

## TRIALS AND TRIBULATIONS

The United Nations (UN) was established in 1945 to achieve international cooperation in solving problems, and to promote and encourage respect for human rights and fundamental freedoms for all.

**Terence O'Brien**, senior fellow at the New Zealand Centre for Strategic Studies takes an in-depth look at how the UN is working.



*International day for Mine Awareness and Assistance observed in Sudan – Fred Noy, UN Photo*

It is conventional wisdom today that the UN system confronts a future beset with great uncertainty, although uncertainty has been a continuous hallmark of its existence, and of its prospects, since it was founded 60 years ago. The system is in profound need of reform although such a need was first identified in its early years. It is almost a tradition that the collective will amongst UN members to agree and implement change is and has been conspicuously feeble over the years. As suggested below, that challenge grows ever more complex.

At the operational level the UN system is burdened with overlapping institutions, imprecise mandates, excessive red tape, staff apathy or indifference and member state interference. The principal institutions – the General Assembly, the Security Council, the Economic and Social Council as well as the main committees – suffer from procedures that are archaic and in many cases, like the Security Council, reflect a composition and method that are a product of a world half a century ago. The aberrations are plenty.

The basic truth remains that the UN is, of course, only as good as, or as bad as, its member states, and particularly its powerful member states, allow it to be. Member governments endow or

withhold the resources, the empowerment and the authority that determine just how effectively the UN can perform. Disillusionment with the UN is now palpable in many quarters. But the picture is not uniform. For smaller and newer members, the UN retains the critical property of legitimisation in international affairs. In other words membership confers legitimacy on the actual existence and participation of states in world affairs. This belief accounts for the phenomenal rise in UN membership over 60 years (from 50 members at the outset to nearly 200 today). It derives essentially from the universality of UN membership, which is unique, and from the continuing appeal of the UN Charter, based as it is upon the principle of sovereign equality for all nation states, together with its motivational commitment to overcome the problems of poverty, conflict and injustice in the world. The UN Charter is the nearest thing we have ever had to a constitution for the world.

This sense of the essential legitimising properties of the UN has assumed an additional dimension since the Cold War ended in 1989/1990. The collapse of the Soviet Union produced huge relief on all sides that superpower confrontation, based upon mutually assured destruction from nuclear



weapons, was ended. The new context witnessed, however, a rash of internal conflict driven by ethnic, cultural, religious and separatist forces in numerous parts of the world which could not be simply ignored by the international community of states. (New Zealand was implicated in restorative action in widely differing locations: Bosnia, Afghanistan, East Timor and Iraq). The key question was: who should authorise the use of military force in the changed circumstances of the post-Cold War era? Even though the 1990s demonstrated in effect that the UN was not itself suited to the actual conduct of fighting to enforce peace, and that this was a task best left to coalitions of countries ready and willing to take on the dangerous responsibility, the majority consensus (of which New Zealand is part) inside the UN was and remains that authorisation of such operations is the legitimate prerogative of the Security Council.

It was not surprising that as the world's most powerful nation and the original architect of the UN and multilateral system, the United States resisted the idea that its authority to employ military force should be subject to prior Security Council approval. The protection and promotion of American interests and security could not be subordinated in this way. The NATO bombing of Kosovo in 1999 and the United States invasion of Iraq in 2003 were spectacular demonstrations of this conviction, even while the latter represents the most controversial post Cold War action, whose repercussions still compound Middle Eastern turmoil as a source for global instability.



The administration of United States president George W. Bush attempted to marginalise the UN both before, and more especially after, the Iraq invasion when differences with the Secretary General over the legitimacy of the United States' actions damaged the relationship. American ambivalence about the UN is of long standing. In the 1980s, president Ronald Reagan had begun a policy, endorsed by the United States Congress, of withholding mandatory payments to the organisation unless or until it reformed itself in ways that the United States favoured. Over the same period America increasingly stood aside from UN laws, and the negotiation of new laws, where it deemed that United States interests would not be privileged. For those countries like New Zealand with an abiding national interest in equitably applied rules-based behaviour in international relations, this was disquieting.

**Above left:** Fourth session of Human Rights Council  
– Jean-Marc Ferre, UN Photo

**Above:** Palestinians give Kofi Annan photos and a letter on prisoners in Israel – Mark Garten, UN Photo



**Top:** Observing the International Day of UN Peacekeepers in Addis Ababa, Ethiopia – Rick Bajornas, UN Photo

**Above:** UNHCR repatriates Sudanese Refugees – Tim McKulka, UN Photo

At the same time, two significant changes were reshaping the context for modern international relations. First, the interdependence between countries and the interconnection between the challenges they confront has been deepened by globalisation. Climate change, resource depletion, pollution, health pandemics, the spread of highly dangerous weapons, cross-border crime, the scourge of drugs, illegal migration and terrorism are all issues that no one country or group of like-minded countries, however powerful, alone could surmount. Such reality reinforces the continuing relevance of a universal framework from which to generate ideas and devise a collective response to these modern afflictions.

It is important to accentuate the positive. In the vital area of post-conflict nation building, for example, the UN, with proper support from member states, retains a comparative advantage over the efforts of individual member states – even the most powerful. On top of this, the potential provided by the UN system of specialised agencies for rule making and standard setting across a vast canvas of international activity – from health to intellectual property, from meteorology to food additives, from space

to the sea bed, from individual human rights to strengthened international justice – was and is irreplaceable. Moreover, a semi-permanent system of conference diplomacy invented by the UN to underpin the framework, but derided by critics, provides a vital opportunity for smaller players, like New Zealand, to consistently play a part in the negotiation of international standard setting, which otherwise would be conclusively denied. The argument, on the other hand, that the UN system is now simply too large and unwieldy to produce worthwhile negotiated outcomes, needs to be taken with a grain of salt. Similar criticism is heard now of the World Trade Organisation (WTO). Yet the failure of negotiation to yield agreed outcomes has, the record shows, been the result as much of the refusal of major powers to accept outcomes that do not privilege their interests and/or control, as it has been the result of unwieldy negotiating process.

The second change has been the emergence of a new group of influential countries that are reshaping the international relations landscape – China, India, Brazil, South Africa and Egypt – in ways that are as yet half visible. The future for rules-based international behaviour will depend vitally, even primarily, upon these countries. It is crucial that they recognise their stake here. Such countries will expect, reasonably enough, access to positions of influence in the international institutions of the 21st century including the UN, the International Monetary Fund, the World Bank and the WTO. Empowering such countries will entail however, some disempowering of others whose relative weight no longer justifies top-line positions and the over-representation they have enjoyed since the UN and related systems were first established in the mid-20th century. Some countries in this category rank as traditional like-minded friends of this country (particularly in Europe) who may expect New Zealand support for the status quo. New Zealand's larger interests dictate the emergent powers, especially those in Asia, should assume a rightful place in

the international order of things, if necessary at the expense of those no longer justifying such pre-eminence. The choices and the changes will nonetheless be a challenge for New Zealand and others, especially as the newer powers will expect their own preferences, interests and values to be reflected more directly in and through those 21st century institutions that have, to this point, been primarily reflective of Western interests and values.

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*Terence O'Brien*

The likelihood that powerful states can fashion an alternative, superior system to replace the UN, and one which commands world-wide support, for the age of 21st century interdependence, defies common sense. Reform of the UN will nonetheless remain problematic. It is a process, not a single silver bullet. Some new projects – a new UN Peace Commission, a UN Human Rights Council – as well as some new principles like the Millennium Development Goals and the ethic of the responsibility to protect vulnerable communities from murder and exploitation – are meritorious. To be truly effective everything depends, of course, upon effective member state support. Already it seems some key Millennium Development Goals are unlikely to be met. Even with its most recent announcements of Official Development Assistance increases, New Zealand will still fall short of the (revised downwards)

interim targets for percentage of Gross Domestic Product. In Darfur, the responsibility to act to protect a large population at real risk seems incontrovertible but major powers, while calling for a beefed up UN peacekeeping presence, display little intention to get seriously involved themselves, preferring to give priority to Afghanistan and “the global war on terror”.

The passage of time and the electoral process in democracies may modify the prevailing diffidence about the UN. The present (unipolar) power structure in the world is not eternal and change will inevitably occur, which is an argument in itself for strengthening the international institutions so they can take the strain of change. A first step is to make the management of the institutions more democratic. There is a basic disconnection between the active promotion of democracy (including by forcible outside persuasion) at the level of the nation state, while at the same time the management of international institutions grows less democratic, as international law is ignored and unilateralism prevails. Checks and balances on the use of power are the cornerstone of national democracy and it is logical that this be replicated at the international level, but on the clear basis that emergency restorative military action by concerned powers is admissible, subject to effective and timely international authorisation. Unless greater basic symmetry between national and international democratisation is achieved, the grand design to spread democracy will be self-defeating.

*Terence O'Brien, a former New Zealand diplomat, served as the New Zealand ambassador to the UN in New York, including on the Security Council, and earlier as the ambassador to the UN in Geneva, including to the General Agreement on Trade and Tariffs I/WTO. He served too as ambassador to the European Union in Brussels. Earlier in his career, he was deputy head of the New Zealand External Assistance Division and the New Zealand representative to Cook Islands.*



**Top:** Electing members of the newly established Human Rights Council, New York – Evan Schneider, UN Photo

**Middle:** United Nations mission in Sudan – Tim McKulka, UN Photo

**Above:** United Nations mission in Sudan – Fred Noy, UN Photo

The views expressed in this opinion piece belong to the writer and do not necessarily represent the views of NZAID, or the New Zealand Government.

## NZAID SUPPORT TO THE UNITED NATIONS

NZAID's core funding to the UN is 'unearmarked' – assisting with stable and predictable funding for the different agencies.

	2006/2007 Support
<b>United Nations Development Programme (UNDP)</b> UNDP is the UN's global development network – an organisation that advocates for change and connects countries to knowledge, experience and resources to help people build better lives.	<b>\$8 million</b>
<b>United Nations Children's Fund (UNICEF)</b> UNICEF aims to defend children's rights, and helps meet their basic needs, ensure their survival and increase their opportunities to flourish. The agency responds to emergencies by working to strengthen the ability of children and their families to handle crises, including situations of armed-conflict, natural disasters and HIV/AIDS.	<b>\$4.6 million</b>
<b>United Nations Population Fund (UNFPA)</b> UNFPA promotes the right of every woman, man and child to enjoy a life of health and equal opportunity. The agency supports countries in using population data for policies and programmes to reduce poverty and to ensure that every pregnancy is wanted, every birth is safe, every young person is free of HIV/AIDS, and every girl and woman is treated with dignity and respect.	<b>\$4 million</b>
<b>World Food Programme (WFP)</b> The WFP takes the lead role in the food security sector: It responds to refugee and other emergency food needs, assists vulnerable groups in protracted relief and rehabilitation situations, and runs food-based development programmes, feeding on average 90 million people in over 80 countries.	<b>\$2 million</b>
<b>United Nations Refugee Agency (UNHCR)</b> UNHCR is mandated to lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems.	<b>\$3.6 million</b>
<b>UNAIDS</b> As the main advocate for global action on HIV/AIDS, UNAIDS leads, strengthens and supports an expanded response aimed at preventing transmission of HIV/AIDS, providing care and support, reducing the vulnerability of individuals and communities to HIV/AIDS, and alleviating the impact of the epidemic.	<b>\$2 million</b>
<b>Office of the High Commissioner for Human Rights (OHCHR)</b> OHCHR's mandate is the promotion and protection of human rights for all. The promotion of universal ratification and implementation of international human rights treaties is at the forefront of OHCHR activities.	<b>\$2 million</b>
<b>Office for the Coordination of Humanitarian Affairs (OCHA)</b> OCHA's mission is to mobilise and coordinate effective and principled humanitarian action in partnership with national and international actors in order to: alleviate human suffering in disasters and emergencies; advocate for the rights of people in need of humanitarian assistance; promote preparedness and prevention; and facilitate sustainable solutions.	<b>\$2 million</b>
<b>United Nations Industrial Development Organisation (UNIDO)</b> UNIDO is the specialist agency of the United Nations dedicated to promoting sustainable industrial development in countries with developing and transition economies.	<b>\$475,000</b>
<b>UNIFEM</b> UNIFEM financial and technical assistance to innovative programmes and strategies that promote women's rights, political participation and economic security.	<b>\$1 million</b>
<b>UN Mine Action Service (UNMAS)</b> UNMAS is the focal point for mine action within the UN system and is responsible for coordinating all aspects of mine action. At the field level, the agency is responsible for providing mine-action assistance in the context of humanitarian emergencies and peacekeeping operations.	<b>\$500,000</b>
<b>United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)</b> The Agency's goal is to promote the development of the Palestine refugees and strengthen the refugee community's self-reliance.	<b>\$1 million</b>
<b>Total</b>	<b>\$31.2 million</b>