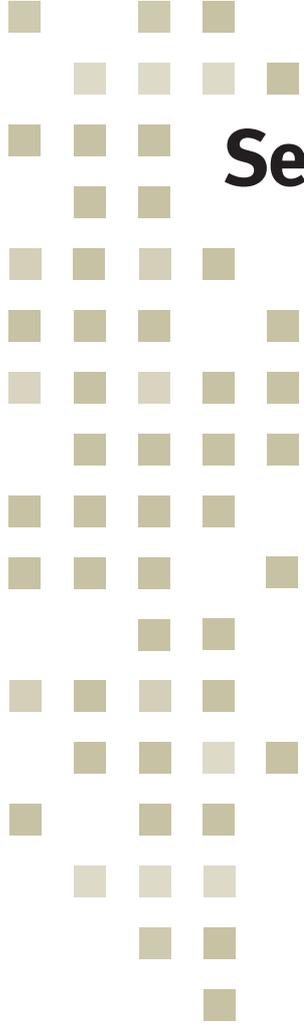




«Challenges to Collective Security»
Working Papers from NUPI's UN Programme

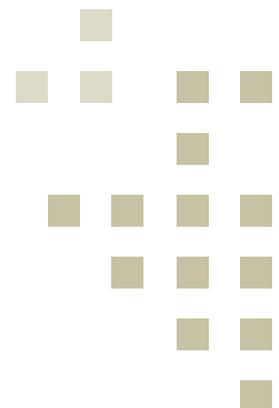
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UN Reform and Collective Security

**An Overview of Post-Cold War Initiatives
and Proposals**

**Benjamin de Carvalho
Niels Nagelhus Schia**

Paper No. 1 – 2004



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Besøksadresse: C.J Hambros plass 2d
Adresse: Postboks 8159 Dep.
0033 Oslo
Internett: www.nupi.no
E-post: pub@nupi.no
Fax: [+ 47] 22 36 21 82
Tel: [+ 47] 22 99 40 00

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1. Collective Security Challenged?*

Article 1 of the UN Charter mentions that “To maintain international peace and security and to that end: to take effective collective measures [...] and in conformity with the principles of justice and international law” ought to be the main purpose of the UN. While the UN’s capacity to achieve its main purpose was stalled for 45 years by the Cold War superpower rivalry, the early 1990s reinvigorated hopes about the UN’s ability to stand as the pillar of renewed collective security arrangements. Towards the end of the 1990s, however, much of this enthusiasm had given way to a certain scepticism.

Recent events such as the terrorist attacks of 9/11, the responses to these attacks as well as the US/UK-led war in Iraq have also highlighted a number of differences in the ways member states frame the goals of international security and the role of the UN. As Secretary-General Kofi Annan underlined in his address to the United Nation General Assembly on 23 September 2003:

Three years ago, when you came here for the Millennium Summit, we shared a vision, a vision of global solidarity and collective security, expressed in the Millennium Declaration. But recent events have called that consensus into question.

It is against the backdrop of the new security challenges the international community is facing that this report is written. While this report does not seek to be exhaustive, it nevertheless seeks to be pertinent in highlighting past UN reform initiatives in light of the threat and security challenges facing the international community and the UN in the years to come.

In the first part of this report we present a concise overview of past UN reform initiatives, while in the second part, based mainly on these reform initiatives, we draw attention to a number of issues and challenges facing the UN and the international community today.

* The authors would like to acknowledge Espen Barth Eide, Tore Bjørgo, Morten Bremer Mærli, Kari Osland, Henrik Thune, and Torunn Tryggestad for their helpful comments and criticism on drafts of this paper.

2. UN Reform Initiatives: An Overview

The wave of UN reform initiatives following the optimism of the early 1990s was by many seen as stemming from the two Brandt reports *To Ensure Survival* (also known as the “North-South Report”) and *Common Crisis*. Published in 1980 and 1983, these were among the first reports to talk about goals for a new millennium. These reports were the outcome of the Independent Commission on International Development Issues initiated by the World Bank in 1977, with Willy Brandt as Chairman. The Brandt reports highlight development, improvement in the social and economic situation in disadvantaged countries, stress the need for disarmament of the developing world, and make suggestions for reform in areas such as finance, trade and energy.

2.1 Disarmament and Development

The Palme report *Common Security* (1982) and the Brundtland report *Our Common Future* (1987) were also part of this initiative. Both reports developed common approaches to peace, security, development and the environment. While the Palme report focused on disarmament, the Brundtland report launched the term sustainable development.

The Challenge to the South was produced by the Independent Commission of the South on Development Issues which was established by the former President of Tanzania, Julius K. Nyerere. It was published in 1990 and sought to analyze challenges developing countries were facing. The report looks at development process, assesses the achievements, analyzes the failings and suggests direction for reform on this field. It was presented for the General Assembly December 19, 1991.

The Nordic UN Initiative was established jointly by the governments of Denmark, Finland, Norway and Sweden in 1988. The outcome of this initiative was three reports: *Perspectives on Multilateral Assistance* (1990), *The United Nations Issues and Options* (1991) and *The United Nations in Development* (1991). These reports defined the challenges for the 1990s as internationalization and interdependence. In order to meet these challenges the international community, through the UN, is urged to address the increasing amount of poverty, environmental threats and the pressure of population growth. The reports presented specific recommendations for better control and financing of UN development activities and better coordination within the UN. The initiative resulted, among other things, in the establishment of the UN’s Department of Humanitarian Affairs (DHA).

Two other major reports on UN reform were published during these years. The first report was *The Stockholm Initiative on Global Security and Governance* (1991). The report sums up the most important themes from the international independent commissions of the 1980s, chaired by Brandt, Palme, Brundtland and Nyerere. It was the outcome of a summit that

included a number of state leaders. The conference marked a basic shift within international crisis management: the focus turned from solving problems through international cooperation to building effective transnational institutions. The participants of the summit conference concurred on 28 proposals that dealt with: Peace and security, Development, the Environment, Population, Democracy and human rights and Global governance. The second report, *Towards a More Effective United Nations* (1991), was published by the Dag Hammarskjöld Foundation under joint sponsorship with the Ford Foundation. It was written by Brian Urquhart and Erskine Childers and included two papers called *The Reorganization of the United Nations' Secretariat* and *Strengthening International Response to Humanitarian Emergencies*.

2.2 Preventing Conflict and Making Peace

The next important report on UN reform came from Secretary-General Boutros Boutros-Ghali and was called *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping* (1992). Here the Secretary-General made an effort to develop structures that would strengthen peace. In this matter he distinguished between preventive diplomacy, peacemaking, peace-keeping, and post-conflict peace-building. On preventive diplomacy the following measures were recommended in order to build confidence: fact-finding missions, improvement of the network of early warning system, preventive deployment and demilitarized zones. Secretary-General Boutros-Ghali saw a role for the UN in the easing of tensions, but also in its potential for a quick response to war. He also included a more controversial proposal, namely the establishment of a permanent UN military force capable of responding to small-scale conflict. Furthermore, the report included other proposals: *Peace enforcement* would establish cease-fires. *Peacekeepers* would have electoral, humanitarian and monitoring responsibilities. *Peace-building* should involve educational, cultural and technical responsibilities – “transforming deficient national structures” and (re)-establishing stable democratic social order. The report also established the Department for Policy Coordination and Sustainable Development (DPCSD). In 1995 the *Supplement to an Agenda for Peace* was published. This report addressed the need for an expanding role of peace-keeping operations, especially in the context of post-conflict peace-building.

One year after the Secretary-General's *Agenda for Peace* in 1993, Gareth Evans responded to Boutros Ghali's invitation to debate these issues and initiated a major study published as *Cooperating for Peace: The Global Agenda for the 1990s and Beyond*. In his book, Evans identified seven priority issues: Restructuring the Secretariat, solving the UN funding crisis, improving the management of peace operations, giving priority to prevention, re-thinking humanitarian coordination, emphasizing the important of peace-building, re-generating the Security Council, and cooperative security.

Furthermore Evans argued that security is about protecting individuals as much as defending the territorial integrity of states, and that economic development, human rights, good governance and peace are intertwined and

mutually reinforcing. He outlined that there must be an international responsibility towards preventing deadly conflict and intrastate conflict. Accordingly he called for preventive diplomacy rather than post-conflict reconstruction. In the lengthening of this, Evans evaluated the use of military operations to secure and promote humanitarian goals, and suggested guidelines for future interventions.

The Secretary-General's report *An Agenda for Development* was published in 1994. It emphasized the mutually reinforcing dynamic between peace and development. Peace was argued to be the foundation and fundamental dimension of development. Economic and social development, in turn, was of crucial importance for securing *lasting* peace. Thus, the report added countries in conflict to the categorization of countries in need of development. In this way the report represented a new way of looking at development. To the comprehension of development the report also placed new emphasis on the role of democracy, human rights, good governance and empowerment of women. *An Agenda for Development* states global governance, in terms of ensuring an equitable and sustainable development, as one of the great challenges of our time. What makes *An Agenda for Development* different from other reports on this matter is that it advocates the need of strengthening institutional cooperation and partnership for development. The report provides a blueprint on how to improve the multilateral system as a whole.

In 1994 Brian Urquhart and Erskine Childers published their second report, *Renewing the United Nations System* also encouraged by the Dag Hammarskjöld Foundation and the Ford Foundation. The report focused on economic and social cooperation and root causes of instability, violence and insecurity. Furthermore, it highlighted the UN's lack of leadership in global economic policy, the need for an international human rights court and a system for monitoring violations on human rights.

2.3 From State to Human Security?

In 1995 the UN celebrated its 50th anniversary of the UN Charter. The same year the Commission on Global Governance published its report entitled *Our Global Neighborhood*. The initiative to this report came from Willy Brandt, who invited Ingvar Carlsson and Shridath Ramphal to chair the new commission which was to publish a report on the new prospects for world co-operation. This report, which built upon the work of several other agencies and commissions, gave specific proposals on how to expand the UN's authority in order to provide a standing UN army, the establishment of an Economic Security Council, end the veto power of permanent members of the Security Council, the establishment of a new parliamentary body of civil society representatives (NGOs), the establishment of a new *Petitions Council*, a new Court of Criminal Justice, the creation of binding verdicts of the International Court of Justice and expanded authority for the Secretary-General. In addition, the report proposed a world conference on Governance to be held in 1998 with its decisions to be ratified and put into effect by 2000. The Commission's ambition was not to decide whether reforming the

UN was possible or not, rather it was to present perspectives and discussions on important weaknesses and problems within the UN.

The same year as *Our Global Neighborhood* was published, Canadian United Nations Association arranged a Roundtable on Security Council Reform. The most important issues that were discussed were: questions of increasing the membership of the Council, taming the veto and making the Security Council more transparent and effective.

The year 1996 saw two major projects on UN reform. These were studies initiated by inter-governmental groups. The first was the Nordic UN Reform Project, and its report was entitled *The United Nations in Development. Strengthening the UN through Change: Fulfilling its Economic and Social Mandate*. It was initiated on behalf of the governments of the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden. The second project was initiated from the South Centre in Geneva and was called *For a Strong and Democratic United Nations: A South Perspective of UN Reform*. They both dealt with institutional reform of the UN system.

The General Assembly's 51st session (1997) was called *Renewing the United Nations: A Program for Reform*. The sessions proposed many of the recommendations from *Our Global Neighborhood*. The program represented a shift in security comprehension by moving the focus from sovereign nations to a focus on citizens:

The concept of global security must be broadened from the traditional focus of security of states to include the security of people and the security of the planet.

Furthermore, it outlined the evolution in security thinking from *collective security* (UN Charter) via *comprehensive security* (during the 1980s) to *human security*. Now human security, while taking into account prior understandings of security, also concerned safety from chronic threats such as hunger, disease, repression and sudden harmful disruptions in daily life. The program reorganized the work of the UN into five core areas: Peace and security; economic and social affairs; development cooperation; humanitarian affairs; and human rights. These areas constituted four new departments in the UN, the fifth area, human rights, was considered to cross all areas and was therefore represented in each of the other executive committees.

In 1999 the Commission on Global Governance published its second report, *The Millennium Year and the Reform Process: A Contribution from the Commission on Global Governance*. While paying close attention to the UN, the report concentrated on the need for improving the role of civil society as well as new challenges in the world economy. As in the first report (*Our Global Neighborhood*), global governance continued to be an underlying theme, but the report points out that it is "not proposing movement towards world government".

As a result of the failure of the international society to prevent the genocide in Rwanda in 1994 and the fall of Srebrenica in 1995, the Secretary-General convened the panel of United Nations Peace Operations, whose mission was to come up with prescriptions for future peace-keeping

operations. The result was the so-called Brahimi report, or the Report of the panel of the UNPO and it was finished in 2000. The report stressed that half-measures operations should be replaced by a clear and well-supported plan of action, including more troops, more staff at headquarters and stronger political, financial and material support from the member states. Equally, it underlined the importance of standards for judging the performance of the peacekeepers.

The core of the report is a call for more effective conflict prevention. It recognizes a greater need for multi-disciplinary approaches to peacekeeping, including civilian police, interim administration alongside traditional military functions. The peacekeepers, it claims, must be able to defend themselves and their mission “with robust rules of engagement”. It also formulates a plan for better peace-building strategies, arguing that peace-builders and peacekeepers are “inseparable partners”, and there can be no exit for the UN before peace is self-sustainable. Peacekeeping should be one of the UN’s “core activities” rather than a “temporary responsibility”. The report suggests fixed time limits for deploying peacekeeping operations and that the Secretary-General should be allowed to start planning a mission ahead of the Security Council’s approval as to make the UN react faster and more efficiently.

2.4 Towards a New Millennium

In April 2000 Secretary-General Kofi Annan submitted his so-called Millennium Report entitled *We the Peoples: The Role of the United Nations in the 21st Century* to the General Assembly. The report seeks to define the challenges facing humanity in the 21st century, and a plan on how these challenges should be met. The challenges are: the environment, poverty, education, AIDS, focus on people rather than states, UN Information Technology Service (to train groups in developing countries in the uses and opportunities of the Internet and information technology), institutions to manage globalization and its backlash (crime, narcotics, terrorism, pollution, disease, weapons, refugees and migrants).

The Millennium Report represents the most wide-reaching attempt so far at redefining the challenges the world faces with increasing globalization. As its title suggests (*We the Peoples*), it attempts to mark out the road in terms of setting people rather than states as the central concern of the UN in the 21st century.

The report is divided under the following headings: Globalization and Governance, Freedom from Want, Freedom from Fear, Sustaining our Future, and the role of the UN in helping to secure these goals. Furthermore, it stresses the need to strike a balance between strengthening states on the one side and collective cooperation around common institutions, norms and rules on the other side. The present model of development is unsustainable, the report argues, with extreme disparity between rich and poor countries as well as rapid degradation of the environment. The need to reduce extreme poverty is one of the central issues of the report.

At the level of international security, the report identifies internal conflicts rather than inter-state conflicts as the main threat to security, while

Weapons of Mass Destruction (WMD) remain an issue that needs to be tackled. Besides, also this report emphasized security of people rather than security of states. Conflict prevention is a central element in the security strategy the report outlines. Healthy and balanced economic development and securing minority and human rights are seen as main elements in preventing conflicts from emerging. Additionally, the report points at the importance of upholding international and human rights law, and of punishing gross human rights violations. States, the report argues, can no longer hide behind national sovereignty. In order for this to work, the report also points at the importance of Security Council reform, so as to better reflect the goals of efficiency and legitimacy.

At the level of sustainable development, the report underlines the importance of continuous work along the foundations laid down at the Rio Conference (1992). The UN's relationship with civil society is also seen as crucial in this respect.

The Millennium Report urged the international community to discuss and to agree upon principles and standards concerning intervention and state sovereignty. One year later, in 2001, the Canada-initiated report entitled *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* came as a response to that challenge. The main theme was that when states do not take the responsibility to protect their citizens, as in the case of the genocide in Rwanda in 1994, the responsibility lies with the international community and the UN.

In the tide of the Millennium Report, Secretary-General Kofi Annan prepared the report *Strengthening of the United Nations: An Agenda for Further Change: Report of the Secretary-General* in 2002. The main challenge Secretary General Kofi Annan outlined in order to achieve a stronger UN in the future was to strengthen the General Assembly. One important way of doing this, Kofi Annan argues, is to clarify the General Assembly's responsibilities *vis-à-vis* other parts of the UN system. Strengthening the United Nations Economic and Social Council (ECOSOC), and especially forging closer ties to the Bretton Woods institutions as to make it "a privileged global forum for shaping development policies and strategies" are some of the central proposals. Finally, reinvigorating the stalling reform process of the Security Council, especially in terms of making it more efficient and more representative is one of the main challenges mentioned. Given the changing understanding of security, Secretary-General Kofi Annan also mentions the importance of the Security Council cooperating with other UN organs, especially the General Assembly and ECOSOC.

3. Global Security: Challenges Ahead

The following headings take up some of the main issues and challenges facing the international community and the UN in light of changing perspectives on threats to international peace, global security and reform of the international system. While the discussion of sovereignty and non-intervention and the evolving security paradigm are based on trends in the reports analyzed above, the discussions of the threats and challenges posed by WMD and terrorism are by their recent character based more on declarations, resolutions and official statements. Given the current emphasis on the dangers associated with WMD and terrorism, it is striking to notice how absent these are in the reports analyzed.

3.1 The Withering of State Sovereignty?

In some way or another, all proposals for reform of the UN regard or touch upon the moral and legal standing of states (their rights and duties) *vis-à-vis* those of individuals and those of other states. In short, they are concerned with defining the meaning of “sovereignty.” The conflict between the rights of individuals and those of states is at the very core of the UN system. The Preamble of the UN Charter underlines that the goal of the UN itself is to: “[...] reaffirm faith in fundamental human rights, in the dignity and worth of men and women and of nations large and small [...]” Thus, the conflict between these different norms is inherent in the UN goals, and the road to making these norms compatible has been, and will continue to be, fraught with difficulties.

These debates came to the forefront of UN reform initiatives and the UN agenda after the end of the Cold War in light of what appeared to be an increasing number of military interventions justified with reference to the defense of human rights. As to the apparent incompatibility between so-called humanitarian interventions and the sovereignty of states, Kofi Annan, in the Millennium Report, pertinently asked the question

[...] if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we then respond to [...] gross and systematic violations of human rights that affect every precept of our common humanity?

The report attempts to answer this by declaring that in spite of the inherent dilemmas of humanitarian intervention, as well as the vital protection the norm of sovereignty provides for weaker states,

[...] no legal principle—not even sovereignty—can ever shield crimes against humanity. Where such crimes occur and peaceful

attempts to halt them have been exhausted, the Security Council has a moral duty to act on behalf of the international community.

Although the Millennium Report goes quite far in declaring the rights of peoples superior to those of states, it nevertheless does so within the context of the Security Council's possibility to invoke Chapter VII of the UN Charter, strongly implying a moral duty on the part of the Security Council in the face of such crimes.

Secretary-General Boutros Ghali's *An Agenda for Peace* paved the way for discussing humanitarian interventions within the context of the UN, with its emphasis not only on the traditional UN role of peace-keeping, but also by introducing the concept of *peace-making*. The report stresses the importance of military power as a last resort in cases where international peace and security are threatened, but does not, however, mention interventions directly. It also stays clear of discussing the meaning of state sovereignty.

The Report of the Commission on Global Governance (1995) picks up the discussion and deals explicitly with the question of military intervention on humanitarian grounds. It argues that on the grounds of the increasing global consensus on UN interventions on humanitarian grounds, the UN Charter should be amended as to permit military intervention on humanitarian grounds—and not having to use the existing Chapter VII measures which deal with international peace and security.

The 2001 report of the International Commission on Intervention and State Sovereignty (*The Responsibility to Protect*) goes even a step further. While it acknowledges that the Security Council is the sole legitimate bearer of authority in questions of authorizing the use of military force, it nevertheless maintains that in cases where the Security Council is unable to act in the face of “conscience-shocking situations crying out for action, concerned states may not rule out other means to meet the gravity and urgency of the situation [...]” The report nevertheless stresses the importance of seeking Security Council authorization before acting.

The question one is faced with today, as the UN seems to be moving away from being an organization only for states towards an organization for peoples, to cite the Millennium Report, is whether, as former UN Secretary-General Javier Pérez de Cuéllar stated in 1991: “We are clearly witnessing what is probably an irreversible shift in public attitudes towards the belief that the defense of the oppressed in the name of morality should prevail over frontiers and legal documents.” There are, however, no inherently easy ways out of the conflict between the rights of states and those of individuals, and UN documents have been careful not to phrase these issues within a humanitarian discourse, but instead framing it within the Chapter VII provisions for international peace and security.

While there seems to be a broad understanding today that the sovereignty of states should not be a cover for crimes against humanity, there is disagreement as to the normative standing of this principle *vis-à-vis* international law. For instance, can a state or coalition be justified in intervening militarily in another state with a moral justification but no mandate from the UN?

This question becomes pertinent when considered against the backdrop of the events of 9/11. As Secretary-General Kofi Annan said in his address to the General Assembly on September 23, 2003,

Now, some [Member States] say that this understanding [of the UNSC as sole and unique source of legitimacy of the international use of military force] is no longer tenable, since an “armed attack” with weapons of mass destruction could be launched at any time, without warning, or by a clandestine group. Rather than wait for that to happen, they argue, States have the right and obligation to use force pre-emptively, even on the territory of other states, and even while weapons systems that might be used to attack them are still being developed. According to this argument, states are not obliged to wait until there is agreement in the Security Council. Instead, they reserve the right to act unilaterally, or in ad hoc coalitions. This logic represents a fundamental challenge to the principles on which, however imperfectly, world peace and stability have rested for the last fifty-eight years.

What Kofi Annan points to here is another discussion concerning the meaning of sovereignty, especially as seen from the perspective of sovereignty as the defense of weak states. If, as some states claim today, the pre-emptive use of force is lawful, will some states be more sovereign than others?

To sum up the discussion around sovereignty, the international community is at present faced with three main debates. Firstly, what is the moral and legal standing of states *vis-à-vis* individuals and peoples? Secondly, what can give legitimacy to the international use of military force? Can sufficient legitimacy flow from a moral case for action, or should the backing of the UN still be required in order for any military action to be justified, even in the face of the gravest crimes against humanity? Finally, if the backing of the UN is no longer necessary, what are the limits of the rights of self-defense? Can a state be legitimate in defending itself against what it perceives as a potential future threat without the backing of the Security Council?

While these debates are seldom mentioned explicitly in UN documents because of their controversial nature, they are nevertheless implicit in most discussions. Resolving the inherent dilemmas between the rights of peoples—groups or individuals—and those of states by discussing the moral and legal standing of the international norm of sovereignty, is one of the main challenges facing the UN and the international community in the years ahead.

3.2 Widening the Scope of Security

Today people from different parts of the world are more and more interdependent as a result of globalization. Diseases like HIV/AIDS and SARS, and extreme weather conditions thus have to be included in the present and future threats and challenges of the world. States can no longer

remain untouched by these changes. Equally, in the face of these changes, as the Millennium Report argues, international institutions must provide an arena for non-state actors to cooperate with states and global companies. They also need to be able to respond faster to the changing global agenda.

Already in the 1980s, the Brandt Reports (1980, 1983) highlighted the richness of the world and the unique historical chance to marginalize poverty. The world had never before seen the kind of financial and technical resources to cope with hunger and poverty as it did at that time. Thus the reports concluded that the immense task could be overcome if the necessary will was provided. It also stated the importance of solving this task. The survival of humanity

[...] raises not only classical questions of war and peace, but also the questions how can one defeat hunger in the world, overcome mass misery, and meet the challenge of the inequality in living conditions between rich and poor.

Brandt fronted the fight against poverty as a main subject for the millennium. However, what has happened with the perceptions of threat and challenges to the world since the Brandt reports?

The Nordic UN Initiative (1990 and 1991) defines the challenges of the 1990s as internationalization and interdependence. More precisely, it points to the internationalization of everyday life, the growing amount of poverty, the increasing amount of refugees and migration. This illustrates the interdependence between the different parts of the world, which is also the case with environmental threats, pressure of population growth, the fight against drugs and diseases. Equally, the Stockholm Initiative (1991) among other themes highlights the world's arm trade as one of the major threats to international peace and security. The challenge in this matter is defined as agreeing on global norms to limit and regulate this trade.

Renewing the United Nation System (1994) focuses on the root causes of instability, violence and insecurity. These causes are seen as being the weakening of the nation-state structure, the suppression of cultural and ethnic groups, the economic North-South imbalance, increasing poverty, ecological degradation, the increase in mass famine and diseases, the spread of weapons. The increasing processes of interdependence and globalization make all these factors a potential threat to international peace and security in a way that was not understood before.

In the report *Our Global Neighborhood* (1995) the Commission of Global Governance expanded the concept of global security from the focus on states to also include the security of people and the security of the planet. The principles the report outline in terms of security all point to a widening of the understanding of security and threats today. These principles include peoples' and states' right to a secure existence and the obligation of states to protect these rights, the importance of eliminating economic, social, environmental, political and military conditions that represent a threats to people and the planet. It also stresses the importance of international control over the production and the trade in arms.

Renewing the United Nations: A Program for Reform by the 51st session of the General Assembly (1997) represents a shift away from sovereign nations to a focus on citizens, or security for the people. The program outlines the change in security conceptions and affirms that we now find ourselves in the final step in the evolution of this development. The concept of “human security” is launched. This concept includes safety from hunger, disease, repression and sudden harmful disruptions in daily life. Furthermore, the expanded security concept from *Our Global Neighborhood* is adopted: “The concept of global security must be broadened from the traditional focus of security of states to include the security of people and the security of the planet.”

When presenting the Millennium Report, the General Secretary Kofi Annan reasserted that the challenges of the 21st Century are were the environment, poverty, education, diseases such as HIV/AIDS, a focus on people rather than states, institutions to manage globalization and its backlash.

The question of HIV/AIDS is a question that within the framework of a widened security understanding stands out as a pressing issue. It is also symptomatic of the broadened security agenda and new threat perceptions. In its resolution 1308 (2000), the Security Council stated that “If unchecked, the HIV/AIDS pandemic may pose a risk to stability and security.” This resolution was historic, as it represented the first time that the Security Council discussed a health issue. As a consequence of people dying, the reasoning goes, the entire political, economic and social infrastructure of states in question is disrupted, threatening to lead to a number of so-called “failed states” and potential havens for criminal and terrorist groups. As such, a number of NGOs, including the International Crisis Group (ICG), have called for HIV/AIDS to be “[...] viewed as a security crisis with the potential to affect peoples, states and the international community in a similar fashion to more traditional forms of conflict.” UNAIDS accentuated this point when it argued that “HIV/AIDS is a security issue, whether one is looking at the more traditional meaning of security [...] or the newer concept of ‘human security’ [...]”.

As such, this “new” security concept implies a holistic view on the world in relation to security. Isolation is no longer an option, and border controls do not stop diseases such as HIV/AIDS or events such as 9/11. In his statement to the General Assembly September 23, 2003, the Secretary-General stressed the link between “hard” and “soft” threats, recalling the Brandt reports:

We now see, with chilling clarity, that a world where many millions of people endure brutal oppression and extreme misery will never be fully secure, even for its most privileged inhabitants.

3.3 The Legitimacy of the UN Security Council

An institution which has been at the forefront of most discussions on the future of collective security arrangements, is the Security Council. These

debates and reform proposals are all concerned with the legitimacy and efficiency of the Security Council.

All the reports reflect that the Security Council represents an anachronistic institution—based on the global power distribution at the end of World War II. As such, there is broad agreement that an enlargement of the Security Council, to give representation to regions and states which are not permanent members of the Council, will make the decisions of the Council more legitimate. Thus, the debate around increasing the membership of the Council is less about whether or not this needs to be done, but about what the ideal composition would be. While enlarging the Council would make it more representative and thus increase the legitimacy of its decisions, there is fear that it would end up being even less efficient than how it is considered to be today.

The permanent members (P-5) and their veto are also a question of concern to many reports. Reports such as *Our Global Neighborhood* (1995) stresses that the anachronistic veto is unacceptable. Furthermore, while calling for a phasing out of the veto over time, the report also calls for a full review of the membership of the Council. However, the reform initiatives dealing with the Security Council are necessarily stalled by the P-5's right to veto these proposals.

Symptomatic of this is the *Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council*, which was established by the General Assembly in 1993. Since then it has reported to the General Assembly at the end of each session, the last report dating from August 2003. Although there is agreement on the need for reform, the Working Group so far has neither managed to produce consensus on the nature of these reforms, nor has it proposed any drastic changes.

Among reform initiatives worth mentioning which do not concern the membership and representation to the Council, is the 1995 Commission on Global Governance's proposed "right of petition" for NGOs. As the Security Council has been widely criticized for not being efficient enough in dealing with matters of humanitarian urgency, the Commission proposes that the right to bring matters in for consideration by the Council should no longer be restricted to states. Rather, their report argues, non-state actors should also have a "right of petition" in order to be able to bring "situations massively endangering the security of people within states to the attention of the Security Council."

To sum up the situation when it comes to reform of the Security Council, although all reports seem to agree on the need for reform both of the composition and the veto, this reform, ironically, seems to be stalled by the very same institutions it seeks to reform.

3.4 Weapons of Mass Destruction

Recent events have forced new and pressing items on the global security agenda, namely questions surrounding weapons of mass destruction and their potential use by non-state actors, or international terrorism. "A few years back," the Director of the International Atomic Energy Agency

(IAEA) Mohammed ElBaradei, stated in an interview in 2003, “the terrorist phenomenon was not the major phenomenon we had to face. Efforts to acquire weapons of mass destruction were not with the intensity we see in the last few years. The security threats are changing, and with it our response needs to change.”

The Commission of Global Governance (1995) promoted a continued international commitment between nation states to eliminate nuclear weapons and other weapons of mass destruction. The report operated with a goal to fulfill this elimination in ten to fifteen years. The implementation plan of the report involved work on four fronts, including the indefinite extension of the Non-Proliferation Treaty (NPT, 1970); and the initiation of talks among all declared nuclear powers to establish a process to reduce and eventually eliminate all nuclear arsenals, which is also stated as a goal in the NPT. The report also argued that all countries should sign and ratify the treaty on chemical and biological weapons, the goal on this matter being to enter the 21st century free of these weapons.

The Millennium Report (2000) is less ambitious on the WMD situation. The report asks for progress in the work on the nuclear non-proliferation regime, in addition to focusing on the unwillingness of key states to ratify the Comprehensive Nuclear Test-Ban Treaty. According to the report, there were several alarming signs, such as the stalling of the Strategic Arms Reduction Talks and the fact that there were no negotiations at all covering tactical nuclear weapons in existence. The report thus asks for “[...] a reaffirmation of political commitment at the highest levels to reduce the dangers that arise both from existing nuclear weapons and from further proliferation.”

The need of a political commitment at the executive level was reiterated in January 2002 by ElBaradei, when he stated that “We have the solutions [...] now governments have to come up with the resources.” In June 2003 ElBaradei presented the new dimension of the WMD threat, namely the prospect of sub-national groups seeking to acquire and use these weapons. To deal with this new threat, ElBaradei expressed, among other things, the pressing need for the Security Council to “[...] agree to broaden its definition of what situations ‘constitute a threat to international peace and security’ to cover efforts to acquire WMD [...]”. He also emphasized the need to create

[...] an environment in which the use of force, as foreseen in the UN Charter, is limited to situations of self-defense or enforcement measures authorized by the Security Council. Pre-emptive strikes, [...] can send the global community into uncharted and dangerous territory.

Finally, he underlined the need to develop alternative security doctrines that do not rely on WMD, but rather on the strengthening of collective security systems:

We must develop a comprehensive regime to ensure that WMD and their components will not fall into the hands of terrorists. [T]his demands an effective global approach [...] Finally, we must work

collectively to address global sources of insecurity and instability, including the widening divide between rich and poor [...].

As ElBaradei stresses, the challenge ahead in relation to WMD lies not only in strengthening the existing non-proliferation regime. As he claims in an interview with *Der Spiegel* released on January 24, 2004, the danger of a nuclear war has never been so great: “An atomic war draws nearer if we do not start thinking about new international control systems.” It is especially the emerging atomic black market, which ElBaradei singles out as a threat. This trafficking by “nuclear experts [...], unscrupulous firms, probably state institutions”, he warns, can lead to nuclear arms falling into the hands of dictators or terrorists. Furthermore, he argues,

I worry also about the nuclear arsenals in democratic states, because as long as these weapons exist, there is no absolute guarantee against the catastrophic consequences of theft, sabotage or an accident.

Given the increased awareness of the threat posed by non-state and state-sponsored terrorist groups and the danger WMD would constitute in their hands, it is an issue of pressing concern to ensure that these questions are addressed not only in the context of collective security arrangements, but also within the context of a broader security agenda.

3.5 Terrorism

To find a common definition on terrorism has proven to be difficult for the international community; nevertheless there have been some attempts. Additionally, there exist a number of UNSC and UNGA resolutions on specific incidents concerning terrorism, and the UN has also between 1963 and 1999 formulated 12 multilateral conventions related to terrorism. So far so good, but the problem has been that many states have not taken part in these agreements or have not been implementing them.

Thus, before September 2001, the UN did not have any formally expressed countermeasures to meet terrorist attacks like the one on the World Trade Center. Symptomatically, the few attempts to forge a consensus definition of terrorism have not been very successful.

The first attempt in the UN was based on the League of Nations proposition in 1937 and the proposed definition on terrorism for the drafted convention was: “All criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public.” No further attempt were made to find a common terminology on terrorism until, 1992, no later than 55 years after the League of Nations proposition. It was a short legal definition proposed by A.P. Schmid in a report for the then United Nations Crime Branch, based upon a definition on war crimes: “Act of Terrorism = Peacetime Equivalent of War Crime”.

The 1990s fostered one more definition on terrorism and a few General Assembly resolutions condemning it. Resolution 49/60 (1994) and Resolution 50/53 (1995) adopted a declaration on Measures to Eliminate

International Terrorism. Resolution 51/210 (1996) proposed a new definition of terrorism:

[...] criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes [be it for] political, philosophical, ideological, racial, ethnic, religious [justifications].

The same resolution initiated an ad hoc Committee on Terrorist Bombings, which now meets annually, with the purpose of developing an international legal framework to deal with terrorism. However, as mentioned above, the UN did not have the institutional countermeasures to respond to the threat represented by the events of 9/11. Nevertheless, the UN's reaction after 9/11 was fast and unanimous. Less than 20 days after the attacks, the Security Council adopted Resolution 1373, which formulated countermeasures and demands. The nations of the world were given 90 days to respond to a number of demands to a UN commission established with basis in Resolution 1373, namely the Counter Terrorism Committee (CTC). The primary priorities of the CTC are to ensure that states have the counter terrorism legislation necessary to combat terrorism and the funding of terrorism. Resolution 1373 also placed the question of what a legitimate state is on the agenda, and leaves the role of assessment on this matter to the CTC. This makes it even more precarious for the UN to have a precise and agreed-upon notion of terrorism.

When the question of defining terrorism was later discussed by the General Assembly at its 57th session, speakers reiterated the need to distinguish between terrorism and the legitimate fight of peoples for their right to self-determination. This need calls for the formulation of a legal definition of terrorism. The sixth committee viewed state terrorism and state-sponsored terrorism as the most dangerous forms of this kind of acts. Terrorism is not a new threat *per se*. However, especially since the 9/11 attacks, it has taken on new forms which are considered to be an explicit threat to international peace and security. Today there are several fragmented definitions related to specific incidents, but to forge a consensus on a more common level has proven to be difficult, since most countries in the world, with only a few exceptions, seem to agree on condemning attack on civilians to create a state of chaos no matter what the goal is.

4. Collective Responses to New Threats?

With what seems to be a consensus on a broadened conception of security, the perception of different threats has equally diversified. As Secretary-General Kofi Annan stressed in his speech to the General Assembly on September 23, 2003,

[...] while some consider these threats [terrorism and WMD] as self-evidently the main challenge to world peace and security, others feel more immediately menaced by small arms employed in civil conflict, or by so-called “soft threats” such as the persistence of extreme poverty, the disparity of income between and within societies, and the spread of infectious diseases, or climate change and environmental degradation.

Throughout the 1990s, most reform initiatives have dealt with the legal and moral standing of states *vis-à-vis* peoples. What importance should the international norm of non-intervention have in the face of gross violations of human rights? Many analysts would argue that in the face of the international community’s response to these violations, we are witnessing a withering of sovereignty. The recent discussions about a right to preemptive strike construed as self-defense also pose inherent challenges to the standing of the norm of state sovereignty.

Equally, with the end of the Cold War and faced with increasing processes of globalization, the international community’s understanding of the concept of security has broadened, and epidemics such as HIV/AIDS can today no longer be excluded from the discussion of which threats the world is facing in the 21st century.

However, as Secretary-General Kofi Annan has repeatedly stressed, there is neither agreement as to the real importance of these processes, nor is there agreement about the road to follow. Threats and threat perceptions change over time, and so does our understanding of security. The real challenge ahead will lie in managing the inherent dilemmas between the rights of states and those of peoples, between multilateral security arrangements and the unilateral practices of stronger states. One crucial question on this agenda is the future role of the UN and collective security arrangements.

5. Main UN Reform Initiatives, 1980-2004: A Chronology

1980

North-South: A Programme for Survival [**Brandt Report**] by the Independent Commission on International Development Issues

1981

ECOSOC. Options for Reform by the UN Institute for Training and Research [UNITAR]

1982

Common Security: A Blueprint for Survival [**Palme Report**] by the Independent Commission on Disarmament and Security Issues

1983

Common Crisis North-South: Co-Operation for World Recovery [**Brandt Memorandum**] by the Independent Commission on International Development Issues

1985

Some Reflections on Reform of the United Nations. Report by the UN Joint Inspection Unit [prepared by Maurice Bertrand]

1987

Our Common Future [**Brundtland Report**] by the World Commission on Environment and Development

1989

The Future Role of the United Nations in an Interdependent World. By the UN Institute for Training and Research [UNITAR]

The Third Generation World Organization [**Bertrand Report**]. By the UN Institute for Training and Research [UNITAR]

1990

The Challenge to the South [**Nyerere Report** or **South Commission Report**] by the Independent Commission of the South on Development Issues

Building a More Democratic United Nations [**CAMDUN Report**] by the International Conference on a More Democratic United Nations

1991

The United Nations in Development: Reform Issues in the Economic and Social Fields [**Nordic UN Initiative**] by the Nordic UN Project [governments of Denmark, Finland, Norway, Sweden]

The Role of the United Nations in the New World Order. Report by the UN Institute for Training and Research [UNITAR]

Common Responsibility in the 1990's: The Stockholm Initiative on Global Security and Governance [**Stockholm Initiative Report**] by the Swedish Prime Minister's Office

Towards a More Effective United Nations by the Dag Hammarskjöld Foundation [written by Erskine Childers and Brian Urquhart]

1992

An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping by UN Secretary-General Boutros-Ghali

1993

Financing an Effective United Nations: A Report of the Independent Advisory Group on U.N. Financing [**Volker-Ogata Report**] by the Ford Foundation

Defining Purpose: the U.N. and the Health of Nations [**US Commission Report**] by the United States Commission on Improving the Effectiveness of the United Nations

Cooperating for peace: The Global Agenda for the 1990s and Beyond by Gareth Evans

The United Nations in the 1990s: A Second Chance? . By the UN Institute for Training and Research [UNITAR]

1994

An Agenda for Development by UN Secretary-General Boutros-Ghali
Canadian Priorities for United Nations Reform: Proposals for Policy Changes by the United Nations and the Government of Canada by the Canadian Committee for the Fiftieth Anniversary of the United Nations

Renewing the United Nations System by the Dag Hammarskjöld Foundation [written by Erskine Childers and Brian Urquhart]

United Nations: A Working Paper for Restructuring by Harold Stassen

1995

The Nordic Countries and the future of the United Nations by the Nordic Council

The United Nations in its Second Half-Century [**Yale Report**] by the Independent Working Group on the Future of the United Nations

Our Global Neighborhood by the Commission on Global Governance
Supplement to An Agenda for Peace by UN Secretary-General Boutros-Ghali

The United Nations in Its Second Half-Century. Report of the Independent Group on the Future of the United Nations. Convened by the Ford Foundation at the request of the UN Secretary-General.

Reforming the United Nations: A View From the South by the South Centre

1996

The United Nations in Development: Strengthening the UN through Change: Fulfilling its Economic and Social Mandate [**Nordic UN Initiative**] by the Nordic UN Project [governments of Denmark, Finland, Norway, Sweden]

Report of the Open-ended High-level Working Group on the Strengthening of the United Nations System by the UN General Assembly, 50th session

A World in Need of Leadership: Tomorrow's United Nations System; A Fresh Appraisal by the Dag Hammarskjöld Foundation [written by Erskine Childers and Brian Urquhart]

For a Strong and Democratic United Nations by the South Centre

1997

[**Razali Paper**] *Paper by the Chairman of the Open-Ended Working Group On The Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council*

Renewing the United Nations: A Programme for Reform by the UN General Assembly, 51st session

1999

The Question of Intervention by UN Secretary-General Kofi Annan
The Millenium Year and the Reform Process by the Commission on Global Governance

2000

Report of the Panel on United Nations Peace Operations [**The Brahimi Report**] convened by UN Secretary-General Kofi Annan

We the Peoples: The Role of the United Nations in the 21st Century [**The Millennium Report**] by the UN Secretary-General Kofi Annan

2001

The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty

Road Map towards the Implementation of the United Nations Millenium Declaration by the UN General Assembly 56th session

2002

Strengthening of the United Nations: An Agenda for Further Change.
Report by the UN Secretary-General Kofi Annan

2003

Promoting and Integrated Approach to Rural Development in Developing Countries for Poverty Eradication and Sustainable Development.
ECOSOC High Level Segment

[1993-2003] *Report Of The Open-Ended Working Group On The Question Of Equitable Representation On An Increase In The Membership Of The Security Council And Other Matters Related To The Security Council.* UN General Assembly 57th session

