taken seriously.

Thus, for purposes of analysis, the HLP organized threats to collective and human security into "six baskets." They were interstate war; intrastate violence; socio-economic factors (e.g., poverty, infectious disease, and environmental degradation); terrorism; weapons of mass destruction (including proliferation and disarmament); and organized crime.<sup>4</sup>

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<sup>3</sup> In adopting an individualistic approach, the HLP is building on the work of several recent UN or UN-sponsored reports, including the *Report of the Panel on United Nations Peace Operations* (2000), *The Responsibility to Protect* (2001), and *Human Security Now* (2003).

<sup>4</sup> Although cast in slightly different language, the HLP's calculus of principal security threats closely resembles that which is outlined in the European Security Strategy (ESS) document, "A Secure Europe in a Better World" (Brussels, 12 December 2003), and in "The National Security Strategy of the United States of America" (September 2002). Just on the level of threat identification, there is a basic similarity between the American and European approaches: both identify terrorism, the proliferation of weapons of mass destruction, regional conflicts, state failure and organized crime as the principal threats of our time. Unlike the ESS, the NSS places considerably less emphasis on threats posed by organized crime and infectious disease. In terms of policy responses, fundamental disagreement exists between the Americans and Europeans, with the US government declaring it right of preemptive strike, and the EU taking a more multilateral stance.

Instead of non-state actors like criminal or terrorist organizations, states have historically been the largest enactors of violence against people. They have done this both by exacting brute force and by enabling poverty (e.g., by disproportionately spending public funds on defence). Such systematic abuse and neglect of a broad swath of the world's population has contributed to the frequency and severity of armed conflicts, internal as well as external. As a result, the HLP treated the problem of ineffective governance seriously, especially in terms of diagnosis, prevention, intervention and rehabilitation. In terms of diagnosis, data collection and analysis needed to be systematized, and the Secretary-General required an independent remit to bring issues associated with ineffective governance directly to the Security Council. As regards prevention and reconstruction, the UN is very poorly equipped to handle these issues systematically.

The growing nexus between security and development has also highlighted the role of non-state actors in conflicts. War-torn regions like West Africa and Afghanistan provide insight into this nexus, with organized crime often fuelling conflict and making government control over the security situation even more difficult. As a result, the HLP needed to address the relationship between a basic lack of economic opportunities in many areas, on the one hand, and internal conflict, on the other. The problems associated with the widespread availability of small arms and light weapons needed to be addressed in a more serious manner. Moreover, as difficult as conflict prevention is, the HLP is likely to succeed in bringing the Bretton Woods institutions more centrally into the security debate. It could do this by highlighting the positive inducements (e.g., pledges of financial support, better terms of trade, institution building, etc.) as well as the negative inducements (e.g., trade and financial sanctions, threats to withdraw investments, threats to withdraw IMF and World Bank support, or the curtailment of aid or assistance) these institutions can perform. Finally, more so than previous commissions, the HLP has emphasized the importance of the UN as a focal point

for the conflict prevention measures of these institutions.<sup>5</sup>

### 3 The Role of Economic and Social Factors in the Work of the HLP

When the Terms of Reference of the HLP were publicized in September 2004, economic and social factors were to be considered "only insofar as they have a direct bearing on future threats to peace and security."<sup>6</sup> The original scope of analysis of the HLP was thus intentionally narrow.

Subsequently, criticism emanated from representatives of the South, who often perceive security threats differently than their Northern counterparts. Critics pointed to the fact that, statistically, intrastate conflicts now account for over ninety percent of armed conflicts around the world, and that these conflicts have discernable economic and social causes and consequences. The HLP responded to criticism by broadening its scope of analysis to consider poverty, infectious disease and environmental degradation as intrinsically linked to peace and security. Further, it recognized that the perception of what constitutes a threat to one's security varies greatly from locale to locale and is largely dependent upon one's socio-economic status.

While this shift in the HLP's focus represented an important development, it is unlikely to result in the recommendation of significantly new methods of reducing poverty or eradicating other economic and social problems. Instead, the HLP is most likely to build on the large and growing body of reform proposals that have been in the works for years, and are embodied in the Millennium Development Goals and the Millennium Declaration. The HLP will likely stress the importance of implementing those stated goals. It is, however, unclear at present whether the HLP's concern with economic and social problems will translate into proposals for reforming the current institutional make-up of the UN. Given the relatively higher level of consensus that exists in the UN on economic and social issues, UN poli-

cies on interstate war, intrastate violence, terrorism, humanitarian intervention, weapons of mass destruction (especially nuclear weapons) and corruption are likely to feature more prominently in the final report. In other words, the final report of the HLP will likely take on a somewhat traditional, hard security tone. However, in contrast to the hard security approach to conflict prevention advocated by the *Responsibility to Protect*, the HLP is likely to place a relatively greater emphasis on, to draw a very direct linkage between, internal conflict and economic security, particularly in the South. On this issue, the *Responsibility to Protect* had little to say. For instance, the report states that "root cause prevention may also mean strengthening economic deprivation and the lack of economic opportunities. This might also involve development assistance and cooperation to address inequalities in the distribution of resources or opportunities; [might also involve] promotion of economic growth and opportunity; [might also involve] better terms of trade and permitting greater access to external markets for developing economies; [might also involve] encouraging necessary economic and structural reform; and [might also involve] technical assistance for strengthening regulatory instruments and institutions."<sup>7</sup> While the report does go on to emphasize the "responsibility to rebuild," economic and social factors are essentially treated as an afterthought of conflict.<sup>8</sup> Although it would not be surprising if the HLP gives more weight to hard security issues, it is likely to go further than the ICISS Commission in stressing the nexus between security and development.

In its final report the HLP will attempt, at least on a discursive level, to strike a major compromise between countries of the North and the South, in which the South would receive a firm commitment for development assistance from the North, but in return would agree to take the North's concerns about terrorism, the spread of nuclear weapons and ineffective governance seriously.

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<sup>5</sup> The *Responsibility to Protect* makes only two brief references to the role of the World Bank and the IMF. See ICISS, *The Responsibility to Protect*, p. 24 and 27.

<sup>6</sup> Terms of Reference, p. 1.

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<sup>7</sup> ICISS, *Responsibility to Protect*, p. 23.

<sup>8</sup> ICISS, *Responsibility to Protect*, pp. 42-44.

#### 4 The Likelihood of Institutional Reform

The UN has come under intense scrutiny at various points in time; its main organs, specialized agencies and programs subjected to reforms that have altered membership or created new procedures to improve the overall operation of the organization. The creation of the HLP opened legitimate policy space for the expression and consideration of ideas and proposals concerning UN reform.

Many have contended that multilateral responses to common threats and challenges should be driven by policy, not the institutional reform agenda. This sentiment has to some extent influenced the HLP's decision to arrive at recommendations for institutional reform as a by-product of an analysis of existing security threats. Although the HLP's mandate allows for the recommendation of UN reforms, the HLP faces certain obstacles in this regard. Power asymmetries in the international system, coupled with voting requirements for amending the UN Charter, present serious obstacles to reform. But above all, US domestic politics place major constraints on the HLP and any reforms it might recommend. This is evidenced not least by the fact that the HLP chose to finalize and release its final report after the results of the 2004 US Presidential Election have been made official. The HLP has had to be mindful of the sentiments of policymakers in Washington, in Congress and in the Bush administration, while also trying to draw the US as a whole more firmly into the multilateral system. Striking a balance between the two constitutes arguably the greatest political challenge facing the HLP.

Given these factors, as well as the lack of consensus in the UN in the area of security, it is unlikely that the HLP will recommend major reforms of the UN. If, however, the Bush administration loses its re-election bid, some people expect the HLP will make last-minute insertions in its final report, amounting to more ambitious UN reform recommendations. In either case, rather than proposing the creation of entirely new institutions, the HLP is likely to stress the importance of implementing various existing proposals growing out of recent commissions, and to recommend enhanced communication

and interaction among UN organs, agencies and programs. A clarification of the specific roles of each of the principal UN organs could serve as a useful contribution to the reform debate.

#### The Security Council

The HLP is the latest in a series of international commissions that have given voice to ideas and efforts aimed at reforming the Security Council. Proponents of reform have charged that the council's composition is representative of the great power relations of 1945, not of the international system of states of 2004, or of 2015. Debate over SC membership can be traced back to the UN's founding, and expanding the council has been discussed for so long that the Open-Ended Working Group for Security Council Reform is known around U.N. headquarters as the Never-Ending Working Group. Such cynicism on the subject of Security Council reform is not unwarranted, as only once in the UN's history has its composition been altered by an amendment to the UN Charter. In 1963 membership in the council was expanded from 11 to 15 and the required number of votes to form a majority from 7 to 9. Critically, however, the veto privilege of the five permanent members — China, France, Russia, the United Kingdom, and the United States — remains in tact to this day.

Despite certain obstacles to its reform, there is growing support for UN Charter amendment on the Security Council. For instance, during the 2000 Millennium session of the General Assembly, nearly 100 countries expressed support for expanding the Security Council. Moreover, Secretary-General Kofi Annan has made expansion of the council a high priority on the UN reform agenda. Evidently, Annan would like to make Security Council reform part of his legacy after his second term ends, in 2006. His appointment of the HLP in the autumn of 2003 signalled that he was serious about encouraging council reform. However, there is little consensus on how to make the Security Council more representative of the international system of states of today without weakening its effectiveness and that of the UN as a whole.

As the deliberations of the HLP bring this heatedly debated issue to the forefront of international debate once again, there is no shortage of

reform proposals, ranging from gradual to revolutionary.

### **The Range Proposals: Gradual to Revolutionary**

In preparation of its report, the HLP is studying a number of reform proposals ranging from moderate to progressive. The first, referred to as the "quick fix," would merely expand the group of permanent members to include major powers from each region of the world. The regional powers standing first in line are India, Japan, Germany, Brazil and South Africa or Nigeria. This proposal has received criticism from P5 governments, which are unwilling to expand the pool too quickly and to extend the veto privilege to new members. Opposition also has emanated from other countries seeking representation, including Italy, which staunchly opposes Germany's candidacy, favoring instead the creation of a single European seat. The HLP is also considering a proposal to expand the pool of non-permanent members, although the idea of semi-permanent status is undesirable to countries like Germany and Japan, which are major financial contributors to UN's peace-keeping operations and annual budget more generally.

In early September 2004 the HLP signalled that it was favoring a third way: the creation of a category of seven to nine "semi-permanent" members from each region that would hold their seats for renewable terms of four or five years.<sup>9</sup> Under this plan only the permanent five would possess the right to veto resolutions before the Security Council. The three main elements of the plan are as follows.

Element I: An expanded 24-member Council of three tiers: the existing P5; a new second tier of 7-8 semi-permanent members elected on a regional basis for 4 or 5-year renewable terms (the main contenders being Brazil, Germany, India, Japan, Egypt, and South Africa); and current system of non-permanent rotating members elected for two-year terms.

Element II: Injecting competitiveness into SC membership: based on a reinterpretation of Article 23, expanded membership would be contin-

gent upon each country's contribution to international peace and security.

Element III: Periodic review of SC membership: a review would occur periodically, perhaps every 12 years.

The plan outlined in the *Economist* was greeted with a mixture of support and opposition. Countries like Egypt, Italy, Mexico and Pakistan, which would be excluded otherwise, supported the plan, not least because the proposed system made it possible for the major aspirants for permanent membership to play a much more regular role.

Inside the UN, however, serious opposition to the creation of a second tier of membership within the Security Council emerged. Generally, the plan was opposed on the grounds that it would essentially create second-class membership and that this would be too discriminatory. As a result, Brazil, Germany, India and Japan launched a unified campaign for all four nations not only to be awarded permanent status but to enter on equal standing with the current P5. Japan, the world's second most developed economy, pays more money into the UN coffers than any nation except the United States. India is the world's largest democracy. Germany is a European heavyweight, and Brazil can make a strong case to represent South America, regardless of the fact that the US is supporting its candidacy.<sup>10</sup> On economic grounds alone Germany is in a good position, despite the fact that Benita Ferrero-Waldner, the EU's incoming External Affairs Commissioner, stated publicly that the EU should have a single seat on a reformed Security Council to boost its weight in world affairs in the long term.<sup>11</sup> After all, measuring a country's contribution to peace and security would be an inherently difficult and heatedly contested task.

Another proposal that has received attention is Paul Kennedy's step-by-step approach:

Step 1: Increase seats from 15 to 23-25;

Step 2: Abandon compulsory 2-year rotating seats but retain these members through periodic election;

<sup>9</sup> See "A Winning Recipe for Reform?," *The Economist*, 24-30 July 2004, pp. 45-46.

<sup>10</sup> *Financial Times*, "US Indicates Support for Brazil Seat at Security Council," 6 October 2004, p. 5.

<sup>11</sup> *Ibid.*, p. 5.

Step 3: Semi-permanent members repeatedly elected;

Step 4: At a later stage, in 10-15 years, contemplate making semi-permanent members permanent members.

Importantly, Kennedy's plan did not call for a reform of the veto.

The Razali Plan, growing out of the General Assembly Working Group on the Security Council, has also received considerable attention. The main features of this plan are:

- Inspired by on Article 23 of the UN Charter, increase membership of the Security Council to 24 from 15 (5 permanent, 4 non-permanent) according to the principle of geographic distribution.
- No extension of the veto privilege but limitation of its use to Chapter VII (armed intervention) action.<sup>12</sup>
- All new and existing permanent members would be charged peacekeeping assessments the same percentage ate over and above their regular budget rate.

All three elements of the Razali proposal have been mentioned in connection the HLP, though in modified form.<sup>13</sup> Given widespread endorsement of the Razali Plan, the HLP had the option of endorsing it *in toto* or coming up with a proposal of its own. It appears to have opted for the latter, while building on existing international consensus.

Regardless of growing support for Security Council reform, including Charter amendment, it is unrealistic to expect a significant change in the status quo in the short to medium term. To begin with, the major powers have historically displayed a strong preference for dealing with in-

ternational security problems in restricted membership settings. The history of international relations provides overwhelming evidence of this phenomenon. Given this tendency, critics have argued that there is no objective criteria for adding one currently excluded major power and not another, or one emerging power as opposed to another. That is, for every Japan, there is an India; for every Pakistan, an Indonesia or Egypt; for every Brazil, an Argentina or Mexico; for every South Africa, a Nigeria; and every Germany, an Italy. Finally, institutionally, high voting requirements in the General Assembly (two-thirds) and the Security Council (unanimous) have historically made major Charter reform very difficult to achieve.

Even if conditions allow for the HLP to recommend Charter reform, it is also likely to endorse other modest proposals for improving the Security Council's operating style. They include:

- **The Arria Formula:** Devised by Amb. Diego Arria of Venezuela in 1992, the Arria Formula is an informal arrangement allowing the Council greater flexibility to be briefed about international peace and security issues. In recent years, this formula has gained considerable support among UN members, including the P5.
- **Other procedural innovations** to improve the credibility and effectiveness of the SC include: site visits to crisis zones; independent, external commissions; troop contributing member consultations; task forces on specific issues (e.g., Counter-Terrorism Committee); retreats with the Secretary-General and staff; sessions at the Summit level; and briefings of non-SC members.

Security Council reform is also directly related to UN peace-keeping operations. While the need to protect basic humanitarian and human rights standards is widely acknowledged, the Security Council's record of enforcement has been rather poor, and its specific responsibilities when prevention fails remain both vague and politically sensitive. Military intervention without the consent of the intervener, especially in the aftermath of the US invasion of Iraq, is highly controversial. Smaller states, seeing sovereignty as their last line of defence, are often intensely suspicious of the intentions of larger industrial coun-

<sup>12</sup> This code of conduct in respect of the veto was endorsed by the ICISS Commission. See *The Responsibility to Protect*, p. xii, 51 and 75. Overall, the report is especially vague and general on the subject of Security Council reform. This fact is understandably so, as its primary mandate was not to reform the UN but to established international principles governing the use of military force for human protection purposes.

<sup>13</sup> See "A Winning Recipe for Reform?," *The Economist*, 24-30 July 2004, pp. 45.46.



tries. Consequently, the principle of there being a "right of humanitarian intervention" has limited currency among smaller countries, even though some may be willing to support military and policing operations proposed by larger powers within their borders in return for development assistance and military transfers. Given these circumstances, and the dangers inherent in the use of military force, the HLP is likely to strongly endorse *The Responsibility to Protect* and its recommendation that the threshold for Security Council-authorized Chapter VII intervention must be very high. In other words, the intentions of the intervener(s) must be pure and perceived as such in the region where the intervention is being considered. Yet, given ongoing concerns over terrorism and the spread of nuclear weapons, this observer would not be surprised if the HLP were to avoid outwardly denouncing preemptive military strike. One could only hope that, like the *Responsibility to Protect*, the HLP will emphasize a code of conduct in respect to the veto, in which P5 members would refrain from vetoing resolutions that do not directly threaten their vital national interests.

### Revitalizing the Trusteeship Council

Established to help ensure that non-self-governing territories were administered in the best interests of their inhabitants and of international peace and security, the Trusteeship Council suspended operations on 1 November 1994, with the independence of Palau. There are several reasons why this forgotten UN body ought to be restructured and given a clear new mandate to deal systematically with UN conflict prevention and post-conflict reconstruction efforts. Given that the Security Council specializes in intervening in conflicts already under way, and its specific responsibilities when prevention fails remain both vague and politically sensitive, there is a glaring need to centralize various UN conflict prevention and reconstruction efforts under one body. Moreover, the UN itself has renewed its commitment to conflict prevention and post-conflict reconstruction.<sup>14</sup> Another reason why

the Trusteeship Council would be well suited to handle prevention and reconstruction efforts is that it is already comprised of the P5, which makes direct linkage and policy coherence between the two bodies possible. Finally, restructuring the Trusteeship Council would be a natural outgrowth of an analysis of the security-development nexus, insofar as it leads to the conclusion that these two issue areas need to be dealt with systematically somewhere within the UN. Thus far, the UN has failed to effectively combine these two areas of policy.

### The Economic and Social Council

Since its creation ECOSOC has at times been subject to criticism and reforms that expanded its membership and established new procedures to increase its effectiveness. In more recent years, a number of independent commissions have aimed to improve global economic governance by recommending the establishment of new decision making structures as an alternative to ECOSOC. The Commission on Global Governance even went so far as to recommend the creation of an Economic Security Council (ESC). Subsequent commissions, including the World Commission on the Social Dimensions of Globalization and the Zedillo Commission, added support for this proposal. Meanwhile, most of the recent international conferences, including the Johannesburg Summit, reestablished the centrality of the UN and ECOSOC more specifically in promoting overall coherence of global economic policies. Indeed, there is mounting international support, especially among European and developing countries, for strengthening the role of ECOSOC in the macroeconomic governance of the global economy.

There are several proposals for strengthening ECOSOC being considered by the HLP. The most far-reaching proposal is to establish an Economic Security Council. As envisaged by the Commission on Global Governance, such a body would supplement the existing ECOSOC and would give it the same level of authority that the Security Council possesses in international security affairs. The political infeasibility of this proposal, however, makes it unlikely to be recommended by the HLP.

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<sup>14</sup> UN Document, GA/Res/57/337/2003, Prevention of Armed Conflict (18 July 2003); and UN Document, SC/RES/1366/2001, *The Role of the Security Council in the Prevention of Armed Conflicts* (20 November 2001).

Another proposal along the lines of an Economic Security Council that has gained increasing support in recent months is to establish a Group of Twenty finance ministers, building on recent momentum in support of expanding the G7. Those who point to a democratic deficit in the management of the global economy, and in the Bretton Woods institutions in particular, see this as a necessary step towards the democratization of the world economy. This proposal would necessitate a shift in macro-economic decision making authority from the IMF, the World Bank and the WTO (i.e., in finance, development and trade) to this body, which would be accountable to UN standards. Given the various obstacles mentioned above, not only is this proposal unlikely to emanate from the HLP, it is unlikely to become a reality in the foreseeable future.

A much more modest and thus more feasible institutional reform of ECOSOC is to strengthen the body within the UN by creating a coordinating or steering committee. Within the UN, such a committee would forge denser linkages, improve the quality of information sharing and streamline ECOSOC's constitutional role as the overall policy coordinating body of principal organs, specialized agencies and programs. Perhaps the most important function of a strengthened ECOSOC would be to set norms for UN policies in economic and social affairs that would complement other prominent international institutions, adding policy coherence to the global economic system more broadly.

### **The Secretariat**

There is growing support for augmenting the executive authority of the Secretariat both inside and outside the UN, especially in times of international crisis and political stalemate among member states. Indeed, many believe that the doctrine stressing the importance of economic and social affairs should continue to emanate from the Secretary-General (SG). Although the Secretariat in general and the SG in particular perform key roles in ensuring the overall efficiency of the UN, it is uncertain whether the HLP will attempt to alter fundamentally the relationship between it and other UN organs. Still, it may well recommend closer links among the Secretariat and the main organs of the UN.

As for the Secretariat's relationship to organizations outside the UN system, change is even less likely. Kofi Annan's outstanding personality has helped improve the UN's relationship with several prominent international organizations, including the World Bank, the International Monetary Fund and the World Trade Organization. However, given the SG's reluctance to speak out publicly on the operations of other international organizations, the HLP is unlikely to recommend concrete ways of bringing the policies of such organizations into conformity with UN principles and goals. There is support for bringing the Bretton Woods Institutions more squarely into the international security debate, with their role in conflict prevention and post-conflict reconstruction and resolution as potentially significant as it is. But major reforms in this regard are unlikely.

### **The General Assembly**

The General Assembly (GA) is the one principal organ of the UN that has over time progressively lost credibility as an effective decision-making body. Many believe that its labyrinth-like decision making procedures have reduced it to a talking shop in which resolutions only very slowly come to vote. In spite of its institutional pathologies and record of ineffectiveness, many believe that the GA has an important role to perform in addressing future threats and challenges to international peace and security. Its sources of legitimacy and authority lie in its universal membership and voting structure, which place countries on an equal footing, making it an unparalleled global body. The GA has a potentially significant role to perform in creating and maintaining international norms and treaties. Indeed, its primary success has been in this area. However, the challenge of the HLP is to recommend ways of making the body more action-oriented and of enhancing cooperation between it and the other UN organs, specialized agencies and programs. Apart from recommending better working procedures, the HLP is not likely to propose reforms that would significantly increase the power of the GA as a decision-making body within the UN.

## 5 Conclusion

Despite widespread recognition that the occurrence of poverty and armed conflict are positively correlated, it is uncertain whether the HLP will actually forward an unconventional analysis of collective security. The fact is that in spite of all the added rhetoric, international relations have changed since 9/11. Any semblance of international cooperation in the area of security, for instance, has changed or has become reconstituted according to make-shift alliances. Consequently, the HLP will ultimately have to cater to the national security concerns of the major powers, not least the United States. After all, issues like terrorism and the spread of nuclear weapons are quite central to the principal calculus of threats to the collective security of states. In their final report, which will be presented to Secretary-General Annan in early December, the members of the HLP will have to contend with

these two sets of competing pressures. Already, the UN Secretariat has signaled that it will not comment on the report until March or April of 2005. After that, follow-up work on its findings and recommendations will center on the General Assembly Millennium Summit + 5 in September 2005. As the experience of the *Responsibility to Protect* shows, once agreement on the final text has been reached, the real challenge lies in the follow-up work. And if history is any guide, and one considers the amount of division that currently exists over the war in Iraq, the US's war on terrorism and how to respond collectively to security threats, the road ahead is unclear and bumpy.

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