

## THE BRETTON WOODS COMMITTEE

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### *The Future of UN Reform*

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#### **Nancy Soderberg's Remarks**

Thanks to Jim Orr for the opportunity to join you today – as well as Carol Ferrara for organizing this important and timely discussion. At a time when the Bretton Woods organizations are under attack, it is refreshing to be with a group that understands and appreciates the need for international organizations in promoting world stability.

Nothing's perfect, and our global institutions of cooperation are no exception. Having represented America at the UN, my list of what I personally would change might be considered longer than those UN bashers in Congress. But I also know that when the threats we face are global, we had better be using every international institution and every framework for cooperation that we can get our hands on.

Several weeks ago in New York, most of the world's leaders gathered at the United Nations "World Summit" for what was supposed to be a strong endorsement of a visionary plan for global governance in the 21st century. But the ideological clash between the US and much of the developing world brought the meeting to the brink of failure.

Weary diplomats had been scrambling to come up with face-saving compromises, but in the end, the member states failed to take up the challenge put forward by the Secretary General. In brief, he laid out a good deal – for the US and the developed world: get serious about investing in development, debt relief, and infectious diseases. In exchange, the developing world must get serious about the threats of terrorism and proliferation.

This summit has been years in the making. In the aftermath of the international community's grave failures in the Balkans and Rwanda in the 1990s, Secretary General Annan set up several commissions to address the issue of protecting civilians when governments fail to do so, and to look at ways to meet the developing world's urgent needs.

After the Iraq war in 2003, he recognized the gap in perceptions of threat between the developing and the developed worlds. For the US, that threat was primarily terrorism and weapons of mass destruction; for the developing world, it was the threat of underdevelopment, poverty, debt, HIV/Aids and other infectious diseases.

Mr. Annan offered sensible proposals in his March report, calling for the developed world to commit 0.7 per cent of gross national product to development, ease trade barriers and slash debt in exchange for a commitment by the developing world to implement good governance and get serious about ending support for terrorists and weapons proliferation. Such steps were part of the effort to reach the UN's Millennium Development Goals by 2015.

All summer, diplomats whittled away at draft after draft, making scant progress. Throughout the process, much of the developing world has seemed stuck in the 1960s, arguing for the legitimacy of terrorism in liberation struggles, undermining the urgent need for UN management reform and pathetically unable to agree on how to expand the Security Council. The strongest opposition to the text has been led by a collection of retrograde states including Pakistan and Algeria, and increasingly, Russia and China which have opposed any perceived intrusion on state sovereignty.

The US is also blocking progress. It is fighting against its own ideological hot buttons, such as the Kyoto protocol on climate change, the International Criminal Court, specific levels of development aid, disarmament and non-proliferation, and abortion rights. Washington only began to engage seriously in mid-August when John Bolton, as the new US permanent representative to the UN, sought initially to restart the process from scratch.

The result of so many pressures from so many sides was a convoluted draft with pages of disputed texts in brackets that diplomats were still arguing over as their leaders arrived in New York.

The end result was mixed. The US has now agreed that the specific targets for development assistance can be mentioned, but not specifically endorsed. The discredited Commission on Human Rights, hijacked over the past decade by Syria, Cuba, Libya, Sudan and others in the club of the repressive, will be replaced by a new Human Rights Council but of still uncertain composition. Arguments persist about how much more authority and flexibility to give the UN Secretary-General to manage the institution, despite the urgent call for this in the recent Volcker report's recommendations on UN reform.

On the brighter side, diplomats have, after much wrangling, agreed to recognize the world's responsibility to protect civilians and improve peacekeeping operations. For example, a new Peacebuilding Commission will focus on the needs of nations in, and emerging from, conflict. However the composition of said Commission has not yet been clearly delineated as well as what its relationship will be to either the Security Council or ECOSOC or both.

There were also, finally, some agreed to UN Charter updates such as winding up the Trusteeship Council, marking completion of the UN's historic decolonization role, and deleting antiquated references to "enemy states" in the Charter.

While important, these achievements are far from sufficient for preparing the UN, and the world, for the 21st century. They fail to address the toughest peace and security issues: terrorism, use of force, non-proliferation and Security Council reform. Even after September 11, 2001, a hard-core group continues to block any definition of terrorism, agreeing only to address the issue later in the year.

The Secretary General feels, and rightly so I might add, that the issue of non-proliferation is by far the biggest failure of the document. “Some states wanted to give absolute priority to non-proliferation, while others insisted that efforts to strengthen the Nonproliferation Treaty (NPT) must include further steps toward disarmament. Thus, the failure of the NPT review conference in May was repeated.”

Facing opposition from the US, coupled with skepticism from the developing world, the proposals regarding disarmament and non-proliferation, and criteria for the use of force, are essentially dead. So, too, is any change in the makeup of the Security Council. Four Security Council aspirants - Japan, India, Brazil and Germany - failed in their efforts to create six new permanent seats including two African ones. Africa rejected the proposal.

However this failure should not hinder any ongoing efforts to reform the Security Council though, to be honest, a post-Summit recap makes the issue of structural reform seem rather bleak. This UN Organ, more so than any other, continues to be a reflection of our history rather than our future. After all, doesn't it seem highly suspect that a Security Council developed for Post-World War II 1945 would still be relevant in 2005?

There are two models being bandied about with regard to reform of the Council's composition, “one involving the creation of new permanent seats (without the veto), the other premised on the creation of a new category of non-permanent seats to be held for four years and to be allocated to a new configuration of four regional groupings (rather than the current five).” The main impetus behind these Security Council reforms is to make the Council more representative of today's realities, but as Kofi Annan admitted, “Here, too, there is agreement on the principle, but the devil is in the details.” Again we see yet another example of the disparity between theory and practice. The world recognizes the need for a more inclusive body but it seems unlikely that the five permanent members of the Security Council, the United States, China, Russia, the United Kingdom and France will ever voluntarily relinquish their veto power. Without this step, reform remains mired in debate.

Lest we develop a laser-like focus on the Security Council at the expense of other organs of the UN, the Secretariat has notably been under fire both privately and publicly. There is a strong need for management reform for this segment of the UN in order to strengthen accountability, ethical conduct and management performance.

With this in mind, there are currently four broad over-arching initiatives being undertaken. The first revolves around improving the performance of senior management. To address this issue, two new senior committees, chaired by the Secretary-General, were created in early May 2005—one dealing with Policy issues, and the other with Management issues. These two groups will hopefully increase the quality and expediency of top-level decision-making. Furthermore, a new selection system has been developed in an effort to cast a wider net when it comes to the recruitment and selection process for senior officials. Finally, because some ethical lapses have been brought to light through things like the Volcker report, there is a new system in place to ensure that top-level officials are properly briefed on “the broader system of UN rules, regulations, codes of conduct and managerial systems.”

One of the most serious shortcomings that has been identified of late is “in the area of oversight and accountability.” To combat this problem, more rigorous controls have been instituted.

These include the Management Performance Board, the Oversight Committee for the UN Secretariat, a comprehensive review of the Office of Internal Oversight Services (OIOS) and an enhanced anti-fraud and corruption policy.

Piggybacking on these weaknesses is the unquestioning need to ensure ethical conduct so that the incidents of exploitation which were reported in certain peacekeeping missions, in addition to reports of senior official misconduct and harassment, will never again be repeated. Several solutions to these problems arose out of the 2004 Integrity Survey; namely, the need for more stringent “whistleblower protection” so that the UN’s staff has a renewed confidence in the Organization’s ability to provide adequate “protection” for whistleblowers. Additionally, new ethics modules have been included in all training programmes, and “the launch of the UN-wide ethics training and certification programme will be rolled out over the coming months with versions ready in multiple languages by the end of the year.”

Furthermore, to specifically address allegations of sexual misconduct by field personnel, the General Assembly approved in June 2005, the creation of 19 new OIOS investigator positions as well as additional investigative resources. These measures should help bolster the UN’s image by working to eradicate the perception (which might have been justly deserved) that there was a laxness in enforcement of ethical conduct.

Finally we come to the issue of transparency. Though there has previously been no established policy for determining which UN documents should be made privy to those outside the Secretariat, the Office of Legal Affairs is now looking to outside experts to develop a policy that will be based on successful models used in other countries and organizations.

Also, due in large part to the Volcker inquiry and the subsequent critiques of various UN procurement cases in the early years of the Oil-for-Food Programme, an initial review was conducted by the US National Institute of Government Purchasing (NIGP) in June 2005 which precipitated an additional review of financial and internal controls supposedly being conducted by the end of September. *[Can’t find out if this happened or not.]*

Because effective multilateralism is integral to the success of global development, the need to foster confidence in the United Nations is more important than ever. These management reform issues, will hopefully aid in this effort allowing the UN to shake off the vestiges of irrelevancy.

Yet, my optimism for the future remains reserved. This World Summit was not the slam dunk so many had hoped for (even if they didn’t expect it.) Competing regional and national interests in addition to individual self interests slowed down the cause of progress leaving many people wondering what it would take to transform the UN into the international organization it should and could be. Hopefully though, the spirit of cooperation, a cornerstone on which the United Nations was built, will prevail. It will be interesting to see it try.