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UNIVERSITY OF KENT AT CANTERBURY  
FACULTY OF SOCIAL SCIENCES  
*PHD IN INTERNATIONAL RELATIONS*

**Reforming the United Nations**  
**1985 - 1989**

*by Georgios Kostakos, MA*

CANTERBURY, OCTOBER 1989

## ABSTRACT

The thesis deals with the financial crisis that the United Nations faced starting in 1985 when the US Congress decided to withhold a significant part of the US contribution to the UN regular budget in order to force a greater say for the major contributors on budgetary issues, budgetary restraint and greater efficiency. The UN responded by the adoption of resolution 41/213 of 19 December 1986 that was based on the recommendations of a Group of High-level Intergovernmental Experts ("G-18") set up a year earlier. A new system was introduced regarding the formulation of the regular budget of the United Nations Organisation and a broader process of reform was initiated including a restructuring of the Secretariat and of the intergovernmental machinery in the economic and social fields. After an introductory chapter (Chapter I), the thesis examines the UN problems at the budgetary/financial and administrative/structural levels, the solutions proposed from within and without the United Nations established framework and the actual attempts at reform (Chapters II and III). The realisation that the implementation of reforms is rather disjointed and often unsuccessful (e.g. the failure to restructure the intergovernmental machinery) prompts a search for the deeper causes of the UN problems at the political level and the attitudes of the main actors, namely the USA, the USSR, some up-and-coming states, notably Japan, the Third World states and, finally, of the UN Secretary-General and the Secretariat (Chapter IV). Although the financial crisis may have subsided since 1988 and the USA seem committed to paying up their dues, the deeper UN crisis of identity has not been resolved and is expected to resurface if no bold steps are taken. In that direction, some possible alternative courses for the UN in the future are discussed drawing upon theory and practice (Chapter V). The thesis ends with some conclusions and suggestions by the author (Chapter VI).

To Anna and Grigoris

*My parents*

For their understanding, patience

and love

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The mere existence of friends, some old but neither forgotten nor forgetful, and some new, that I met in these last two years, often in the broad context of my research, strengthened (and strengthens) my determination to work for something hopefully worthwhile and kept (and keeps) me going under often difficult circumstances.

I was very lucky to have the wholehearted moral and practical support of the members of my family living in the New York area, some of whom I had never met before or, in any case, I came to know and love much more now. The rest of my family, in Greece, continued to encourage and support me as they have always done, something that I am now spoilt enough to take for granted.

There are no words that would do justice to the contribution of my immediate family, my parents, to whom I dedicate this piece of work, my sister and my grandparents, in completing this academic exercise and in my life in general; I hope my feelings are communicated in other ways.

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*Γεωργιος Κωστακος*

(Georgios Kostakos)

Canterbury, England, October 1989

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## ABBREVIATIONS

ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Advisory Committee on Co-ordination
ACUNS	Academic Council on the United Nations System
ASEAN	Association of South East Asian Nations
CHR	Centre for Human Rights
CPC	Committee for Programme and Co-ordination
CSDHA	Centre for Social Development and Humanitarian Affairs
CSTD	Centre for Science and Technology for Development
DAM	Department of Administration and Management
DCS	Department of Conference Services
DDA	Department for Disarmament Affairs
DG	Director-General
DIEC	Director-General for Development and International Economic Co-operation
DIESA	Department for International Economic and Social Affairs
DPI	Department of Public Information
DTCD	Department of Technical Co-operation for Development
EC	European Community
ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLAC	Economic Commission for Latin America and the Caribbean
ECOSOC	Economic and Social Council
EOSG	Executive Office of the Secretary-General

ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
FAO	Food and Agriculture Organisation
fn.	footnote or note
GA	General Assembly
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development (also known as "World Bank", together with the International Development Association (IDA) and the International Finance Corporation (IFC))
ICAO	International Civil Aviation Organisation
ICJ	International Court of Justice
ICSC	International Civil Service Commission
IDA	International Development Association
IDC	International Drug Control
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
IGO	Inter-Governmental Organisation
ILO	International Labour Organisation
IMF	International Monetary Fund
IMO	International Maritime Organisation
ITU	International Telecommunication Union
JIU	Joint Inspection Unit
LOS	Office for Ocean Affairs and Law of the Sea

NAM	Non-Aligned Movement <i>or, referring to the United Nations Secretariat,</i> Office of the United Nations Commissioner for Namibia
NGO	International Non-Governmental Organisation
NIEO	New International Economic Order
OAS	Organisation of American States
OAU	Organisation of African Unity
OECD	Organisation for Economic Co-operation and Development
OLA	Office of Legal Affairs
ONUC	United Nations Operation in the Congo
OPEC	Organisation of Petroleum Exporting Countries
OPGS	Office of the Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services
ORCI	Office for Research and the Collection of Information
PL	Public Law of the United States of America
PSCA	Department of Political and Security Council Affairs
SG	Secretary-General of the United Nations Organisation
SPA	Office of the Under-Secretary-General for Special Political Affairs
SPQRCDT	Department of Special Political Questions, Regional Co-operation, Decolonisation and Trusteeship
SSR	Soviet Socialist Republic
UN	United Nations
UNA-USA	United Nations Association of the United States of America
UNAVEM	United Nations Angola Verification Mission

UNCHS	United Nations Centre for Human Settlements (Habitat)
UNCTAD	United Nations Conference on Trade and Development
UNCTC	United Nations Centre on Transnational Corporations
UN Doc.	United Nations Document
UNDOF	United Nations Disengagement Observer Force
UNDP	United Nations Development Programme
UNDRO	Office of the United Nations Disaster Relief Co-ordinator
UNEF	United Nations Emergency Force
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFICYP	United Nations Peace-keeping Force in Cyprus
UNFPA	United Nations Fund for Population Activities
UNGA	United Nations General Assembly
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organisation
UNIFIL	United Nations Interim Force in Lebanon
UNIMOG	United Nations Iran-Iraq Military Observer Group
UNITAR	United Nations Institute for Training and Research
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNO	United Nations Organisation
UNOG	United Nations Office at Geneva
UNOV	United Nations Office at Vienna
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

UNTAG	United Nations Transition Assistance Group for Namibia
UNU	United Nations University
UPU	Universal Postal Union
US	
<i>or</i>	
USA	United States of America
USSR	Union of Soviet Socialist Republics
WFC	World Food Council
WFP	World Food Programme
WHO	World Health Organisation
WIPO	World Intellectual Property Organisation
WMO	World Meteorological Organisation

## TABLES AND FIGURES

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# CHAPTER I

## Introduction

### Starting point and scope of the thesis

Around 1985, when the United Nations Organisation was celebrating its 40th anniversary with dozens of heads of state and government making elaborate speeches before the General Assembly, it had become apparent that the ground on which the world body stood had gone quite shaky with time. The omens were numerous:

—In an atmosphere charged with accusations for mismanagement, over-politicisation and corruption, the USA had withdrawn from UNESCO at the end of 1984, followed by the United Kingdom (and Singapore) a year later.

—Demands for zero-growth UN budgets and better use of existing funds were increasingly pronounced by the western developed countries and by the socialist developed countries as well, contrary to demands for ever-increasing budgets pressed forward with by the developing country majority.

—No substantive progress had been made towards the resolution of continuing conflicts like the ones between Iran and Iraq, in Afghanistan, Cambodia, Cyprus, etc.

—The Bertrand Report, a UN document published in 1985. had an alarming effect by pointing out the numerous shortcomings of the United Nations system and proposing its radical restructuring.

The situation erupted into a major crisis following the passing of the Kassebaum amendment by the US Congress in 1985. This amendment tied the amount of the US contribution to the United Nations organisations upon the progress these organisations would make towards introducing weighted voting on budgetary questions. The chronic financial problems of the UN rapidly developed into a major crisis. The need for reform, often voiced before, now became imperative and central to the very survival of the world body.

The present study has been motivated by the aspiration to contribute to the broad debate which has been taking place, with increased intensity since the 40th anniversary of the United Nations Organisation, with a view to safeguarding the UN's future and to shaping a more efficient and effective United Nations for the years to come.

## The present crisis

### *The origins of the crisis*

The American negative attitude toward the UN (more on this in Chapter IV) culminated in the passing by the US Congress of the Kassebaum amendment to the Foreign Relations Authorisation Act for fiscal years 1986 and 1987 signed by President Reagan in August 1985 (Section 143 of Public Law 99-93).<sup>1</sup> According to the Kassebaum amendment, US contributions to the United Nations and its Specialised Agencies for the US fiscal year 1987 (i.e. 1 October 1986 to 30 September 1987) and following years should be cut down to a maximum of 20% of the organisations' budgets through withholding of funds. In order for the contributions to be restored to their normal levels, the various agencies and the UN proper had to adopt a system of weighted voting that would determine a state's voting power "on matters of budgetary consequence" in proportion to the amount of money it contributed.<sup>2</sup> As reported in *The New York Times*, "The legislation would effectively give the four largest contributors among the non-Communist industrial nations—the United States, Japan, West Germany and France—slightly more than 50 percent of the vote, and control of the budget."<sup>3</sup>

Another provision of the above Foreign Relations Authorisation Act was also meant to challenge the perceived malign UN *status quo*, by threatening a reduction of the annual US assessed contribution to the

---

<sup>1</sup> The amendment was put forward by Senator Nancy Landon Kassebaum, Republican of Kansas.

<sup>2</sup> The full text of the Kassebaum amendment can be found in *Senate Document No. 1: Appropriations, Budget Estimates, Etc.—99th Congress, 1st Session*, United States Congressional Serial Set, Serial Number 13607, US Government Printing Office, Washington, D.C., 1988, p. 1303. The Kassebaum amendment, in its original form, as submitted to Congress, included an additional provision asking for reductions in UN employees' salaries but this part of the amendment was not included in the law. Another amendment by Representative Gerald B.H. Solomon focusing on the salary issue was also dropped.—See "Cut in US Contribution Approved: Congress Seeking to Force Budget Discipline on the UN", by Harrison Donnelly, *Congressional Quarterly, Weekly Report*, Vol. 43, No. 34 (24 August 1985), pp. 1669-1670.

<sup>3</sup> "Kassebaum Bill has UN Worried", by Elaine Sciolino, *The New York Times*, New York, 6 October 1985, p. A22. Of course, 50% of the vote may be more than enough for blocking approval of the budget, but to actually pass a budget one needs to muster a two-thirds majority (Article 18 of the UN Charter).

UN "by the amount of that contribution which is the United States proportionate share of the salaries of those international civil servants employed by the United Nations who are returning any portion of their salaries to their respective governments", if no substantial progress was made in that respect.<sup>4</sup> This particular amendment, sponsored by Representative Don Sundquist, was aimed at the practice of UN employees from Eastern bloc countries to "kick back" portions of their salaries to their respective governments.<sup>5</sup> This latter amendment alone could result in the USA withholding up to \$20 million of its UN contribution.<sup>6</sup>

The United Nations was also affected by other legislation passed by the US Congress, not directed particularly against the world body. The Balanced Budget and Emergency Deficit Control Act of 1985, also known as Gramm-Rudman-Hollings Act, signed by the US President in December 1985 (Public Law 99-177), mandated a balancing of the federal US budget by stages to be completed by 1991.<sup>7</sup> The total effect of this latter law on UN financing could not be appreciated beforehand. In fiscal year 1986, application of the Gramm-Rudman-Hollings legislation resulted in automatic reductions in US contributions to international organisations up to a total of \$20.1 million.<sup>8</sup> At the beginning of 1986, the USA had indicated to the Secretariat that it would pay from \$90.5 to \$102.5 million less than its assessed contributions for 1985 and 1986.<sup>9</sup>

On 18 December 1985 the UN General Assembly adopted a regular budget of \$1,663,341,500 for the 1986-1987 biennium, by a vote of 127 in favour to 10 against, with 11 abstentions (resolution 40/253 A). This budget exhibited only 0.1% real growth rate in relation to the one for the previous biennium. What was disquieting, however, was the fact that the member states that voted against or abstained (among the first the USA and the USSR, and among the second Japan, West Germany, France, Italy and the UK) were the major contributors providing about 80% of the Organisation's resources. Those who disagreed in one

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<sup>4</sup> Public Law 99-93, Section 151, in *Senate Document No. 1...*, *op. cit.*, pp. 1306-1307.

<sup>5</sup> "Gloom and Budget Doom for Friends of the UN", article by Ben A. Franklin, *The New York Times*, 27 June 1986, p. A16.

<sup>6</sup> See Douglas Williams, *The Specialised Agencies and the United Nations: The System in Crisis*, C. Hurst & Company, in association with The David Davies Memorial Institute of International Studies, London, 1987, p. 95 (fn. 3).

<sup>7</sup> For the text of US Public Law 99-177 see *Senate Document No. 1...*, *op. cit.*, pp. 781-836.

<sup>8</sup> See Alan L. Keyes, "Fixing the UN", *The National Interest*, No. 4 (Summer 1986), p. 22. See also *ibid.* for a better understanding of how the Gramm-Rudman-Hollings Act works.

<sup>9</sup> *UN Chronicle*, Department of Public Information, United Nations, New York, Vol. XXIII, No. 4 (August 1986), p. 63.

way or another with the proposed budget explained their attitude by reference to continued excessive spending on inappropriate programmes, irrational priorities attributed to programmes, etc. On these matters both East and West seemed to be in accord.<sup>10</sup>

Perhaps, especially in the immediate "post-Kassebaum" period, American action was really "the straw that breaks the back of the camel", as the US representative at the resumed 40th session of the General Assembly put it.<sup>11</sup> Nevertheless, this additional element sparked off a series of discussions and measures, as the situation was now broadly acknowledged to be getting out of hand.

#### *First UN attempts to cope with the crisis*

On 18 December 1985 the General Assembly passed, among others, resolutions 40/237, 40/241 A and B, and 40/244, relating to the UN's financial problems.

Most importantly, by the first resolution (resolution 40/237) the General Assembly decided, without a vote,<sup>12</sup> to establish an 18-member Group of High-Level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (henceforth referred to as "G-18") with a term of one year, "[t]o conduct a thorough review of the administrative and financial matters of the United Nations, with a view to identifying measures for further improving the efficiency of its administrative and financial functioning, which would contribute to strengthening its effectiveness in dealing with political, economic and social issues" and "[t]o submit to the General Assembly, before the opening of its forty-first session, a report containing the observations and recommendations of the Group".<sup>13</sup>

Through resolutions 40/241 A and B the General Assembly urged the member states to pay their assessed contributions to the Organisation promptly and asked the Secretary-General to study alternative ways to

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<sup>10</sup> *UN Chronicle*, Vol. XXIII, No. 2 (February 1986), pp. 99-100. The budget was later increased to \$1,711,801,200 by resolution 41/211 A of 11 December 1986, by a vote of 122 to 13, with 10 abstentions, the same states, more or less, disagreeing again, in one way or another.

<sup>11</sup> See *UN Chronicle*, Vol. XXIII, No. 4 (August 1986), p. 65.

<sup>12</sup> For the meaning of terms like "without a vote", "by consensus", etc., see M.J. Peterson, *The General Assembly in World Politics*, Allen & Unwin, Boston, 1986, chapter 3, especially pp. 84-86. About the particular and often misleading meaning that the term "consensus" has acquired in the UN context see Douglas Williams, *op. cit.*, pp. 80-82.

<sup>13</sup> General Assembly resolution 40/237 of 18 December 1985, para. 2. The G-18 as finally constituted was chaired by Tom Vraalsen, of Norway, and the rest of its members came from Algeria, Argentina, Brazil, Cameroon, China, France (Maurice Bertrand (!)—see Chapter III), India, Japan, Mexico, Nigeria, Singapore, the Sudan, the USSR, the UK, the USA, Yugoslavia and Zimbabwe.

take the Organisation out of its critical financial situation. During the discussion at the Fifth Committee the Secretary-General had told the Committee that the money of the Working Capital Fund (\$100 million) had been virtually used up to compensate for contributions due.<sup>14</sup>

Finally, by resolution 40/244 the General Assembly decided that the salary margin for UN Professional and higher category staff in New York in relation to the salaries of officials in comparable positions in the US federal civil service should be maintained within 10% to 20%, with a desirable mid-point of 15%.<sup>15</sup>

At a resumed fortieth session from 28 April to 9 May 1986, the General Assembly considered economy measures, some proposed and some already taken by the Secretary-General, with a view to taking the Organisation out of its financial predicament. The Secretary-General introduced, *inter alia*, a freeze in personnel recruitment; reductions in costs relating to overtime payments and travelling, in publications, documentation, and meeting services; deferment of major construction projects in Addis Ababa and Bangkok and of other activities; etc. Savings of \$60 million in total were expected through the implementation of these measures. Member states were asked to contribute voluntarily to the UN Special Account, to make advance payments of their assessed contributions for the following year and, of course, to pay their arrears, in order to help the Organisation deal with the crisis.<sup>16</sup> The Secretary-General also pointed at the possibility of borrowing in the open market and/or of increasing the Working Capital Fund.<sup>17</sup>

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) endorsed the measures put forward by the Secretary-General, while at the same time it stated that it did not favour borrowing or increasing the Working Capital Fund.<sup>18</sup> Finally the General Assembly adopted most of the Secretary-General's proposals through the passing, without a vote, of decision 40/472 on 9 May 1986, after intensive

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<sup>14</sup> See *UN Chronicle*, Vol. XXIII, No. 2 (February 1986), p. 100.

<sup>15</sup> The US had long been complaining that the UN employees were paid too much, allegedly even up to 40% more than American civil servants, to do too little—see "UN Holds on by Thin Financial Thread", *Financial Times*, London, 29 April 1986, p. 6.

<sup>16</sup> See *Current Financial Crisis of the United Nations: Report of the Secretary-General*, General Assembly, Fortieth Session, UN Doc. A/40/1102 of 12 April 1986, chapters III and IV. For the response, not overwhelming, of member states see *Financial Emergency of the United Nations: Report of the Secretary-General—Analysis of the Financial Situation of the United Nations*, General Assembly, Forty-first Session, Fifth Committee, UN Doc. A/C.5/41/24 of 27 October 1986, part II.

<sup>17</sup> See UN Doc. A/40/1102, chapter IV and *Financial Emergency of the United Nations: Report of the Secretary-General—Analysis of the Financial Situation of the United Nations*, General Assembly, Fortieth Session, Fifth Committee, UN Doc. A/C.5/40/16 of 3 October 1985, part IV.

<sup>18</sup> See ACABQ reports in UN Docs. A/40/831 of 1 November 1985 and A/40/1106 of 22 April 1986.

consultations. The temporary/emergency character of the measures was stressed and the measures were approved as "unavoidable, though regrettable, in order to keep the Organisation in a state of solvency", as stated by the President of the General Assembly, Sr. Jaime de Pinies, of Spain.<sup>19</sup> A tragi-comic and anecdotal event occurred with relation to the UN tight financial situation: As part of the Secretary-General's cost-saving measures, water jugs were removed from the thirteen UN committee rooms, to save an expected \$100,000 a year. A resolution calling for the reinstatement of the jugs became the cause of a long debate in the Fifth Committee.<sup>20</sup>

The chronic financial predicament of the UN was rapidly developing into a major crisis. The new precarious situation initiated a much more general reform process than was perhaps originally intended or anticipated.<sup>21</sup> Though American attitudes served as the lever for the initiation of this reform process, they were not the only cause of it. The pressuring, successful, to a significant extent, on the part of the developing countries for an ever-increasing UN budget and the opposite feelings of the developed countries had to be accommodated some time, in some way, by the Organisation.

The G-18 report was ready by August 1986. It dealt with the intergovernmental machinery and its functioning; the structure of the Secretariat; questions of personnel policies; the monitoring, evaluation and inspection of UN activities; and the planning and budget procedure.<sup>22</sup> After protracted formal and informal consultations in the Fifth Committee and in plenary,<sup>23</sup> the General Assembly decided (resolution 41/213 of 19 December 1986) that the 71 recommendations contained in the report of the G-18 should be implemented, "in the light of the findings of the Fifth Committee" and subject to certain qualifications.<sup>24</sup>

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<sup>19</sup> *UN Chronicle*, Vol. XXIII, No. 4 (August 1986), pp. 63-64.

<sup>20</sup> Reported in "A Tempest in a Carafe: UN Debates Ice Water Question", by Elizabeth Kolbert, *The New York Times*, 8 December 1986, p. A1.

<sup>21</sup> See Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, Pinter Publishers, London, 1988, pp. 223 and 233.

<sup>22</sup> See *Report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations*, General Assembly, Official Records: Forty-first Session, Supplement No. 49 (UN Doc. A/41/49), United Nations, New York, 1986. Henceforth, I will refer to this report as *The G-18 Report*. The Group held four sessions with a total of 67 meetings from 25 February to 15 August 1986.

<sup>23</sup> For the formal consultations see Fifth Committee summary records in UN Docs. A/C.5/41/SR.11, 13 to 19 and 21 and plenary meeting verbatim records in UN. Docs. A/41/PV.33 to 39, 52, 59 and 102.

<sup>24</sup> The full text of General Assembly resolution 41/213 can be found in Appendix I at the end of the thesis. For the findings of the Fifth Committee see *Review of the Efficiency of the Administrative and Financial Functioning of the United Nations; Report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations—Report of the Fifth Committee*, General Assembly, Forty-first session, UN Doc. A/41/795 of 5 November 1986.

Resolution 41/213 and the G-18 recommendations legitimised demands for UN reform and became the points of reference in the actual reform process that followed.

### **Past attempts at UN reform**

The UN Charter, the constitutional document of the Organisation, signed in 1945, spelled out the main objectives of the UN and provided for the principal organs that would have the responsibility to meet these objectives.<sup>25</sup> Beyond that, it was left to the decision-makers of the day to try and develop the best ways to perform the functions entrusted to the UN Organisation and the system of Specialised Agencies, in a constantly changing world environment. In this sense, reform has been a permanent item on the UN agenda. But this does not mean that reform has always been welcome or pursued to an extent and in a direction acceptable to all. Conflicting national interests and bureaucratic inertia are but two factors to which this can be attributed.

It can be argued, for systematisation reasons, that reforms attempted in the system's 44-years-or-so history fall in four categories with respect to the main focus of the reform discussion and process each time. In this way, successive and interconnected reforms in the areas of peace and security, accommodation of developing country demands, effective co-ordination of activities, and efficient financial management and broader rethinking about the role of the UN, can be identified in fairly distinct periods.<sup>26</sup>

Having to cope with the cold war climate that was becoming all the more evident in the relations between the super-powers, the UN in its first years tried to go after what was designated as its main objective, namely the preservation of peace and security. The 1950's saw the Korean war (1950) and the passing of the controversial "Uniting for Peace" resolutions; also the Suez crisis (1956) and the creation of the first peace-keeping force (UNEF). In the early 1960's there was the Congo operation with the UN Secretary-

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<sup>25</sup> For a fairly detailed discussion of the preparation of the United Nations Charter and the setting up of the new organisation see Evan Luard, *A History of the United Nations*, Volume 1: "The Years of Western Domination, 1945-1955", The MacMillan Press, London and Basingstoke, 1982, part I. For the basic principles of the United Nations, the UN structure, the principal organs and their main functions see A. LeRoy Bennett, *International Organisations: Principles and Issues*, Prentice-Hall, Englewood Cliffs, New Jersey, 1984 (third edition), chapter 4. The structure of the United Nations and the United Nations system is schematically given in Appendix III of the thesis (more on this in Chapter III).

<sup>26</sup> See also Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, pp. 223-225 and David Steele, *The Reform of the United Nations*, Croom Helm, Beckenham, Kent, 1987, pp. 19-23. These attempts at reform will be discussed in greater detail in the appropriate Chapters of the thesis.

General becoming for some time UN General—commander of troops. What is left from that period is the establishment of peace-keeping forces to interpose themselves between belligerents and the realisation that "real" joint military action, as that envisaged in the UN Charter for the Security Council, would require a consensus among all major powers, and particularly between the two super-powers, that is not to be expected.

In the 1960's and early 1970's, the UN had to deal with the influx of a great number of newly independent states that marked the virtual end of the colonial era. The Organisation and its system had to find a way to accommodate its new members and to integrate them in its structures. Formal amendments of the Charter increasing the number of members of the Security Council from 11 to 15 and of ECOSOC from 18 to 27 and from 27 to 54 were instituted to that end. New institutions were created (UNCTAD, UNDP, UNIDO, etc.) to deal with the special problems and needs of the new members and to give them fora, other than the old developed-member-dominated ones, to articulate their views and demands. Proposals for reform of the United Nations system were incorporated in the famous Jackson Report of this period (1969) entitled: "A Study of the Capacity of the United Nations Development System". The new members—mostly poor underdeveloped countries—soon became conscious of their strength springing from their numerical preponderance in the one country-one vote fora of the system. Encouraged by events like the 1974 oil crisis, they tried to cash on that strength and redirect the whole UN machinery from the peace and security primary goals of its founders to the development and wealth redistribution goals favoured by and benefiting themselves. This attempt was formulated in the demands for a New International Economic Order (NIEO).

The attempt to accommodate, nominally at least, the above demands, soon made evident the need for the co-ordination of efforts in that direction. In the late 1970's and early 1980's efficient management and co-ordination of the numerous independent and semi-independent bodies that had been created within the confines of the UN system was the system's primary goal. Among other measures, the new post of the Director General for Development and International Economic Cooperation (second only to the Secretary-General) was created and the representatives of the United Nations Development Programme (UNDP) in various countries undertook to co-ordinate the activities of all UN system agencies performing development

related work in any particular country. Again no great improvements were achieved through this process.

The latest period of reforms we are now experiencing, follows up the previous one and combines the quest for better co-ordination and management of the UN system with a particular interest in containing the system's expansion and tidying up its finances. Such demands followed the election in many a developed country of governments pursuing stringent monetarist policies,<sup>27</sup> and contain elements of a "counter-revolution" in response to the assault launched on the UN machinery by the numerical majority developing countries.

As has already been said, the crisis into which the United Nations system was thrown by the recent developments seems to have initiated a rethinking process much broader than it was initially intended. It is interesting, therefore, to examine where this last drive to reform will possibly take the UN system. That is exactly what I intend to do in this thesis through the examination of the latest reform process and the alternative courses advocated by the various relevant actors.

### **About the writing of this thesis**

#### *The subject-matter and the method used to approach it*

The title of the thesis refers to the "United Nations", intentionally going along with the ambivalence surrounding the term, which is used to describe more than one things at the level of global international organisation. Although most of the discussion concentrates upon the problems of the UN proper, i.e. *the United Nations Organisation*, this body is (or is supposed to be) the heart of *the United Nations system* and is supposed to provide the latter with the overall co-ordination and leadership that makes endeavours at sectoral international co-operation, pursued by the Specialised Agencies of the system, meaningful. The "United Nations" is therefore examined from the point of view of the United Nations Organisation and its Charter which anticipates an integrated approach to global organisation.

The thesis does not aspire to deal with the huge area of UN activity as it is expressed outwards in attempts at peacekeeping and peacemaking, development and trade negotiations, operational activities,

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<sup>27</sup> See Yves Beigbeder, *Management Problems in United Nations Organisations: Reform or Decline?*, Studies in International Political Economy (General Editor: Susan Strange), Frances Pinter (Publishers), London, 1987, pp. 159-161 and Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, p. 221.

guarantee of human rights, etc. It is, in other words, an inward look that has been adopted here, focusing on the United Nations at its attempts to reform and redefine itself under the present circumstances.

Of course, it can be argued that what is left out is basically what the UN is about and what is included is just the internal struggle of a multinational bureaucracy of national representatives/diplomats and international civil servants trying to adjust to decreasing resources. Although that is true, to a great extent, one should not downplay the interdependence and interaction of the "inward" and "outward" dimensions of the United Nations. However important the "substantive"/"outward" aspects of UN work may be, they are basically defined, prioritised and pursued as a result of the other, "inward" UN aspects. The setting of goals and the pursuit of those goals is a product of the interaction of various member states and of the individuals that speak on behalf of them among themselves and with the international civil servants servicing them, as well as, of course, at a lower level of intensity, of the interaction among the above and non-governmental organisations and other relevant and influential non-state world actors. The means that are made available to the United Nations, the human, financial and other resources, as well as the formal administrative procedures, the bodies that are assigned the various tasks and the lines of authority, and finally, the political will to define and pursue some activity as a UN goal, all these are parts of the "inward" UN dimension that is brought to centre-stage here.

The study refers mainly to the years from the passing of the Kassebaum amendment (1985) to the suspension of the forty-third session of the General Assembly (December 1988). The problems of the United Nations are considered as they appeared around 1985, although most of them, due to their perennial character, have to be reviewed in the light of past experience. A central place is reserved for the suggestions contained in the report of the 18-member Group of High-Level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (G-18), mentioned above, which has been the main instrument guiding the whole UN reform process. In response to this report, the UN Secretariat and the intergovernmental bodies embarked upon a major reconsideration of their structure and functioning. Along with the actual attempts at reform, various plans (mainly within the time-span of the thesis, but some times even older ones) that refer to UN reform but have not yet been tried in practice are also examined.

For problems to be dealt with and, hopefully, to be solved, they first have to be identified. In this study the problems of the United Nations are traced at four different levels, each more comprehensive than the rest.<sup>28</sup>

—At a first level the problems of the UN are budgetary/financial—related to the UN budgetary process, the allocation of its expenses and the chronic money-shortages aggravated to a crisis by the recent US withholding of funds.

—At a second level the problems are administrative/managerial and structural—having to do with the management of the day-to-day UN work, the administrative arrangements in place and the structure of the UN Secretariat and of the intergovernmental machinery.

—At a third level, the problems are political, caused by interstate differences on the North—South and East—West axes (and not only).

—At the fourth and final level, the problems are more fundamental—having to do with the different conceptualisations of the World Forum as regards its scope, orientation and future development.

In this way, a thematic rather than a chronological approach is adopted, although the treatment of the issues at each level and sub-level is more or less sequential.<sup>29</sup> The presentation of the problems at each level and sub-level is coupled with an examination of the attempts made at tackling them as well as of further proposals made in that direction.

It is the standard practice to approach UN reform as basically financial and administrative, with a structural aspect to it that is often considered too delicate to be broadly acknowledged. It was mainly in the financial (expenses of the UN and UN budgetary process) and administrative (restructuring of the Secretariat) areas that the G-18 made concrete proposals, while in the structural area (intergovernmental structure of the UN) it generally stipulated a review of the intergovernmental machinery of the United Nations in the

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<sup>28</sup> See also, *inter alia*, Paul Taylor, A.J.R. Groom, Erik Jensen, Sally Morphet and Stephen Chan, "The Financing of the United Nations", *Review of International Studies*, Vol. 14, No. 4 (October 1988), p. 292; *Report of the Secretary-General on the Work of the Organisation*, General Assembly, Official Records: Forty-first Session, Supplement No. 1 (UN Doc. A/41/1) of 9 September 1986, pp. 6-7; and Maurice Bertrand (Joint Inspection Unit), *Some Reflections on Reform of the United Nations*, General Assembly, Fortieth Session, UN Doc. A/40/988 of 6 December 1985 (JIU/REP/85/9, Geneva, 1985), henceforth to be referred to as *The Bertrand Report*, for example paras. 43 (p. 14) and chapter VI: "Conclusions" (pp. 67-69).

<sup>29</sup> For an overview of the whole reform process in chronological order see schematic presentation in Appendix II of the thesis.

economic and social fields, without getting into much detail about the desirable elements or direction of such a reform.<sup>30</sup>

Attempts to tackle UN problems with a limited horizon as described above have ended up in a reform process characterised by lack of clear objectives and of an overall rationale for instituting changes and have led to a stalemate regarding several issues, not least the review of the intergovernmental machinery referred to above. With the limited frame of reference currently used by UN member state and Secretariat officials a comprehensive and meaningful solution to UN problems is kept out of grasp and a lot of pieces are left to float aimlessly around while, otherwise, they could fall into place for the benefit of all. Here I chose to examine issues on all four levels referred to above, in order to provide an overview of the state of the UN today, its problems and its prospects for the future.

Trying to deal with all these issues in one piece of work of limited length certainly compromises the depth into which any particular issue can be examined. Moreover, some issues are scantily treated as not directly relevant to the particular area studied and approach adopted in this thesis, although that does not mean that the overall importance of such issues is underestimated. For example, the internal workings of the main corporate actors involved in the UN political game, namely the various member states, are not examined in any great depth and issues like domestic constituency politics and bureaucratic performance are left out, except, perhaps, in a few selected cases (treated in Chapter IV). As a result of this, states, and to a lesser extent the UN Secretariat, are usually treated as unitary actors and reference is made to the final outcomes of their internal decision-making processes, i.e. formal speeches and reports, rather than to the processes themselves. Also the impact of non-governmental bodies and individuals upon United Nations decision-making is not treated systematically although some particular cases deemed of special importance are. The above (and much more) is considered an acceptable *quid pro quo* in the endeavour to attain the comprehensive view that is missing.

This declared aim at treating the topic of UN reform comprehensively does not mean that what is attempted here is the inclusion of all relevant information in this thesis, even in a compressed form. Such a task would be impossible, even if it were to be confined to the post-1985 period. Rather than providing a

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<sup>30</sup> See *The G-18 Report*. See also Chapter III.

list of proposals made by various bodies and individuals with regard to UN reform, the thesis attempts to bring forward the most significant issues involved and the main proposals made and actions taken with regard to these issues, leaving space for closer examination and analysis.

### *Sources of information*

The vast bibliography on the United Nations, its origins, its evolution and its turbulent record serves as the foundation for the building of the thesis. A lot of the material which is of a general character in comparison to the rather particular focus of the thesis is supposed to be known to the reader of the thesis and is therefore mentioned mostly in footnotes or short references.

Prominence is given to relatively new pieces of information dealing with the issues that have come to the foreground since 1985. Although some articles and books have been written on these issues, a lot remains undiscovered in UN documents that continue to be published in response to the issues at hand. Also the personal interpretation of what is actually going on by some of the protagonists or their close associates offers insights not previously touched upon. In this respect, I have very much benefited from my five-month internship with the United Nations Secretariat in New York from September 1988 to January 1989. As a result of the above internship, I collected a sizable number of UN documents and conducted numerous interviews.<sup>31</sup> Also my first-hand experience of the workings of the UN, throughout the duration of the main part of the forty-third session of the General Assembly and immediately after that, has allowed me a direct appreciation of tangible and intangible factors that cannot easily be found in books.

### *Structure of the thesis*

The structure of the thesis reflects the above mentioned four-fold approach to the problems of the UN:

—The current chapter, Chapter I, is introductory and sets the framework within which the issues are to be treated.

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<sup>31</sup> A list of the most important UN documents used for the writing of this thesis is given in the "Works Cited" section, at the end of the thesis. The names and affiliations of the persons interviewed are given in Appendix IV of the thesis. Whenever reference to an interview is made, only the date on which the interview was conducted is given, along with a number that refers to a list not included in the body of the thesis. This latter list will be made available to the examiners if they deem it necessary. This is done in order to accommodate requests, often made by the persons interviewed, for confidentiality.

—Chapter II deals with the UN problems and the attempts at reform at the first, budgetary/financial level.

—Chapter III deals with the second administrative/managerial and structural level.

—Chapter IV approaches the third, deeper political level.

—Chapter V attempts to explore the fourth, most comprehensive, conceptual level.

—Finally, Chapter VI contains the conclusions reached by the end of this intellectual exercise.

The drafting of the thesis was virtually over by June 1989. Thereafter, very few changes of substance were made in the chapters of the thesis and, when made, they usually concerned elaboration of information already incorporated in one form or another. Some new data which I consider interesting but which came to my attention after that and till the submission of the thesis have been incorporated, in a brief form, in the "Postscript".

## CHAPTER II

### The Financial Problems of the UN

#### Introduction

The decision, in 1985, of the United States, the largest contributor, to withhold a significant part of its assessed contribution to the UN aggravated an already bad situation and turned it into a major crisis—for some, the most serious ever<sup>1</sup>—for the World Body. The US action and the initial UN reactions to it have already been presented in Chapter I. The deeper political disagreements that underlie the problem will be discussed later, in Chapter IV. A more general discussion about the role the UN is expected to play in today's world will take place in Chapter V. In this chapter, after a brief historical overview, the problems of the UN at the financial level are located and treated in three distinct areas: the UN budgetary process; the scale of assessments; and the sources of income for the UN. These areas are examined one by one, presupposing a knowledge of the relevant UN machinery and of the latter's functions;<sup>2</sup> the current financial situation of the UN is also examined. Of course, the financial aspects of the UN problems are not separable from the political or deeper philosophical ones but are here discussed in relative isolation for analytical purposes.

#### *The problems in historical perspective*

The United Nations has faced at least one equally serious financial crisis, during the late 1950's and early 1960's, when numerous member states (most notably and significantly the USSR and France) would not pay for the United Nations peacekeeping operations in the Middle East (UNEF) and/or the Congo (ONUC).

The reasons for withholding assessed contributions then were "legal, constitutional and political".<sup>3</sup>

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<sup>1</sup> See *Report of the Secretary-General on the Work of the Organisation*, General Assembly, Official Records: Forty-first Session, Supplement No. 1 (UN Doc. A/41/1) of 9 September 1986, p. 6.

<sup>2</sup> Information on the various UN bodies, their respective mandates and their *modus operandi*, can be found in *United Nations Handbook 1988*, New Zealand Ministry of Foreign Affairs, Wellington, New Zealand, 1988; Evan Luard, *The United Nations: How It Works and What It Does*, The MacMillan Press, London and Basingstoke, 1979; and M.J. Peterson, *op. cit.* Appendix (focusing on the UN General Assembly). Some basic facts about the main bodies involved in the UN budget formulation process are given in Appendix VI of the thesis.

—At the legal level, there was a disagreement on whether the financing of peacekeeping operations could legitimately be incorporated into the regular budget of the United Nations, in which case all member states had to bear the burden, according to Article 17, paragraph 2 of the Charter. The International Court of Justice answered (July 1962) this question in the affirmative, by a vote of 9 to 5, when asked for an advisory opinion by the General Assembly.<sup>4</sup>

—The constitutional disagreement was about whether the General Assembly could authorise peacekeeping operations independently of the Security Council, or only the latter could do so (a position held by the USSR and France).

—The deeper political disagreements challenged the extent of peacekeeping exercises and the role of the Secretariat and the Secretary-General (USSR and France as regards ONUC); insisted on the principle that the culprit had to pay (the Socialist and several Arab states against the UK, France and Israel in the case of UNEF and the Socialist states against Belgium in the case of ONUC); or contended that the permanent members of the Security Council should bear most of the financial burden for peacekeeping (developing countries, especially some Latin American ones).<sup>5</sup>

By the end of 1962 the total UN debt for UNEF and ONUC amounted to \$117 million.<sup>6</sup> The problem of solvency for the UN was resolved at the time mainly by devising a bond issue up to a total of \$200 million, repayable in installments over a twenty-five year period, with an annual rate of interest on the unpaid amount of principal of 2%.<sup>7</sup> \$169.9 million worth of bonds were purchased, 50% percent of which by the USA. Some states began in 1963 to withhold part of their regular budget assessments corresponding to their shares of the costs of servicing the UN bond issue. France finally paid for its bond share, though maintaining its position of principle.<sup>8</sup>

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<sup>3</sup> See Yves Beigbeder, *Management Problems...*, *op. cit.*, pp. 147-148.

<sup>4</sup> See John G. Stoessinger and Associates, *Financing the United Nations System*, The Brookings Institution, Washington D.C., 1964, chapter 6. This book gives a full account of the issues involved in that first serious UN financial crisis.

<sup>5</sup> See A. LeRoy Bennett, *op. cit.*, pp. 91-92 and John G. Stoessinger and Associates, *op. cit.*, p. 139.

<sup>6</sup> See John G. Stoessinger and Associates, *op. cit.*, p. 78. "The total costs of UNEF from 1956 to 1967 were approximately \$200 million, and those of ONUC from 1960 to 1964, more than \$400 million."—Yves Beigbeder, *Management Problems...*, *op. cit.*, p. 147.

<sup>7</sup> See General Assembly resolution 1739 (XVI) of 20 December 1961.

<sup>8</sup> See UN Doc. A/40/1102, Annex I, where "Background information on past reviews of the financial situation of the Organisation" is given and Yves Beigbeder, *Management Problems...*, *op. cit.*, pp. 148 and 156 (fn. 5).

Amounts due since UNEF and ONUC were transferred from one budget to the next constituting a chronic problem for the Organisation. Additional withholding of assessed contributions with regard to peacekeeping operations and in respect of certain items in the regular budget and delays of payments on the part of member states continued to aggravate the problem.<sup>9</sup>

The persistent financial problems of the UN Organisation have been reviewed, since 1965, by four intergovernmental bodies:<sup>10</sup>

—First, in 1965, a Special Committee on Peace-keeping Operations examined ways to solve the funding problems of the Organisation. It recommended voluntary contributions by member states, especially the highly developed ones. Following this recommendation the General Assembly requested (resolution 2053 (XX) of 15 December 1965) member states to make voluntary contributions to a United Nations Special Account established for that purpose. The total amount thus collected reached \$26,313,224.

—Second, in 1966, an *Ad Hoc* Committee of Experts to Examine the Finances of the United Nations and the Specialised Agencies was established. In its second report (UN Doc. A/6343) the Committee made a number of recommendations regarding the planning, budgeting and administration of international programmes and proposed the creation of a Joint Inspection Unit which was later established (1968).<sup>11</sup>

—Third, in 1972, the General Assembly established the Special Committee on the Financial Situation of the United Nations. Despite extensive discussion the Committee was unable to formulate a common position towards solving the UN financial problems. Nevertheless, there was general agreement among Committee members that only voluntary contributions of member states or cancellation of obligations included within the short-term deficit could help eliminate the major part of the deficit. The General Assembly, *inter alia*, requested (resolution 3049 (XXVII) of 19 December 1972) all member states and even invited non-member states to make voluntary contributions to a special account to be merged with the United Nations

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<sup>9</sup> See UN Doc. A/C.5/40/16, part III (paras. 16-28). For delays of payments and the reasons put forward to justify them see below discussion of the scale of assessments.

<sup>10</sup> The information presented here has been mainly taken from UN Doc. A/40/1102, Annex I.

<sup>11</sup> The Joint Inspection Unit was set up experimentally in 1968 (following General Assembly resolution 2150 (XXI)) and was later established as a permanent body, from 1978 onwards (following resolution 31/192)—See *United Nations Handbook, 1988*, New Zealand Ministry of Foreign Affairs, Wellington, New Zealand, 1988, p. 19; Yves Beigbeder, "The Joint Inspection Unit of the United Nations—The First Ten Years (1968-1978)", *International Journal of Government Auditing*, Vol. 6, No. 3 (July 1979), pp. 11-14; and Yves Beigbeder, *Management Problems...*, *op. cit.*, chapter 5.

Special Account established in 1965 (see above). As a result, contributions totalling \$16,250,000 were collected.

—Fourth, in 1975, the General Assembly established (resolution 3538 (XXX)) the Negotiating Committee on the Financial Emergency of the United Nations and charged it with the task to formulate a comprehensive settlement of the UN critical financial situation. However, the Committee was unable to reach a consensus and to make recommendations to the General Assembly. In the following years, an item entitled "Financial Emergency of the United Nations" has been included on the agenda of each General Assembly session and the Secretary-General has provided annually a detailed report on the course of the UN deficit and of the voluntary contributions from member states or other sources.

In his report to the 36th session of the General Assembly in 1981 (UN Doc. A/C.5/36/28) the Secretary-General, after stating that "the financial difficulties had assumed alarming proportions" presented various proposals on how to deal with the situation. The General Assembly, after considering the Secretary-General's proposals and the recommendations of ACABQ, approved (resolution 36/116 B of 10 December 1981) an increase in the Working Capital Fund from \$40 million to \$100 million, as from 1982, and the suspension of the provisions of the Financial Regulations of the United Nations regarding the return to member states of appropriations not used at the end of a financial period.<sup>12</sup>

The evolution of the UN deficit and of the levels of the Working Capital Fund and the Special Account from 1965 to 1985 is shown on the following table (Table II.1).<sup>13</sup> In general, in order to meet its day-to-day obligations, the Organisation had to rely on the funds in the Working Capital Fund and the Special Account and on occasional borrowing from peacekeeping funds. Some more money was made available through the suspension of the provisions regarding the return to member states of appropriations not used during a financial period.<sup>14</sup>

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<sup>12</sup> See UN Doc. A/40/1102, Annex I, paras. 9-10 (pp. 13-14).

<sup>13</sup> For a more detailed examination of the components of the UN deficit, see *ibid.*, part III (paras. 16-28) while for more updated information see UN Docs. A/C.5/41/24 of 27 October 1986, part II (paras. 9-27); A/C.5/42/31 of 5 November 1987, part II (paras. 8-29); and A/C.5/43/29 of 9 November 1988, part II (paras. 7-26).

<sup>14</sup> See UN Doc. A/C.5/40/16, para. 19 (p. 5).

Evolution of the UN deficit and the levels of the Working Capital Fund (In millions of US dollars)				
Date	Estimated deficit		Amounts in	
	Total,* including peacekeeping	Regular budget	Working Capital Fund	Special Account++
30 Sept. 1965	59.7	5.7	40.0***	13.7
31 Dec. 1972	86.4**	54.0**	40.0	25.9
31 Dec. 1976	109.1**	66.8**	40.0	34.5
31 Dec. 1981	274.8**	95.6**	40.0	56.0
31 Dec. 1985	390.7**	116.3**	100.0+	77.0

- \* Includes amounts to be paid or credited to Member States from surplus accounts for contributions to UNEF (1956) and ONUC.
- \*\* Includes the amount of \$16.6 million placed in the special account for assessed contributions unpaid pursuant to General Assembly resolution 3049 C (XXVII).
- \*\*\* Increase to this amount in 1963.
- + Increase to this amount in 1982.
- ++ Excludes \$10 million received for the purposes of General Assembly resolution 3049 (XXVII) which was contributed with the expectation of inducing other Member States to make voluntary contributions of sufficient amounts to arrive at a total solution of the financial problems of the Organisation; includes accrued interest.

**Table II.1**

Source: UN Doc. A/40/1102, Annex I, para. 15 (p. 15)

### Formulation of the UN budget/The UN budgetary process

The process of the formulation of the UN regular programme budget, as it had before the introduction of reforms dating from the forty-first session of the General Assembly, consisted of the following steps:<sup>15</sup>

The Secretary-General and the Secretariat prepared the medium-term plan in an almost final form and it was adopted without significant input from member states. This plan referred to the work and expenses of the Organisation in the following six years and offered guidelines for the formulation of the biennial programme budget.

The Budget Division of the Secretariat initiated the process of budget formulation by sending the budgetary directives to the various departments by June of the non-budget year (i.e. the year preceding the year in which the General Assembly votes on the biennial budget)<sup>16</sup> and received detailed feedback on sectoral

<sup>15</sup> See, *inter alia*, *The G-18 Report*, paras. 66-67 (pp. 27-28).

<sup>16</sup> The UN budget was made biennial—while before it was adopted on a yearly basis—following resolu-

requirements. The various sectors and departments that informed the Budget Division estimated their expenses on the grounds of past experience, i.e. expenses in previous biennia, with minor modifications, not bothering to proceed to an in-depth analysis of the various programmes and practices. Changes were made only when absolutely necessary, in order to accommodate decisions taken by the General Assembly or other bodies, including the policy-making bodies within the Secretariat itself.

When the first integrated budget plan was ready, by May of the budget year, the Secretary-General circulated it to CPC and ACABQ which examined it from their respective points of view, the first dealing with the substance of the proposed programmes while the second examining the feasibility of the programme budget in strictly financial and administrative terms.<sup>17</sup> The subsequent reports of the two committees were ready by September of the budget year and were transmitted to the General Assembly through the Fifth Committee, along with the Secretary-General's estimates.

The Fifth Committee considered the Secretary-General's proposed budget and the reports by CPC and ACABQ and voted on a draft resolution which was in turn transmitted to the Plenary of the General Assembly to be adopted, usually with minor changes.

#### *Trying to define the problems—The G-18 findings and recommendations*

The G-18 criticised the incremental and fragmented approach to the budgeting process by the Secretariat . The medium-term plan did not serve as "principal policy directive" for the programme budget as it should and the programme budget was "merely the financial compilation of a number of decisions and recommendations taken by a large number of intergovernmental bodies and interpreted in the various departments and divisions of the Secretariat".<sup>18</sup> The G-18 agreed that the formulation of the budget should not be left solely

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tion 3043 (XXVII) of 19 December 1972.

<sup>17</sup> The mandates of CPC and ACABQ can be found in ECOSOC resolution 2008 (LX) of 14 May 1976 and in Rule 157 of the *Rules of Procedure of the General Assembly* (UN Doc. A/520/Rev.15) respectively. See also Appendix VI.

<sup>18</sup> *The G-18 report*, para. 67 (p. 28). For a critique of the Secretariat approach to planning, programming and evaluation, especially as regards the medium-term plan, see Maurice Bertrand (Joint Inspection Unit), *Second Report on the Elaboration of Regulations for the Planning, Programming and Evaluation Cycle of the United Nations*, General Assembly, Thirty-eighth Session, UN Doc. A/38/160 of 22 April 1983 (JIU/REP/83/6, Geneva, April 1983). See also Frederick K. Lister, *Fairness and Accountability in UN Financial Decision-Making*, United Nations Management and Decision-Making Project, United Nations Association of the United States of America, New York, ca. 1986/1987, part III, especially pp. 13 and 22-24 (this paper was later included as chapter 13—pp. 289-319—in Peter J. Fromuth, ed., *A Successor Vision: The United Nations of Tomorrow*, United Nations Association of the United States of America, University Press of America, Lanham, USA, 1988) and older but valid criticisms in Evan Luard, *The United Nations:*

to the Secretariat, as was up to then virtually the case (see budget formulation process above), but the member states should be brought into the process from the very beginning.<sup>19</sup> However, the G-18 members could not reach an agreement on the details of a new planning and budget formulation process. As a consequence, three different proposals were put forward.<sup>20</sup>

a. First proposal:

The first proposal was stimulated by the perceived dichotomy in the existing machinery that was due to the separation of the financial and administrative aspects of the budget, dealt with by ACABQ, and the review of the content of the programme budget, dealt with by CPC. According to this proposal, the terms of reference of CPC should be fully implemented and CPC should be confirmed as the principal advisory body of the General Assembly on matters relating to the medium-term plan and the programme budget. To reflect its renewed importance, CPC's name should be changed to "Committee for Programme Budget and Coordination". The revised CPC should participate in the planning and budget procedure from the very beginning and throughout the process, in close co-operation with the Secretary-General and ACABQ. The terms of reference of the revised CPC and of ACABQ should clearly define the areas of collaboration of the two Committees and the areas of separate responsibility.

As regards the medium-term plan, the revised CPC should consider and make recommendations to the General Assembly on the prioritisation of programmes, on the basis of decisions adopted by the responsible legislative bodies and established criteria.

The same should happen with regard to the programme budget. In the new budget formulation procedure, the revised CPC should receive, in the spring of the non-budget year, from the Secretary-General an outline of the programme budget based on the medium-term plan and including a contingency fund not exceeding 2% of the estimated budget. The revised CPC, after considering the Secretary-General's outline, should make recommendations to the General Assembly through the Fifth Committee. The General

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*How It Works and What It Does, op. cit.*, chapter 6, especially pp. 129-133. For a survey of the various decision-making theories dealing with notions like "bureaucratic inertia" and "disjointed incrementalism" see James E. Dougherty & Robert L. Pfaltzgraff, Jr., *Contending Theories of International Relations: A Comprehensive Survey*, Harper & Row, Publishers, New York, 1981 (second edition), chapter 11, especially pp. 472-474 and 476-480.

<sup>19</sup> *The G-18 Report*, para. 68 (p. 28).

<sup>20</sup> See *ibid.*, para. 69 (pp. 28-35).

Assembly would then decide on guidelines to be sent to the Secretary-General for the preparation of the draft programme budget. In the budget year, the Secretary-General should submit his draft budget to the revised CPC which should in turn submit its recommendations thereon to the Fifth Committee. Throughout this process, ACABQ should conduct its business as usual, examining and reporting on the costing of the budget. All extra costs during the biennium should be accommodated within the fixed contingency fund and new costs should be deferred to a later biennium or should replace low priority approved expenditure.

The revised CPC should remain an intergovernmental body, but its members should be elected in an expert capacity. The revised CPC should continue to take its decisions by consensus.

b. Second proposal

The second proposal moved on the same lines as the above first proposal and favoured clear separation of the areas of competence of CPC and ACABQ, this time, however, within the existing terms of reference for each body, without any revision of CPC's mandate and name. CPC should perform its role with regard to the medium-term plan as described above, while ACABQ should also be brought early into the process of budget formulation by receiving the Secretary-General's outline in the spring of the non-budget year and making recommendations thereon to the General Assembly through the Fifth Committee.

Additional expenditures should again be accommodated within the contingency fund or by redeployment of resources from low-priority areas or should otherwise be deferred to a later biennium. Nevertheless, no mention was made of fixing the level of the contingency fund at 2% of the estimated budget.

CPC should remain an intergovernmental body but its members should be elected in an expert capacity. No reference was made to decision-making by consensus.

c. Third proposal

A third group within the G-18 proposed the merging of CPC and ACABQ into a single body dealing with all aspects of the budget and reaching agreement by consensus. There should be an upper limit for the budget determined by the sums the member states were willing to make available. Within those limits priorities should be set by the single intergovernmental expert body that should co-operate closely with the Secretariat. It would be desirable all intergovernmental bodies involved in the determination of the overall

limit of the budget and of the level of remuneration of the UN personnel, the Fifth Committee included, to reach their decisions by consensus.

No mention was made of a new detailed budget formulation process as in the previous two proposals and there was no reference to the contingency fund.

It is clear from the above that the main areas of difference within the G-18 were the relative roles to be played by CPC and ACABQ, the way decisions should be made with regard to the programme budget in the relevant organs and the overall level of the budget and of the contingency fund.<sup>21</sup>

### *The response to the G-18 suggestions*

The General Assembly finally agreed on a new budget formulation process,<sup>22</sup> which can be seen as a compromise mainly between the first and second sets of proposals made by the G-18.<sup>23</sup>

Under the new process, member states should be brought into the preparation of the budget from its very early stages, starting from the formulation of the introduction to the medium-term plan, and would be consulted throughout.

With regard to the biennial programme budget, the Committee for Programme and Coordination should receive within the off-budget (even-numbered) years an outline of the programme budget for the following biennium, prepared by the Secretary-General and the Secretariat.<sup>24</sup> This outline should contain, among other things, an estimate of the real growth, positive or negative, of the proposed budget, in relation to the previous one, and the size of the contingency fund as a percentage of the overall level of resources. CPC, after considering the Secretary-General's outline, would submit it to the General Assembly through the Fifth Committee. Throughout this process ACABQ should continue to perform its functions according

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<sup>21</sup> For a concise, comparative presentation of these proposals see Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, pp. 230-231.

<sup>22</sup> See General Assembly resolution 41/213 of 19 December 1986, Section II and Annex I. See also Chapter I before.

<sup>23</sup> See Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, p. 232.

<sup>24</sup> The General Assembly later decided that "the date for submission of the outline of the programme budget shall be 15 August of the off-budget year"—General Assembly resolution 42/211 of 21 December 1987, para. 18.

to its mandate.<sup>25</sup>

After the General Assembly's decision on the outline of the programme budget, the Secretary-General should formulate his proposal for the actual programme budget for the following biennium and submit it, in the budget (odd-numbered) years to CPC and ACABQ to examine it, as they did under the old procedure, according to their respective mandates. They should then submit their conclusions and recommendations to the General Assembly, through the Fifth Committee, for the final approval of the programme budget.

In order to accommodate additional expenditures resulting from legislative mandates not provided for in the programme budget, the latter should include a contingency fund expressed as a percentage of the overall budget level. Any additional expenditures in excess of the resources available within the contingency fund could be carried out only by replacing other low-priority programmes, or else they would have to be deferred to a later programme budget. Extraordinary expenses, like those relating to the maintenance of international peace and security as well as unforeseen expenses due to currency exchange rate fluctuations and inflation should continue to be treated in accordance with established provisions and procedures outside the contingency fund, pending a more comprehensive settlement.

CPC should adhere to its tradition of reaching decisions by consensus. The Fifth Committee was urged to try to achieve the broadest possible agreement before submitting its recommendations on the programme budget to the Plenary. In an annex to the resolution there was attached a legal opinion from the United Nations Legal Counsel, stating that the provisions of the resolution do not prejudice the provisions of Article 18 of the Charter that awards each member state one vote and requires a two-thirds majority vote on budgetary questions.<sup>26</sup>

While decision-making by consensus in CPC was meant as a substitute for the weighted voting system demanded by the USA (consider demands made through the Kassebaum amendment—see Chapter I),

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<sup>25</sup> Interestingly enough, CPC's central role was also reasserted in the previous attempt at UN restructuring that followed the Dadzie Committee proposals as endorsed by resolution 32/197 of the General Assembly (see Chapter III). ACABQ was also to co-operate closely with CPC. This says a lot about the continuity in the UN and the incremental approach to reform but raises questions why a device that did not work before should be tried once again.

<sup>26</sup> See resolution 41/213, Annex II.

the legal opinion attached to the above resolution was meant to appease the Third World majority of the General Assembly.<sup>27</sup> All in all, the end result of this stage of reform of the UN budgetary process was a "tipping [of] the balance of probabilities in favour of the richer states,... making it easier for them to lead and more difficult for the poorer states not to follow, rather than... eliminating opposition[;]... a matter of management, not of control".<sup>28</sup>

Consideration of a draft resolution put forward in the forty-first session of the General Assembly (UN Doc. A/41/L.48/Rev.1) to expand CPC's membership from 21 to 36 members to ensure broader geographical representation, in view of the Committee's strengthened mandate and increased responsibilities, was postponed to the forty-second session.<sup>29</sup> Indeed, at its forty-second session, acting on a recommendation made by ECOSOC, the General Assembly decided to increase the number of CPC members to 34.<sup>30</sup>

### *Recent developments*

The initial euphoria that followed the adoption of resolution 41/213 was replaced by moderate pessimism, in view of CPC's inability to reach a decision on a budget ceiling and a contingency fund in September 1987 and the continuing US withholding of funds.<sup>31</sup> The 42nd General Assembly adopted the biennial budget of the Organisation for 1988-1989 (resolution 42/226 of 21 December 1987) despite Israel's negative vote and the abstention of the USA, Japan and Australia "renvoyant aux calendes grecques le principe

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<sup>27</sup> An American official commented that "it would be unlikely that the Assembly would overturn a decision of the committee". Nevertheless, Tesfaye Tadesse, Ethiopia's chief delegate—voicing, no doubt, the feelings of a large number of small contributors—reiterated the importance of "maintaining the spirit of the Charter, the equal voice of all members irrespective of the amount they contribute."—See "UN Assembly Favours Plan to Alter the Budget Process", by Elaine Sciolino, *The New York Times*, New York, 20 December 1986, p. A34.

<sup>28</sup> Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, p. 233.

<sup>29</sup> *UN Chronicle*, Vol. XXIV, No. 1 (February 1987), p. 26.

<sup>30</sup> The General Assembly adopted a recommendation made by ECOSOC in its resolution 1987/94 of 4 December 1987 and decided by 152 votes to 1 (USA) to increase CPC's membership through decision 42/450 of 17 December 1987—see Appendix VI for the geographical distribution of seats.

<sup>31</sup> See Paul Taylor et al., "The Financing of the United Nations", *op. cit.*, pp. 289 and 293 and Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, p. 234. The relevant Report of the Committee for Programme and Coordination can be found in UN Doc. A/42/16. The blame partly lies on the US because of its failure to keep its part of the agreement, i.e. to pay its dues, as admitted before Congress by Vernon A. Walters—see *US Interests in the United Nations*, statement by Ambassador Vernon A. Walters, US Permanent Representative to the United Nations, before the Subcommittees on Human Rights and International Organisations and on International Operations of the House Foreign Affairs Committee, Washington, D.C., 25 February 1988, US Department of State, Bureau of Public Affairs, Washington, D.C., March 1988 (Current Policy No. 1053), p. 3.

du consensus, célébré pourtant il n' y a pas si longtemps encore comme une percée diplomatique sans équivalent".<sup>32</sup> The budget was set at \$1.77 billion "une activité à tel point similaire à celle qui avait provoqué les critiques occidentales que seul l' œil très exercé d' un expert pourrait y déceler un quelconque signe de changement".<sup>33</sup>

Nevertheless, the first big test of the viability and workability of the new budget formulation process came at the 43rd session of the General Assembly when, for the first time, a programme budget outline for the biennium 1990-1991 was discussed. To the surprise of many and against ominous predictions CPC reached a consensus on the proposed outline, thus obviating the need for a vote. The outline was subsequently approved by the Fifth Committee and finally by the General Assembly in plenary, without a vote.<sup>34</sup>

In other words, the first part of the new budgetary process has gone according to schedule: The outline of the proposed programme budget for the biennium 1990-1991 was submitted by the Secretary-General in August 1988.<sup>35</sup> The Committee for Programme and Co-ordination considered the report of the Secretary-General and submitted its consensus report to the General Assembly through the Fifth Committee.<sup>36</sup> The Fifth Committee also received a report by ACABQ.<sup>37</sup> After considering the Secretary-General's outline and the reports of CPC and ACABQ, the Fifth Committee reported to the General Assembly,<sup>38</sup> and, finally, the General Assembly adopted resolution 43/214 without a vote.<sup>39</sup>

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<sup>32</sup> "La fin de l' Assemblée générale de l' ONU: Le ton a changé, la crise financière persiste...", by Charles Lescant, *Le Monde*, Paris, 6 January 1988, p. 5.

<sup>33</sup> *Ibid.*

<sup>34</sup> See General Assembly resolution 43/214 of 21 December 1988.

<sup>35</sup> See *Review of the Efficiency of the Administrative and Financial Functioning of the United Nations: Proposed Programme Budget Outline for the Biennium 1990-1991—Report of the Secretary-General*, General Assembly, Forty-third Session, UN Doc. A/43/524 of 16 August 1988. The methodology used by the Secretariat in calculating the preliminary estimates of resource requirements can be found in *ibid.*, paras. 10-16 (pp. 5-6).

<sup>36</sup> See *Report of the Committee for Programme and Co-ordination (Part II)*, General Assembly, Forty-third Session, UN Doc. A/43/16 (Part II) of 29 September 1988, paras. 13-35 (pp. 6-10).

<sup>37</sup> See *Proposed Programme Budget Outline for the Biennium 1990-1991—Questions Relating to the Programme Budget: Use and Operation of Contingency Fund—Report of the Advisory Committee on Administrative and Budgetary Questions*, General Assembly, Forty-third Session, UN Doc. A/43/929 of 9 December 1988.

<sup>38</sup> See *Review of the Efficiency of the Administrative and Financial Functioning of the United Nations: Report of the Fifth Committee*, General Assembly, Forty-third Session, UN Doc. A/43/951 of 20 December 1988.

<sup>39</sup> See statement in explanation of position made by the US representative in plenary after the adoption by the General Assembly of the budget outline for 1990-1991 who characterised the decision as "a major step forward in implementing the wide-ranging administrative and budgetary reforms approved... in General Assembly resolution 41/213"—see UN Doc. A/43/PV.84, p. 11.

The budget outline finally adopted stipulates a "total preliminary estimate of \$US 1,767,060,000 at 1988 rates (equivalent to \$1,982,523,700 at 1990-1991 rates)",<sup>40</sup> which means a negative rate in real growth in relation to the programme budget for the biennium 1988-1989.<sup>41</sup> This negative rate in real growth was mainly due to the reduction of Secretariat posts that was stipulated in General Assembly resolution 41/213, following a recommendation of the G-18.<sup>42</sup> Resolution 43/214 also stipulates a contingency fund of "0.75 per cent of the preliminary estimate at 1990-1991 rates referred to above, i.e., \$15 million, [which] shall be appropriated as needed and shall be used according to the purpose and procedures set in the annexes to its [General Assembly's] resolutions 41/213 and 42/211 respectively and relevant regulations and rules"; the adequacy of the level of the contingency fund, as well as its mode of operation, are to be kept under review, in the light of the evolving situation, during the implementation of the programme budget for the biennium 1990-1991. Moving towards a solution in controlling the effects on the UN budget of inflation and currency fluctuations, the General Assembly agreed to consider further the creation of "a reserve that would cover additional requirements due to currency fluctuation, non-staff costs inflation and statutory cost increases for staff", as proposed by ACABQ.<sup>43</sup>

#### *An evaluation of recent developments and some further proposals*

At its forty-fourth session the General Assembly will be called upon to decide on the 1990-1991 budget itself, which is the second part of the budgetary process. But the experience of the first part consultations and the final outcome dispersed initial doubts about the feasibility of the new process, especially the practice of reaching decisions by consensus. It was proven, at a first stage at least, that the agreed process works for both, developed and developing countries. The search for consensus works both ways, mitigating the positions of all groups involved. The provision to agree on a budget ceiling from the very beginning of the budget formulation process and not to let programmes determine the final amount of the budget offers

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<sup>40</sup> General Assembly resolution 43/214, para. 5.

<sup>41</sup> Initially, the negative rate of real growth was calculated to be 9.6%—see the Report of the Secretary-General (UN Doc. A/43/524), para. 17 (p. 6) and the Report of the Committee for Programme and Co-ordination (UN Doc. A/43/16, Part II), para. 35 (p. 10). However, the negative real growth seems rather to be about 6.3%—see the ACABQ report, UN Doc. A/43/929, paras. 6 and 16 (pp. 2 and 5 respectively)

<sup>42</sup> See the Report of the Secretary-General (UN Doc. A/43/524), para. 22 (p. 8) and the Report of the Committee for Programme and Co-ordination (UN Doc. A/43/16, Part II), para. 35 (p. 10). The issue of UN personnel reduction is treated in Chapter III of the thesis.

<sup>43</sup> See General Assembly resolution 43/214, paras. 6-10. For the ACABQ report see UN Doc. A/43/929.

countries an early knowledge of the amounts they will be called upon to contribute, thus allowing them time to arrange their payments.<sup>44</sup> As the General Assembly recognised: "the [budget] outline should provide a greater level of predictability of resources required for the following biennium, while ensuring that such resources are adequate for the fulfillment of the objectives, programmes and activities of the Organisation, as mandated by the relevant legislative bodies of the United Nations, thereby facilitating the widest possible agreement on the programme budget".<sup>45</sup> After all, the American action of partly withholding their contribution and the subsequent reforms in response to it served a good and healthy purpose, no-matter how objectionable the means and initial intentions may have been.<sup>46</sup>

Through the reform process and resolution 41/213, the CPC was, no doubt, given a boost. The creation of "similar committees... in specialised agencies where they do not exist" has already been proposed.<sup>47</sup> However, the optimism regarding the possibility of success in relation to the setting of a budget ceiling through negotiations and consensus decision-making in CPC (that worked, at the initial stage, recently, as mentioned above), cannot be extended to the area of priority-setting.<sup>48</sup>

Indeed, CPC at its twenty-eighth session did not seem to be able to agree on a set of priorities to guide UN programming and budgeting.<sup>49</sup> The medium-term plan (the latest one, covering the period 1984-1989, has been extended to 1991) was once again reconfirmed as "the principal policy directive of the United Nations",<sup>50</sup> but the discussions in CPC about the medium-term plan and priority-setting within it

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<sup>44</sup> From interview of 30 January 1989 {21}.

<sup>45</sup> General Assembly resolution 43/214, para. 4.

<sup>46</sup> From interview of 30 January 1989 {21}.

<sup>47</sup> See Richard N. Gardner, "The Case for Practical Internationalism", *Foreign Affairs*, Vol. 66, No. 4 (Spring 1988), p. 835. Such a Programme and Budget Committee exists already in UNIDO—from interview of 30 January 1989 {21}; see also *The Bertrand Report*, para. 173 (p. 58) and fn. 61 (p. 79). In fact, similar arrangements, involving consensus agreements on budgetary issues in limited-membership bodies, have already been reached in other organisations of the UN system, like the WHO, ICAO, WMO, etc. (but not FAO), partly, at least, in response to US demands for reform and greater efficiency and the withholding of funds.—See Richard S. Williamson, *The Importance of the UN Agencies*, statement by Richard S. Williamson, Assistant Secretary for International Organisation Affairs, before the Subcommittees on Human Rights and International Organisations and on International Operations of the House Foreign Affairs Committee, Washington, D.C., 23 February 1988, US Department of State, Bureau of Public Affairs, Washington, D.C., March 1988 (Current Policy No. 1051), p. 3.

<sup>48</sup> See Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, p. 835.

<sup>49</sup> See UN Doc. A/43/16 (Part II), especially paras. 23-27 (pp. 7-8).

<sup>50</sup> See General Assembly resolution 43/219 of 21 December 1988, entitled "Programme Planning", adopted without a vote, section II, paras. 1, 3 and 4. See also *Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation*, Secretary-General's Bulletin, UN Doc. ST/SGB/PPBME Rules/1(1987), March 1987, Article III (especially Regulation 3.3).

were rather general and inconclusive.<sup>51</sup> Priority setting becomes all the more crucial because of the new limits imposed through the reform process upon funds and human resources available to the United Nations, despite the verbal compromise reached in resolution 41/213 and reiterated most recently in resolution 43/213 that "the implementation of resolution 41/213 must not have a negative impact on mandated programmes and activities".<sup>52</sup> The buck has been passed to the Secretary-General to come up with a detailed programme budget for the biennium 1990-1991 which should reflect the priorities set in the medium-term plan. The Secretary-General should also present in 1989 a report on all aspects of priority-setting in future programme budget outlines.<sup>53</sup>

Several proposals aimed at providing a permanent solution to the recurring problems related to the level and appropriation of UN funds have been made before the recent CPC achievement of reaching consensus on the budget outline for the biennium 1990-1991. Such proposals, made on similar lines, took into account the grievances of the larger contributors and tried to accommodate them by introducing various formal and informal (based on gentlemen's agreement) rules. The adoption of the UN budget should take place in a small programme and budget committee, be it one of the existing bodies, CPC or ACABQ, or a merger of the two, or a new committee, where representation and voting procedures would favour the middle-sized and large contributors. The Fifth Committee and the General Assembly in plenary should somehow undertake to respect the decisions reached in the programme and budget committee.<sup>54</sup>

In the light of the promising developments regarding the UN budgetary process and CPC's new enhanced role and the positive reactions from the American side that was the most aggrieved, no further reform unsettling the newly established compromise arrangement can be envisaged, at least for the near future. Nevertheless, there is a lot of room for innovative suggestions and productive debate in the area of the methodology of arriving at the programme budget, the substance of the budget and the setting of priorities. Issues other than the overall process of budget formulation, the bodies to be involved and their

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<sup>51</sup> See "Introduction to the medium-term plan for the period starting in 1992", UN Doc. A/43/16 (Part II), paras. 36-73 (pp. 10-19), especially paras. 48-50 and 68 (pp. 14 and 19). See also the relevant report of the Secretary-General, UN Doc. A/43/329 of 17 May 1988.

<sup>52</sup> See General Assembly resolution 43/213, para. 5.

<sup>53</sup> See UN Doc. A/43/16 (Part II), paras. 32-34 (p. 10) and General Assembly resolution 43/214, para. 11.

<sup>54</sup> See Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, p. 835; Frederick K. Lister, *op. cit.*, part V, especially pp. 34-42; and Paul Taylor et al., "The Financing of the United Nations", *op. cit.*, especially p. 294.

operating procedures, and the need for an early determination of a ceiling for the budget do not seem to have been settled or even dealt with in any great depth.

In the longer term, an idea worth considering is the one suggesting a clear distinction between expenses of an administrative nature—related to the servicing of the world forum and the functioning of its main organs—including the preparation of documentation, publications and studies by expert groups, and the rest of UN activities—including all operational activities, that can often be controversial. Expenses of the first kind should be covered by mandatory assessed contributions under the regular budget, while expenses of the second kind could be financed by voluntary contributions.<sup>55</sup> In such a case, contributions to peacekeeping operations would probably be mandatory again, under the particular scale of assessments for such operations (see following). Such an arrangement would ease the controversy over the UN regular budget, at least regarding some of the activities conducted under it, but would increase the imbalance between regular and voluntary contributions (see following). It would also be resisted by developing countries that want a part of the regular budget to be devoted to financing operational activities as a sign of universal acceptance of the alleged duty of the United Nations, the rich countries in particular, to contribute to Third World development.<sup>56</sup>

### The scale of assessments

The Committee on Contributions advises the General Assembly on the apportionment of the Organisation's expenses among its member states, "broadly according to capacity to pay".<sup>57</sup> The main indicator of the capacity of a state to pay is its national income defined as follows: "National income (net after depreciation) is equal to total income received by resident individuals of a country and income retained by enterprises or

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<sup>55</sup> See Frederick K. Lister, *op. cit.*, pp. 45-47. See also discussion of the scale of assessments below. An attempt at an integrated approach to budget formulation has been made, on similar lines, in a comprehensive set of background/long-term proposals circulated by the Canadians in the spring of 1987, aiming at reforming the budgetary process of and the administration of funds by the Specialised Agencies of the United Nations system. Although the thirteen papers composing the proposals (provided to me by the Canadian High Commission in London) refer to the UN Specialised Agencies, most of the proposals could also apply to the UNO itself, as noted in the papers. According to these proposals, the finances of each UN Agency are to be divided into three "envelopes", where an envelope is defined as "a permanent, distinct pool of financial resources subject to specific regulations, and to be used only for specific, pre-determined purposes". In general, it is proposed that all UN Agencies should become "budget rather than programme-driven", i.e. the programmes to be executed should be determined after the level and nature of financial resources to be made available were fixed, and not the opposite.

<sup>56</sup> From interview of 5 January 1989 {7}.

<sup>57</sup> See *Rules of Procedure of the General Assembly* (UN Doc. A/520/Rev.15), Rule 160.

parts of enterprises operating in a country. Resident individuals include persons who reside in a country for more than one year."<sup>58</sup> The process of calculating the scale of assessments and the rate of assessment of each individual country consists of several steps that are described below.<sup>59</sup>

For the assessment of a country's contribution a "statistical base period" of ten years is used, i.e. for the calculation of the assessment the average national income of the country in the previous ten years is taken into consideration, thus limiting significantly injustices resulting from periodic fluctuations in a country's national income. Thus, in order to calculate the scale of assessments for the years 1989-1991 the Committee on Contributions "measured capacity to pay in terms of the average national income of Member States for the period 1977-1986".<sup>60</sup> The statistical base period was increased from three to seven years following General Assembly resolution 31/95 A of 14 December 1976 and was further increased to ten years through General Assembly resolution 36/231 A of 18 December 1981; however, there have been recently calls for a shortening of the statistical base period.<sup>61</sup> For the final calculation of a state's assessment several qualifiers are used. A first qualifier is used to take into account the high indebtedness of a country, a second is contingent upon a state's per capita income, two more are related to the maximum and minimum percentage of the UN budget allowed to be paid by a state, and a final one limits the variation allowed in a state's assessment between successive scales.

National income figures are adjusted to take into account high external indebtedness of some countries. In a departure from the methodology followed in the past, the Committee on Contributions in 1988 deemed eligible for debt relief "all developing and centrally planned economy countries for which data on total debt were available", that is 118 countries as compared to 37 for the previous scale. Twelve per cent (12%) of the total external debt of a country, standing for the amount of debt service due, was then

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<sup>58</sup> *Report of the Committee on Contributions*, General Assembly, Official Records: Forty-third Session, Supplement No. 11 (UN Doc. A/43/11), United Nations, New York, 1988, para. 47 (p. 12), fn. 3 (p. 24).

<sup>59</sup> See *ibid.*, para. 38 (p. 10). The full methodology currently in use by the Committee on Contributions is put forward in *ibid.*, Section III, paras. 6-40 (pp. 4 -10). Most of the information on the UN scale of assessments presented here is drawn from *ibid.* and previous reports of the Committee on Contributions but an older publication was also of great use, namely John P. Renninger et al., *Assessing the United Nations Scale of Assessments: Is it Fair? Is It Equitable?*, Policy and Efficacy Studies No. 9, UNITAR, New York, 1982 (Sales No. E.82.XV.PE/9). Very useful was also M.J. Peterson, *op. cit.*, pp. 123-135 that places contribution-related issues into the broader political context.

<sup>60</sup> UN Doc. A/43/11, para. 6 (p. 4).

<sup>61</sup> See *Report of the Committee on Contributions*, General Assembly, Official Records: Forty-second Session, Supplement No. 11 (UN Doc. A/42/11), United Nations, New York, 1987, paras. 27-29 (p. 9). See also below.

deducted from the national income of that country.<sup>62</sup>

For states with per capita income lower than \$2,200 a reduction is made in their adjusted national income according to an agreed upon formula, to take into account "comparative income per head of population". The per cent reduction in the adjusted for indebtedness national income of a member state with per capita income lower than \$2,200 is given by the formula:<sup>63</sup>

$$\frac{(2,200 - \text{per capita national income}) \times 85\%}{2,200}$$

After the above adjustments the assessed national income of each member state is expressed as a percentage of the total of the assessed (adjusted) national incomes of all states and that is the tentative assessment rate of the individual state.

These first, tentative assessment rates are then checked against several established limits:

—The maximum assessment rate for any individual state also known as "ceiling" was set by resolution 69 (I) of 1946 at 39.89% for the major contributor that was (and continues to be) the USA. Later the ceiling was reduced to 33.3% by resolution 666 (VII) of 1952 and finally to 25%, where it still stands today, by General Assembly resolution 2961 B (XXVII) of 1972.<sup>64</sup>

—The minimum assessment rate or "floor" started at 0.04% (resolution 69 (I)) to be reduced subsequently to 0.02% (resolution 2961 B (XXVII)) and finally to 0.01% (resolutions 31/95 A and 32/39 of 1976 and 1977 respectively), where it stands today.

—Variations in a country's rate of assessment from one scale of assessments to the next cannot exceed certain limits upwards or downwards. These limits that have been agreed upon are expressed as a percentage of a country's assessment rate in the previous scale of assessments and as a percentage of the budget and

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<sup>62</sup> See UN Doc. A/43/11, paras. 16-17 (p. 6).

<sup>63</sup> According to the formula given in John P. Renninger et al., *op. cit.*, p. 57 (fn. 1), with the necessary changes effected by General Assembly resolutions 36/231 A and 39/247 B. The per capita income ceiling for a country to qualify for low per capita income adjustment as well as the factor ("gradient") by which the difference between the per capita income ceiling and a country's per capita income is multiplied, which now stand at \$2,200 and 85% respectively, have followed an upward trend with time—see below and UN Doc. A/42/11, para. 30 (pp. 9-10).

<sup>64</sup> To protect the middle powers from ever-increasing burdens because of the decreasing ceiling, a rule was adopted providing that no member state's per capita contribution should exceed that of the largest contributor (resolution 238 (III) of 1948). The rule was finally dropped in 1974 (resolution 3228 (XXIX)). See M.J. Peterson, *op. cit.*, pp. 128-129.

vary for assessments in different rate groups—the lower limit applicable for each assessment rate finally applies.<sup>65</sup>

—There is also a rule that the assessment rates of those countries characterised as "least developed" should not be increased.<sup>66</sup>

After calculating the assessment rates of all countries, in the mechanical way consisting of the steps described above (the "machine scale"), the Committee on Contributions embarks upon a final stage of "mitigation", an old practice where the assessment rate of each country is finalised after various factors and arguments have been taken into consideration. Through the mitigation process in 1988, the assessment rates of 56 countries changed, for 20 of them upwards and for 36 downwards, with a maximum upward mitigation of 0.15% of the budget for the USSR and a maximum downward mitigation of -0.09% for Brazil.<sup>67</sup> The mitigation process relies on "flexible" criteria and exists outside the formal methodology precisely because it cannot be held to the rigorous standards of the methodology. The ideal scale arrived at through the ideal methodology would not require mitigation, but till that is achieved the need for mitigation will continue, in order for the results of the machine scale reflect more accurately "economic realities" ...<sup>68</sup> Some of the criteria expected to be used by the Committee on Contributions in order to determine a country's final rate of assessment may well include special circumstances affecting a state's capacity to pay, like natural disasters, grave exchange rate fluctuations, etc.

An attempt by the Committee on Contributions to take into account, for the calculation of the rate of assessment of states, price-adjusted rates of exchange for the conversion of various currencies to US dollars did not result in agreement within the Committee in 1988.<sup>69</sup>

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<sup>65</sup> See UN Doc. A/43/11, para. 7 (pp. 4-5). For example, as given in *ibid.*, after the application of the adequate limits, a country's rate of assessment cannot increase or decrease by more than 0.24 per cent of the UN budget, for a country that in the previous scale of assessments (1986-1988) had been assessed at 3.21 per cent of the budget, while for a country assessed at 2.31 the limit of increase or decrease is 0.20.

<sup>66</sup> "There is also a provision for not increasing the assessment rates of the least developed countries, as called for by the General Assembly in its resolutions 36/231 A of 18 December 1981 and 39/247 B of 12 April 1985."—UN Doc. A/43/11, para. 6 (p. 4).

<sup>67</sup> *Ibid.*, paras. 38-39 (p. 10) and Annex II (pp. 29-33).

<sup>68</sup> See statement by the Chairman of the Committee on Contributions, on 31 October 1988, a summary of which is contained in Summary Records of the Fifth Committee, General Assembly, Forty-third Session, UN Doc. A/C.5/43/SR.21, para. 10 (p. 4).

<sup>69</sup> However, "[c]ountries with significant exchange rate distortions, identified by the... analysis, were borne in mind in drawing up the final scale of assessments"—see UN Doc. A/43/11, paras. 22-37 (pp. 7-9).

The above methodology and the scale of assessments that it produces refer to the expenses included in the regular budget of the Organisation. With regard to the peace-keeping operations undertaken by the United Nations, there is no one way of financing them. They are financed either through the regular budget (e.g. UNMOGIP), or from assessed contributions to Special Accounts (e.g. UNIFIL), or, finally, from voluntary contributions (UNFICYP).<sup>70</sup> In the case of assessed contributions paid to Special Accounts (which is the most common), it is the permanent members of the Security Council and the developed countries that are assessed to contribute most of the money, according to General Assembly resolutions.<sup>71</sup>

### *Trying to define the problems*

Many problems appear relating to the measurement of the national income and the per capita income of states throughout the world in a compatible and reliable, mutually acceptable way. The quantification of intangible factors and the introduction of new economic and social indicators/qualifiers also pose serious methodological, if not conceptual, problems.

A clear enough front of friction exists between the developed countries of the North (Western and Eastern ones) and the developing countries of the South, although there are of course differences within these two broad groups (i.e. North and South) too. The first are trying to resist demands made by the latter that have the numerical majority in the General Assembly, to take into account for the assessment of contributions factors like "accumulated wealth", "literacy rate", etc.<sup>72</sup> The countries of the South also ask for an

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<sup>70</sup> For details on the various peace-keeping forces up to 1985 and the ways of financing them see *The Blue Helmets: A Review of United Nations Peace-keeping*, Department of Public Information, United Nations, New York, 1985, Appendix II (pp. 329-350).

<sup>71</sup> See, for example, General Assembly resolution 42/233 of 17 August 1988, referring to the financing of the United Nations Iran-Iraq Military Observer Group (UNIIMOG). According to this resolution, of the \$35.7 million approved by the General Assembly for the first three months of UNIIMOG, some \$20.7 million would be paid by the permanent members of the Security Council proportionately, according to their respective assessments under the scale of assessments for the years 1986, 1987 and 1988; some \$14.1 million would be paid by economically developed member states (excluding the Security Council permanent members) again according to the 1986, 1987 and 1988 scale of assessments; and the rest (less than \$1 million) would be paid by economically less developed member states. See also more recent resolutions 43/231 of 16 February 1989 and 43/232 of 1 March 1989 on the financing of the UN Angola Verification Mission and the UN Transition Assistance Group for Namibia, respectively, and an older resolution, resolution 3101 (XXVIII) of 11 December 1973 regarding the financing of the United Nations Emergency Force.

<sup>72</sup> See, for example, speech by Mr. Basdeo, of Trinidad and Tobago, during the general debate at the forty-third session of the General Assembly, on 14 October 1988, who, *inter alia*, proposed the establishment of a "development index... reflecting each country's development status along the continuum from least developed to developed countries... [to] be used as a factor, a multiplier, to convert raw *per capita* income into assessable income from which a United Nations rate of assessment could be calculated".—See UN Doc. A/43/PV.30, pp. 36-37. See also John P. Renninger et al., *op. cit.*, pp. 8-9 and 31.

increase in the low per capita income allowance, although this would allegedly benefit mainly the middle-income developing countries rather than the poorest ones already assessed at the floor rate. An increase in the statistical base period was especially advocated by the oil-producing countries during the 1970's and early 1980's (increased oil revenues), accompanied by demands for a limit to variations from one scale of assessments to the other. Recently however, several countries have made it clear that they would favour a reduction of the 10-year base period or a more heavy weighting of the more recent years of the base period.<sup>73</sup>

The developed countries generally oppose the above demands,<sup>74</sup> insisting on the assessment of a state's contribution to the UN on the basis of a state's national income.<sup>75</sup> Nevertheless, the Third World majority has passed resolutions on the above lines that it favours<sup>76</sup> increasing the base period from 3 to 7 and then to 10 years, the per capita income allowance from \$1,800 to \$2,100 and then to \$2,200, and the gradient of the relief granted from 75% to 85%.<sup>77</sup> Developed countries, especially the major contributors, do not like carrying most of the burden for an Organisation that systematically defies their wishes, but at the same time, they do not want to have their assessments reduced to such an extent that it would deprive them from any special status and particular influence in the World Forum.<sup>78</sup>

The amount of money involved in the UN budget is not so significant as to justify such heated debates and strenuous arguments. As stated in John Renninger et al., the sums of money involved have

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<sup>73</sup> See John P. Renninger et al., *op. cit.*, pp. 10-13 and 46 and M.J. Peterson, *op. cit.*, pp. 129-130. See also statements in the Fifth Committee made during the forty-third session of the General Assembly by the representatives of Iraq (UN Doc. A/C.5/43/SR.17, para. 29 (p. 7)); Ecuador (UN Doc. A/C.5/43/SR.16, para. 20 (p. 6)); Yugoslavia (UN Doc. A/C.5/43/SR.14, para. 40 (pp. 10-11)); and Saudi Arabia (UN Doc. A/C.5/43/SR.12, para. 55 (p. 14)).

<sup>74</sup> See, in that respect, the creation, in 1964 (the same year that UNCTAD was created), of the Geneva Group, an "intergovernmental pressure group", mainly aiming at "budgetary control and management improvement with the object, it is claimed, of producing more effective and efficient UN Agencies for the benefit of the entire membership". It comprises those of the developed "market economy" countries "who contributed more than 1% on average to the budgets of the "Big Four" Specialised Agencies—the FAO, the ILO, UNESCO and the WHO. In mid-1986 the group consisted of Australia, Canada, France, the Federal Republic of Germany, Italy, Japan, Netherlands, Spain, Sweden (with observer status only—from its own choice), and the United Kingdom and the United States, which act as joint chairmen of the Group". In Douglas Williams, *op. cit.*, pp. 85-87.

<sup>75</sup> However see Japan's recognition of the value of the concepts of "accumulated national wealth" and of limited variation in John P. Renninger et al., *op. cit.*, p. 11.

<sup>76</sup> See, *inter alia*, resolutions 36/231 A and 39/247 B.

<sup>77</sup> See above (including formula and fn. 63).

<sup>78</sup> Very recently, during the course of the latest UN reform process, the Americans were split on this, i.e. whether they should go for a reduction in their rate of assessment or not. They finally decided they wanted to keep it as it is—see Chapter IV.

been characterised as "peanuts"; "at least 20 Member States could pay for the entire United Nations regular budget themselves if they so desired".<sup>79</sup> The Ambassador of Sweden very descriptively said, among other things, in a statement to the Fifth Committee in 1981:

The cost of salaries required to run the Swedish State Railway in 1979 corresponds to the United Nations Regular Budget for the entire biennium 1980-1981. A comparison with the field of armaments is even more striking. It would take no more than seven new strategic bombers to finance the Regular Budget... The estimated expenses for altogether twenty bombers would cover the whole range of activities within the United Nations System as defined above [i.e. not including the IMF, the World Bank and affiliated agencies], from the Regular Budget and Peace-Keeping to Disaster Relief and Development Assistance.<sup>80</sup>

In fact, in 1984, the highest per capita contribution to the UN (including voluntary payments) was that of Norway (\$34.7), followed by Denmark's (\$21.9) and Sweden's (\$19.0). The US per capita contribution was much lower (\$4.0). The largest contribution in terms of national income was made by Gambia and was 0.595% of this country's total national income. The corresponding figures for the USA and the USSR were 0.029% and 0.017% respectively.<sup>81</sup>

The often heated debate regarding the scale of assessments cannot therefore be seen solely (or primarily) as related to the amounts of money involved. Contributions to the United Nations by member states are more important in political rather than financial terms, not least because they are "a form of international taxation which can be imposed upon them in the last resort without their consent as long as they remain members".<sup>82</sup> This has to be seen as part of the broader debate between the developed countries of the North and the developing countries of the South concerning the responsibility of the rich of the world towards the poor, the desirability of some sort of redistribution of wealth at the world level and the

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<sup>79</sup> John P. Renninger et al., *op. cit.*, pp. 41-42.

<sup>80</sup> Quoted in *ibid.*, p. 48.

<sup>81</sup> *Everyone's United Nations*, United Nations, Department of Public Information, New York, 1986 (tenth edition), pp. 29-30. For other interesting statistics demonstrating the modesty of the funds earmarked for the United Nations system, see *The Bertrand Report*, para. 64 (p. 21).

<sup>82</sup> See Douglas Williams, *op. cit.*, p. 86, talking about the Geneva Group and the ten Specialised Agencies it deals with. US Secretary of State George Shultz has called the UN budget system "taxation without representation" referring to the equal voting power given to the USA on budgetary issues with states paying the floor assessment.—Reported in "Allies in UN Protest on Budget", by Elaine Sciolino, *The New York Times*, 18 March 1986, p. A10.

recognition as "ills" externally inflicted upon them and requiring corrective action of such developing country characteristics as high indebtedness, low per capita income, etc.

The sometimes irresponsible and opportunistic attitude of states outside political differences and bloc politics confuses the situation even further. States tend to ask for a change in the criteria used for the formulation of the scale of assessments to suit the economic situation they are in at each particular time, thus undermining the independent and long-term character of these criteria.<sup>83</sup>

The UN also faces a chronic problem caused by delays of payments on the part of its members. For example, "[b]y 30 September 1985, 50 Member States had fully paid and 33 Member States had partially paid their 1985 assessed contributions. An additional 22 Member States had not yet made any payment toward 1985 assessments, although they were not in arrears for prior years. The remaining 54 Member States, about one third of the membership, were in arrears not only for 1985 but also for their assessments for previous years".<sup>84</sup> The situation was somewhat better in 1988, after all the calls for prompt and full payment of contributions because of the financial crisis: "...as at 30 September 1988, 71 Member States had fully paid their assessed contributions... Of the 88 Member States still in arrears..., 43 Member States owed more than the amounts assessed for 1988 and 45 Member States owed an amount equal to or less than their 1988 assessment... It should also be noted, however, that between 1 January and 30 September 1988, 23 Member States made no payment at all to the regular budget".<sup>85</sup>

Various reasons are usually put forward to explain these delays:<sup>86</sup> Countries claim that their fiscal years do not coincide with that of the UN and that allegedly creates all sorts of procedural problems.<sup>87</sup> The

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<sup>83</sup> See statement by the representative of Japan in the Fifth Committee of the General Assembly on 24 October 1988, referring in particular to demands by certain states to have the statistical base period reduced.— General Assembly, Forty-third Session, Summary Records of the Fifth Committee meetings, UN Doc. A/C.5/43/SR.15, para. 41 (p. 9).

<sup>84</sup> UN Doc. A/C.5/40/16, para. 21 (p. 6). For detailed information on the status of contributions to the UN regular budget as at 30 September 1985, see *ibid.*, Annex III. As David Steele reports, "The position of the specialised agencies is not dissimilar; at the 30th September 1985, there was \$389 million outstanding as a result of unpaid contributions for all the agencies". In David Steele, *op. cit.*, p. 36.

<sup>85</sup> *Financial Emergency of the United Nations: Report of the Secretary-General—Analysis of the Financial Situation of the United Nations*, General Assembly, Forty-third Session, Fifth Committee, UN Doc. A/C.5/43/29 of 9 November 1988, para. 15 (p. 4). See also grievances against states not paying their dues for peace-keeping expressed by Marrack Goulding, UN Under-Secretary-General for Special Political Affairs, in an interview published in *Secretariat News*, UN Headquarters, New York, August 1988, p. 6.

<sup>86</sup> See Siegfried Schumm (Joint Inspection Unit), *Cash management in the United Nations and Four Specialised Agencies (FAO, ILO, UNESCO and WHO)*, General Assembly, Forty-First Session, UN Doc. A/41/649 of 26 September 1986 (JIU/REP/86/6, Geneva, July 1986), especially chapter III: "Resource Inflow", paras. 21-24 (pp. 5-6).

<sup>87</sup> About the interaction between the UN and the US budget cycles and the related problems see Robert

United Nations system levies no penalty for late payment,<sup>88</sup> so governments are tempted to delay their payments, even if they can pay, in order to benefit from the interest earned during the period of the delay; the same happens with states which finance part of their budgets through loans. Member states wait for the right moment to convert their contribution into "hard currency", when the exchange rate favours them, indulging in this way in some sort of currency speculation. Some states withhold money, or pay in "not readily usable currencies", for specific items of the regular budget with which they disagree. Finally, some countries put forward as an excuse the problems they have in balancing their budget for a particular year, and/or the structural deficiencies of their economies, and/or their difficulties in getting hold of "hard currency", etc.

### *Recent developments*

The report of the G-18 did not make reference to the scale of assessments although the issues involved had been discussed in the Group but the discussions had proved inconclusive.<sup>89</sup>

The latest scale of assessments was finally approved by the General Assembly in December 1988 without a vote.<sup>90</sup> Non-member states participating in certain UN activities were also assessed for the expenses related to those activities according to the same methodology used for member states.<sup>91</sup> The General Assembly requested the Committee on Contributions to undertake a comprehensive review of the methodology currently used for the calculation of the scale of assessments.<sup>92</sup> The General Assembly also requested the Committee on Contributions to examine the possible use of other factors for improving the current methodology, like the situation of those states whose economies depend on one or a few products or

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W. Gregg, *Congress and the US Assessment for the United Nations*, paper presented at the 30th Annual Convention of the International Studies Association, London, 28 March - 1 April 1989, pp. 7-12.

<sup>88</sup> Article 19 of the United Nations Charter *does* provide for sanctions against member states not complying with their financial obligations towards the Organisation—see Appendix VI of the thesis. An attempt by the Americans to use these provisions against the Soviets who had exceeded in 1964 the two-year contribution limit in arrears due to their refusal to pay for peacekeeping was abandoned after much tension in 1965.—See A. LeRoy Bennett, *op. cit.*, pp. 92-93. In general, "[t]he practice has been for the Committee on Contributions to report each year on the countries that may be in danger of losing their vote by the time the Assembly convenes, but there the matter has rested."—From John G. Stoessinger, *op. cit.*, p. 81. See recent Report of the Committee on Contributions, for 1988 (UN Doc. A/43/11), para. 54 (p. 15). See also M.J. Peterson, *op. cit.*, p. 133.

<sup>89</sup> See UN Doc. A/41/795, para. 10 (pp. 2-3).

<sup>90</sup> See General Assembly resolution 43/223 A of 21 December 1988, para. 1.

<sup>91</sup> See UN Doc. A/43/11, paras. 52-53 (p. 14) and General Assembly resolution 43/223 A, para. 3 (c).

<sup>92</sup> See General Assembly resolution 43/223 B, adopted without a vote on 21 December 1988, para. 2.

income sources; which suffered a real loss of income as a result of deteriorating terms of trade; which experience serious balance-of-payment (trade) problems or a negative net flow of resources; and which have limited capacity to acquire convertible currencies.<sup>93</sup> Also the Committee on Contributions should continue its study on the concept of national income.<sup>94</sup> The scale of assessments will be valid for 1989, 1990 and 1991, unless a new scale is approved earlier by the General Assembly on the recommendation of the Committee on Contributions.<sup>95</sup>

In the current scale of assessments, 79 member states are assessed at the "floor" rate, i.e. they are asked to pay 0.01 per cent of the UN regular budget each, 9 member states at 0.02 per cent and 6 member states at 0.03 per cent, making it a total of 94 member states or 59 per cent of the UN membership that are assessed at or below 0.03 per cent of the UN budget.<sup>96</sup> The distribution of the assessment rates by groups of countries since 1980 is given below (Table II.2):

Assessment rates by major Groups of countries				
Country Group	1980-1982	1983-1985	1986-1988	1989-1991
Group of 77*	8.98	9.34	9.67	10.01
of which OPEC	2.89	3.30	3.63	3.77
OECD countries**	71.81	73.66	74.00	74.10
Countries with centrally planned economies***	16.91	15.51	14.87	14.44
China	1.62	0.88	0.79	0.79

\* Including Rumania and Yugoslavia

\*\* Excluding Yugoslavia

\*\*\* Excluding Rumania and Yugoslavia

**Table II.2**

*Source: Report of the Committee on Contributions (UN Doc. A/43/11), para. 50 (p. 13).*

At the conclusion of the forty-eighth session of the Committee on Contributions (6 June to 1 July

<sup>93</sup> General Assembly resolution 43/223 B, para. 3.

<sup>94</sup> See General Assembly resolution 43/223 B, para. 4 and UN Doc. A/43/11, para. 47 (p. 12). See current working definition of national income above.

<sup>95</sup> General Assembly resolution 43/223 A, para. 1.

<sup>96</sup> See UN Doc. A/43/11, para. 50 (p. 13).

1988) there were four states, namely the Dominican Republic, El Salvador, Rumania and South Africa, that "were in arrears in the payment of their assessed contributions to the expenses of the United Nations under the terms of Article 19 of the Charter".<sup>97</sup>

### *Further proposals*

Two men with experience in UN issues, Mr. Maurice Strong (in 1985 Executive Co-ordinator of the UN Office for Emergency Operations in Africa) and Prince Sadruddin Aga Khan (former UN High Commissioner for Refugees) in an article in *The New York Times*, suggested a reduction of the maximum budgetary contribution by a single country to 10% of the UN budget and a distribution of the resulting extra financial load among the middle-sized member states. The authors argued that in this way these middle-sized powers would be brought into playing a more active and constructive role in the UN.<sup>98</sup>

The present Secretary-General too has suggested a lower assessment ceiling of 20% or 15%. His rationale was that the Organisation should not be extremely exposed to the influence of any single state, or, in the Secretary-General's own words: "no single country should be in a position in some way to threaten or to blackmail the United Nations". Javier Pérez de Cuéllar has also suggested that each of the five permanent members of the Security Council that hold the veto right should pay equal contributions; such an arrangement would create a "fair and honest" system.<sup>99</sup>

Sweden's late Prime Minister Olof Palme talking to the 40th General Assembly in 1985 proposed the redistribution of the costs of the Organisation more equally among member states, "to make the United Nations less dependent on big contributors".<sup>100</sup>

Harvey J. Feldman, an American, vice president of the Institute for East-West Security Studies, sug-

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<sup>97</sup> See UN Doc. A/43/11, para. 54 (p. 15). See also fn. 88 above.

<sup>98</sup> "Proposals to Reform the UN, "Limping" In Its 40th Year", op-ed article by Sadruddin Aga Khan and Maurice F. Strong, *The New York Times*, 8 October 1985, p. A31. See also similar conclusions reached in a study by George Davidson, former UN Under-Secretary-General, commissioned privately by Aga Khan and Strong and carried out at about the same time as the G-18 deliberations.—See Gene M. Lyons, "Reforming the United Nations", *International Social Science Journal*, Vol. XLI, No. 2 (May 1989), pp. 252-253. Regarding the role of the middle-sized powers in the UN, see Chapter IV.

<sup>99</sup> "UN Chief Suggests US Contribution Be Cut", by Elaine Sciolino, *The New York Times*, 29 April 1986, p. A11; Secretary-General quoted in *ibid.*

<sup>100</sup> "Looking Back: The UN Anniversary", by Elaine Sciolino, *The New York Times*, 27 October 1985, p. A20. See also *UN Chronicle*, Vol. XXII, No. 9 (October 1985), Special Anniversary Issue, p. 62.

gested in 1986 that "no country would pay less than one-half of one percent..., and no country more than 20 percent (thus cutting the United States back from its current 25 percent). The higher tab may heighten the responsibility of countries now getting something close to a free ride."<sup>101</sup>

Several of the above proposals are presented in a systematic way by Frederick K. Lister in his paper for the United Nations Association of the United States of America. Therein, he also gives as an option the adoption of "a graduated scale of assessments similar to that of most national income tax systems", where "higher per capita income would be assessed at progressively higher rates so that wealthier countries would be charged proportionately more". As a step to encourage greater promptness by member states in paying their dues he considers the imposition of "a mild penalty on defaulters. For example, after the second monthly reminder, the sum due might start drawing interest at a pre-agreed rate".<sup>102</sup>

The Committee on Contributions has itself examined several alternative methods of assessment in the past. One proposal would have member states divided into three groups, namely the OECD countries (West), the centrally-planned economy countries (East) and the rest of the membership (mainly G-77 members). The rate of assessment for each group would then be fixed at a pre-determined aggregate rate.<sup>103</sup> Another proposal would allocate the expenses of the Organisation as follows: 25% to be shared among the permanent members of the Security Council (because of their special privileges); 5% to be paid equally by all member states ("the sovereign equality factor"); and 70% to be allocated to member states according to capacity to pay ("the capacity to pay criterion").<sup>104</sup> A third alternative involved an additional burden ranging from 0,5% to 1% of the budget for those states elected as non-permanent members of the Security Council during their term on the Council.<sup>105</sup> A fourth alternative favoured the division of the UN budget into different portions, distinguished as "core" and "non-core" ones. The former, comprising mainly

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<sup>101</sup> "Why the UN is Worth Saving", op-ed article by Harvey J. Feldman, *The New York Times*, 2 June 1986, p. A17. For the official US reaction to proposals for a lower assessment rate ceiling see Chapter IV.

<sup>102</sup> See Frederick K. Lister, *op. cit.*, pp. 42-45. Regarding incentives for achieving prompt and full payment of assessed contributions by member states, including the charging of interest (already practiced by ITU and UPU), see review of practices of other organisations of the UN system in UN Docs. A/C.5/42/31, part III (paras. 30-38) and A/C.5/43/29, part III (paras. 27-32).

<sup>103</sup> See Reports of the Committee on Contributions for the forty-first and thirty-eighth sessions of the General Assembly, UN Doc. A/41/11, paras. 8-29 (pp. 3-6) and UN Doc. A/38/11, paras. 7-14 (pp. 5-6), respectively.

<sup>104</sup> UN Doc. A/41/11, paras. 30-37 (pp. 7-8).

<sup>105</sup> *Ibid.*, paras. 38-40 (p. 8).

political and peacekeeping activities and consensus-building activities in the economic and social sectors, would be paid on a more or less equal basis by all states, while the latter, including operational activities, would be to a great extent voluntary.<sup>106</sup> Other proposals involved the use of various social and economic indicators to reflect "socio-economic concerns" like "economic development, educational development, health, external debt and international reserves, and... changes in terms of trade".<sup>107</sup> Such proposals have in the past been rejected by the General Assembly.<sup>108</sup>

In general, if there is no major overall breakthrough at the UN, especially at the political and conceptual levels, the painful and all the more complicated process of determining the rate of assessment of states is expected to continue unabated.

### **Alternative sources of income for the UN**

One should not only be preoccupied with the expenditure part of the UN finances. It has been proposed that a study similar to that of the G-18 is needed to deal with improving the inflow of resources into the United Nations. Such a study should embark upon a major reconsideration of the scale of assessments and should examine "the desirability of some independent financing vehicles".<sup>109</sup> In general, potential ways for restructuring the sources of finance for the UN can be divided into two categories: There are some proposals that favour continuation of UN financing through the budgets of member states while others urge the UN to look for resources outside the established framework. Among the proposals of both categories one can distinguish between those that entail an element of automaticity and those that lack this element.

—Proposals to appeal to member states for increase in their voluntary contributions to special UN accounts serving particular causes belong to the first category and lack automaticity—it is up to member states to respond and the extent they will do so or not.<sup>110</sup>

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<sup>106</sup> *Ibid.*, paras. 41-46 (pp. 9-10). See also previous section of this Chapter and fn. 55.

<sup>107</sup> See Report of the Committee on Contributions submitted to the thirty-ninth session of the General Assembly, UN Doc. A/39/11, paras. 12-26 (pp. 5-9).

<sup>108</sup> See statement by the Chairman of the Committee on Contributions in UN Doc. A/C.5/43/SR.21, para. 3 (p. 2).

<sup>109</sup> Anita DeKock and Jeff Martin, rapporteurs, "Conference Report: Administrative and Budgetary Reform—Taking Stock", in *Administrative and Budgetary Reform of the United Nations*, 18th UN Issues Conference, The Stanley Foundation, Muscatine, Iowa, 1987, pp. 12-13.

<sup>110</sup> See voluntary contributions to the UN system (in contradistinction to the assessed/regular ones).

—Proposals to determine a percentage of a state's GNP or national budget that should be paid to the United Nations also belong to the first category but entail an element of automaticity, to a greater or lesser extent.

—In the second category and lacking automaticity belong proposals for the UN to rely more on support from individuals and non-governmental organisations throughout the world.

—Whereas in the latter category but with an element of automaticity belong proposals for the UN to impose some charges for its services or to levy taxes on international trade and/or multinational corporations etc., or to claim property rights over unexploited natural resources not belonging to any particular state, like the sea-bed, Antarctica and the outer space.

One can also talk about a third category of potential sources of finance for the UN, namely concrete money-making activities on the part of the World Body, such as sales of publications, etc.

Asking member states to contribute more for certain programmes has been practiced a long time now by the UN, and the resulting voluntary contributions exceed the amount of the regular budget. For the biennium 1986-1987 the Administrative Committee on Co-ordination (ACC) reported expenditures of the UN system organisations from extra-budgetary funds of \$7,217.4 million, out of a total expenditure of \$11,116.0 million, while the corresponding amounts for the biennium 1988-1989 were estimated at \$7,992.6 million and \$12,464.1 million.<sup>111</sup> Nevertheless, a further increase in voluntary contributions would aggravate a lack of balance between regular and voluntary budgets that already exists. Voluntary contributions, although now almost institutionalised, are not completely guaranteed and cannot exactly be demanded on Charter grounds.<sup>112</sup> So they do not allow for long-term planning and their fluctuations can destabilise the system,<sup>113</sup> although some would disagree with this analysis.<sup>114</sup> At the same time, countries

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<sup>111</sup> See *Report of the Administrative Committee on Co-ordination on Expenditures of the United Nations System in Relation to Programmes*, UN Doc. E/1988/78/Corr.1 of 12 July 1988, Table 1, p. 2.

<sup>112</sup> See Paul Taylor et al., "The Financing of the United Nations", *op. cit.*, p. 291 and p. 294, where, interestingly enough, the shifting of contributions from assessed to voluntary programmes is described as "a further budgetary weapon" in the hands of the major contributors.

<sup>113</sup> The following quotation is rather revealing: "The work of the High Commissioner [for Refugees] suffers seriously at present from precariousness of sources of finance. Though it will no doubt continue to depend on voluntary pledges, the work of UNHCR would be enormously assisted if governments pledged for two or three years at a time, and for the general budget rather than for specific groups of refugees." From Evan Luard, "Functionalism Revisited: The UN Family in the 1980s", *International Affairs*, Vol. 59, No. 4 (Autumn 1983), p. 686.

<sup>114</sup> A person that I interviewed expressed the view that voluntary contributions are fairly stable and predictable and there is no apparent danger of them being cut down—interview of 5 January 1989 {7}.

choose to contribute voluntary funds to agencies which pursue objectives they favour and they tend to exert greater control upon these agencies and their projects which they heavily finance.<sup>115</sup>

An interesting idea relating funds saved by cuts in military expenditures and eventual disarmament to the development of the Third World was put forward by the Soviets at the International Conference on the Relationship between Disarmament and Development held in New York from 24 August to 11 September 1987. The Soviets proposed the creation of an International Fund to be called something like "Disarmament for Development" open to all states, to be established within the framework of the United Nations Organisation. Through this fund, part of the money saved by countries as a result of disarmament would be used for the development of the underdeveloped world.<sup>116</sup> An agreement to establish such a Fund to transfer *significant* sums of money could also cover most of the UN's administrative costs, especially if part of the percentage of all countries' GNP previously spent on armament were to be automatically transferred, yearly, to that Fund. The contribution of the UN to reaching such an initial agreement and the administering of the Fund afterwards, and, of course, the UN operational activities for development, would legitimise such UN claims, if they were ever made.

The United Nations Charter, in contrast to the League of Nations Covenant, makes allowances for the involvement of non-governmental organisations and even private citizens with the new World Organisation. Stoessinger notes the difference between the "We the peoples of the United Nations", the phrase opening the Charter, and the "High Contracting Parties" that introduced the League Covenant; he adds: "While it is true that governments still dispose, it is equally true that nongovernmental organisations frequently propose".<sup>117</sup> Voluntary private support has been an undisputable fact of UN life. The very headquarters of the United Nations have been built on land acquired through a \$8.5 million gift given to the newly established organisation by John D. Rockefeller, Jr., in 1946. The construction of the UN Library in New York was supported by a \$6.2 million grant by the Ford Foundation, in 1959.<sup>118</sup> UNICEF has devised

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<sup>115</sup> See David Steele, *op. cit.*, pp. 24-25 and 34-35 and Douglas Williams, *op. cit.*, p. 85.

<sup>116</sup> See Mikhail Gorbachev's message to the International Conference on the Relationship between Disarmament and Development and Vladimir Petrovsky's speech at the same Conference, *Soviet News*, London, 26 August 1987 (No. 6389), pp. 305 and 307 respectively.

<sup>117</sup> See John G. Stoessinger and Associates, *op. cit.*, p. 249.

<sup>118</sup> See *ibid.*, pp. 255-256.

many original ways for collecting money for its purposes directly from individuals of the world. Other UN organisations also appeal to individuals, in one way or another, for financial support for their respective causes.<sup>119</sup>

Nevertheless, there are some problems, or at least questions, as regards private contributions to UN bodies. Should these contributions be given to the UN as a whole and then distributed by the centre to the various agencies according to their needs and their programmes in progress, or each agency should continue to appeal separately to the international public for its particular needs and compete with other agencies, either of the UN or not?<sup>120</sup> Should these contributions of individuals relieve member state governments from part of their contributions to the UN agencies or should they be on top of those and help the Organisation and the system expand?<sup>121</sup> How these inflows can be regularised so that the agencies can plan for the medium- and long-term? Should the UN absorb or assimilate, in a sense, charitable trusts in the various countries and channel their resources to its programmes? Would governments offer incentives (e.g. tax deductions or exemptions) for donations to the UN? Would member states accept massive outflows of money if citizens were willing to make significant donations to the UN family?

Moreover, the question comes up regarding one-off versus continuous donations to the UN. Up to now, individual donations seem to be more or less one-off, for particular causes each time. Nevertheless, if the possibility were there, some people might want to subscribe, sort of, to a UN information bulletin or news network that would be prized much higher than its actual cost, to allow for significant revenue for the UN. More than that, individuals might be willing to submit themselves to some sort of taxation (on top of local and national taxes) of their incomes, with the money going to the UN to use it as it judges appropriate. Would, in this latter case, governments be willing to collect this extra tax and give the money (in

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<sup>119</sup> For UNICEF see *ibid.*, pp. 253-255. Private sources contributed 14% of UNICEF's total income in 1984 (out of a total income of \$332 million, \$47 million came from private sources, including income from greeting card sales and individual donations)—see *Yearbook of the United Nations 1984* (Vol. 38), Department of Public Information, United Nations, New York, 1988, p. 922. Consider also the case of the Office of the UN High Commissioner for Refugees, in John G. Stoessinger and Associates, *op. cit.*, pp. 251-253. In 1984, non-governmental organisations contributed to the UNHCR \$5.5 million in cash and kind, while governments contributed some \$292 million and intergovernmental organisations an additional \$26.7 million—see *Yearbook of the United Nations 1984, op. cit.*, p. 937.

<sup>120</sup> The consolidation of funds is a problem that has been debated a lot in the UN system and does not confine itself to this examination of private contributions. An attempt in that direction was made through the creation, in 1965, of UNDP by consolidating some pre-existing funds—see Douglas Williams, *op. cit.*, chapter VII and p. 114 (see also Chapter III below).

<sup>121</sup> See John G. Stoessinger and Associates, *op. cit.*, pp. 249-251.

convertible currency and to what extent) to the UN?

Governments might be willing to accept, or would even favour one-off small donations for particular causes but they would probably expect their contributions to those causes to be reduced if the UN appeals were successful. They do not seem to favour donations to the UN in general, to be used at the Organisation's discretion, especially when the donations are significant.<sup>122</sup> Taxation, if it is on top of the local and national ones does not affect government income but still there are collecting costs and most importantly, this can create a precedent that can be slowly generalised and threaten state sovereignty. Also, paying the money collected into the UN's accounts in convertible currency could cause a lot of problems. Finally, it seems most probable that private outflows to the UN would unequally come from the Western-open economy countries where individuals possess the money, the charity mentality and the foreign exchange and this might help Eastern-closed economy countries that might even ask for decreases in their contributions in the face of increasing income for the UN.

The problem also arises that if individuals came privately to provide a significant part of UN resources they should perhaps have some say on how their money should be spent or they could give the money under certain binding conditions. Of course, the predominately intergovernmental character of the UN could not permit something like that.<sup>123</sup> Consider the case of the ex-USA President Jimmy Carter who favoured a long-term "production of autonomous revenues for the UN system through contributions from commerce, services, or resources regulated by the UN... Provided that any autonomous revenue is subject to the same continuous scrutiny and control of governments as current Member State appropriations are and further as long as we [the USA] and the other nations retain adequate control of the budget".<sup>124</sup>

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<sup>122</sup> The case of UNICEF is *sui generis* and owes a lot to the body's subject-matter, i.e. children, that help it get away with its maverick fund-raising methods.—From interview of 25 January 1989 {18}.

<sup>123</sup> As Stoessinger mentions: "No United Nations organ is permitted to accept private donations unless specifically authorised by the General Assembly.... Customarily, the Controller has returned checks designated for the furtherance of peace-keeping activities. It has been the view of the Secretary-General that these operations are the province of official decisions, and that if the Organisation accepted gifts for such purposes, this might involve it in the moral dilemma of having made a commitment that could conceivably be at variance with the will of its members."— John G. Stoessinger and Associates, *op. cit.*, p. 257. For proposals for major restructuring of the UN, calling, some of them, for a greater involvement of non-governmental organisations and individuals, see Chapter III.

<sup>124</sup> "The President's Report on the Reform and Restructuring of the UN System", submitted to the US Congress on 2 March 1978 pursuant to the Foreign Relations Authorisation Act of 1978, appended to *US Participation in the United Nations and UN Reform*, Hearing before the Subcommittee on International Organisations of the Committee on Foreign Affairs, House of Representatives, Ninety-sixth Congress, First Session, Part 1, 22 March 1979, US Government Printing Office, p. 65.

In the course of the latest UN financial crisis, several prominent British personalities appealed "to all the governments of Europe" suggesting that they combine with each other in raising enough money to eliminate existing UN deficits and that they launch "a joint European appeal for public subscriptions on a scale large enough to maintain effective international association". They also appealed to public organisations to join them in requesting such government action.<sup>125</sup> During the previous severe UN financial crisis, in the 1960's, proposals had been made for the creation of a fund that would aim at the collection for the UN of a substantial amount of money (counted perhaps in billions of dollars) on an one-off basis through individual subscriptions.<sup>126</sup> Private subscription to UN bonds had also been discussed, especially in the USA.<sup>127</sup> Of course, an appeal to the public on a grand scale remains still to be made, and the degree of response to such an appeal would offer an interesting indication of the degree of support the World Body enjoys among the world's peoples. The result would be quite unpredictable, a lot depending, *inter alia*, on the particular moment and the circumstances under which the appeal would be launched.

There are proposals urging the UN to levy charges for the services it offers and the subsequent "public goods" it produces, which vary from the concrete tasks performed by the Specialised Agencies (like regulation of air transport by ICAO, of international mail by UPU, etc.) to the great but often intangible task of contributing to international co-operation, peace and security. John G. Stoessinger, after examining the possibility of United Nations levies on international mail; canal, sea and air traffic; and international travel, concluded that:

If the possibilities for levies on international activities as a whole are considered, three basic facts emerge. First, all such levies must rest on the assumption that the United Nations has become an integral organ of society producing a "public good" and thus is deserving of additional revenue. Second, the field of international mail is probably the one in which the first attempts at a breakthrough might be made. And, third, it is clear... that in each instance the reality must be faced that the yield would not be enormous though the resistance might be.<sup>128</sup>

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<sup>125</sup> See "Insuring the UN's Future", letter to the Editor, published in *The Guardian*, 31 December 1986, p. 14.

<sup>126</sup> See John G. Stoessinger and Associates, *op. cit.*, p. 261 ff.

<sup>127</sup> See provisions of General Assembly resolution 1739 (XVI), para. 7 of Annex, allowing for bonds to be offered for purchase even to "non-profit institutions or associations" and John G. Stoessinger, *op. cit.*, pp. 258-259.

However, interestingly enough, the Secretary-General recently referred publicly to the idea of imposing an international levy on all overseas arms sales to help ease the financial difficulties faced by the UNO with regard to peace-keeping.<sup>129</sup>

More far-reaching views allowing for imposition of UN taxation have also been put forward. Grenville Clark and Louis B. Sohn in their *World Peace Through World Law* have proposed annual revenue quotas for the UN collected through national machinery, not to exceed 2% of the estimated gross world product; the UN should also be given borrowing powers up to 5% of the gross world product.<sup>130</sup> A more moderate proposal on these lines but falling in the first category of proposals mentioned above would involve allocation of a portion of the revenue collected by a government to the UN. Such proposals are deemed by Stoessinger as having little chance to be adopted in the foreseeable future.<sup>131</sup>

Granting the UN property rights on land and sea areas and on the outer space not belonging to any country<sup>132</sup> could be a very important source of revenue for the UN. This would also be very important for the overall course and future evolution of the World Body, as the UN, in these areas at least, would be recognised as a sovereign supranational authority. Nevertheless, after examining the cases of Antarctica, the deep oceans and the outer space, John G. Stoessinger concluded, on the clearly financial aspects of such proposals:

Vision demands that these possibilities be explored in order to help the United Nations to evolve toward growing strength. But realism demands with equal force that a solution to the financial crisis of the Organisation be found in our own lifetime.<sup>133</sup>

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<sup>128</sup> John G. Stoessinger and Associates, *op. cit.*, p. 280.

<sup>129</sup> From "the Nobel lecture" delivered by the UN Secretary-General in Oslo on 9 January 1989, as reported in "Daily Highlights—DH/325—9 January 1989", *The Diplomatic World Bulletin*, Vol. 19, No. 1 (19-26 January 1989), p. 15.

<sup>130</sup> See Grenville Clark & Louis B. Sohn, *World Peace Through World Law: Two Alternative Plans*, Harvard University Press, Cambridge-Massachusetts, 1966 (third enlarged edition), Annex V: "The Revenue System of the United Nations". For their proposals for broader UN reform see Chapter III.

<sup>131</sup> See John G. Stoessinger and Associates, *op. cit.*, p. 281.

<sup>132</sup> Moreover, see article by Clyde Sanger who proposes passing over the sovereignty of Canada's arctic territories to the UN to give the world body "a kick-start in the business of co-operation over an area of "commons"; other countries might follow that example—Clyde Sanger, "Give the UN some Territory to Run", *Peace & Security*, Canadian Institute for International Peace and Security, Vol. 3, No. 2 (Summer 1988), pp. 8-9.

<sup>133</sup> John G. Stoessinger and Associates, *op. cit.*, p. 292.

In this respect, a more recent view claims that, although some functional agencies regulating international regimes, like the Sea-bed Authority that is to be established under the Law of the Sea, may become financially self-sustaining, through their own revenues, they cannot be expected to become profit-making and able to finance the UN as a whole.<sup>134</sup>

Of course, there are many fundamental problems regarding many of the above proposals, especially those having the UN impose charges for its services. The main objections relate to the fact that member states bear the cost of running the United Nations system and this cost compensates for UN rendered services.<sup>135</sup> Article 17(2) of the UN Charter reads: "The expenses of the Organisation shall be borne by the Members as apportioned by the General Assembly" and that is the way it is and it should continue to be. Other objections point to the difficulties in and probable injustices from imposing charges on some sorts of services while leaving others untaxed. Allowing the UN to levy taxes directly and/or giving it property rights on vast areas could take it away from government control and this would be quite unacceptable to many that do not envisage such a status for the UN, not even in the distant future.<sup>136</sup> Moreover, the UN, by trying to be economically independent, could alienate its member states that continue to be the main actors in international affairs and could, as a consequence, become irrelevant to serious international politics. Another line of argument is that by making the UN self-sufficient money-wise one would allow the governments, in case they retain control as today, to decide without much thought how money that they did not contribute should be spent. This last argument is also valid in the case of private individual contributions to the UN that would be regulated exclusively by governments.<sup>137</sup>

Finally, revenue-producing activities are already a source of income for the Organisation. This income comes from the sale of United Nations publications, sales of gifts and souvenirs by shops within the UN building in New York, etc.<sup>138</sup> Well known all over the world are the UNICEF greeting cards. From May 1983 to April 1984, sales of UNICEF cards, calendars and other items generated \$48.1 million in

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<sup>134</sup> From interviews of 25 January 1989 {18} and 5 January 1989 {7}.

<sup>135</sup> See John G. Stoessinger and Associates, *op. cit.*, pp. 266-267.

<sup>136</sup> See President Carter's views above.

<sup>137</sup> See John G. Stoessinger and Associates, *op. cit.*, pp. 268-269.

<sup>138</sup> For the biennium 1988-1989 the income for the UN regular budget from such activities is estimated at \$13,826,600—see General Assembly resolution 43/218 B of 21 December 1988.

gross revenues (a net operational income of \$14.8 million to UNICEF general resources).<sup>139</sup> Many of the arguments presented above are also valid with regard to the extent to which such activities could or should be expanded, within the limits, of course, of the UN as a non-profit international organisation rather than as a multinational corporation.

If none of the more advanced proposals presented above is put into practice, the UN will continue, in the short-term, at least, to depend on the goodwill, co-operation and sense of responsibility of its member states, particularly its larger contributors. Up to now there is no sign of a serious shift from this tradition.

### **The financial situation of the United Nations in late 1988 - early 1989**

Out of an original US budget of \$365 million for the UN and its agencies for fiscal year 1987, the Kassebaum amendment produced a \$79 million cut and the Reagan Administration withheld another \$47.1 million, raising the total amount withheld to \$126.1 million.<sup>140</sup> By the end of 1987 the USA owed the Organisation some \$252.8 million (or \$342.8-\$90 million, where \$90 million was urgently paid in in December 1987 to help the UN pay its employees their salaries). Although the above was the largest single amount owed, 92 other member states were also in arrears, 42 of which owed sums not only for 1987 but for 1986 as well.<sup>141</sup> However, the reforms adopted by the General Assembly through resolution 41/213 were praised by the Reagan Administration and by the American Congress, even by Senator Kassebaum herself. Subsequently, the Kassebaum amendment was modified in recognition of the UN progress in implementing reform. The Congress authorised the Administration to restore the cutbacks that resulted from the Kassebaum amendment in 1987 and to provide an additional \$79 million annually in fiscal years 1988 and 1989, but no extra money was provided for that purpose; if the Administration wanted they could divert funds from other foreign aid or State Department appropriations.<sup>142</sup>

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<sup>139</sup> From the *Yearbook of the United Nations 1984, op. cit.*, pp. 924-925.

<sup>140</sup> See "Administration Wants More Money: Funding Impasse Imperils State Department Bill", by John Felton, *Congressional Quarterly, Weekly Report*, Vol. 45, No. 14 (4 April 1987), p. 622.

<sup>141</sup> See "US agrees to reduce debt to UN by \$90m" and "UN may be unable to pay staff", in *Financial Times*, 25 November 1987, p. 4 and 4 December 1987, p. 4 respectively.

<sup>142</sup> See "Reagan, in Switch, Will Bolster UN by Seeking Funds", by Elaine Sciolino, *The New York Times*, 14 September 1986, p. A1; "UN Assembly Opening with Money a Top Item", by Elaine Sciolino, *The New York Times*, 16 September 1986, p. A6; "Administration Wants More Money: Funding Impasse Imperils State Department Bill", by John Felton, *Congressional Quarterly, Weekly Report*, Vol. 45, No. 14 (4 April 1987), p. 622; and "Senate Bill Cuts State Department Sharply", by Dan Chapman, *Congressional Quarterly, Weekly Report*, Vol. 45, No. 26 (27 June 1987), p. 1387. More on the modification of the Kassebaum Amendment in Chapter IV.

In early September 1988, at a time when the UN had had a series of peacekeeping successes, most notably regarding the Iran-Iraq war and Afghanistan, and shortly before President Reagan was to address the United Nations General Assembly for the final time on 26 September 1988, the US Administration announced that President Reagan had authorised the release of \$188 million in US dues to the UN. The President had also asked the State Department "to work out "a multiyear plan"" for paying current and past US dues and intended to request "full funding of the United Nations' in fiscal 1990". "Senior State Department officials said the move reflected US appreciation of UN efforts to reduce excess costs, principally by personnel reductions, and was also intended as an encouragement for further such reforms."<sup>143</sup> The wrangling over the payment of US dues to the UN continued, nonetheless.<sup>144</sup> Even if there is the willingness to pay in full, the actual finding of the necessary funds in these years of US budgetary stringency may prove to be quite difficult.<sup>145</sup>

In contrast, the Soviet Union "a réglé, rubis sur l' ongle, plus de 200 millions de dollars d' arriérés accumulés depuis 1945. Rien n' y fit".<sup>146</sup> In more detail, in October 1987, the Soviet Union had paid its full contribution to the UN budget for 1987, including peacekeeping costs, and had also made a voluntary contribution of \$10 million to the Special Account opened to members wanting to help with the financial crisis (see Chapter I). In a more significant move, economically and politically, the USSR announced it was going to pay its peacekeeping arrears dating back to the days of UNEF and ONUC (see above) and to that end it paid, on 12 October 1987, \$28 million in excess to its 1987 assessment.<sup>147</sup>

Overall, by the end of 1988, "[t]he United Nations ha[d] yet to leave behind the spectre of the finan-

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<sup>143</sup> See "US to Pay Its Debt to the United Nations", *Newsday*, Suffolk/Brookhaven (USA), Wednesday, 14 September 1988, p. 2. See also "Reagan, in Shift, Supports Full Funding of UN", by Alyson Pytte, *Congressional Quarterly, Weekly Report*, Vol. 46, No. 38 (17 September 1988), pp. 2578-2579.

<sup>144</sup> See, for example, "US Holding Back Part of UN Dues Over Budget Issue", by Paul Lewis, *The New York Times*, 15 October 1988, p. A1.

<sup>145</sup> See "Reagan, in Shift, Supports Full Funding of UN", by Alyson Pytte, *Congressional Quarterly, Weekly Report*, Vol. 46, No. 38 (17 September 1988), p. 2579. See also an unsuccessful attempt by President Reagan to transfer funds (\$150 million) from Defence Department or foreign military-aid accounts for paying the US share of peacekeeping costs.—See "Hill Support for Guerrillas in Angola... Helps Kill Funds for UN Peacekeepers", by John Felton, *Congressional Quarterly, Weekly Report*, Vol. 46, No. 44 (29 October 1988), pp. 3142-3143.

<sup>146</sup> "La fin de l' Assemblée générale de l' ONU: Le ton a changé, la crise financière persiste...", by Charles Lescaut, *Le Monde*, 6 January 1988, p. 5.

<sup>147</sup> From a report on the press conference given on 15 October 1987 in New York by Vladimir Petrovsky, a Deputy Minister of Foreign Affairs of the USSR, and by the Soviet delegation to the 42nd session of the UN General Assembly, *Soviet News*, 21 October 1987 (No. 6397), p. 382.

cial crisis. Throughout 1988 the Organisation... confronted the possibility of imminent bankruptcy, which it... narrowly managed to avoid...".<sup>148</sup> Total unpaid dues to the UNO stood, at the end of 1988, at \$919 million, most of it for peace-keeping but also some \$394.9 million in regular budget arrears. "Only 86 of the 159 member states were fully paid up", definitely not the USA that still owed \$307.6 million for the regular budget and about \$94 million for peace-keeping.<sup>149</sup>

## Conclusion

The recent reform process with respect to the UN finances focussed upon and was limited to the formulation of the regular budget of the United Nations and did not touch upon other chronic problems having to do with the scale of assessments and, more broadly, the sources of income for the UN. Even in the area of budget formulation, the reform did not bring about anything as radical as the introduction of a weighted voting system, as the major contributor (the USA) seemed initially to have wanted. The result was almost a "gentlemen's agreement" to abide by decision-making by consensus, particularly in the Committee for Programme and Co-ordination, and to establish an overall level for the budget that would guarantee zero or limited/controlled growth from one biennium to the next. The successful implementation of this agreed process during the forty-third session of the General Assembly, its first serious test, showed that there is the will to make things work. Nevertheless, problems of a deeper nature not tackled during the recent reform process need to be solved sooner rather than later, otherwise they might jeopardise even those modest results achieved, in the not-so-long run.

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<sup>148</sup> From *Current Financial Crisis of the United Nations: Report of the Secretary-General—Current Situation and Funding Prospects for 1989*, General Assembly, Forty-third Session, UN Doc. A/43/932 of 5 December 1988, para. 1 (p. 1).

<sup>149</sup> "UN Strong on Praise, Weak on Cash as Arrears Mount", *The Diplomatic World Bulletin*, New York, Vol. 19, No. 1 (19-26 January 1989), p. 1. At the same time, by contrast, regarding regular budget arrears, the USSR owed \$7.2 million, plus \$1.4 million owed by the Ukrainian SSR, as stated in *ibid.*

## CHAPTER III

### Administrative and Structural Problems of the UN

#### Introduction

Very often UN shortcomings are attributed to the inadequacy of existing structures and the lack of appropriate administrative arrangements. To amend this, many proposals, often involving major reshaping of the UN, have been and continue to be put forward from inside and outside the UN. The recent official attempts at reform, starting with the G-18 recommendations, tried to tackle these problems and to improve the situation, short of introducing a major restructuring of the UN for which, in any case, no easy across the board agreement seems possible.

The presentation of past attempts at structural reform and of the overall structure of the United Nations in the first section of this Chapter is followed by an examination of the problems, recent attempts at reform and further proposals regarding the main components of the UN structure, namely the intergovernmental machinery and the Secretariat (differentiating, in this latter case, between structural arrangements, on the one hand, and management and personnel policies, on the other hand). In the final part of the Chapter some proposals for major structural reform of the UN emanating mainly from outside the official UN framework are discussed. These proposals are classified into three categories: those envisaging a Council-Commission structure for the UN; those favouring a Parliamentary future for the World Body; and those advocating an enhancement of the UN legal framework.

#### *Past attempts at reform*

Reform has been on the agenda of the United Nations since its very early days. Structural change has mainly manifested itself through expansion of the system and addition of new entities to it and through the increase in body membership.<sup>1</sup>

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<sup>1</sup> See John P. Renninger, *What Structural Changes Are Needed in the System of International Institutions?*, paper presented at the UNITAR/USSR Association for the United Nations Roundtable on the "Future

The United Nations system started with the United Nations proper (UNO) and a core of Specialised Agencies which included the International Labour Organisation (ILO), the Food and Agriculture Organisation of the United Nations (FAO), the United Nations Scientific and Cultural Organisation (UNESCO), the International Civil Aviation Organisation (ICAO), the World Bank (IBRD), the International Monetary Fund (IMF), the World Health Organisation (WHO), the Universal Postal Union (UPU) and the International Telecommunication Union (ITU). The system expanded in the 1950's to include the World Meteorological Organisation (WMO), the International Maritime Organisation (IMO), and later, in the 1970's, the World Intellectual Property Organisation (WIPO) and the International Fund for Agricultural Development (IFAD). In addition, two organisations created in the late 1940's and late 1950's respectively have special relationships with the United Nations system, namely the General Agreement on Tariffs and Trade (GATT) and the International Atomic Energy Agency (IAEA). Within the United Nations proper, some early entities dealing with mainly humanitarian affairs, namely the United Nations Children's Fund (UNICEF), the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) and the Office of the United Nations High Commissioner for Refugees (UNHCR), were in the 1960's joined by other entities dealing with economic and social questions, mainly related to development, like the United Nations Conference on Trade and Development (UNCTAD), the United Nations Development Programme (UNDP), the United Nations Institute for Training and Research (UNITAR), the United Nations Industrial Development Organisation (UNIDO; UNIDO became a Specialised Agency in 1986), and, in the 1970's, by the United Nations Environment Programme (UNEP), etc.<sup>2</sup> Along with this proliferation of agencies and programmes, various bodies have been established to provide the system with the indispensable "nuclei" of co-ordination and overall control and planning. Such bodies are the Administrative Committee on Co-ordination (ACC) and the Advisory Committee on Administrative and Budgetary Questions (ACABQ), established in the early days of the United Nations, the Committee for Programme and Co-ordination (CPC) and the Joint Inspection Unit (JIU), established in the 1960's, as well as other subsidiary bodies, like certain functional com-

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of the United Nations in an Interdependent World", Moscow, USSR, 5-9 September 1988, p. 1.

<sup>2</sup> See *Co-ordination in the United Nations and the United Nations System: Report of the Secretary-General*, General Assembly, Forty-second Session, UN Doc. A/42/232 - E/1987/68 of 22 May 1987, paras. 7-9 (pp. 4-6). A schematic presentation of the United Nations system is given in Appendix III of the thesis (Figure AIII.1).

missions of ECOSOC and Secretariat units.<sup>3</sup>

As far as the membership of the principal UN organs is concerned, first of all the membership of ECOSOC was increased from eighteen to twenty-seven through an amendment to Article 61 of the United Nations Charter which was adopted by the General Assembly on 17 December 1963 (resolution 1991 B (XVIII)) and entered into force on 31 August 1965. At the same time the Security Council membership was also increased from 11 to 15 (resolution 1991 A (XVIII)). A further increase in ECOSOC membership, from twenty-seven to fifty-four, was adopted on 20 December 1971 (General Assembly resolution 2847 (XXVI)) and entered into force on 24 September 1973.

In 1969, the "Jackson report", commissioned by the Governing Council of the UNDP, was published.<sup>4</sup> This report, which Douglas Williams characterises as "[t]he first major attempt" to carry out reform of the UN,<sup>5</sup> examined the capacity of the UN system "to handle the resources made available by the United Nations Development Programme first, at their present [late 1960's] level and, second, if doubled over the next five years".<sup>6</sup> The hope for the doubling of resources made available through the UNDP did not come true and that is one of the reasons why many of the Jackson Report's proposals, that were based on this assumption, were not put into practice. Nevertheless, some proposals having to do, among other things, with country programming by UNDP and reorganisation of UNDP headquarters were implemented almost immediately, while others resurfaced at a later time (see below).<sup>7</sup>

While reform in the 1960's through proliferation of bodies and increased body membership was aimed at helping the UN adjust to its new goals, especially that of development that had come into prominence because of the influx of numerous newly-independent states of the Third World, reform in the 1970s was aimed at making the pursuit of already established goals in the economic and social fields more effective.<sup>8</sup>

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<sup>3</sup> For more details see *The Bertrand Report.*, paras. 26-28 (pp. 9-10). See also below.

<sup>4</sup> R.G.A. Jackson, et al., *A Study of the Capacity of the United Nations Development System*, two volumes in one, United Nations, Geneva, 1969, DP/5, United Nations Publication, Sales No.: E.70.L10; henceforth: *The Jackson Report.*

<sup>5</sup> Douglas Williams, *op. cit.*, p. 47.

<sup>6</sup> See letter of 30 September 1969 by R.G.A. Jackson to the President of the UNDP Governing Council, in *The Jackson Report.*

<sup>7</sup> See Douglas Williams, *op. cit.*, pp. 47-48. The Jackson report and its effect on the UN system are summarised in *ibid.*, pp. 47-49.

<sup>8</sup> See Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, p. 224.

In December 1974, the General Assembly decided (resolution 3343 (XXIX)) that the Secretary-General should appoint a high-level Group of Experts to make recommendations on restructuring the United Nations economic and social system. These recommendations,<sup>9</sup> put before the Seventh Special Session of the General Assembly in 1975, were, most importantly, "calling for new consultative procedures to achieve consensus on controversial issues; the creation of the post of Director-General for Development and International Economic Co-operation; the consolidation of nearly all of the funds for preinvestment activity; the revitalisation of ECOSOC; the replacement of UNCTAD by a new international trade organisation; and a new role for the specialised agencies."<sup>10</sup>

At its Seventh Special Session the General Assembly took note of the recommendations of the Group of Experts, some aspects of which were met with objections on the part of many developing countries, and established (resolution 3362 (S-VII) of 16 September 1975) an *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System open to all UN member states, that came to be known as the Dadzie Committee (after the name of its chairman ambassador K.K.S. Dadzie, of Ghana). Discussions in the Committee focussed on eight problem areas, namely "the General Assembly; the Economic and Social Council; other UN forums for negotiation; structures for regional and interregional co-operation; operational activities of the UN system; planning, programming, budgeting and evaluation; inter-agency co-ordination; and secretariat support services." The final compromise report (UN Doc. A/32/34) was adopted with minor changes by the General Assembly, without a vote (resolution 32/197 of 20 December 1977), but with several reservations registered by various countries.<sup>11</sup>

According to the recommendations of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System (the Dadzie Committee), as approved by the General Assembly through resolution 32/197:

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<sup>9</sup> Contained in *A New United Nations Structure for Global Economic Co-operation: Report of the Group of Experts on the Structure of the United Nations System*, UN Doc. E/AC.62/9, 1975, UN Publication, Sales No. E.75.II.A.7.

<sup>10</sup> Davidson Nicol and John Renninger, "The Restructuring of the United Nations Economic and Social System: Background and Analysis", *Third World Quarterly*, Vol. 4, No. 1 (January 1982), p. 75. See also Ronald L. Meltzer, "Restructuring the United Nations System: Institutional Reform Efforts in the Context of North-South Relations" *International Organisation*, Vol. 32, No. 4 (Autumn 1978), pp. 997-999.

<sup>11</sup> Davidson Nicol and John Renninger, *op. cit.*, pp. 75-78. See also Ronald L. Meltzer, *op. cit.*, pp. 999-1009.

—The General Assembly should increase its effectiveness in fulfilling its responsibilities as the supreme organ of the United Nations system in the economic and social fields, by concentrating on the establishment of overall strategies, policies and priorities for the system as a whole in those fields and by reviewing and evaluating developments in other fora within or even outside the UN system; it should also rationalise its agenda and method of work.

—ECOSOC should be the main General Assembly agent in formulating policy recommendations and monitoring the implementation of overall strategies and policies in the international economic and social fields; it should hold periodic meetings at ministerial level to review major issues; many of its subsidiary bodies should be eliminated.

—UNCTAD should be enabled to play the major role envisaged for it in the field of international trade and related areas of international economic co-operation, in close co-operation with the General Assembly and ECOSOC.

—"The regional commissions should be enabled fully to play their role... as the main general economic and social development centres within the United Nations system for their respective regions", in close co-operation with other UN bodies.

—At the country level, a single official should be entrusted with the overall responsibility for, and co-ordination of, operational activities for development carried out by UN system organisations; the General Assembly should also consider the establishment of a single governing body with the responsibility to manage and control, at the intergovernmental level, UN operational activities for development, to replace the existing governing bodies (excluding those of UNEP, UNICEF and WFP).

—The Committee for Programme and Co-ordination was reasserted as the main subsidiary organ of ECOSOC and of the General Assembly in the areas of planning, programming and co-ordination; there should be close co-operation between CPC and ACABQ.

—The Administrative Committee on Co-ordination should be the centre of the machinery for interagency co-ordination at the inter-secretariat level; the machinery should be streamlined and reduced to a minimum and maximum use should be made of flexible, *ad hoc*, arrangements.

—In support of the relevant intergovernmental bodies, the Secretariat should undertake interdisciplinary

research and analysis, prepare surveys and reports, and identify emerging economic and social issues of international concern which it should bring to the attention of member states. The post of Director-General for Development and International Economic Co-operation was created to assist the Secretary-General with his responsibilities in the economic and social fields. The Director-General was supposed to provide the necessary leadership in the field of development and co-ordination of social and economic activities within the UN Secretariat and throughout the UN system.<sup>12</sup>

K.K.S. Dadzie was appointed the first Director-General for Development and International Economic Co-operation, at a time when the post of the Secretary-General was held by Kurt Waldheim. There was a tacit understanding that the Director-General would come from a developing country whenever the Secretary-General came from a developed country, and vice versa.<sup>13</sup>

Davidson Nicol and John Renninger concluded about the above attempt at reform:

The implementation of restructuring to date does indeed seem to indicate that the expectations generated by the restructuring exercise will not be either fully or easily realised. This is not to say that restructuring has been a failure. The UN system has become institutionalised to the extent that only incremental change is possible. It is not possible to effect radical changes in a short period of time. This is probably the most important lesson of the restructuring experience. Those who wish to bring about innovations and changes in the UN system have, as a result of restructuring, learned a great deal about the inherent limitations of efforts to introduce wide-ranging and comprehensive reforms. In the future, efforts to introduce changes are likely to be less grandiose and initiated on a more *ad hoc* basis.<sup>14</sup>

The fact that wide-ranging reforms stand very few chances of being successfully introduced to the UN was once more demonstrated by the fate of the report on UN reform compiled in 1985 by Maurice Bertrand, a member of the UN Joint Inspection Unit.<sup>15</sup> The sensation initially caused by the publication of this report, especially due to its scathing criticism of UN structures and practices, was not translated into any

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<sup>12</sup> See General Assembly resolution 32/197 of 19 December 1977 and Annex to the resolution.

<sup>13</sup> See Davidson Nicol and John Renninger, *op. cit.*, pp. 84-85.

<sup>14</sup> *Ibid.*, pp. 91-92.

<sup>15</sup> *The Bertrand Report*, (UN Doc. A/40/988), *op. cit.*

concrete results.<sup>16</sup> The views presented in the report were dismissed as "a personalised vision of the United Nations system".<sup>17</sup>

The above reforms or attempts at reform referred mainly to the UN machinery dealing with economic and social questions, with an emphasis put on co-operation for development, increasingly since the 1960s. The other major area within the UN's *raison d' être*, the political/peace and security field, has remained relatively aloof of all this. Nevertheless, the passing by the General Assembly of the "Uniting for Peace" resolutions in 1950—an attempt by the General Assembly to encroach upon area initially reserved for the Security Council;<sup>18</sup> the development of the peacekeeping functions of the Organisation;<sup>19</sup> and the increase in the Security Council membership referred to above can be seen as attempts at reform in this area.

The most recent attempts at reform, dating from 1985 and the establishment of the G-18 by the General Assembly during its fortieth session, took the form of a review of the efficiency of the administrative and financial functioning of the United Nations.<sup>20</sup> Whenever more substantive questions were touched upon, they were again confined to the economic and social fields (see below).

### *The overall structure of the UN*

The United Nations overall exhibits a twin "conciliar pattern" structure. This means that in each of its two broad areas of competence, namely peace and security, on the one hand, and economic and social affairs, including development, on the other, the United Nations is organised according to the pattern: Plenary Conference: Executive Council: Secretariat, as shown schematically in Figure III.1 (turn page).<sup>21</sup> The first

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<sup>16</sup> See Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, p. 225. Bertrand's proposals for UN reform are examined later in this chapter.

<sup>17</sup> Written comments on the Bertrand Report submitted to the General Assembly at its forty-first session by the ACC (UN Doc. A/41/639 of 23 September 1986), quoted in B.G. Ramcharan, *Keeping Faith with the United Nations*, Martinus Nijhoff Publishers and UNITAR, Dordrecht, the Netherlands, 1987, pp. 199-200, where also other, rather negative, comments on the Bertrand Report are presented (see also p. 235 in *ibid.*).

<sup>18</sup> See more below.

<sup>19</sup> See, A. Cassese, ed., *United Nations Peace-keeping: Legal Essays*, Sijthoff and Noordhoff, Alphen aan den Rijn, the Netherlands, 1978. See also *The Blue Helmets, op. cit.*, especially pp. 7-8, for a quick overview.

<sup>20</sup> See full name of G-18: "Group of High Level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations"—see Chapter I.

<sup>21</sup> See Robert I. McLaren, *Civil Servants and Public Policy: A Comparative Study of International Secretariats*, Wilfrid Laurier University Press, Waterloo, Ontario, Canada, 1980, pp. 42-44 ff and Philip E. Jacob & Alexine L. Atherton, *The Dynamics of International Organisation: The Making of World Order*, The Dorsey Press, Homewood, Illinois, 1965, pp. 25-26 ff.

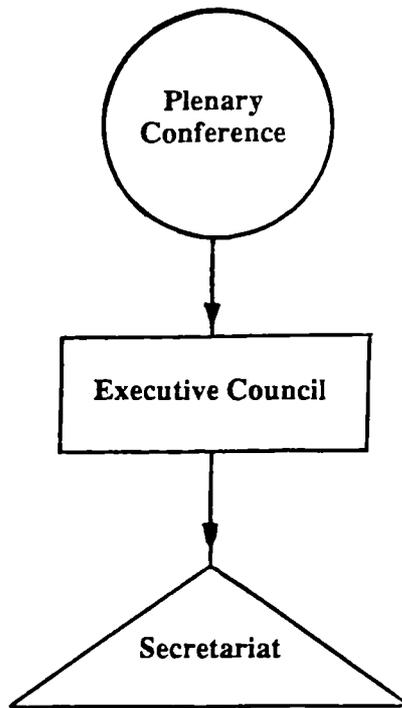


Figure III.1

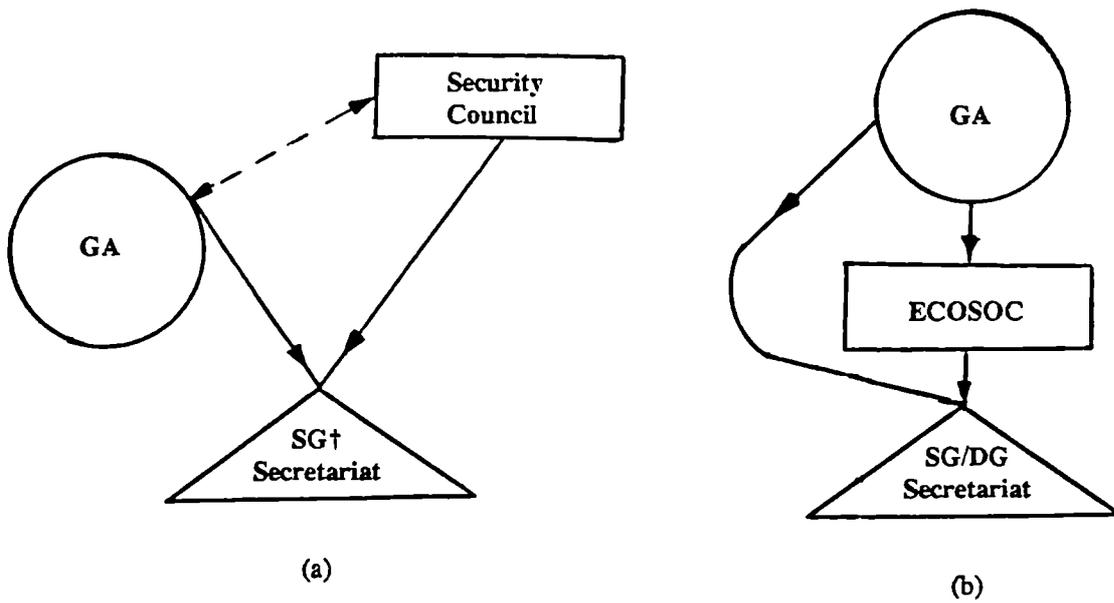


Figure III.2

† "The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security." (Article 99 of the *Charter of the United Nations* — See later, Chapter IV)

two levels of authority (i.e. the Plenary and the Council) are in both cases intergovernmental, while the third is the international civil service level. As Robert I. McLaren observes: "The conciliar pattern is the choice of the majority of international organisations because it allows the organisation to conduct its business efficiently by means of the council while still subjecting all actions of the organisation to review by each member-government... Overall,..., the conciliar pattern attempts to reconcile differing viewpoints rather than establish an opposition party as in many national governments, and that is why it is chosen by most international organisations."<sup>22</sup> In the case of the UN as a peace and security organisation the conciliar pattern comprises the General Assembly, the Security Council, and the Secretariat, while in the case of the UN as an organisation dealing with social and economic matters (including development issues) the conciliar pattern consists of the General Assembly, the Economic and Social Council and the Secretariat.<sup>23</sup>

This creation of two "executive" bodies, one competent in the peace and security field and the other in the economic and social fields, can be understood by the will of the UN founders "to avoid mixing political matters with those that primarily had technical content",<sup>24</sup> an attempt to isolate the functional from the political. Of course, as it is obvious, the two conciliar patterns overlap, as they have the General Assembly and the Secretariat in common and both derive their legitimacy from the same constitutional document, namely the UN Charter. In fact, there is a constitutional bias in favour of the peace and security arrangements, if one judges by the provisions regarding amendment of the Charter which give a special role to the Security Council, its permanent members in particular (Articles 108 and 109) and by the provision that ECOSOC shall assist the Security Council if the latter so requests (Article 65).

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<sup>22</sup> Robert I. McLaren, *op. cit.*, p. 44. Although McLaren's study focuses on the Specialised Agencies of the UN system and does not examine the case of the UN proper, much of his discussion is also relevant to the central political body. However, regarding the development of "parties", or major blocs, in the UN proper see Chapter IV.

<sup>23</sup> The field of trusteeship and decolonisation and its "executive body", the Trusteeship Council, can be easily dispensed with today. At a point during the latest reform process it looked like an additional "conciliar pattern" was about to be established, with an increasingly powerful Committee for Programme and Co-ordination as its executive body (see Chapter II). Indeed, the sphere of competence of CPC, having to do with *programme* and *co-ordination*, could be interpreted to enclose almost every aspect of UN activity, at least in the economic and social fields (at the other extreme, it could, of course, be interpreted as enclosing nothing, substantive at least)—see interview of 30 January 1989 {21}. Nevertheless, such fears or hopes, depending on one's point of view, have subsided, as it became obvious that the strengthened CPC's goals were more modest—see interview of 19 October 1988 {3}.

<sup>24</sup> Peter R. Baehr & Leon Gordenker, *The United Nations: Reality and Ideal*, written under the auspices of the Center of International Studies, Princeton University, Praeger Publishers, New York, 1984, pp. 24-25.

Regarding the lines of authority in each of these areas of UN involvement, one would normally expect them to start from the Plenary and to go down, through the Council, to the Secretariat. This certainly is not the case in the peace and security field. In this field, the UN Charter awards the Security Council the primary role. Comprising the greatest Powers (of the 1940's at least) in its permanent membership, with other countries periodically elected to represent the various regions of the world, the Security Council was meant to be effective—an executive organ, probably the only one that the Charter envisaged. The member states were to abide by the Security Council's resolutions and to provide it with the means required to carry them out. Though the General Assembly could discuss any matter within the scope of the Charter (Article 10) it had to refer to the Security Council any question relating to the maintenance of international peace and security on which action was necessary (Article 11 (2)) and could not consider any such question while it was being subjected to consideration by the Council (Article 12). Nevertheless, an attempt (of questionable legality) was made in 1950, during the Korean War, through the passing by the General Assembly of the "Uniting for Peace" resolutions (resolutions 377 (V) of 3 November 1950), to bypass the Security Council and to virtually transfer its executive prerogatives to the Assembly, in case of inability of the former to reach a decision, due to lack of unanimity of its permanent members.<sup>25</sup> The General Assembly has since more or less *de facto* established its right to authorise peacekeeping operations. Articles 41 and 42 of the United Nations Charter giving the Security Council the authority to apply economic or military sanctions have not been applied up to now and look as if they will never be applied, at least in their present form.<sup>26</sup> Representation on the Council is at the level of ambassadors and meetings at ministerial level take place very rarely and even then usually are of a ceremonial character. In this field the pattern of interactions as has evolved today would look something like Figure III.2.a.

ECOSOC is the principal organ under the Charter assigned with the co-ordination of United Nations activities in the economic and social fields, acting "under the authority of the General Assembly" (Article 60) to which it reports regularly.<sup>27</sup> ECOSOC is often bypassed by the General Assembly that even

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<sup>25</sup> See *ibid.*, pp. 22-23 and General Assembly resolution 377 A (V).

<sup>26</sup> The only exceptions seem to have been that of the Korean War, when the Security Council was able to reach decisions for military action because of the Soviets then boycotting the Security Council sessions and the Chinese seat being occupied by Nationalist China; and the arms sales prohibition against Rhodesia (preceding the creation of Zimbabwe) and South Africa.

<sup>27</sup> For detailed, though not the latest, information on ECOSOC, its functions, etc., see Walter R. Sharp, *The United Nations Economic and Social Council*, Columbia University Studies in International Organisa-

"legislates" directly for operational matters. Special sessions of the General Assembly have been held to deal with major economic questions, as the sixth (1974) and the seventh (1975) special sessions. ECOSOC lacks the stature required in order to be recognised as the central co-ordinating body in the social and economic fields.<sup>28</sup> The multitude of independent and semi-independent bodies that exist in these fields make the task of co-ordination virtually impossible, in any case (see below). Its effectiveness is also hampered by "the absence of a clear conceptual distinction between the respective roles of the Second and Third Committees of the General Assembly, the Economic and Social Council and the United Nations Conference on Trade and Development."<sup>29</sup> The pattern of interactions of the principal bodies in this case would look like Figure III.2.b.

The United Nations *system* is of an even more anarchic nature than the UN proper.<sup>30</sup> Regarding the main organs assigned the task of co-ordinating the United Nations system, these can be found at two levels, namely the intergovernmental and the international secretariat levels.<sup>31</sup> At the intergovernmental level there is the General Assembly with its Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Economic and Social Council (ECOSOC) with the Committee for Programme and Co-ordination (CPC) as well as other subsidiary bodies of the General Assembly and ECOSOC. At the international Secretariat level there is the Administrative Committee on Co-ordination (ACC) and its subsidiary bodies.

The Specialised Agencies are "brought into relationship with the United Nations" (Article 57 of the UN Charter) through agreements signed with ECOSOC subject to the approval of the UN General Assembly and of the legislative body of the Specialised Agency that enters into relationship with the UN. These agreements have the form of real treaties between sovereign states and are signed on a *quid pro quo* basis, in no way surrendering the Specialised Agencies to the supreme authority of the UN proper.<sup>32</sup> Co-

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tion, No. 5, (Editors: Leland M. Goodrich & William T.R. Fox), Columbia University Press, New York and London, 1969.

<sup>28</sup> See Evan Luard, "Functionalism Revisited: The UN Family in the 1980s", *op. cit.*, p. 689.

<sup>29</sup> UN Doc. A/42/232 - E/1987/68, para. 26 (p. 10).

<sup>30</sup> The UNO has enough problems co-ordinating itself and the bodies falling directly under its jurisdiction, including UNDP, UNICEF, UNEP and the regional Commissions, let alone the Specialised Agencies of the system—from interview of 29 December 1988 {6}.

<sup>31</sup> See Houshang Ameri, *Politics and Process in the Specialised Agencies of the United Nations*, Gower Publishing Company, Aldershot-Hants, 1982 (reprinted 1985), p. 64.

<sup>32</sup> See *ibid.*, p. 54.

ordination efforts meet the stern resistance of the various bodies that put forward their independence and their indispensability. Having to deal with all this, the machinery for co-ordination becomes also complicated and fragmented. The United Nations Development Programme (UNDP) is supposed to play a special role in UN system-wide co-ordination through "the power of the purse", as it channels extra-budgetary funds to the various Specialised Agencies for operational activities.<sup>33</sup> Nevertheless, as agencies set up their own funds and collect contributions from states without UNDP involvement, the percentage of operational activities of the UN system financed by the UNDP and UNDP's role within the system become less significant.<sup>34</sup>

The Administrative Committee on Co-ordination (ACC) consists of the Secretary-General of the United Nations and the executive heads of the Specialised Agencies and of the main UN-affiliated bodies and IAEA.<sup>35</sup> ACC is not an executive body. A first attempt, in the 1950's, to make a "world cabinet" out of it was not pursued further.<sup>36</sup> The executive heads consult with each other but none dictates to the other, not even the Secretary-General of the UN who enjoys the prerogative of permanent chairmanship of ACC and has, in relation to the rest, a more powerful, morally at least, position. ACC rather "resembles a gathering of feudal lords who head the several territories of functional international co-operation.... Some observers have pointed out that ACC has the nature of a summit conference where information is exchanged. Its function depends to a great extent on the degree to which the secretary general [SG] can lead and on the independence shown by the executive heads of the agencies, who have their own constituencies".<sup>37</sup> The Committee meets in private and its decisions are made by consensus and not by vote. Informal and formal

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<sup>33</sup> "[T]he central funding and co-ordinating role of the United Nations Development Programme in technical co-operation within the United Nations system" was recently reaffirmed in General Assembly resolutions 42/196 of 11 December 1987 and 43/199 of 20 December 1988.

<sup>34</sup> See interview of 25 January 1989 {18}. While, on average, in 1979/80 UNDP provided some 32.1% of the UN system's funds for technical assistance, in 1985/86 this percentage had fallen to 28% (the World Bank/IDA technical assistance is not included—on average this provided 21.8% and 39.3% of extra resources, over the 100% used for the UNDP-share calculations, in 1979/80 and 1985/86 respectively).—See *International Co-operation and Co-ordination Within the United Nations System: Annual Overview Report of the Administrative Committee on Co-ordination for 1988*, Economic and Social Council, Second Regular Session of 1989, UN Doc. E/1989/18 of 17 March 1989, paras. 59-61 (pp. 20-21).

<sup>35</sup> For the evolution of ACC's membership since its creation see UN Doc. A/42/232 - E/1987/68, Table 1, p. 5. For more information on the ACC see Houshang Ameri, *op. cit.*, pp. 82-97 and *Yearbook of the United Nations 1984, op. cit.*, Appendix III, p. 1336.

<sup>36</sup> The reference here is to Dag Hammarskjöld's era; see Martin Hill, "The Administrative Committee on Co-ordination", in Evan Luard, ed., *The Evolution of International Organisations*, Studies in International Order, Thames and Hudson, London, 1966, p. 117.

<sup>37</sup> Peter R. Baehr & Leon Gordenker, *op. cit.*, p. 32.

arrangements, outside the ACC framework and involving a small number of organisations, are the rule regarding UN system co-ordination.<sup>38</sup>

## The intergovernmental machinery

### *Trying to define the problems*

Problems in this area have long been identified as proliferation of bodies and unwieldiness in the membership of bodies; overlapping and fragmentation; uncertainty as regards relative status and level of authority; and lack of co-ordination. All this end up in a complexity that paralyses effective action and has led Maurice Bertrand to note that "the "knowledge of the System" [is now regarded] as a sort of palpable professional skill".<sup>39</sup> We are back to Robert Jackson's observation: "...the [UN system] machine as a whole has become unmanageable in the strictest use of the word. As a result, it is becoming slower and more unwieldy, like some prehistoric monster."<sup>40</sup>

Several factors contribute to the proliferation of UN bodies. For one, it is the inability to reach consensus on priorities and issues to be tackled by the World Body that leads to the creation of various bodies to satisfy all preferences and interests, bypassing thus the difficult process of negotiating till consensus is reached. Once a body has been created, it is very difficult to be dismantled, having built around it a protective wall of vested interests and a constituency from inside and outside the UN structures.<sup>41</sup> In an attempt to manage this unwieldy aggregation of bodies, additional bodies are created to search for solutions and/or to provide co-ordination.<sup>42</sup> Intergovernmental bodies, once created, very soon reach maturity, in the sense that they start multiplying, through the creation of subsidiary bodies, sub-committees, special commissions, expert groups, etc.<sup>43</sup> As a result, the G-18 reported that in the economic and social fields at the time of its report there were "more than 150 committees, commissions, sub-committees, sub-commissions and working groups".<sup>44</sup>

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<sup>38</sup> See UN Doc. A/42/232 - E/1987/68, para. 47 (p. 17) and paras. 67-71 (pp. 21-23).

<sup>39</sup> *The Bertrand Report*, para. 12 (p. 5).

<sup>40</sup> *The Jackson Report*, p. iii.

<sup>41</sup> See also Davidson Nicol and John Renninger, *op. cit.*, p. 89.

<sup>42</sup> See, for example, Peter R. Baehr & Leon Gordenker, *op. cit.*, p. 59.

<sup>43</sup> See *The Bertrand Report*, para. 13 (p. 5) and Annex II (p. 82) and "The United Nations Attempts to Square Its Own Accounts", by Elaine Sciolino, *The New York Times*, 27 April 1986, Section 4, p. 3.

<sup>44</sup> *The G-18 report*, para. 22 (p. 7). The UN subsidiary bodies in the economic and social fields can be found in the Informal Paper No. 2, prepared for the Special Commission of ECOSOC on the In-depth Study

The breadth and vagueness of the terms of reference of UN bodies, most notably of major bodies like ECOSOC, UNCTAD and the Second and Third Committees of the General Assembly, inevitably lead to overlapping and the repetition of general debates on broad issues of policy in various fora the relative status of which has not been clearly defined.<sup>45</sup> The system as a whole has ended up dealing, in one way or another, with "all the questions dealt with by the national administrations in the individual countries" in the economic, social and humanitarian fields—"nothing is outside its scope".<sup>46</sup> This overambitious approach ends up in an extreme fragmentation of the resources, material and human, that are made available to the system.<sup>47</sup> Each body not only has its own methods but also its own particular cosmology, about its preferred world order and the objectives of world organisation, as seen through the prism of its primary assignment; as a result, the UN lacks "a coherent system of analysis".<sup>48</sup>

Finally, everything boils down to problems of co-ordination and leadership. Of course, one of the most serious questions that has to be answered before effective co-ordination can take shape and, finally, place is who is going to offer the overall vision that will guide the performance of the UN and the UN system, or rather whose overall vision will be adopted throughout the UN and its system and will be put into practice. "One reason why co-ordination is difficult is that co-ordination often involves agreement as to who will play major roles and who will play minor ones. Naturally, every agency wants to play the major role since that usually means an increase in prestige, power, resources, and usefulness."<sup>49</sup> Centralisation is

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of the UN Intergovernmental Structure and Functions in the Economic and Social Fields and entitled *Organigrams of the Subsidiary Bodies of the General Assembly in the Economic and Social Fields and of the Subsidiary Machinery of the Economic and Social Council* (No. 87-06713). For the structure of the United Nations see also *Yearbook of the United Nations 1984, op. cit.*, Appendix III. Schematic presentations of the subsidiary machinery of the Economic and Social Council and of the subsidiary bodies of the General Assembly that report to the Assembly through the Economic and Social Council are given in Appendix III of the thesis (Figures AIII.2 and AIII.3).

<sup>45</sup> See *The Bertrand Report*, para. 20 (p. 7).

<sup>46</sup> *Ibid.*, para. 15 (p. 6).

<sup>47</sup> As mentioned in *ibid.*, "In the United Nations, for example, a simple statistical calculation shows in regard to the "subprogrammes" of the regional economic commissions that the average staff strength is 2.4 professionals; for human establishments 2 professionals; and for social development 2.3 professionals. One might also cite the UNCTAD insurance programme, which has 5 professionals, and the environmental programme of the Economic Commission for Latin America, which has 3".—See *ibid.*, para. 16 (p. 6) and Annex IV (p. 84). As regards the fragmentation of material resources, Bertrand offers the very descriptive example of the projects financed by the UNDP: "...[T]he average amount of the projects financed by UNDP (about 1,000) in 1983 was \$393,000. Since the average annual cost of employing an expert is about \$100,000, the average project involves supplying two to three experts a year, plus a variable figure for equipment. The high degree of independence enjoyed by the proponents of a project, as regards design and method, thus leads to fragmentation of responsibilities."—See *ibid.*, para. 19 (p. 7).

<sup>48</sup> See *ibid.*, paras. 96-98 (pp. 31-32).

<sup>49</sup> Davidson Nicol and John Renninger, *op. cit.*, p. 90.

one, perhaps the most obvious, way of dealing with these problems but decentralisation has also been proposed, on the grounds that it infuses a healthy competition into the system.<sup>50</sup>

Co-ordination and leadership problems do not exist only at the international level but are also evident within each of the governments and national bureaucracies represented at intergovernmental bodies. Because of the existence of a large number of independent or semi-independent intergovernmental bodies, states have to maintain a significant number of representatives in various places in order to be able to deal with diverse and often very complex issues. This puts a serious strain on the resources, material and human, of governments, especially of small and poor states. Within each government, the central role of the Foreign Ministries is often difficult to be asserted, especially with regard to technical issues where representatives/experts come from other Ministries. Often it is the personality of the representative that determines a state's attitude in one forum rather than a coherent policy worked out in the state's capital.<sup>51</sup> As a result, states end up talking with more than one voice in different fora and "[t]he credibility of the entire representation and negotiation system clearly suffers somewhat from this".<sup>52</sup> Of course, in the final analysis, it is governments themselves, to a great extent, that are to be blamed for this appalling situation of the intergovernmental machinery.

After all, it was not international bureaucrats but national governments that established (as one example) no fewer than four international agencies dealing with food and agriculture alone. Nor is it only officials of international agencies who ignore requests by various central UN organs to co-ordinate their activities in similar domains. The governing boards of the separate agencies, consisting of national officials, jealously guard the piece of institutional turf for which they are responsible, even against the wishes of their own foreign offices for more efficiency and less duplication.<sup>53</sup>

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<sup>50</sup> These two countervailing tendencies, towards greater centralisation or towards greater decentralisation, go far back to the formative days of the United Nations—see UN Doc. A/42/232 - E/1987/68, paras. 5-6 (pp. 3-4); as usual, a compromise between the two was the result at that time. For arguments for decentralisation see Davidson Nicol and John Renninger, *op. cit.*, pp. 90-91 and interview of 25 January 1989 {18}.

<sup>51</sup> See Peter Willetts, "The United Nations as a Political System", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, chapter 2. Similar views were expressed during interview of 11 January 1989 {11}.

<sup>52</sup> See *The Bertrand Report*, para. 21 (p. 8).

<sup>53</sup> John Gerard Ruggie, "The United States and the United Nations: Toward a New Realism", *International Organisation*, Vol. 39, No. 2 (Spring 1985), p. 353.

In other words, to a great extent, "the member countries have the UN System which they deserve".<sup>54</sup>

### *The G-18 recommendations*

Among the G-18 recommendations there were some referring to the restructuring of the UN intergovernmental machinery. The more specific ones dealt mainly with the streamlining of the schedule of conferences and meetings of the various UN bodies and the strengthening of the Committee on Conferences in that respect. ECOSOC was invited to hold one annual session instead of two, and the General Assembly and its Main Committees were requested to rationalise their agendas by redistributing items among the Committees and the Plenary, by grouping or even merging related items, and by avoiding re-discussion of certain items before the passing of a fixed period of time (e.g. two or more years). The General Assembly should refrain from creating new subsidiary organs without discontinuing existing redundant ones and it should also, in general, reduce the number of resolutions it adopted.<sup>55</sup>

A recommendation of possibly more sweeping consequences called for an in-depth study of the UN intergovernmental structure in the economic and social fields by a high-level representative body to be designated by the General Assembly, in co-operation with expert bodies like JIU and UNITAR. This body should examine the agendas, calendars and programmes of the various General Assembly and ECOSOC subsidiary bodies, e.g. UNCTAD, UNDP, UNICEF, UNEP, etc., with a view to rationalising the functioning and structure of the intergovernmental machinery and to avoiding duplication. To the above ends, bodies with overlapping areas of competence should be merged; redundant bodies should be abolished and the areas of competence of the remaining ones should be clearly defined; a single governing body should be established as responsible for UN operational activities for development; and co-ordination of activities should be strengthened under the leadership of the Secretary-General. This in-depth study should be presented to the General Assembly not later than at its 43rd session.<sup>56</sup>

A final set of proposals made by the G-18 in this area dealt with issues of inter-agency co-ordination

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<sup>54</sup> Douglas Williams, *op. cit.*, p. 227. For a discussion of "The Role of Member States" in the UN system and for proposals for "Actions by Member States", see the whole of chapters X and XX, respectively, in *ibid.*

<sup>55</sup> *The G-18 Report*, recommendations 1, 2 and 3 (pp. 4-6). See also recommendations 4, 5, 6 and 7 (p. 6).

<sup>56</sup> *Ibid.*, recommendation 8 (pp. 7-8).

within the UN system. Emphasis should be put on flexible *ad hoc* arrangements aimed at meeting specific requirements. The executive heads of the most important agencies of the system should meet annually under the chairmanship of the UN Secretary-General to discuss major policy questions and issues of co-ordination in the economic and social fields; they would report to their respective governing bodies on a biennial basis. The central co-ordinating role of UNDP in co-ordinating operational activities at the national level and the authority of the resident co-ordinators should be reaffirmed.<sup>57</sup> Efforts should be made to harmonise the format of the programme budgets of the UN system organisations and bodies affiliated to the UN proper, like UNDP, UNEP, UNHCR and UNFPA, should adopt for their administrative budgets the format of the UN budget.<sup>58</sup>

In what follows, attention is focussed mainly on what has been achieved with regard to the implementation of the G-18 recommendation calling for an in-depth study of the UN intergovernmental machinery in the economic and social fields (recommendation 8).

*In-depth study of the UN intergovernmental structure and functions in the economic and social fields*

The Group of 18 did not venture deeply in the area of proposing changes in the intergovernmental structure of the United Nations Organisation and its affiliated bodies or, more so, in the structure of the UN system, purportedly because of the limited time available to it that did not allow for a comprehensive review of the condition of the intergovernmental machinery.<sup>59</sup> As it was also obvious, of course, that there would be no ready consensus on such a broader reform, the buck was passed to "an intergovernmental body to be designated by the General Assembly" that would carry out "[a] careful and in-depth study of the intergovernmental structure in the economic and social fields" and would present its findings and recommendations to the General Assembly not later than at its forty-third session. A broad direction was given regarding the composition of this body that "should preferably have a limited membership, at the highest possible level of representation and based on the principle of equitable geographical distribution".

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<sup>57</sup> More on these latter issues in the section dealing with the Secretariat.

<sup>58</sup> See *The G-18 Report*, recommendations 9 to 13 (pp. 8-9).

<sup>59</sup> See *ibid.*, para. 19 (p. 4).

The focus of the study "should include a comparative analysis of agendas, calendars and programmes of work of the General Assembly, the Economic and Social Council and related subsidiary bodies", in particular UNCTAD, UNDP, UNFPA, UNICEF, UNEP, the United Nations Centre for Human Settlements (Habitat), UNHCR and the World Food Council and should also include their support structures. Within the study's purpose should be to identify "measures to rationalise and simplify the intergovernmental structure" in order to avoid duplication and improve co-ordination, with an emphasis on regional and sub-regional co-operation regarding in particular development issues; to develop "criteria for the establishment and duration of subsidiary bodies" and for the evaluation of the performance of such bodies; to "[c]onsider the establishment of a single governing body responsible for the management and control, at the intergovernmental level, of United Nations operational activities for development"; and to strengthen the co-ordination activities in the economic and social fields under the leadership of the Secretary-General, on a continuous basis.<sup>60</sup>

The General Assembly decided (resolution 41/213) that ECOSOC would be the body to carry out the in-depth study. In particular, the Assembly decided that: "The Economic and Social Council, assisted as and when required by relevant organs and bodies, in particular the Committee for Programme and Co-ordination, should carry out the study called for in recommendation 8".<sup>61</sup> ECOSOC, in turn, at its organisational session for 1987, established the "Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields" (ECOSOC decision 1987/112 of 6 February 1987). Despite the clearly expressed preference by the G-18 for a limited membership body (see above), the Special Commission was to be open to all member states. As part of its mandate, the Special Commission was also asked, in the context of the in-depth study stipulated in recommendation 8 of the G-18, to consider the relevant provisions of recommendation 2 of the G-18, regarding reductions in the number of conferences and meetings held by the General Assembly, ECOSOC and their subsidiary bodies. ECOSOC requested the Special Commission "to make its final report available in time for consideration by the Economic and Social Council at its second regular

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<sup>60</sup> See *ibid.*, recommendation 8.

<sup>61</sup> General Assembly resolution 41/213, Section I, para. 1 (e) (see Appendix I of the thesis).

session of 1988".<sup>62</sup>

The Special Commission held a series of meetings between 2 March 1987 and 23 May 1988 (36 formal meetings plus a number of informal ones) where various delegates expressed their countries' or their group of countries' views regarding the various bodies that constitute the UN intergovernmental machinery in the economic and social fields. The Secretariat was asked to provide and did provide detailed information on the various bodies covered by the study, their mandates, functions and performance.<sup>63</sup>

The Special Commission studied in some depth the UN intergovernmental machinery in the economic and social fields but did not manage to reach any conclusion on broadly acceptable suggestions for reform. For most bodies there were some delegations who thought that they should be abolished or should have their operations seriously curtailed and others who thought that they should be retained.<sup>64</sup> There was also friction between developing and developed countries. Many of the latter were accused by the former of trying to push ahead superficial reforms with the sole objective to cut costs and to reduce substantially the UN activities in the areas of science and technology, energy and natural resources, food and agriculture, etc., which are of particular interest to the developing countries.<sup>65</sup> A last attempt by the Chairman to offer a broadly acceptable basis for negotiations in the form of a text of draft conclusions and recommendations<sup>66</sup> did not succeed. The result, in the words of the Chairman of the Special Commission, Ambassador Abdel Halim Badawi of Egypt, was rather disappointing:

The United Nations has [been], is and will always be what its Member States want it to be or to do. The political will on the part of all Member States is a *sine qua non* for an efficient and effective United Nations. If the Special Commission has been unable to approve a set of

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<sup>62</sup> ECOSOC decision 1987/112.

<sup>63</sup> See Chapters I and II (pp. 6-15) of the *Report of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields*, UN Doc. E/1988/75 of 1 June 1988. For a full listing of these bodies see UN informal paper No. 2, *op. cit.*, that was made available to the Special Commission for the conduct of the in-depth study. The mandates of these bodies can be found in *Mandat des organes subsidiaires du Conseil économique et social et des organismes et programmes connexes de l' Organisation des Nations Unies*, United Nations, New York, UN Doc. E/1983/INF.4, 1983.

<sup>64</sup> See synoptic summaries of the views expressed on the functioning of the various bodies. A list of these summaries is given in UN Doc. E/1988/75, Annex IX (pp. 139-141).

<sup>65</sup> See "Statement by the Representative of Tunisia on Behalf of the Group of 77", in *ibid.*, pp. 111-115.

<sup>66</sup> See "Chairman's Text Dated 4 May 1988 on the Draft Conclusions and Recommendations of the Special Commission (E/SCN.1/CPR.1)" and "Chairman's Introductory Remarks on the Draft Conclusions and Recommendations", in *ibid.*, pp. 99-106 and 107-110 respectively.

recommendations, it is the lack of agreement on the part of Member States on what they expect the United Nations to do.

On balance, the work of the Special Commission, in my assessment, has been very useful. The Special Commission has managed to conduct the in-depth study entrusted to it. It has diagnosed the symptoms but it was unable to agree on the remedy for the above-mentioned reasons....<sup>67</sup>

Subsequently, the reform process, as far as ECOSOC is concerned, has boiled down to an attempt at revitalising ECOSOC itself. This revitalisation is to be guided by a resolution passed at the ECOSOC second regular session of 1988 under the title "Revitalisation of the Economic and Social Council" (resolution 1988/77 of 29 July 1988). The resolution refers to the policy formulation process followed by the Council; the monitoring of the implementation of General Assembly and ECOSOC decisions in the economic, social and related fields; operational activities for development; co-ordination of UN system activities in the economic, social and related fields; and the working methods and organisation of work of the Council. Many issues are dealt with in rather broad terms while some other issues are left to be decided later, pending the submission of reports by the Secretary-General, like one on the feasibility of holding at the United Nations one consolidated or two regular sessions of the Council.<sup>68</sup>

With regard to the in-depth study of the intergovernmental machinery, *per se*, ECOSOC took note of the report of the Special Commission and transmitted it to the General Assembly at its forty-third session "for consideration and appropriate action".<sup>69</sup> The General Assembly, in its resolution 43/174 of 9 December 1988 entitled "Review of the efficiency of the administrative and financial functioning of the United Nations in the economic and social fields", which was adopted as a compromise without a vote,<sup>70</sup> "conscious of the fact that the reform of the economic and social sectors of the United Nations is a continuing process aimed at strengthening the effectiveness of the United Nations in dealing with these issues and

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<sup>67</sup> *Ibid.*, Annex VII, "Chairman's Concluding Statement Made on 11 May 1988", p. 130.

<sup>68</sup> On this latter issue, much resistance to consolidating ECOSOC's two regular sessions in one has come from those fearing that this would mean the end of ECOSOC sessions in Geneva.—See interview of 27 January 1989 (20).

<sup>69</sup> See ECOSOC decision 1988/182 of 29 July 1988.

<sup>70</sup> See UN Doc. A/43/PV.76, p. 67.

requires further attention", and "recognising that, although the Special Commission had conducted the in-depth study entrusted to it, the Special Commission was unable to reach agreed recommendations", *inter alia*, requested the Secretary-General:

to consult with all Member States and seek their views on ways and means of achieving a balanced and effective implementation of recommendations 2 and 8 of the Group of High Level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, taking into consideration all relevant reports, including the report of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields, as well as the outcome of the discussions in 1989 on the revitalisation of the Economic and Social Council, and to submit to the General Assembly at its forty-fourth session a detailed report, in order to enable Member States to consider and take appropriate action with a view to enhancing the effectiveness of the intergovernmental structure and its secretariat support structures as well as programme delivery in the economic and social fields".<sup>71</sup>

The buck has thus been passed to the Secretary-General and the Secretariat who may choose to interpret their mandate for a report as a substantive one, i.e. they may try to synthesise the views of Member States and propose possible solutions, or they may choose to interpret it as a procedural one and just list the views which they will receive from member states. Of course, a lot depends on the proximity or not of the views to be expressed by member states, the interest shown, and the visibility or not of a compromise solution that the Secretary-General and the Secretariat may safely put forward.

### *An evaluation of the latest attempt at reform of the UN intergovernmental machinery*

Notwithstanding any future developments, it seems that this latest attempt at reforming the UN intergovernmental machinery has been a failure, at least as far as its most ambitious intentions are concerned. This failure, that should have been expected, can be attributed to more than one reason.<sup>72</sup>

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<sup>71</sup> See General Assembly resolution 43/174.

<sup>72</sup> Notice also interesting parallels between this latest restructuring exercise and the previous one of the 1970's—for the restructuring in the 1970's see Ronald L. Meltzer, *op. cit.*, pp. 1009-1016.

First of all, the way the Special Commission embarked upon carrying out its task was a guarantee for failure. Virtually without any concrete directions either from the G-18 or the General Assembly or even ECOSOC,<sup>73</sup> the Special Commission quite naturally ended up reviewing the different opinions held by states and groups of states, being unable to reach agreement on concrete proposals that would involve major compromises beyond its authority. In this way ECOSOC, under the auspices of which the Special Commission functioned, once again proved that it cannot offer leadership in the economic and social fields, paralysed as it is by a basic disagreement on the nature and extent of UN involvement in international economic and social affairs and battered by competition from other UN bodies that won't allow it to impinge upon their particular areas of competence.

A second element not conducive to the success of substantive reform efforts is the resistance any significant reform proposal meets from those with "vested interests" in bodies that are threatened by the proposed reforms.<sup>74</sup> It may be individual countries, groups of countries, or even individual persons from state delegations or the Secretariat, or all of them in various combinations, that have associated their interests and their future development with a particular body or bodies and therefore resist any attempt at reform that might threaten that body or bodies.<sup>75</sup> The reaction to such an impasse in the past "good old days" of UN relative affluence and expansion could well have been: "live and let live", and there could have been a further proliferation of bodies, but this cannot be sustained for long at a time of retrenchment.

A third hindrance to reform is the problem of clearly defining the relative roles of the General Assembly and ECOSOC in the economic and social fields and of introducing a division of labour between the two bodies. Especially, universalisation of ECOSOC, an old demand of the developing countries, would make it more or less indistinguishable from the General Assembly and/or its Second and Third Committees.<sup>76</sup> This is to a great extent the reason why demands for universalising ECOSOC have recently subsided.<sup>77</sup>

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<sup>73</sup> Consider *The G-18 Report*, recommendation 8; General Assembly resolution 41/213; and ECOSOC follow-up decision 1987/112.

<sup>74</sup> See "Chairman's Concluding Statement Made on 11 May 1988", in UN Doc. E/1988/75, p. 129.

<sup>75</sup> See, *inter alia*, interview of 27 January 1989 {20}.

<sup>76</sup> See "Chairman's Concluding Statement Made on 11 May 1988", in UN Doc. E/1988/75, pp. 129-130.

<sup>77</sup> See interviews of 5 January 1989 {7} and 17 January 1989 {13}.

Fourth, the naive and/or pretentious attempt at isolating the economic and social fields from the "more delicate and controversial" political/peace and security fields, allegedly in order to increase the possibility of an agreement in the former fields, runs against the fact that the political element permeates all inter-state interactions and certainly is not absent in the economic and social fields.<sup>78</sup> It is clear that the North-South divide is still there, even if it is no more as vocally expressed as in previous demands for a NIEO, etc.<sup>79</sup> As far as reform is concerned, the disagreement starts from a very early point of the supposedly broadly accepted rationale for reform. It centres on the interpretation of the objective of reform, that is normally expressed as "increased efficiency for increased effectiveness". This is interpreted as "mostly efficiency", on the part of the major donors (more vocally those of the West but also to a great extent those of the East) and as "mostly effectiveness", on the part of the developing countries. Starting from there, one can see why the reform process was still-born.<sup>80</sup>

Fifth, related to the above, there seems to be no country or group of countries that could act as brokers and somehow lead this reform process to a result. Some middle-size countries seem to be moving towards establishing themselves in such a role, but things are not very clear yet.<sup>81</sup>

#### *Some further proposals related to reform of the UN intergovernmental structures*

While an attempt is being made, however flawed, to restrain the growth and to rationalise the structures and functioning of the UN intergovernmental machinery, at the same time some propose the creation of further UN bodies. In particular, the USSR favours the establishment of a World Space Organisation<sup>82</sup> and welcomes proposals for the establishment of a Verification Agency, especially with regard to nuclear testing, as has been proposed by, among others, the Six Nation Peace Initiative.<sup>83</sup> A recent call for a new international authority to deal with environmental pollution and the "green-house effect" came from the 24 countries

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<sup>78</sup> See similar "naive" views in the main premises of major UN reform proposals examined later in this Chapter.

<sup>79</sup> See also Chapter IV on these issues.

<sup>80</sup> See interview of 27 January 1989 {20}. See also Chapter IV.

<sup>81</sup> From interview of 25 January 1989 {18}. See also Chapter IV.

<sup>82</sup> For the Soviet views see, *inter alia*, *Prevention of an Arms Race in Outer Space: Report of the Secretary-General, Addendum*, UN Doc. A/43/506/Add.1 of 6 October 1988, paras. 5-6 (p. 6) where reference is also made to a working paper (UN Doc. A/AC.105/L.171) submitted by the USSR to the UN Committee on the Peaceful Uses of Outer Space, in June 1988, with the title: "Basic Provisions of the Charter of a World Space Organisation".

<sup>83</sup> See interview of 6 January 1989 {8}.

participating in the Hague Conference of 11 March 1989; the "Hague Declaration" that they issued also called for the International Court of Justice to arbitrate in disputes regarding the decisions of the new body which would be established within the United Nations framework, perhaps incorporating a strengthened UNEP.<sup>84</sup>

Such proposals, despite their initial attractiveness, are met with scepticism from many quarters, for political reasons (e.g. suspicion that the World Space Organisation may be targeted against the SDI project of the Americans, questioning of the motives and legitimacy of those states who offer to help in verification, etc.) but also for economic reasons as well (especially by small states).<sup>85</sup> Of course, political and economic disagreements or questions should be settled before any major innovation materialises, but the drive towards a leaner and more efficient UN should not be allowed to negatively affect the ability and readiness of the World Body to adjust itself to changing circumstances and to meet new challenges.

### The Secretariat

The problems of the Secretariat correspond, more or less, to the problems of the intergovernmental machinery dealt with above. There is again duplication and overlapping, lack of co-ordination, and confusion regarding the lines of authority. The cause of these problems can be traced, partly at least, to the direct impact of the intergovernmental machinery upon the Secretariat which was created mainly in order to service it and implement its decisions. But in the case of the Secretariat the problems can also be traced to the lack of effective management as well as the lack of homogeneity and well-thought-out personnel policies. Quoting John Gerard Ruggie: "The United Nations may have become too much of a bureaucracy in the current, pejorative sense of the term, but it is not enough of a bureaucracy in the classic, analytical sense: a system of rationalised authority and administrative relations, capable of rising above particularism and personalism, following generalised rules of procedure, and held strictly accountable on the basis of objective performance criteria."<sup>86</sup>

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<sup>84</sup> See articles in the *Financial Times* of 13 March 1989: "Global Pollution Control Organisation is Proposed", by John Hunt, p. 1 and "Green Revolution in International Relations", by Laura Raun and Bruce Clark, p. 3.

<sup>85</sup> See interviews of 13 January 1989 {10} and 11 January 1989 {12}.

<sup>86</sup> John Gerard Ruggie, "The United States and the United Nations: Toward a New Realism", *op. cit.*, p. 354.

Issues related to administration, management and, above all, personnel policies in the UN Secretariat, dealt with in the second part of this section, are not treated in great detail, though important they definitely are.<sup>87</sup> This is due to the fact that the nature of many of these issues puts them at the "micro"-level of UN activity and they are, because of that, not very relevant to the "macro"/comprehensive level of analysis that has been adopted for this thesis.<sup>88</sup>

### **i) Structure of the Secretariat**

#### *The G-18 findings and recommendations*

The G-18 criticised the structure of the Secretariat as "too complex" and "top-heavy" and recommended streamlining through merging of departments and improvement of co-ordination.<sup>89</sup>

One major recommendation called for the reduction of the overall number of regular budget posts by 15% within a period of three years, without disturbing the execution of programmes and without stopping recruitment of new staff, especially at the junior professional levels;<sup>90</sup> at these levels (P-1, P-2 and P-3) recruitment should not fall below the average number of recruitments during the years 1982, 1983 and 1984. The reduction should be more substantial at the level of Under-Secretary-General and Assistant Secretary-General<sup>91</sup> at which posts should be cut by 25%, for the posts funded by the regular budget, with a comparable reduction in posts funded by extra-budgetary sources. The general restructuring of the intergovernmental machinery and of the Secretariat could result in a further reduction in the overall number of posts. The General Assembly accepted the 15% cut of staff as a target but requested the Secretary-General to implement this recommendation with flexibility "in order to avoid, *inter alia*, negative impact on programmes and on the structure and composition of the Secretariat, bearing in mind the necessity of securing

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<sup>87</sup> Some of these issues are treated in Yves Beigbeder, *Management Problems...*, *op. cit.*, Part II, chapters 3 to 9.

<sup>88</sup> See, interestingly enough, the Secretary-General's remark that the G-18 recommendations varied "from injunctions of a broad, sweeping nature to others of close administrative detail, even minutiae"—see *Reform and Renewal in the United Nations: Progress Report of the Secretary-General on the Implementation of General Assembly Resolution 41/213*, General Assembly, Forty-second Session, UN Doc. A/42/234 of 23 April 1987, para. 9 (p. 7).

<sup>89</sup> See *The G-18 Report*, recommendation 14 (p. 11).

<sup>90</sup> See *ibid.*, recommendation 15 (pp. 11-12).

<sup>91</sup> The G-18 noticed that in the UN proper and its affiliated bodies, like UNDP and UNICEF, there were twenty-eight (28) posts at the Under-Secretary-General level and twenty-nine (29) posts at the Assistant Secretary-General level funded by the regular budget, and seven (7) and twenty-three (23) posts, respectively, funded by extra-budgetary sources/voluntary contributions.—See *ibid.*, para. 30 (p. 10).

the highest standards of efficiency, competence and integrity of the staff, with due regard to equitable geographical distribution."<sup>92</sup>

In the political field, the Secretariat was found to have 9 political departments, centres or offices, a fact inevitably leading to "duplication of work, dispersion of responsibility and blurred lines of authority, accountability and communication".<sup>93</sup> The organisational structure in the field should be reviewed with a view to being consolidated and streamlined. More concrete recommendations included the transfer of the administrative functions of the Office for Field Operational and External Support Activities to the Department of Administration and Management. Activities having to do with the dissemination of news and political analysis, till then carried out by no less than four departments and offices, namely the Office for Field Operational and External Support Activities, the Department of Political and Security Council Affairs, the Department of Political Affairs, Trusteeship and Decolonisation and the Department of Public Information, should be rationalised and co-ordinated. Support activities of the United Nations Council for Namibia and of the Office of the United Nations Commissioner for Namibia, that were dispersed among several bodies, should be consolidated. The staff of the Department of Political Affairs, Trusteeship and Decolonisation should be reduced in view of the decrease in the Department's work-load. UNDP should administer special economic assistance programmes till then administered by the Office for Special Political Questions.<sup>94</sup>

In the economic and social sectors, the Secretariat was found with 11 departments, centres or offices, excluding the regional commissions.<sup>95</sup> The complexity of the organisational structures in these fields and the related problems were even greater than those in the political field, not least because of the greater diversity of the issues dealt with by the UN in these fields. A review should take place of the tasks performed by the various Secretariat departments and offices, like the Department of International Economic and Social Affairs (DIESA), the Department of Technical Co-operation for Development (DTCD), and by the secretariats of UN bodies such as the United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the United Nations Centre for Human

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<sup>92</sup> General Assembly resolution 41/213, Section I, para. 1 (b). The same, more or less, is repeated in General Assembly resolutions 42/211, para. 10 (b) and 43/213, para. 13.

<sup>93</sup> *The G-18 Report*, para. 36 (p. 12).

<sup>94</sup> See *ibid.*, recommendations 16-24 (pp. 12-13).

<sup>95</sup> *Ibid.*, para. 31 (p. 10).

Settlements (Habitat), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP) and even the General Agreement on Tariffs and Trade (GATT). The authority of the Director-General for Development and International Economic Co-operation should be enhanced so that he would be able to exercise the role stipulated for him in General Assembly resolution 32/197 of 20 December 1977, with regard to system-wide co-ordination in the fields of development and international economic co-operation. The Department of Technical Co-operation for Development should avoid duplication with UNDP and should be made more responsive to developing country needs. The activities of the regional commissions should be made to suit better the current needs of the states in the region concerned.<sup>96</sup> In order to avoid duplication, the technical servicing activities of the Office of Secretariat Services for Economic and Social Matters should be assigned to the Department of Conference Services, while the substantive activities of the Office should be assigned to DIESA.<sup>97</sup>

The machinery for inter-agency co-ordination should be streamlined with an emphasis put on *ad hoc* arrangements for specific requirements. The executive heads of the United Nations Organisation, the ILO, UNESCO, FAO, WHO, UNIDO, UNCTAD, IAEA, GATT, IBRD, and of the IMF, should hold annual one-week sessions to discuss and co-ordinate their policies in the economic and social fields. These meetings should be held under the chairmanship of the UN Secretary-General, assisted by the Director-General for Development and International Economic Co-operation and the Under-Secretary-General for International Economic and Social Affairs. They should report to their respective governing bodies on a biennial basis. At the national level, the central role of UNDP in co-ordinating operational activities and the authority of the resident co-ordinators in relation to other non-UNDP programme representatives should be reaffirmed.<sup>98</sup>

In the field of administration the G-18 urged a reduction of administrative and general service costs with a view to releasing resources that could be used for substantive activities. The Department of Administration and Management should be streamlined and made more efficient. A coherent structure

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<sup>96</sup> See *ibid.*, recommendations 25-28 (pp. 14-15).

<sup>97</sup> See *ibid.*, recommendation 29 (p. 16).

<sup>98</sup> See *ibid.*, recommendations 9-11 (pp. 8-9).

should be created under which all activities relating to programme planning and budgeting should be brought together.<sup>99</sup>

Other recommendations included the reorganisation of the Department of Public Information; an immediate 30% reduction of the amount spent on outside consultants; and a 20% reduction of the level of official travel with first-class travel limited, as a rule, to the Secretary-General.<sup>100</sup>

As soon as the G-18 recommendations were adopted by the General Assembly, through resolution 41/213 of 19 December 1986, under certain qualifications, as referred to previously, the Secretary-General and the Secretariat moved towards implementing these recommendations.

### *Implementation of the G-18 recommendations by the Secretariat*

In implementing the recommendation on the reduction of staff, the Secretary-General regretted that he could not comply with this recommendation and he had to extend the recruitment freeze he had established as soon as the financial crisis had erupted,<sup>101</sup> till the end of the crisis. The mandated reduction of posts was therefore to be achieved "to the maximum extent through attrition".<sup>102</sup> "The Secretary-General was aware that the 15 per cent target was indicative and was not based on a scientific appraisal of the relationships between resources and activities of the United Nations of today or tomorrow."<sup>103</sup> The creation of a Post Review Group through the Programme Planning and Budgeting Board was an attempt to rationalise the mandated personnel cuts and to redeploy staff where needed rather than applying a flat, across-the-board reduction, although that was not always possible.<sup>104</sup> The Secretary-General's target for post reductions by 31 December 1989 (end of the three-year period) was the abolition of 1,465 posts (486 in the Professional and higher categories and 979 in the General Service and other levels category), out of 11,255 regular

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<sup>99</sup> See *ibid.*, recommendations 30-34 (pp. 16-17).

<sup>100</sup> See *ibid.*, recommendations 35-40 (pp. 17-18).

<sup>101</sup> See Chapter I.

<sup>102</sup> See UN Doc. A/42/234, paras. 55-56 (pp. 19-20)—the Secretary-General was apparently aware of the problems associated with the recruitment freeze and the reduction of posts through attrition.

<sup>103</sup> *Programme Budget for the Biennium 1988-1989: Revised Estimates, Including Plans of the Secretary-General for the Implementation of Recommendation 15 on the Reduction of Personnel, as Requested by the General Assembly in resolutions 41/213 and 42/211—Report of the Secretary-General, General Assembly, Forty-third Session, Fifth Committee, UN Doc. A/C.5/43/1/Rev.1 of 27 July 1988, para. 14 (a) (p. 8).*

<sup>104</sup> *Ibid.*, paras. 13-14, pp. 8-9.

budget-funded posts considered, which means a 13.02% reduction. At the Assistant Secretary-General and Under-Secretary-General level (excluding the post of Director-General), in particular, 11 posts had been left unfilled by the summer of 1988 and, in total, 14 out of 58 post were to be abolished by the end of 1989 (a 25% reduction). Additionally, three posts, at the Assistant Secretary-General level, funded from extra-budgetary resources, had been left vacant in UNDP, UNFPA and UNEP.<sup>105</sup> 100 posts in conference services were later restored, on the recommendation of the ACABQ, on the understanding that "this restoration would not require additional appropriations for the 1988-1989 biennium"; the overall reduction of posts thus fell from 13.02% to 12.1%.<sup>106</sup>

In the political sector,<sup>107</sup> a major step towards reorganisation was made through the creation of the Office for Research and the Collection of Information (ORCI) "in which the collection and dissemination of publicly available data previously performed in various offices have been consolidated and a structure created to take full advantage of the Secretariat's capacity to identify threats to peace at an early stage. The Office will co-ordinate long-range analysis and related research to be provided by the appropriate departments, to which the data resources of the new office will be available, as appropriate".<sup>108</sup> The new Office's functions were later defined as follows:

To assess global trends;

To prepare country, regional, subregional and issue-related profiles in close consultation with officers dealing with negotiation and conflict resolution functions in the Secretariat;

To provide early warning of developing situations requiring the Secretary-General's attention;

To maintain current information in data systems, consulting with inside and outside data banks, as appropriate;

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<sup>105</sup> See *ibid.*, paras. 15-20 (pp. 9-11).

<sup>106</sup> See General Assembly resolution 43/213 of 21 December 1988, adopted without a vote, para. 9. See also the relevant ACABQ report, UN Docs. A/43/651 of 3 October 1988 and A/43/651/Add.1 of 19 October 1988, and the Fifth Committee report, UN Doc. A/43/951 of 20 December 1988.

<sup>107</sup> The most important changes regarding the main UNO Secretariat departments and offices are shown schematically in Annex III of the thesis (Figure AIII.4).

<sup>108</sup> UN Doc. A/42/234, para. 19 (p. 9). See also UN Doc. A/C.5/42/2/Rev.1 of 23 September 1987, paras. 13-16 (pp. 5-8).

To monitor factors related to possible refugee flows and comparable emergencies;

To carry out *ad hoc* research and assessments for the immediate needs of the Secretary-General;

To receive, consolidate and distribute political information from the media and from the United Nations information centres on developments related to peace and security for use by the Secretary-General and his senior staff;

To prepare and edit drafts of the Secretary-General's public statements, messages and reports.<sup>109</sup>

Also in the political sector, all the administrative functions of the former Office for Field Operational and External Support Activities, having to do with the administrative support services for peace-keeping missions, were integrated into the Office of General Services of the Department of Administration and Management, as the Field Operations Division.<sup>110</sup> The Department of Political Affairs, Trusteeship and Decolonisation was renamed "Department for Special Political Questions, Regional Co-operation, Decolonisation and Trusteeship" and undertook also the political responsibilities of the former Office for Special Political Questions; moreover the Department was assigned additional responsibilities with regard to regional co-operation, emergency-related questions in Africa, etc. The Office of the Commissioner for Namibia was consolidated into this Department, although the Commissioner for Namibia was given direct access to the Secretary-General and administrative responsibility for the programme budget of the Council for Namibia.<sup>111</sup> "[E]xcept in cases of political sensitivity where other arrangements might be appropriate", special economic assistance programmes previously administered by the Office for Special Political Questions would be administered by UNDP.<sup>112</sup>

In the economic and social area, the Secretariat conducted a review of the tasks performed by the

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<sup>109</sup> From the Secretary-General's Bulletin describing the organisation and functions of the Office for Research and the Collection of Information, ST/SGB/Organization, Section: ORCI, 3 October 1988, p. 1.

<sup>110</sup> See *Reform and Renewal in the United Nations: Second Progress Report of the Secretary-General on the Implementation of General Assembly Resolution 41/213*, General Assembly, Forty-third Session, UN Doc. A/43/286 of 8 April 1988, para. 12 (p. 4).

<sup>111</sup> See UN Doc. A/42/234, para. 20(b) (p. 9) and UN Doc. A/43/286, paras. 14 and 16 (pp. 5-6).

<sup>112</sup> UN Doc. A/42/234, para. 30(h(vi)) (p. 14).

various Secretariat entities, like DIESA, DTCD and the secretariats of UNCTAD, UNHCR, etc., but specific measures were delayed awaiting the outcome of the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields conducted by the Special Commission of ECOSOC.<sup>113</sup> Concrete measures to strengthen the role of the Director-General for Development and International Economic Co-operation were also delayed for the same reasons.<sup>114</sup> It remains to be seen what decisions, if any, will be taken, in view of the failure of the Special Commission to agree on any specific proposals for reform (see above). Irrespective of that, the Secretariat review found that overlapping was allegedly less serious than suggested. Nevertheless, there was room for improvement and the various Secretariat entities were consulting with each other with a view to strengthening co-operation and streamlining their activities where possible.<sup>115</sup>

Regarding the Office of Secretariat Services for Economic and Social Matters, the Secretary-General insisted on his decision to assign the Office's technical secretariat servicing activities to the Office of the Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services (Division of Economic and Social Council Affairs and Secretariat Services) and its inter-agency co-ordination responsibilities to the Office of the Director-General, despite the different recommendation of the G-18 (see above) and the invitation by the General Assembly to review his decision (resolution 42/211).<sup>116</sup> Despite the Special Commission's inability to reach concrete reform proposals, ECOSOC in its revitalisation drive has requested the Secretary-General, in the context of the implementation of resolution 41/213, to "submit to the Council, at its second regular session of 1989, proposals on the structure and composition of a separate and identifiable secretariat support structure for the Council", which would provide to the Council substantive and technical assistance in the pursuit of its revitalised role (ECOSOC is currently serviced by the Division of Economic and Social Council Affairs and Secretariat Services).<sup>117</sup>

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<sup>113</sup> See UN Doc. A/43/286, paras. 29-31 (p. 9). See also the Secretary-General's remark: "Ideally, the restructuring of the Secretariat should follow that of the intergovernmental machinery, since a direct relationship exists between possible changes in the latter and the size, composition and work of the Secretariat staff."—UN Doc. A/42/234, para. 4(6) (p. 5).

<sup>114</sup> UN Doc. A/43/286, para. 35 (p. 10).

<sup>115</sup> See *ibid.*, paras. 32-33 (pp. 9-10).

<sup>116</sup> See UN Doc. A/C.5/43/1/Rev.1, chapter IV (B), pp. 105-109.

<sup>117</sup> See ECOSOC resolution 1988/77 of 29 July 1988.

In the area of inter-agency co-ordination, some attempts have been made to streamline the subsidiary machinery of the ACC. In response to the G-18 proposal for substantive consultations among a small number of executive heads of the UNO and the main Specialised Agencies, the Secretary-General expressed his preference for informal, *ad hoc* arrangements centred around a particular problem, with the heads of the relevant agencies each time invited to participate. Field representation and co-ordination at the national level was being reviewed jointly by UNDP and other UN entities and by UNDP and DPI, in the latter case regarding the relationship between the UN information centres and the offices of resident co-ordinators/resident representatives.<sup>118</sup>

In the administrative sector, the Department for Administration and Management was streamlined and the three previously existing executive offices in the Department were consolidated into one executive office for the whole Department.<sup>119</sup> An Office of Programme Planning, Budget and Finance was established in the Department to "consolidate appropriate functions heretofore performed by the Office of Programme Planning and Co-ordination (in the Department of International Economic and Social Affairs) and the Budget Division of the Office of Financial Services (in the Department of Administration and Management)".<sup>120</sup>

For the Department of Public Information, a new organisational structure has been devised to enable it (hopefully) to reach not only member states but also "the second-tier global constituency, the world's peoples".<sup>121</sup>

The amount of money appropriated for consultants in the budget for the biennium 1988-1989 was reduced by \$1.6 million, or 19.1% in real terms, in relation to that for the previous biennium 1986-1987.<sup>122</sup> Appropriations for official travel in the programme budget for 1988-1989 were reduced by \$4.3 million or 21% in real terms, in comparison to those for the biennium 1986-1987, and arrangements for official travel,

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<sup>118</sup> See UN Doc. A/43/286, paras. 18-28, pp. 6-9.

<sup>119</sup> See *ibid.*, paras. 56 and 66 (pp. 15 and 17).

<sup>120</sup> UN Doc. A/42/234, para. 44 (p. 17)—For more details on the functions of this new office see the Annex, para. 3 (pp. 26-27), in *ibid.*

<sup>121</sup> See UN Doc. A/43/286, paras. 36-39 (pp. 10-11). For a more detailed examination of the reforms in DPI see UN Doc. A/C.5/43/1/Rev.1, chapter IV (C) and (D), especially pp. 114-117. The new organisational structure of DPI is shown schematically in *ibid.*, p. 117. See also interview with the head of the Department of Public Information, Under-Secretary-General Thérèse Sevigny, in *The Diplomatic World Bulletin*, Vol. 20, No. 5 (17-24 April 1989), p. 1.

<sup>122</sup> See UN Doc. A/43/286, para. 60 (p. 16).

restricting first-class accommodation, were made through resolution 42/214 of 21 December 1987.<sup>123</sup>

*An evaluation of the above reforms*

There are several objections to the restructuring exercise stipulated by the G-18 for the UN Secretariat and the way it is being implemented. In particular, with regard to the reduction of posts by 15%, there is a widespread feeling that this percentage was not reached after a careful consideration of current and future needs but was rather arbitrary and contestable in its inception and implementation.<sup>124</sup> Of course, as the Fifth Committee recommended and the General Assembly finally adopted, the recommendation should be implemented with flexibility and allowing for the recruitment of new staff at the junior levels (see above). Nevertheless, the way the Secretary-General chose to implement the resolution, that is by attrition, while at the same time having imposed a recruitment freeze under the pressure of the financial crisis, cannot be said to have worked to the benefit of the Organisation in the long-term. Through attrition several good members of the old guard left, without been replaced by young blood. The way chosen demonstrates the Secretary-General's stand of taking no strong stand regarding managerial issues, that, of course, touch upon political interests, like evaluation of Secretariat members' performance, critical evaluation of the need for certain posts, etc. The percentage for cuts could be smaller or larger and there are arguments to support either approaches, depending on the overall approach to the UN's role and work. However, there seems to be nobody in the Secretariat dealing, systematically at least, with UN reform in a comprehensive way (as this thesis is striving to).<sup>125</sup> In this sense, the Secretary-General's problems in implementing the recommended reforms and the virtual futility of the exercise can be understood as the reform process took place in a conceptual vacuum, especially regarding the role of the UN in the future.

Regarding the departmental structure of the Secretariat, although the reforms brought about some streamlining and produced at least some sort of organigram depicting the lines of authority and reference,<sup>126</sup> there still seems to be quite a lot of vagueness about the relative role of the various departments,

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<sup>123</sup> See *ibid.*, paras. 63 and 64 (p. 17).

<sup>124</sup> From interviews of 5 January 1989 {7} and 17 January 1989 {14}. See also quotation from the Secretary-General's report above and fn. 103.

<sup>125</sup> From interview of 25 January 1989 {16}. The Department for Administration and Management are the ones dealing the most with issues of reform, but that is administrative and financial reform.

<sup>126</sup> The organigram referred to here can be found in Appendix III of the thesis (Figure AIII.5).

especially in the economic and social sectors. Some of the reasons for this have been stated above and have mainly to do with the apparent failure in the attempts at reforming the intergovernmental machinery in the economic and social fields. However, there is also a widely held view that the Director-General for Development and International Economic Co-operation, "the senior Under-Secretary-General", has failed to establish his authority among the other officials and departments dealing with economic and social questions and has not lived up to his intended role as envisaged in the UN reform exercise of the 1970's, when the office was created.<sup>127</sup> In the field of inter-agency co-ordination, in particular, the Director-General does not have the authority to replace the Secretary-General as Chairman of the ACC, so, in the absence of the Secretary-General, it is the *elected* (and not appointed, like the Director-General) head of an important Agency, a senior and authoritative person, that chairs the meetings.<sup>128</sup> ECOSOC recently called again for the strengthening of the Office of the Director-General for Development and International Economic Co-operation.<sup>129</sup>

According to recommendation 71 of the G-18, the Secretary-General is expected to report, along with CPC, on the implementation of all of the G-18 recommendations, as endorsed by the General Assembly, to the General Assembly at its forty-fourth session.<sup>130</sup> Furthermore, the Secretary-General has been requested "to submit to the General Assembly at its forty-fifth session an analytical report assessing the effect of the implementation of resolution 41/213 on the Organisation and its activities as a whole, and how it has enhanced the efficiency of its administrative and financial functioning".<sup>131</sup>

## ii) Management and personnel policies

Article 101, para. 3 of the United Nations Charter emphasises that: "The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible." Maurice Bertrand attributes a

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<sup>127</sup> From interviews of 5 January 1989 {7} and 27 January 1989 {20}.

<sup>128</sup> From interview of 27 January 1989 {20}.

<sup>129</sup> See ECOSOC resolution 1988/77.

<sup>130</sup> See *The G-18 Report*, recommendation 71 (p. 36) and General Assembly resolution 41/213, Section I, para. 2.

<sup>131</sup> General Assembly resolution 43/213 of 21 December 1988, para. 19.

great deal of the UN shortcomings to the inadequate qualifications of staff, especially in the Professional grades that are supposed to bear the responsibility for planning and management.<sup>132</sup> This is even more the case in the highest grades of *Director, Assistant Secretary-General and Under-Secretary-General*. Appointments to these posts are often clearly political and not based on the person's qualifications, relevant experience and suitability for the performance of the entrusted tasks.<sup>133</sup>

Theoretically, in the Secretariat there is an undisputable centre of authority, namely the Secretary-General, who is "the chief administrative officer of the Organisation" (Article 97 of the Charter). He (or she) and his (or ...) close associates that he appoints, are to be the poles of management and co-ordination within the Secretariat. Nevertheless, as it often happens, theory and practice stand quite apart with regard to what goes on in the UN and its Secretariat.

### *The G-18 recommendations*

The G-18 observed, *inter alia*,<sup>134</sup> that an institutional spirit should be developed among the employees of the Organisation and to that end a lot could be achieved through the right choice of senior officials who necessarily have to possess managerial skills. The Secretary-General, in particular, should exercise greater leadership and protect his staff from external pressures and should select the best new staff according to the principles enshrined in the Charter. The Secretariat Office responsible for personnel should be renamed "Office of Human Resources Management".<sup>135</sup> A greater proportion of appointments should take place at the junior professional levels (P-1 to P-3).<sup>136</sup>

No Secretariat post should be considered the exclusive preserve of any member state; to facilitate the implementation of this recommendation, no more than 50% of the nationals of any state should be appointed on a fixed-term basis.<sup>137</sup> A vacant post should not be filled merely because it became vacant but

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<sup>132</sup> Bertrand gives some rather startling examples: In the United Nations, he says, "25 per cent of these professionals have had no university training, and 10 per cent have had less than three years of university studies. In the case of UNICEF, the statistics for 1982 show 30 per cent without any university qualifications, 32 per cent with a first degree, and only 38 per cent with a second or higher degree. The situation is comparable in most of the other agencies." — *The Bertrand Report*, para. 37 (p. 12).

<sup>133</sup> *Ibid.*, para. 38 (p. 12). See also Chapter IV below.

<sup>134</sup> As has already been mentioned, this thesis does not attempt to deal with administrative and managerial issues in any great detail.

<sup>135</sup> See *The G-18 Report*, para. 48 (p. 19) and recommendation 41 (p. 20).

<sup>136</sup> See *ibid.*, recommendation 44 (p. 21).

<sup>137</sup> See *ibid.*, recommendation 55 (p. 22); see also recommendation 57 (pp. 22-23). These recommenda-

on the basis of the Organisation's needs. The practice of transferring extra-budgetary posts to the regular budget should be discouraged.<sup>138</sup> The total entitlements of staff members should be reduced.<sup>139</sup>

### *Implementation of the G-18 proposals by the Secretariat*

The Secretary-General and the Secretariat moved to improve personnel management in accordance with the recommendations of the G-18. *Inter alia*, the Office of Personnel Services of the Department of Administration and Management was renamed "Office of Human Resources Management", to emphasise the Office's broad leadership role in the area of personnel management, and was given responsibility for salaries and allowances.<sup>140</sup> An effort was made to recruit new staff at the P-1, P-2 and P-3 levels. Recruitment at those levels since July 1985 accounted for more than 50% of the total (76.7% for the last six months of 1987), although the actual number of the people recruited was very small due to the financial crisis and the recruitment freeze introduced in March 1986 because of the crisis.<sup>141</sup> The Secretary-General agreed that no post should be considered the exclusive preserve of any state and this principle was borne in mind regarding the filling of posts, together with the need to maintain adequate representation for all states.<sup>142</sup>

The General Assembly asked the Secretary-General to transmit the G-18 recommendation on staff entitlements to the International Civil Service Commission.<sup>143</sup> The issues related to the conditions of service and the remuneration of UN Professional and higher categories staff remain under review by the ICSC which is expected to submit a comprehensive report to the General Assembly at its forty-fourth session.<sup>144</sup>

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tions were not unanimous—some members of the G-18 disagreed with the reference to fixed-term appointments.

<sup>138</sup> See *ibid.*, recommendations 56 and 62 (pp. 22-23).

<sup>139</sup> See *Ibid.*, recommendation 61 (p. 23).

<sup>140</sup> See UN Doc. A/43/286, para. 69 (p. 18).

<sup>141</sup> See *ibid.*, para. 73 (p. 19). See also Chapter I of the thesis.

<sup>142</sup> See UN Doc. A/42/234, Annex, para. 38 (p. 33). See also Chapter IV below.

<sup>143</sup> See General Assembly resolution 41/213, Section I, para. 1 (c).

<sup>144</sup> See General Assembly resolutions 42/221 of 21 December 1987 and 43/226 of 21 December 1988 and *Report of the International Civil Service Commission for the Year 1988*, General Assembly, Official Records: Forty-third Session, Supplement No. 30 (UN Doc. A/43/30), United Nations, New York, 1988.

*A broader discussion of the issues involved in attempts at reform in this area*<sup>145</sup>

It goes without saying that, for the Secretariat to carry out its tasks efficiently and with enthusiasm, its members have to develop a high morale, an *esprit de corps*, belief in and dedication to what they perceive to be their duty. They also have to be able to draw inspiration from what they are called upon to do. To the above ends, naturally, the present financial crisis has only adversely contributed, as "morale... [has been] shaken by long months of financial uncertainty".<sup>146</sup>

Regarding the salaries of the international civil servants "popular wisdom" has it that they are astronomical.<sup>147</sup> Most criticism arises after comparison of UN salaries to the corresponding salaries in the US civil service that is the official comparator.<sup>148</sup> Nevertheless, it is questionable whether the US civil service, perhaps the best-paying in the past, retains that position in the world today, especially with regard to the salaries paid by countries like Japan and the Federal Republic of Germany,<sup>149</sup> and, certainly, by the private sector in many countries. In order, therefore, to attract and keep highly qualified and capable staff to work for the UN, some countries are obliged, or so they claim, to make supplementary payments to their nationals in the Secretariat, though this practice may be seen as violating the Charter.<sup>150</sup>

A fact difficult to refute is the relatively high concentration of UN staff in highly-paying jobs at the middle and upper end of the scale.<sup>151</sup> This is to a great extent due to the relatively high average age of

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<sup>145</sup> The more political aspects of the issues presented here will be treated later, in Chapter IV. In this section of Chapter III, I confine myself to some observations of a managerial/administrative nature, although there is an inevitable overlapping with political considerations.

<sup>146</sup> UN Doc. A/42/234, para. 50 (p. 18). See also address to the Fifth Committee during the forty-third session of the General Assembly by a UN staff representative who talked about "morale that is not only low but dangerously low, and which appears to be deteriorating even further"—see United Nations Staff Union, "Address to the Fifth Committee, 43rd Session of the General Assembly, on Personnel Questions", *Staff Committee Bulletin*, SCB/965, 7 November 1988, para. 2 (p. 1).

<sup>147</sup> See, for example, "Staffing reform: Trimming the bureaucratic fat", in Charles M. Lichenstein et al., *The United Nations: Its Problems and What to Do About Them*, 59 Recommendations prepared in response to General Assembly resolution 40/237, United Nations Assessment Project, The Heritage Foundation, 16 September 1986, p. 12. The actual salaries for the professional and higher categories of UN personnel can be found in the Annex of resolution 42/221 of 21 December 1987.

<sup>148</sup> The General Assembly decided in 1985 (resolution 40/244) that the salaries of UN employees in the professional and higher categories should not exceed the salaries paid to US federal government employees in comparable positions by more than 20%.—See Chapter I.

<sup>149</sup> See consideration of the issue by the International Civil Service Commission, in UN Doc. A/43/30, paras. 125-128 (pp. 41-42). See, however, General Assembly resolution 43/226, Section I, para. 4 (1), referring to the Noblemaire principle and reaffirming that the US Federal Civil Service is currently "the highest-paying civil service" which, "by its size and structure", lends itself to being used as the comparator.

<sup>150</sup> See more on this in Chapter IV.

<sup>151</sup> For the distribution of the professional staff among the various grades before and after the recent staff reductions see UN Doc. A/C.5/43/1/Rev.1, para. 17 (p. 10). See also Douglas Williams, *op. cit.*, Appendix B, Table 3 (p. 256).

recruitment for professional staff which stands at about 40 and to pressures from governments of member states for the allocation of senior posts to their nationals.<sup>152</sup> People come to the UN after having worked for several years, usually for their home governments. Their past experience qualifies them for high-level posts and high salaries. They often come to the UN as one stage of their national career, e.g. on secondment, going back to their national post after some years of UN service, or they come for a late second international career. Sometimes they are not particularly interested in the UN but are pressured to come by their governments, in order to keep a post under national control or rid their governments of their "not-so-wanted" presence. They may also come to the UN just to end in a spectacular way a more or less successful career, among other things frustrating the prospects for promotion of career international civil servants.<sup>153</sup> As a result of all this, the majority of the UN staff can be said to consist of "dead wood" or, at best, competent but not that enthusiastic civil servants, of the "9 to 5" type (standard office hours) and the minority are those who work hard, are dedicated to their work and basically keep the Organisation going.<sup>154</sup> There is, however, the hope that the UN, through its recent successes in settling disputes, will attract more competent and interested people, either individually motivated or sent by governments.<sup>155</sup>

Another hot issue with regard to the staffing of the UN Secretariat is that of "equitable geographical distribution". As mentioned above, the principle of broad geographical representation on the Secretariat was initially supposed to come second, after the "paramount consideration" which was stipulated to be "the necessity of securing the highest standards of efficiency, competence and integrity" (Article 101 of the Charter). This is still the case, in theory, but in practice the order has been reversed.

Of course, representation on the secretariat of as many of the world's cultural, ethnic and other groups as possible is highly desirable and, in the final analysis, a *sine qua non* for a global organisation. Indeed, to guide recruitment in that respect, a table of "desirable ranges" gets compiled, showing the

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<sup>152</sup> See Anthony Mango, "The Role of the Secretariats of International Institutions", in Paul Taylor and A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, pp. 39-40. Interestingly enough, most of the staff serves at the UN for less than 10 years—see Douglas Williams, *op. cit.*, Appendix B, Tables 2 and 5 (pp. 255-256).

<sup>153</sup> See description of the UN as "a well-lined refuge, a useful slot for many of the world's failed civil servants" in "Dated Organisation", editorial article, *The Daily Telegraph*, 10 May 1986, p. 14 and interview of 16 December 1988 {5}.

<sup>154</sup> See interview of 5 January 1989 {7}. Nevertheless, as the person interviewed noted, it is not necessarily better in national bureaucracies.

<sup>155</sup> See interviews of 16 December 1988 {5} and 25 January 1989 {18}.

desirable upper and lower limit of the number of posts to be occupied by nationals of each particular country, for the posts subject to geographical distribution, that is the Professional and higher level posts (with some exceptions, e.g. those posts requiring special language qualifications—like interpreters and translators). The criteria used for the calculation of the desirable ranges are the membership factor (guaranteeing a minimum number of posts for each member state), the population factor, and the UN assessment (budget contribution) factor.<sup>156</sup>

However, the idea of the independence of the Secretariat being dismissed as idealistic, the only way to have an "impartial" international civil service is by balancing the nationals of several regions and countries against each other at the professional and higher levels. Demands for balancing/neutralisation are not limited to the Secretariat as a whole, but have been expanded to include almost every somewhat distinguishable sub-unit of the Secretariat.<sup>157</sup> The concept of a truly international civil service seems, in practice at least, if not in theory, to be seriously challenged by that of a multinational/intergovernmental civil service.<sup>158</sup>

At least some of the UN shortcomings caused by the issues discussed above could have been avoided if there was a dynamic integration and training process after the appointment of a person to a Secretariat post; but this does not seem to be the case.<sup>159</sup> Finally, the Secretary-General is supposed to tie the whole Secretariat together, through inspiring and authoritative leadership. However, given the usually diplomatic and cautious approaches adopted on most issues by the Secretaries-General, this is not generally forthcoming. The hope has been expressed that the Secretary-General, with boosted prestige and self-confidence

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<sup>156</sup> See Theodor Meron, *The United Nations Secretariat: The Rules and the Practice*, Lexington Books, USA, 1977, chapter 2, especially p. 18. General Assembly resolution 42/220 A of 21 December 1987 gave a weight of 40% to the membership factor, a weight of 5% to the population factor and the rest to the contribution factor, while it set the base figure of posts subject to geographical distribution, to be used for the calculation of the mid-point of the desirable ranges, at 2700, initially. See also *Personnel Questions: Composition of the Secretariat—Report of the Secretary-General*, General Assembly, Forty-third Session, UN Doc. A/43/659 of 10 October 1988, especially paras. 5-10 (pp. 4-5) and Table 4 in Annex II (pp. 28-38).

<sup>157</sup> See interview of 27 January 1989 {20}. Kurt Waldheim seems to have been the one to take geographical representation most literally—from interview of 5 January 1989 {7}. Consider also the proposal made by the Soviet Union during the setting up of the Organisation for separate Secretariats for each of the main UN organs, i.e. the Security Council, the General Assembly, etc., instead of an integrated Secretariat; the proposal was rejected at that time...—See Evan Luard, *A History of the United Nations*, *op. cit.*, p. 71. See tables on geographical representation of regions and countries on the Secretariat in UN Doc. A/43/659, Annexes I and II.

<sup>158</sup> See more on this in Chapter IV.

<sup>159</sup> From interview of 5 January 1989 {7}.

after the recent UN successes, will be increasingly willing and able to assert his authority and leadership within the Organisation.<sup>160</sup>

### **Proposals for major structural reform of the UN**

In the rest of this chapter several proposals aimed at a major restructuring of the UN machinery are presented and critically examined. These proposals, often radical, in a sense, usually do not enter into details about the functioning of either the intergovernmental machinery or the Secretariat but rather concentrate upon the main UN bodies and their relative roles.

#### **i) A Council-Commission structure for the UN**

One source of inspiration for reform of the UN structures is, directly or indirectly, the European Community (EC), the structure of which is characterised by the "duo" Council-Commission at the top.<sup>161</sup> The EC model inevitably becomes more attractive the more successful the process towards European integration proves, especially in achieving a single European market and free movement of persons and goods by 1992.

Such plans put more emphasis on the executive side of the UN, leaving aside the hopelessly verbose General Assembly confined mainly to the approval of the UN budget, just like its EC counterpart, the European Parliament.

In the reformed UN, the Council, where the real legislative power would lie,<sup>162</sup> would consist of the representatives of a limited number of states, preferably of high/ministerial rank, who would come and negotiate with each other in the search for a workable consensus. The states that would be members of the Council would be selected so as to include some individual states of global importance, due to their political influence and/or military power and/or economic strength and/or population size, as more or less permanent members. The rest of the Council seats would be occupied by countries elected periodically,

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<sup>160</sup> From interview of 5 December 1988 {4}. See also Chapter IV.

<sup>161</sup> For the EC case see Juliet Lodge, ed., *Institutions and Policies of the European Community*, Frances Pinter (Publishers), London, 1983, especially chapter 2: "The European Community's Bicephalous Political Authority: Council of Ministers-Commission Relations", by Stanley Henig. See also Hugh Arbuthnott & Geoffrey Edwards, eds., *A Common Man's Guide to the Common Market: The European Community*, The Federal Trust for Education and Research, The MacMillan Press, London & Basingstoke, 1979, especially chapter 2.

<sup>162</sup> See the interesting parallel drawn by Stanley Henig between the EC Council of Ministers and the European Parliament as they have today and the Senate and the House of Representatives, respectively, in a prospective United Europe—in Juliet Lodge, ed., *op. cit.*, p. 9.

representing the various state groupings in the world, regional and/or ideological and/or other.<sup>163</sup>

The Commission would bring together the heads of the now fairly independent secretariat units within the UN system. Such a development would substitute for ACC a more formal and cohesive body, something expected to improve significantly inter-agency co-ordination and overall efficiency and effectiveness of the system. Within this body, the Commissioners would jointly formulate proposals to be put before the Council. They would then assist the Council in its negotiations and influence it in the direction of reaching a consensus, which they would then make every effort to see it was implemented.

Two major proposals for UN restructuring that have been made on these lines will now be examined in somewhat more detail.

#### *The "Economic United Nations" of Maurice Bertrand*

Maurice Bertrand looks forward to "a third generation World Organisation".<sup>164</sup> The political nature and structure of the United Nations as it has today has failed but it is difficult to be dismantled or radically amended, therefore one has to go on from there and build a parallel mechanism which Bertrand calls the "economic United Nations". Bertrand is for an "integrated" and "interdisciplinary", as opposed to a "sectoral", functionalist approach to world organisation.<sup>165</sup> Otherwise, he is for gradual rather than abrupt change:

[T]he direct search for peace, doomed to failure... [should be replaced] by indirect machinery for the gradual construction of peace, for example through the development at world level of genuine joint action or joint ventures, however modest in scope, in which the commitment of Governments might demonstrate their will to peace much more surely to public opinion than speeches advocating disarmament...<sup>166</sup>

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<sup>163</sup> For the official distribution of states among the various regional groups see *United Nations Handbook 1988, op. cit.*, pp. 7-8. For regional and other caucusing groups in the UN see also M.J. Peterson, *op. cit.*, pp. 290-297 and Peter R. Baehr & Leon Gordenker, *op. cit.*, pp. 51-55.

<sup>164</sup> *The Bertrand Report*, para. 141 (pp. 47-48). Maurice Bertrand's views are presented here as they appear in *The Bertrand Report, op. cit.*, mainly chapter V. A shortened version of the report has been published in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, pp. 193-219. Maurice Bertrand's case is very interesting because he appears also as a member of the G-18 and as Senior Consultant to the International Panel that produced the report entitled *A Successor Vision: The United Nations of Tomorrow* (see below). His views are also presented in his book, *Refaire l'ONU!: Un Programme Pour la Paix*, Editions Zoé, Genève, 1986, especially chapter IV entitled "Un programme pour la paix".

<sup>165</sup> See *The Bertrand Report*, para. 159 (p. 53) and fn. 55 (p. 77) and paras. 178-179 (pp. 59-60).

There is the implicit belief that this side of the United Nations will grow as to finally absorb the ill-developed political side as we know it today.

Maurice Bertrand goes for a "regional or subregional and integrated" response to UN shortcomings. The various UN bodies dealing with technical co-operation and operational activities in the fields of health, industry, agriculture, etc., should be consolidated into interdisciplinary regional development agencies or enterprises situated in each region or subregion of the world.<sup>167</sup> What determines Bertrand's thinking regarding organisation at the central level is the belief that the World Organisation cannot be a decision-making body but only a "negotiating body" for the world community.<sup>168</sup>

At the centre of his reformed UN, which will put emphasis on international negotiations on economic rather than political issues, Bertrand stipulates an intergovernmental body of limited membership "at least as important and prestigious as the Security Council is today in regard to political questions".<sup>169</sup> On this Council, which could be named "the Economic Security Council", should be seated no more than 24 persons, to make substantive negotiations possible, "each participant representing either one large country or a group of countries sufficiently coherent and important to be taken seriously by the rest".<sup>170</sup> For the selection of what he calls the large countries to be seated on the Council, Bertrand uses two criteria, namely gross national product (GNP) and population.

—With regard to GNP he observes that "[t]here are 10 countries whose gross national product (GNP) is more than 2.5 per cent of the gross world product", namely the USA, the USSR, Japan, the Federal Republic of Germany, France, the United Kingdom, Italy, Canada, Brazil and China, together representing about 72% of the gross world product.<sup>171</sup>

—With regard to population, "[t]here are seven countries whose population is more than 100 million inhabitants", namely China, India, the USSR, the USA, Indonesia, Brazil and Japan, together representing almost 50% of the world population.<sup>172</sup>

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<sup>166</sup> *Ibid.*, para. 148 (pp. 49-50).

<sup>167</sup> *Ibid.*, para. 161 (p. 54) and 163 (p. 55).

<sup>168</sup> *Ibid.*, para. 174 (p. 58).

<sup>169</sup> *Ibid.*, para. 179 (p. 60).

<sup>170</sup> *Ibid.*, para. 174 (p. 58) and 184 (p. 62).

<sup>171</sup> *Ibid.*, para. 182 (pp. 61-62) and fn. 63 (p. 79).

<sup>172</sup> *Ibid.*

Combining the above two criteria one gets 12 states fulfilling either of the two. If the GNP threshold for selection was 0.8% of the gross world product and the population threshold 80 million inhabitants, then one would have a group of 26 states.<sup>173</sup> The rest of the 159 states of the UN, i.e. 147 states or 133 states, depending on which limits of GNP and population were to be used, would be represented by region. If the higher GNP and population limits are chosen and in order not to exceed the maximum of 24 members for the Council set above, Bertrand proposes that the remaining 147 "non-large" states should be represented by 11 Council members, as follows: "two for Latin America, one for the Caribbean, one for the Arab countries, two for Africa south of the Sahara, one for Eastern Europe, two for South-East Asia, one for Oceania, and one for the small and medium Western countries".<sup>174</sup> Thus the Economic Security Council would have 23 members (or 37 if the second—lower GNP and population thresholds were adopted). On the Council, pretty much like in the European model, would sit each time "the competent ministers according to the problems to be dealt with".<sup>175</sup>

The "Commission" that would service and complement the "Council" would have at the world level the shape of a team of independent personalities appointed collectively for a term of office of several (e.g. five) years "by the whole body of States concerned".<sup>176</sup> The members of the Commission, who should regularly consult with each other on substantive issues, would head the independent, interdisciplinary and highly competent central secretariat of the system as well as the secretariats of the main agencies.<sup>177</sup> The functional agencies would continue to exist alongside the regional ones but at a very reduced size, with personnel enough only for the conduct of research, planning and co-ordination.<sup>178</sup> The possibility should be explored of having more than one Commissions of independent personalities, e.g. one for short-term negotiations and planning, one for long-term ones and one for launching joint ventures, for greater flexibility.<sup>179</sup>

A transition plan should be devised which would include detailed arrangements regarding, *inter alia*, restructuring of the system of agencies, re-allocation of funds, re-organisation of secretariats, financial and

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<sup>173</sup> *Ibid.*

<sup>174</sup> *Ibid.*, para. 183 (p. 62).

<sup>175</sup> *Ibid.*, para. 181 (p. 61).

<sup>176</sup> *Ibid.*, para. 181 (p. 61).

<sup>177</sup> *Ibid.*, paras. 180-181 (pp. 60-61).

<sup>178</sup> *Ibid.*, para. 190 (pp. 64-65).

<sup>179</sup> *Ibid.*, para. 184 (p. 62).

personnel issues and proposals for a legal framework. Negotiations should take place to determine whether an amendment of the Charter, especially of chapters IX and X on the Economic and Social Council, would be possible, or reforms should be brought about by practical measures within the existing constitutional framework.<sup>180</sup>

Bertrand ends his proposals with the following words:

[I]n the interests of effectiveness and realism, I felt that the World Organisation over the next few decades should remain an intergovernmental organisation. I felt that the time had not yet come to think in terms of a "World Parliament", but on the contrary that it was appropriate first and foremost to try to perfect the system of multilateral negotiations among sovereign Governments. It is nevertheless true that any approach which would make it possible to open up the World Organisation still more to representatives of public opinion in different areas should certainly be studied. A thorough examination of the various methods feasible is a line of research which needs to be explored.<sup>181</sup>

*"A Successor Vision: The United Nations of Tomorrow"*

A report entitled "A Successor Vision: The United Nations of Tomorrow", was drawn up by an International Panel under the sponsorship of the United Nations Association of the United States (UNA-USA).<sup>182</sup> The report starts from the basic observation that there is a "sovereignty gap" "between the legal and political sovereignty of nation states and their ability to give sovereignty concrete shape—whether in air quality, energy security, jobs, surety against nuclear warfare, etc."<sup>183</sup> International politics is dominated by two

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<sup>180</sup> *Ibid.*, paras. 190-191 (pp. 64-65).

<sup>181</sup> *Ibid.*, para. 192 (pp. 65-66).

<sup>182</sup> The panel was chaired by former US Attorney General Elliot L. Richardson, also chairman of the United Nations Association of the United States, the sponsoring organisation. Members of the 22-member Panel included the former US Secretary of State Cyrus R. Vance; Robert S. McNamara, the former US Defence Secretary and World Bank President; Helmut Schmidt, the former West German Chancellor; Prince Sadruddin Aga Khan, the former United Nations High Commissioner for Refugees; Major-General Olusegun Obasanjo, the former President of Nigeria; Salim A. Salim, Deputy Prime Minister of Tanzania; Mohamed Sahnoun, the Algerian Ambassador to the United States; and US Senator Nancy L. Kassebaum, sponsor of the US Congress Amendment bearing her name. Jean J. Kirkpatrick, the former US representative to the UN, took part in the Panel's preparatory work but did not sign the final report. The report was made public in September 1987 (see "Change in UN Operations is Proposed", by Paul Lewis, *The New York Times*, 17 September 1987, p. A3) and was later incorporated in Peter J. Fromuth, ed., *A Successor Vision: The United Nations of Tomorrow*, UNA-USA, University Press of America, Lanham, USA, 1988. The page numbers given in the footnotes that follow are from the above book edited by Peter Fromuth.

<sup>183</sup> Peter Fromuth, ed., *op. cit.*, p. xv.

contradictory facts: "increasing nationalism, and decreasing national power".<sup>184</sup>

The UN, with its weak structure, based on flawed assumptions, desperately needs a new vision to enable it to adjust itself to the realities of a changing world. Such a vision would involve strengthening the UN structure and bringing it to bear upon international relations according to the following formula:

1. The UN should identify common interests among its members;
2. it should convert those common interests into common views; and
3. it should strive to convert those common views into co-operative action.<sup>185</sup>

Governments should be persuaded to abandon their "go-it-alone" policies and international institutions should be adapted to meet new needs.<sup>186</sup> International co-operation could advance through the wide adoption of notions like "human security", referring to population growth, food, Third World urban conditions, employment, economic activity, resource strain, etc.<sup>187</sup> Emphasis should be put on reaching consensus, rather than insisting on following parliamentary practices.<sup>188</sup>

Among the more concrete proposals made in the report was one for the creation of a "Ministerial Board" of representatives of no more than 25 governments, including as permanent members "[t]he largest developed and developing countries", which would be affiliated to ECOSOC and would deal with issues within ECOSOC's competence. The Board would maintain a "global watch" in order to identify emerging world problems in the field of "human security"; would be instrumental in consensus-building; and would seek to convert agreements into action by concentrating the resources of the UN and its agencies on solving emerging problems.<sup>189</sup>

A five-person Advisory Commission, appointed by the Secretary-General, would complement the work of the Ministerial Board and would finally evolve into a Commission of 15 to 18 members including the heads of the main UN Specialised Agencies. The Commission would be chaired by the Director-

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<sup>184</sup> *Ibid.*, p. xxvii.

<sup>185</sup> *Ibid.*, p. xvi.

<sup>186</sup> *Ibid.*, p. xxvii ff.

<sup>187</sup> *Ibid.*, pp. xvii and 40-42.

<sup>188</sup> *Ibid.*, pp. 29-30 and 48-49.

<sup>189</sup> *Ibid.*, pp. 44-48 and 54-57.

General for Development and International Economic Co-operation, who would in the future be nominated by the Secretary-General and confirmed by the General Assembly.<sup>190</sup> The Secretariat Department of International Economic and Social Affairs (DIESA) should be reorganised and should support the Commission and the Ministerial Board.<sup>191</sup> An "Inspector-General" should be appointed to deal with the evaluation of UN programmes.<sup>192</sup> The Secretary-General would again play the central leadership role and should be "an initiative-taker rather than a care taker". In order to cope with his/her vast responsibilities, the Secretary-General should delegate authority to his/her subordinates in various areas of UN activity. The Secretary-General should be elected for a single term of no more than seven years.<sup>193</sup>

A "Development Assistance Board" of the same size and virtually the same composition as the Ministerial Board would become the single executive board for all of UNDP/UNFPA, UNICEF and WFP.<sup>194</sup> ECOSOC would expand to plenary size (all General Assembly members to be ECOSOC members), would reform its procedures as to allow for more substantive discussions and in-depth treatment of issues and would replace the Second and Third Committees of the General Assembly that would be discontinued.<sup>195</sup> The Special Political Committee and the Fourth Committee of the General Assembly should be merged into a new "Committee for Non-Self-Governing Territories and Special Political Questions".<sup>196</sup> There would be "sunset" provisions for programmes, sub-programmes, etc. included in the UN regular budget, that would lose their authorisation after their sixth year, unless re-authorised by the General Assembly.<sup>197</sup> Consensus in the CPC "should not be interpreted as requiring unanimity on all details of the programme budget but only on the *level of the budget and the allocation of resources among major programmes*".<sup>198</sup>

#### *An evaluation of the above plans for reform*

The above plans put forward by Bertrand and the UNA-USA panel include several interesting proposals:

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<sup>190</sup> *Ibid.*, pp. 60-61.

<sup>191</sup> *Idid.*, pp. 61 and 69-71.

<sup>192</sup> *Ibid.*, p. 72.

<sup>193</sup> *Ibid.*, pp. 67-68.

<sup>194</sup> *Ibid.*, pp. 61-63.

<sup>195</sup> *Ibid.*, pp. 57-58.

<sup>196</sup> *ibid.*, p. 71.

<sup>197</sup> *Ibid.*, p. 72.

<sup>198</sup> *Ibid.*, p. 73.

—The creation of an executive body of strictly limited membership (of 23 or 25 members) which, nevertheless, at the same time will be fairly representative, is urgently needed for the UN that lacks a flexible and at the same time authoritative central body in its intergovernmental structure, at least in the economic and social fields.

—In both plans the Commission is a further institutionalisation and strengthening of the existing Administrative Committee on Co-ordination and a decisive move towards an integrated UN Secretariat with an executive "cabinet" of Commissioners that would decide collectively for the whole UN system.

Nevertheless, the separation of the economic issues from the political ones and the co-existence of the Security Council and the Economic Security Council or the Ministerial Board, as well as of the Secretary-General and the Chairman or President of the Commission, does not sound realistic and is not treated in depth in any of the plans. Issues like that of the Amazon forest, where sovereignty and world ecological interests contradict, with an additional dimension provided by the debt problem facing Brazil, cannot be treated in an a-political, "economic and social" way.<sup>199</sup> Also issues like "disarmament for development" and others show how the peace and security and the economic and social fields interact and even overlap, despite attempts to keep them artificially apart.<sup>200</sup> No matter how understandable the will and perceived need may be to treat economic and social problems without getting entangled into complex and very sensitive political considerations and endless debates, the solutions proposed can well be questioned on grounds of plausibility, in view also of past experience.<sup>201</sup>

The use of the word "Commission" and the reference that it entails to EC institutions and practices may present problems within the United Nations framework. It may be possible for the EC Commission to be composed of Commissioners nominated by its 12 member states, in which case everybody is more or less happy, but at the world level this is not easily applicable.<sup>202</sup> An agreement to have the Commissioners

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<sup>199</sup> See articles on Brazil and the Amazon forest, for example, "Brazil Wants Its Dams, but At What Cost?", by Marlise Simons, *The New York Times*, 12 March 1989, Section 4, p. 1 and "Brazil Chooses to Ignore Environment Forum", by Jan Rocha, *The Guardian*, 4 March 1989, p. 6.

<sup>200</sup> See on this the interesting notion of "comprehensive security" promoted by the USSR (see Chapter IV). This notion could offer the conceptual bridge needed between the peace and security and the economic and social fields.

<sup>201</sup> See criticism of functionalism in Chapter V of the thesis. For some comments, especially on Bertrand's plan, its feasibility and the reactions to it, see Yves Beigbeder, *Management Problems...*, *op. cit.*, pp. 143-145 and references in fn. 17 above.

<sup>202</sup> Bertrand is aware of this—see *The Bertrand Report*, para. 157 (p. 53).

nominated by and from the member states participating in the Council on a one-to-one basis might have some chances to succeed.<sup>203</sup> This would formalise, for better or worse, the existing practice followed with regard to the filling of the highest posts in the UN Secretariat (see above). The creation of various Commissions and the separation of short-term from long-term planning as proposed by Bertrand, would introduce even worse fragmentation than is now the case.

The feasibility of a transition from a United Nations as it is today to a United Nations more or less as envisaged in the above plans, should be studied step by step. In that respect, the UNA-USA proposals are quite more detailed and thought out. The notions of "human security" and the function of "global watch" may well enrich the intellectual framework within which thinking on international organisation takes place and may open new avenues to thinking and acting. Finally, the Council-Commission model, in view at least of the success it seems to have at the European level, should be seriously considered, with the necessary adaptations, for the global forum.<sup>204</sup>

## ii) A Parliamentary future for the UN

Another approach to restructuring the UN is by stipulating more than one "Assemblies" at the world level, to balance the various interests that manifest themselves at this level, namely the interests of governments ("national interests"), the interests of multinational corporations ("economic interests") and the supranational interests of individuals and their associations around the world ("people's interests").

### *Marc Nerfin's "three-Chamber UN"*

A recent proposal on the above lines is the one launched by Marc Nerfin and the International Foundation for Development Alternatives (IFDA).<sup>205</sup> This proposal calls for a three-chamber UN:

A first Chamber, to be called the "Prince Chamber", would consist of government representatives as is the case with the General Assembly today.

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<sup>203</sup> This, of course, reminds one of the Khrushchev "troika" proposal made in the past (see Chapter IV), writ large. It would be interesting to see whether such a proposal would have a better fate these days.

<sup>204</sup> See also Chapter VI.

<sup>205</sup> See Marc Nerfin, "The Future of the United Nations System: Some Questions on the Occasion of an Anniversary", *Development Dialogue*, 1985:1, pp. 5-29, especially Appendix II (pp. 28-29) and Marc Nerfin, "Five Changes for the United Nations", in Mark Macy, ed., *Solutions for a Troubled World*, Peace Series, Volume One, Earthview Press, Boulder, Colorado, USA, 1987, pp. 78-94, especially pp. 89-94.

The second Chamber or "Merchant Chamber" would include in its membership the various significant economic entities, be they multinational, transnational or national, private or state-owned.

On the third Chamber should be represented the people of the planet and their associations and would be named the "Citizen Chamber". This would keep an eye on the other two as it would represent the world public opinion.

The independence and "the margin of autonomy" of the UN Secretariat should be increased, and the Secretariat should become "the melting pot of a new cadre of men and women exclusively devoted to the world community at large and to its emancipation".<sup>206</sup> Nerfin has no ready answers, how the above could be achieved and what would be the new UN arrangements in detail.

On the positive side, this proposal certainly brings into the discussion the element of eroded and eroding state sovereignty and the increased and increasing importance of non-state, transnational actors, particularly corporations. It also brings up the problem of peoples' direct representation to an organisation that was created in the name of "the peoples" of the world but has always been a more or less exclusive club for the governments of the states of the world.

However, the proposal also presents all sorts of problems.<sup>207</sup> One could say that it is still at its first stages that is why one cannot ask for details or "step by step" strategies. Nevertheless, it does not seem that further thinking or elaboration could easily answer questions about formulas of representation and election, particularly in the "Merchant" and the "Citizen" Chambers, when already there are so many problems with the relatively well established and broadly recognised states in the existing "Prince" Chamber. What would be the role allotted to increasingly significant non-state and non-economic transnational actors like churches and religious groups, ecological movements, etc.? The UN has attempted to take into account the views of important non-governmental groups by giving them consultative status with ECOSOC<sup>208</sup> and although the

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<sup>206</sup> Marc Nerfin, "Five Changes for the United Nations", in Mark Macy, ed., *op. cit.*, pp. 91-92.

<sup>207</sup> For comments on Marc Nerfin's plan see also Yves Beigbeder, *Management Problems...*, *op. cit.*, pp. 140-143.

<sup>208</sup> For transnational/non-governmental actors at the UN see Peter Willetts, "The United Nations as a Political System", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, pp. 29-30. See also Pei-heng Chiang, *Non-governmental Organisations at the United Nations: Identity, Role and Function*, Praeger Special Studies, Praeger Publishers, New York, 1981. Consider also recent discussions in the UN Committee on Non-Governmental Organisations about extending the relationship between such organisations and the world body. More than 800 non-governmental organisations have a relationship with the UN, said the UN Under-Secretary-General for International Economic and Social Affairs, Rafeeuddin Ahmed, opening the above discussions. Reported in *The Diplomatic World Bulletin*, Vol. 19, No. 2 (13-20 February

existing arrangements have to be improved, it remains debatable whether such arrangements should be formalised into a multi-Chamber parliamentary system within the framework of the United Nations. Finally, interactions among three so different Chambers would probably result in complete paralysis of the UN system, even worse than what is now the case.

In short, this approach envisages for the UN as a whole a tripartite system of representation like that of the ILO writ large. Although the tripartite system may be a success in the area of employment,<sup>209</sup> its transposition to the world comprehensive/political level seems to present a lot of problems some of which were pointed out above.

### *A World Consultative Council*

Another proposal in this area is the one put forward by Mikhail Gorbachev who has suggested, among other things, the creation of "a world consultative council" under UN auspices, that would "bring together the world's intellectual elite". This would be, it seems, a predominantly non-governmental council of wise men and women which would bring together "[p]rominent scientists, political and public figures, representatives of international public organisations, cultural workers, people in literature and the arts, including winners of the Nobel Prize and other international prizes of world-wide significance, and eminent representatives of the churches [who] could greatly enrich the spiritual and ethical potential of contemporary world politics".<sup>210</sup> Such a proposal signals a significant departure from previous, rather hostile Soviet attitudes towards interference by individuals and non-governmental organisations in world affairs, and has a lot in common with proposals put forward by many international—and *internationalist*—thinkers.<sup>211</sup>

Such ideas finally point towards the creation of a second chamber, a sort of House of Lords, for the United Nations, which, along with the General Assembly (the "House of Commons") would try to draw the

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1989), p. 13.

<sup>209</sup> Moreover, Maurice Bertrand has proposed such a system "pour... les... organisations sectorielles—de santé, d' éducation, de science, d' industrie, d' agriculture, etc."—Maurice Bertrand, *Refaire l' ONU!...*, op. cit., pp. 104-106.

<sup>210</sup> Mikhail Gorbachev, *Realities and Guarantees for a Secure World*, Novosti Press Agency Publishing House, Moscow, 1987, p. 15. See also "Enhanced role for UN", letter by Alexander Ignatov, Novosti Press Agency, Moscow, in *Financial Times*, 30 October 1987, p. 23.

<sup>211</sup> See, for example, the idea for a "Permanent Council for Peace, composed of renowned thinkers, spiritual, community and business leaders" proposed by Benjamin B. Ferencz in his book *A Common Sense Guide to World Peace*, Oceana Publications, New York, 1985, pp. 90-91.

middle line among various political systems, cultures, religions, races, etc., to establish the necessary consensus for the functioning of a "comprehensive system of international security", another Soviet proposal that is being put forward simultaneously.<sup>212</sup>

No apparent step has been made at the world level and within the UN framework towards the creation of such a Council.<sup>213</sup> An attempt to put such ideas into practice would certainly meet many problems with regard to representation, total membership, actual powers conferred upon the Council, etc. Nevertheless, it remains an interesting idea, even though a bit too idealistic one.

### *A bi-cameral General Assembly*

If one confines oneself to state representation to the UN and one considers the possibility of having a bi-cameral General Assembly with all states represented in the lower House but only the most important states and groups of states represented in the smaller upper House,<sup>214</sup> one could say that, in a sense, such an arrangement already exists by having all states being represented in the General Assembly while only a few important states and some states elected as representatives of the regions of the world are represented on the Security Council. The different spheres of competence of the two bodies of course make the analogy seem rather theoretical but the tendency exhibited particularly by the General Assembly in the past to "usurp" Security Council area shows the relativity of all this. If there was the willingness to carry this analogy further in practice, something that could be done even through informal arrangements, this could obviate demands for some sort of weighted voting introduced into the General Assembly.<sup>215</sup>

### **iii) World Peace Through World Law**

Perhaps the most ambitious proposals are those putting forward arrangements that would turn the UN into a

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<sup>212</sup> See Chapter IV for a broader discussion of the new Soviet attitude, under Gorbachev, towards the UN.

<sup>213</sup> A meeting on such lines, broadly speaking, was the January 1988 meeting in Paris of the "first-ever" conference of Nobel prize-winners patronaged by "The Elie Wiesel Foundation for Humanity". The theme was "Facing the 21st Century" and there were 75 participants. The Nobel-winners agreed that they should meet again in two years time.—See "Fertile ground for Nobels with noble ideas", by Patrick Mamham, *The Independent*, 22 January 1988, p. 1.

<sup>214</sup> Consider also Maurice Bertrand's suggestion regarding the creation of two intergovernmental organs, one in which representation would be according to population size and a second one, something like a senate, where each country would be represented.—From *Comments from Maurice Bertrand's Talk, LSE, 10th November 1986*, informal paper by A.J.R. Groom, 18 November 1986.

<sup>215</sup> See also Chapter IV.

virtual world federation where law would rule and would be centrally enforceable. Grenville Clark and Louis B. Sohn in their book of the 1960's *World Peace Through World Law*,<sup>216</sup> are inspired by their wish to devise a world organisation founded on an international legal framework that would enable it to achieve the age-old ideal of preventing war and effecting universal disarmament. Their approach then to the restructuring of the United Nations aims at an optimisation of the UN structure and performance in the above direction, first and foremost, although they are also aware of the problems of development and their relation to peace. They examine two alternative plans; one providing for reform of the UN structure and functioning through extensive amendment of the Charter, and the other providing for the continuation of the UN as it is and the establishment of a parallel "World Disarmament and World Development Organisation" to supplement the existing United Nations structure. In their plan dealing with reforming the UN Clark and Sohn propose the following major changes to the existing UN machinery:

The General Assembly should be given "the final responsibility for the enforcement of the disarmament process and the maintenance of peace". Its powers, however, would not include "such matters as regulation of international trade, immigration and the like, or any right to interfere in the domestic affairs of the nations, save as expressly authorised by the revised Charter in order to enforce disarmament or to prevent international violence where a situation which ordinarily might be deemed "domestic" has actually developed into a serious threat to world peace".<sup>217</sup>

The question about the introduction or not of weighted voting in the General Assembly is answered by the introduction of representation of each state (there were about 99 independent states at the time of the proposal) according to the category of population size its population falls into, ranging from one Representative for the smallest states to thirty Representatives for the four largest states.<sup>218</sup> The Representatives would finally be elected by popular vote and they would serve for four years.<sup>219</sup> "The *legislative* powers [of the General Assembly] would be strictly limited to matters directly related to the maintenance of peace, whereas the extensive powers of mere recommendation now possessed by the Assembly would be retained

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<sup>216</sup> Grenville Clark and Louis B. Sohn, *op. cit.*

<sup>217</sup> *Ibid.*, p. xix.

<sup>218</sup> *Ibid.*, p. xx.

<sup>219</sup> *Ibid.*, p. xxi.

and even broadened".<sup>220</sup>

The Security Council should be replaced by an "Executive Council" composed of seventeen Representatives elected by the General Assembly and would be "responsible to and removable by the Assembly". The four largest states (China, India, the USA and the USSR) would have permanently one Representative each on the Council and four Representatives from four out of the eight next largest states (Brazil, France, West Germany, Indonesia, Italy, Japan, Pakistan and the United Kingdom) would alternatively be seated on the Council.<sup>221</sup> There would be no veto prerogative for the permanent members of the Executive Council but there would be a certain overall majority for a decision to be taken. For "important" matters there should be a positive vote of twelve of the seventeen Representatives comprising the Council with, at the same time, a majority of both the eight largest countries members of the Council and of the rest of the countries elected to the Council taken separately.<sup>222</sup> "The Executive Council would constitute the *executive arm* of the strengthened United Nations, holding much the same relation to the General Assembly as that of the British Cabinet to the House of Commons. Subject to its responsibility to the Assembly, the new Council would have broad powers to supervise and direct the disarmament process and other aspects of the whole system for the maintenance of peace provided for in the revised Charter."<sup>223</sup>

The Economic and Social Council and the Trusteeship Council, like the Executive Council, would consist of Representatives elected by and from the Assembly. A number of the states with the largest gross national products would be entitled to have one of their Representatives on ECOSOC at all times while for the Trusteeship Council states would be divided into three groups with an equal number of Representatives on the Council. These two Councils too "would be directly responsible to the Assembly. Their responsibilities would be enlarged; and their usefulness would be enhanced by reason of the greatly increased funds which would be available to them under the proposed new revenue system".<sup>224</sup>

The authors propose also the establishment of a World Police Force to be named the "United Nations Peace Force" to be "the only *military* force permitted anywhere in the world after the process of national

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<sup>220</sup> *Ibid.*, p. xxii.

<sup>221</sup> *Ibid.*, p. xxii.

<sup>222</sup> *Ibid.*, p. xxiii.

<sup>223</sup> *Ibid.*

<sup>224</sup> *Ibid.*, pp. xxiii-xxiv; see also Chapter II of this thesis about "the proposed new revenue system".

disarmament has been completed".<sup>225</sup> A world system of conciliation and adjudication should also be established with a strengthened International Court of Justice at its centre for the peaceful settlement of international disputes.<sup>226</sup>

A "World Development Authority" should be created "whose function would be to assist in the economic and social development of the underdeveloped areas of the world, primarily through grants-in-aid and interest-free loans. The Authority would be under the direction of a World Development Commission of five members to be chosen with due regard to geographical distribution by the Economic and Social Council, subject to confirmation by the General Assembly".<sup>227</sup>

The Secretariat should perform the same more or less functions as up to now.

Proposals of such a sweeping nature are still being put forward by world federalists<sup>228</sup> but can hardly be said to be mainstream or to command broad support, especially with regard to their feasibility but also with regard to their desirability, in view of the very complex problems faced by an interdependent yet heterogeneous world that cannot be solved by decree and by the imposition of a super-state upon the whole of the globe.<sup>229</sup>

## Conclusion

The attempts at UN structural and administrative reform that followed the G-18 recommendations do not seem to have resulted in any major improvements in the UN structures and functioning. Apart from the personnel cuts (that may finally prove counterproductive) and the redistribution of some responsibilities among Secretariat departments and offices (perhaps the most important development in that respect is the creation of the Office for Research and the Collection of Information), no major changes occurred. An attempt by member states to study in-depth the intergovernmental machinery in the economic and social fields failed to produce any concrete proposals for reform and held back the restructuring of the corresponding departments of the Secretariat.

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<sup>225</sup> Grenville Clark and Louis B. Sohn, *op. cit.*, p. xxix.

<sup>226</sup> See *Ibid.*, p. xxxiii ff.

<sup>227</sup> *Ibid.*, p. xxxvi.

<sup>228</sup> See, *inter alia*, ideas put forward in *World Peace News*, a publication of the American Movement for World Government and in publications of the World Association for World Federation.

<sup>229</sup> See also Chapter V.

There is a difference of opinion often manifested when the UN shortcomings at this level are discussed. There are always those who believe that UN problems are structural, primarily, rather than simply managerial, and insist that effective remedy cannot come through mere managerial changes.<sup>230</sup> They tend to devise elaborate blueprints putting forward new structural arrangements which, it is hoped, through their rationality and efficiency, will compel member states to accept them (see above proposals by Bertrand, UNA-USA, etc.). On the other hand, there are those who believe that emphasis should be put on good management of the existing basic structures, rather than sweeping structural change, given the fact that even perfect structures are doomed to be ineffective when there is no political will to use them effectively and make them work. Good managers, of which the UN is seriously short, could streamline existing structures and achieve the best possible, if not the absolutely best, result.<sup>231</sup>

As a compromise between the above two views, both of which have their attractive points but also their shortcomings, it could be said that the best way for the UN to move forward is by going through the middle-ground. With the existing structures as the starting point, efforts should be made to make the UN work through good and creative management. Arranging the programmes and the agendas of bodies and streamlining the work of the Secretariat can lead to substantive improvements—there is still great untapped potential. Creative management can even, in practice, re-interpret mandates and reach working arrangements which can substantively change the informal if not the formal structures.<sup>232</sup>

Formal changes in structures should be sought when the above type of arrangements cannot work because the formal outdated structures leave no leeway. Even then, an initial phase of an informal arrangement of some sort, simulating the situation expected after implementation of the proposed formal changes, should precede and should be tried in practice for some time before any formal arrangements were introduced. Of course, plans and proposals for new structures are not exactly a vain exercise, although one should not expect his/her plans ever to be adopted, at least *in toto*, even because of the very fact that they have been made public. Nevertheless, such plans help make clear the functions, if not the bodies, towards

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<sup>230</sup> See *The Bertrand Report*, paras. 11 (p. 5) and 30-32 (pp. 10-11). However this view is tempered in *ibid.*, paras. 186-191 (pp. 62-66).

<sup>231</sup> From interviews of 5 December 1988 {4} and 5 January 1989 {7}.

<sup>232</sup> Such arrangements are almost the rule at the UN and have helped the Organisation adjust to changing circumstances, partly, at least, up to now.—Consider interview of 13 January 1989 {10}.

which reform should be directed and the factors that should be taken into consideration.

The recent attempts at introducing substantive structural reforms apparently failed because of deep disagreements among the member states of the United Nations. Some of the political issues involved and the attitudes of the major protagonists in the UN drama are discussed in the following Chapter (Chapter IV), while the deeper conceptual dimensions of the problem are discussed in Chapter V.

## CHAPTER IV

### The Political Problems

#### Introduction—The two axes of political confrontation

The most "political" of all UN fora, the UN General Assembly, has experienced many heated debates on various issues, but, up to now, there have been two major ones encompassing and mobilising virtually the whole of its membership.

In the late 1940's and in the 1950's there was the "Cold War", the communist-anticommunist confrontation on the East—West axis. The US-led coalition that then controlled the General Assembly was holding strong against the Soviet Union and its allies.<sup>1</sup>

Things started to change in the late 1950's and early 1960's, when a large number of new states joined the UN (usually ex-colonies after independence). The Africans and Asians became a majority and were soon joined by the Latin Americans in a new powerful coalition that seemed to bring a new approach to multilateral interstate relations. They were no longer willing to play the East vs. West game and they made it clear, among other things by the creation of the Non-Aligned Movement (NAM).<sup>2</sup> These states were interested in consolidating their newly acquired independence (most of them) and in catching up with the economically developed countries of both East and West; the new great debate was one conducted on the North—South axis. The UN, and in particular the General Assembly, was chosen as the central arena for this confrontation for the main reason that here the weak states have more influence than elsewhere because they are represented in greater numbers and each state is allocated one vote. The Third World/South leading coalition made strong use of symbols and of the whatever moral authority the UN

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<sup>1</sup> For that first UN period see Evan Luard, *A History of the United Nations*, *op. cit.*

<sup>2</sup> The first NAM summit conference was held in Belgrade in 1961. Also the Group of 77 was created as a spokesman for the Third World at UNCTAD I in 1964; its membership has now increased from its initial 77 members to 127 members.

possesses over world public opinion to compensate for their lack of material resources.<sup>3</sup>

There was a period after the first oil crisis (late 1973-early 1974) when the South thought they would achieve their aims on the basis of the strength— real this time and not symbolic—that they discovered they possessed. After the UN first Development Decade (1960's) that did not manage to improve things radically, the 1970's saw explicit demands on the part of the Third World for the establishment of a New International Economic Order (NIEO). These demands can be formally dated back to the 1973 conference of the NAM which took place in Algiers.<sup>4</sup>

Following the Declaration and the Programme of Action on the establishment of a New International Economic Order adopted at the Sixth Special Session of the UN General Assembly (resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974), the General Assembly adopted at its twenty-ninth session (12 December 1974, resolution 3281 (XXIX)) the "Charter of Economic Rights and Duties of States", by a vote of 120 to 6, with 10 abstentions. That document expressed the determination:

to promote collective economic security for development, in particular of the developing countries, with strict respect for the sovereign equality of each State and through the co-operation of the entire international community<sup>5</sup>

Most of the Charter's 34 articles referred to issues like private investments, transfer of technology, shared resources, international trade, foreign aid, etc., all issues approached with a sympathetic eye on Third World demands.

However, the developed countries soon recovered and the Third World returned to symbolism, not only to fight against the North but also to maintain its unity which is endangered by the all the more perceived inequalities among its members (e.g. compare OPEC countries and NICS to the Least Developed Countries). No major shift occurred and no revolutionary restructuring of the international economic system took place.<sup>6</sup> The NIEO issue is at a stalemate and it has been so for some time now. Several General

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<sup>3</sup> See M.J. Peterson, *op. cit.*, p. 189.

<sup>4</sup> See Robert W. Cox, "Ideologies and the New International Economic Order: Reflections on Some Recent Literature", in Michael Smith et al., eds., *Perspectives on World Politics*, Croom Helm, London, in association with The Open University Press, 1981, p. 413.

<sup>5</sup> "Charter of Economic Rights and Duties of States", Preamble, in General Assembly resolution 3281 (XXIX).

<sup>6</sup> See Robert F. Meagher, *An International Redistribution of Wealth and Power: A Study of the Charter of Economic Rights and Duties of States*, Pergamon Policy Studies-21, Pergamon Press, New York, 1979, pp.

Assembly resolutions urging for implementation of the NIEO have been and continue to be adopted but with no real effect.<sup>7</sup>

The East-West debate has not completely calmed down, but is no longer in the foreground, at least for the UN. The Soviet Union and its allies tried to use the new world front—South vs. North—to their benefit, by approaching the Third World coalition and voting with them on many issues, in an attempt to isolate the USA and its allies as the main culprits that were to blame and had to pay for the Third World's misfortune (see colonialism, neo-colonialism arguments, etc.). Nevertheless, they did not completely succeed and quite often the alignment of the East with the West, e.g. on UN budgetary issues, exhibits the predominance of the developed North (West and East) versus the underdeveloped South divide. However, the Soviet Union managed up to now to escape most Third World polemic.

The above short introduction provides the general setting in which the recent events that rocked the United Nations in the years since 1985 took place. The attitudes of the main protagonists in these recent events will be discussed in the rest of this chapter. The discussion focuses on the attitude of the United States, which through the withholding of part of its assessed contribution was instrumental in bringing about the recent UN financial crisis and the subsequent attempts at reform; the new approach of the Soviet Union, remarkably more positive and constructive; the attitude of some "up-and-coming" states, the new contenders for leadership on the international scene, notably the case of Japan, as well as the related issue of Security Council membership; the new, more positive approach of the Third World countries and the feasibility of having a weighted voting system introduced into the General Assembly; and, finally, the role of the Secretary-General and the Secretariat.

### **The US attitude: Origins of the recent crisis**

At the beginning of 1985, the prospects regarding US-UN relations looked better than in previous years. A discernible change in Third World attitudes towards the West and the United States in particular, "an inkling of good news", had begun to emerge, not least bred by economic problems in the South that proved

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143 and 175-177.

<sup>7</sup> See most recent General Assembly resolution, resolution 43/162 of 9 December 1988, entitled "Progressive development of the principles and norms of international law relating to the new international economic order"; it was adopted by 129 votes to none, with 24 abstentions.

the indispensability of Western economic and technical support.<sup>8</sup> Even the ultra-right-wing Jeane J. Kirkpatrick, shortly before leaving the cabinet-rank post of the chief US delegate to the UN, noted that the US position at the UN had steadily improved.<sup>9</sup> Still the US Congress chose to go ahead; the Kassebaum amendment was passed and the UN was cast into one of its worst crises ever.<sup>10</sup>

In strictly monetary terms, the amount of money involved in the US contribution to the UN regular budget, about \$200 million a year, is rather small. Not only that, but also a great part of the US contribution returns to US hands "directly through procurement in the United States by UN agencies (especially UNDP, UNICEF, and General Services, all of which are located in the United States, are headed by Americans, and purchase a sizable portion of all UN goods and services), and indirectly by virtue of being the site of UN headquarters. According to widely cited estimates, the United Nations contributes some \$700 million per year to the economy of the New York metropolitan region alone."<sup>11</sup> In any case, the UN regular budget may have tripled, from \$540 million for 1974-1975 to \$1.6 billion for 1984-1985, the US having to pay for one-fourth of those increased amounts,<sup>12</sup> but the Americans, after an initial split among themselves on this issue, finally decided that they would not favour a reduction of their assessment rate that might have as a result to deprive them of their special status and influence as the major contributor and of some posts in the Secretariat.<sup>13</sup>

The USA, in the changed world that emerged after the dust from the dismantling of the old empires settled down, often came to question its participation in the UN system agencies.<sup>14</sup> At one point, the USA withdrew from the ILO, in 1977, over accusations for "politicisation", to return in 1980,<sup>15</sup> and it is still out

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<sup>8</sup> See *Financial Times*, 26 June 1985, p. 16, leading article.

<sup>9</sup> "Kirkpatrick Asserts Some in Washington Distorted Her Views", by Bernard Weinraub, *The New York Times*, 1 February 1985, p. A1.

<sup>10</sup> See "Cut in US Contribution Approved: Congress Seeking to Force Budget Discipline on the UN", by Harrison Donnelly, *Congressional Quarterly, Weekly Report*, Vol. 43, No. 34 (24 August 1985), pp. 1668-1670. See also Chapter I of the thesis.

<sup>11</sup> John Gerard Ruggie, "The United States and the United Nations: Toward a New Realism", *op. cit.*, p. 350.

<sup>12</sup> For this and other grievances expressed by the US Congress see "Cut in US Contribution Approved: Congress Seeking to Force Budget Discipline on the UN", by Harrison Donnelly, *Congressional Quarterly, Weekly Report*, Vol. 43, No. 34 (24 August 1985), pp. 1668-1670.

<sup>13</sup> See "Reagan, in Switch, Will Bolster UN by Seeking Funds", by Elaine Sciolino, *The New York Times*, 14 September 1986, p. 11; Paul Taylor, "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work, op. cit.*, p. 223; and interview of 25 January 1989 {18}. See also Chapter II, section on the scale of assessments.

<sup>14</sup> See, for example, "US Participation in World Agencies Questioned", *Congressional Quarterly, Almanac*, Vol. XXXIII, 1977, p. 371, referring to a US Senate Government Operations Committee report.

<sup>15</sup> See Douglas Williams, *op. cit.*, pp. 55-56 and 65-66.

of UNESCO from which it withdrew in 1984. But in the 1980's, under the Reagan Administration, the US disaffection towards and disillusionment with the UN proved to have more deeply rooted causes. The UN was no more viewed as being a mere debating forum that maybe roared and annoyed at times but could safely be ignored. The conclusion was reached that the UN could pose a threat to US interests and offered an artificial forum where reality was being distorted to suit some. Individual persons and pressure groups like the renowned Heritage Foundation (a conservative think-tank and pressure group), proposed severe action to force the UN back to the "right track" of pro-liberty, pro-free-enterprise, and in general, pro-American-values positions,<sup>16</sup> as was allegedly the case during the first UN years. The people in this category increased in proportion to the increasing US disillusionment with international fora and the realisation that the USA could no longer pretend to be the enlightened world leader broadly recognised and unchallenged for ever and ever.<sup>17</sup> Americans, with their different national origins, initially viewed the UN as the tool to an international confederation that would help project at the world level the American model of success through peaceful co-operation, democratic government and the rule of law.<sup>18</sup> There was a bitter taste at the end of the dream; the UN had finally come to signify in many US minds "a place where many countries seek to achieve a lynching of the United States by resolution".<sup>19</sup>

Inefficiency, cronyism, high pay, lavish expense accounts and even corruption and illiteracy have become the all too common characteristics of the Secretariat and other UN bureaucracies. Meantime, UN agencies in New York, Paris, Geneva and Vienna serve as a valuable cover for Soviet, East European, Cuban and other espionage services hostile to the West...

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<sup>16</sup> See such Heritage Foundation publications as *A World without a UN: What would happen if the UN shut down*, Burton Yale Pines, ed., The Heritage Foundation, 1984 and Charles M. Lichenstein, et al., *The United Nations: Its Problems and What to do about Them*, *op. cit.*, For a discussion of the hostile attitudes adopted by the Heritage Foundation and its people towards the UN and their impact upon American foreign policy see "A star turns on the UN", by Arthur Gavshon, *The Guardian* (Third World Review), 21 February 1986, p. 10. Calls for action against the UN, this time addressed towards Britain, can be found in a report by Douglas Bandow, published by the London-based Adam Smith Institute; reported in *Financial Times*, "UK Urged to Cut UN Agency Aid", by Robert Mauthner, 27 January 1986, p. 2.

<sup>17</sup> See, *inter alia*, "UN at 40: Talk of a Wayward Child", by Elaine Sciolino, *The New York Times*, 4 March 1985, p. A3 and Thomas M. Franck, *Nation Against Nation: What happened to the UN Dream and What the US can do about It*, Oxford University Press, New York, 1985, chapter 1. But contrast with John Gerard Ruggie's view that: "Contrary to popular myth, there never was a "golden age" in US-UN relations..."—in John Gerard Ruggie, "The United States and the United Nations: Toward a New Realism", *op. cit.*, p. 344.

<sup>18</sup> See Alan L. Keyes, "Fixing the UN", *op. cit.*, p. 12.

<sup>19</sup> Vernon Walters quoted by Elaine Sciolino, "At UN, Walter Hopes to Avert "Lynching" of US", *The New York Times*, 31 May 1985, p. A2.

Most dangerous, perhaps, is the UN's crusade against the free enterprise system. In many respects, the UN has become the headquarters and strategic planning center of an anti-free enterprise campaign.<sup>20</sup>

Idealism (of the interested kind) gave place to realism and cynicism.<sup>21</sup> Some people even advocated the creation of "an [new] international organisation for the collective defence of democracy", where, naturally, the USA would have the leading role again.<sup>22</sup>

The USA had concluded that kind words were of no more use—obviously, others were also good, if not better, at that—and had decided to take the stick and make "governments realise that their representatives' voting behaviour at the United Nations is taken very seriously."<sup>23</sup> After exhaustive "number-crunching" in the US State Department and UN mission and even by individuals, the Americans discovered, to their great annoyance, that countries receiving significant amounts of US aid, like Mexico and Egypt, among others, did not vote with the USA at the UN most of the time,<sup>24</sup> and as a result the US "remain[ed] isolated in the world's most visible international forum", "despite [its] prominence on the international stage"<sup>25</sup>. For example, the US mission to the UN calculated that, on average, during the 1985 General Assembly session, member states voted on the same side as the US only 22.5% of the time.<sup>26</sup> This

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<sup>20</sup> "Introduction" by Burton Yale Pines, Vice President, The Heritage Foundation, in Burton Yale Pines, ed., *op. cit.*, pp. x and xi.

<sup>21</sup> See André Fontaine, "Beyond Wilson and Rambo", *Foreign Policy*, No. 65 (Winter 1986-87), pp. 36-38.

<sup>22</sup> "Going Outside the UN", op-ed article by Thomas M. Franck, *The New York Times*, 4 June 1985, p. A29. See also Thomas M. Franck, *Nation Against Nation*, *op. cit.*, p. 272. Nevertheless, in a discussion with him in New York in January 1989, Professor Franck said that he did not advocate the USA leaving the UN, especially now, in view of the World Body's increased prominence and effectiveness; his speculation on possible US withdrawal in the past was just an exploration of alternatives under the then prevailing circumstances of increasing US dissatisfaction with the UN, something which is definitely no longer the case.

<sup>23</sup> "What Is and Is not Achievable at the UN", letter by Allan Gerson, special counsel to the US permanent representative to the UN, *The New York Times*, 16 March 1985, p. A22.

<sup>24</sup> See, for example, "Our Alleged UN Friends", op-ed article by Senator Robert W. Kasten, Jr., *The New York Times*, 17 June 1985, p. A19, also published in *The International Herald Tribune*, under the title "US Friends Can Easily be Counted", 21 June 1985, p. 6. For (negative) reactions to the latter article see letters to the Editor in *The International Herald Tribune* of 1, 2 and 6-7 July 1985 (pp. 6, 4 and 4 respectively). See also "US Warns Countries About Votes at UN", *The New York Times*, 16 May 1986, p. A2.

<sup>25</sup> "Friends Owe Us Their Votes", op-ed article by Senator Robert W. Kasten, Jr., chairman of the Foreign Operations Subcommittee of the Senate Appropriations Committee, *The New York Times*, 23 May 1986, p. A31.

<sup>26</sup> See "Report Shows US Was Outvoted In the UN Through Most of 1985", by Elaine Sciolino, *The New York Times*, 4 July 1986, p. A4. The percentage of agreement of each individual state with the US at the UN is also given in this article. Of course, as a person that I interviewed told me, the USA should not only examine who and how often votes with it at the UN (the common case is Israel voting the same as the USA on all issues that are not of direct interest to the Israelis), but they should also examine how many times they vote with the rest of the world...—From interview of 17 January 1989 {13}. Another element to be taken into consideration is the fact that a large number of resolutions is adopted at the UN by consensus (see following).

"number-crunching" has been institutionalised through an amendment sponsored by Senator Robert W. Kasten, Jr., Republican of Wisconsin, and passed by the US Congress requiring an annual report by the State Department to the Congress "detailing the voting records of other countries in the United Nations".<sup>27</sup> As John Gerard Ruggie observes: "...the idea was to hold other countries accountable for their UN voting in the reckoning of US foreign aid".<sup>28</sup>

US hostility towards the UN also arises from the treatment of Israel by the World Body and its pro-Palestinian and pro-Arab majority. The USA has clearly stated that it would suspend its participation in the UN General Assembly or any Specialised Agency, in case Israel is "illegally" denied participation in any of these fora. The USA would also reduce payment of its annual assessed contribution to the UN or any specialised body by 8.34% for each month its participation were to be suspended for the above reason.<sup>29</sup>

The US assault at the UN during the Reagan era can be partly understood as a manifestation of the wave of neo-conservatism that swept across the Western world in the early 1980s. This new/old approach to government puts great emphasis on efficiency and favours a slim public sector.<sup>30</sup> In this sense, the US action was a "rational" protest against the "irrational" management of the United Nations, especially of its finances. Many members of the US Congress criticised the tripling of the UN budget in the ten years prior to 1985 and the use of this money to finance a top-heavy bureaucracy and obsolete and often anti-American and/or anti-Israeli etc. projects. The General Assembly's 1984 decision (see resolution 39/236 of 18

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On the obscurity of "number-crunching" see also "What will keep the UN Afloat?: An End to US Narcissism", op-ed article by Theodore C. Sorensen, *The New York Times*, 15 September 1986, p. A15. See also acknowledgement of related problems by Vernon A. Walters, US Permanent Representative to the UN, in Vernon A. Walters, *US Interests in the United Nations*, op. cit., p. 2.

<sup>27</sup> See US Public Laws 98-164 and 99-500 referred to in Robert W. Gregg, op. cit., fn. 37 (p. 57). See also "Controversial Issues Sidestepped: Senate Easily Passes Foreign Aid Funding Bill", by John Felton, *Congressional Quarterly, Weekly Report*, Vol. 46, No. 28 (9 July 1988), p. 1912. The first such report was submitted to Congress in 1983—as reported in "Report Shows US Was Outvoted In the UN Through Most of 1985", by Elaine Sciolino, *The New York Times*, 4 July 1986, p. A4.

<sup>28</sup> John Gerard Ruggie, "The United States and the United Nations: Toward a New Realism", op. cit., p. 344 (fn. 5).

<sup>29</sup> See PL 98-164, "Department of State Authorisation Act, Fiscal Years 1984 and 1985", Section 115, contained in *Senate Document No. 21: Appropriations, Budget Estimates, Etc., 98th Congress, 1st Session*, United States Congressional Serial Set, Serial Number 13502, US Government Printing Office, Washington, D.C., 1986, p. 765, as amended in PL 99-93, Section 142, contained in *Senate Document No. 1...*, op. cit., p. 1303 and PL 100-204, Section 704, contained in *United States Code Annotated*, March 1988, Pamphlet Number 6, Statutory Supplement, Public Laws 100-176 to 100-242, uncodified, West Publishing Co., St. Paul, Minn., 1988.

<sup>30</sup> See Yves Beigbeder, *Management Problems...*, op. cit., pp. 159-161. See also Paul Taylor "Reforming the System: Getting the Money to Talk", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at work*, op. cit., p. 221.

December 1984, section III) to spend \$73.5 million for a conference centre in famine-stricken Ethiopia outraged even consistent proponents of the UN.<sup>31</sup>

In the examination of the factors that shaped (and continue to shape) the US attitude towards the United Nations one should not underestimate the importance of US domestic factors. At the time of the passing of the US hostile legislation, the UN was conceivably a convenient scapegoat, sufficiently exposed to media coverage, for the US, the US Congress in particular, to show its determination for US federal budget cuts and budget balancing; the UN was held in low esteem in the US at the time of the American action, anyway.<sup>32</sup> So, if the UN could not be useful to US politicians who would gain votes by pledging their support to it, it could be of some use by offering an easy target to attack publicly. Richard N. Gardner offers us some insights into the internal causes of the American hostile attitude towards and disillusionment with the United Nations:

Some profound changes have been taking place in our [the US] domestic political and social structure—the decline in the influence of the Eastern internationalist establishment in both political parties, the rise in power of single-issue interest groups, and the collapse of central leadership and party discipline in a Congress increasingly inclined to micromanage foreign policy. These changes make it harder for any president today to support international agencies in the same way as did Truman, Eisenhower, Kennedy and Nixon. To paraphrase something recently said to this writer by a friendly European observer, the question now is whether constituency politics as presently practiced in America can be reconciled with American leadership in a cooperative, rule-based international system.<sup>33</sup>

Douglas Williams, examining the political background against which the Kassebaum amendment was passed by the American Congress, distinguishes among three groups that allied in support of the amendment, "three groups, representing a continuum of opinion about the United Nations".<sup>34</sup>

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<sup>31</sup> "Kassebaum Bill Has UN Worried", by Elaine Sciolino, *The New York Times*, 6 October 1985, p. A22. Senator Kassebaum used this emotional argument about famine-stricken Ethiopia to justify her amendment during its being debated in Congress; reported in Douglas Williams, *op. cit.*, pp. 96-97.

<sup>32</sup> See above and "UN holds on by thin financial thread", *Financial Times*, 29 April 1986, p. 6.

<sup>33</sup> Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, p. 830.

<sup>34</sup> Douglas Williams, *op. cit.*, p. 98.

—A vociferous but not that powerful group are the isolationists, who view most international organisations with suspicion and even advocate US withdrawal from the United Nations and removal of the UN headquarters from the USA.<sup>35</sup>

—A second and most influential group judges UN performance purely on grounds of the UN being a useful instrument for the conduct of US foreign policy and wants to reassert the predominant role of the USA within the United Nations.

—A third group of people according to Douglas Williams comprises those who overall support the UN, though they may disagree on individual decisions and attitudes, and would sincerely like to see it reformed in the direction of greater efficiency, effectiveness and credibility. Senator Nancy Kassebaum, although it sounds bizarre, is considered to belong to this latter group.<sup>36</sup>

Did the US Congress realise when passing the Kassebaum amendment that they were asking for an amendment of the United Nations Charter? Taken at its word, the Kassebaum amendment stipulates (see also Chapter I) that the US Secretary of State "shall seek the adoption by the United Nations and its specialised agencies of procedures which grant voting rights to each member state on matters of budgetary consequence. Such voting rights shall be proportionate to the contribution of each such member state to the budget of the United Nations and its specialised agencies".<sup>37</sup> This seems to contradict the provisions of Article 18 of the United Nations Charter that "[e]ach member of the General Assembly shall have one vote" (Article 18(1)) and that decisions on important questions, explicitly including "budgetary questions", "shall be made by a two-thirds majority of the members present and voting" (Article 18(2)).<sup>38</sup> When President Carter had in the past examined the decision-making processes in the UN and in particular the possibility of

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<sup>35</sup> Interestingly enough, in 1983, Mr. Lichenstein, representing the Reagan Administration in the UN, said to disgruntled UN members that they were free to move the Organisation elsewhere and that he and other Americans would be "down at dockside waving you a fond farewell as you sail into the sunset"; President Reagan initially endorsed the remark. Reported and quoted in "For UN at 40, US's Mixed Message from Reagan", by Francis X. Clines, *The New York Times*, 17 September 1985, p. A1.

<sup>36</sup> See Douglas Williams, *op. cit.*, pp. 98-99. Indeed, Senator Kassebaum's constructive approach can be seen in her advocating the lifting of the amendment bearing her name, after the compromise achieved in the General Assembly following the G-18 report (see also below) and in her participation in the International Panel set up to devise a plan of general structural reform for the UN under the auspices of the UNA-USA (see Chapter III).

<sup>37</sup> From the text of the Kassebaum amendment, Section 143 of US Public Law 99-93. The full text of the amendment can be found in *Senate Document No. 1...*, *op. cit.*, p. 1303.

<sup>38</sup> For a review of US withholding of UN dues, the Kassebaum amendment and its possible legal justifications, see Elisabeth Zoller, "The "Corporate Will" of the United Nations and the Rights of the Minority", *American Journal of International Law*, Vol. 81, No. 3 (July 1987), pp. 610-634.

introducing a weighted voting system in the General Assembly, he had concluded that there was no prospect of such a system being adopted, even on a limited basis. The trend, the President recognised, was to expand the General Assembly one-country-one vote principle to other global institutions. To push with weighted voting could involve unacceptable trade-offs from the American side, like sharp curtailment of the veto power in the Security Council. As a result, President Carter opted for self-restraint in the use of the veto in the Security Council and encouragement of consensus decision-making in the General Assembly and other UN organs. Decisions arrived at through consensus should be given substantially greater weight.<sup>39</sup>

Many expressions of disapproval were heard, even from within the United States, as reactions to the apparent attempt "to overturn a treaty by an amendment to a domestic appropriations bill".<sup>40</sup> Western countries, in particular those of the European Community, repeatedly expressed their concern to the Reagan Administration over US action against the UN,<sup>41</sup> although they also shared US concerns and dissatisfaction as regards UN spending.<sup>42</sup>

The US Administration that initially supported action against the UN finally realised the danger to its own foreign policy objectives posed by an anticipated UN collapse and tried to persuade the Congress to restore payments to the Organisation.<sup>43</sup> The reforms introduced after the G-18 report were also deemed satisfactory enough for the US ambassador to the UN, Lt. General Vernon Walters, to say in early 1987 that

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<sup>39</sup> See "The President's Report on the Reform and Restructuring of the UN System", *op. cit.*, pp. 63-64. About the difficulties in bringing about the establishment of weighted voting in UN fora see Douglas Williams, *op. cit.*, pp. 99-100.

<sup>40</sup> "Why the UN is Worth Saving", op-ed article by Harvey J. Feldman, vice president of the Institute for East-West Security Studies, *The New York Times*, 2 June 1986, p. A17. See also "Kassebaum Bill Has UN Worried", by Elaine Sciolino, *The New York Times*, 6 October 1985, p. A22.

<sup>41</sup> See "Allies in UN Protest on Budget", by Elaine Sciolino, *The New York Times*, 18 March 1986, p. A10, with parts of the EC countries' letter to the US Secretary of State George P. Shultz, where the Europeans express concern regarding the inability of the US Administration to comply with its international treaty obligations due to US legislation like the Gramm-Rudman-Hollings act and the Kassebaum amendment; they also made clear that they, who collectively pay 30% of the UN budget, would not increase their contributions to make up for the US cuts. See also *Financial Times*, "EEC angry over US threat to UN budget", 19 March 1986, p. 4 and "UN holds on by thin financial thread", 29 April 1986, p. 6 about the EC attitude towards the US in view of the latter's UN contribution cuts.

<sup>42</sup> "Other major donors, including the Soviet Union, Japan and Great Britain, are known to be unhappy with the organisation's spending but have taken a less public role in forcing the issue. Diplomats here said British, American and Soviet delegates held secret meetings as early as 1983 to discuss ways of cutting the budget"—quotation from "UN, Facing Pinch, Seeks New Budget Rules", *The New York times*, 14 December 1986, p. A31.

<sup>43</sup> See "White House may lobby Congress to help UN", by Nancy Dunne, *Financial Times*, 15 September 1986, p. 3.

the Administration was going to request from the Congress the full US assessment and was also going to acknowledge the debt for the previous years that it would make arrangements to be paid off.<sup>44</sup> Quoting *The New York Times* in announcing the Administration's turn: "United Nations analysts say the problem resulted from a policy that backfired. "What the Administration first saw as a tactic of using Congress to legislate pressure on the United Nations has turned into a strategic blunder", said Edward C. Luck, president of the United Nations Association, an independent research group. "Now Congress is out of control."<sup>45</sup> The Congress would not listen to an increasingly disapproving world public opinion,<sup>46</sup> giving ground to speculation about resurgent US isolationism and single-minded preoccupation with domestic politics,<sup>47</sup> that could bring upon the UN the League of Nations' fate, a bit delayed, and/or trimming of commitments in view of declining economic strength.<sup>48</sup>

In any case, what is striking is the broadly acknowledged fact that the official USA have no constructive/positive proposals to make for reforming the UN or for conducting multilateral affairs, in general. This "inability... to define and maintain any kind of strategic orientation toward the United Nations", unlike other states or groups of states, has as a result the UN forums to debate the visions of others, not of the USA, and the US attitude to "oscillat[e] wildly between accommodationism, rejectionism, and

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<sup>44</sup> See "US to "resume" paying its full share of UN costs", by Edward Mortimer, *Financial Times*, 23 February 1987, p. 4.

<sup>45</sup> "Reagan In Switch, Will Bolster UN by Seeking Funds", by Elaine Sciolino, *The New York Times*, 14 September 1986, p. A1. As an example of this turn of the Administration, see "Why Imperil UN Reform?", op-ed article by Alan L. Keys, Assistant Secretary of State for International Organisation Affairs, *The New York Times*, 25 September 1986, p. A31. See also Paul Taylor et al., "The Financing of the United Nations", *op. cit.*, pp. 289-290 and interviews of 19 October 1988 {3} and 29 December 1988 {6}.

<sup>46</sup> "[A]n elusive but not quite meaningless concept", as Edward Mortimer observes in his "The same script, the same error", *Financial Times*, 1 September 1987, p. 17.

<sup>47</sup> See Paul Taylor et al., "The Financing of the United Nations", *op. cit.*, p. 290. The State Department often finds itself in a difficult position when negotiating with the Congress for money as, unlike other governmental agencies, it has no domestic constituency to use as a lever and finally appeal to; on this see Grégory Théodore Kruglak, *The Politics of United States Decision-Making in United Nations Specialised Agencies: The Case of the International Labour Organisation, 1970-72*, Thèse présentée à l' Université de Genève pour l' obtention du grade de Docteur ès Sciences Politiques, Thèse No. 317, University Press of America, Washington, D.C., 1980, pp. 85-86. Nevertheless, not all UN agencies are unpopular with the US Congress—consider the case of UNICEF, in *Congressional Quarterly, Weekly Report*, Vol. 46, No. 20 (14 May 1988), p. 1294 and Vol. 46, No. 26 (25 June 1988), p. 1745.

<sup>48</sup> Of course, isolationism is not the only or the most sane way to cope with declining hegemonic power. Richard N. Gardner, in a recent article of his, argues that: "The case for multilateralism will be particularly compelling as we face a new era in which our [the US] relative power has declined and we will need to share economic burdens and political responsibility, not just with Europe and Japan, but with emerging power centres in the developing world."—From Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, p. 827. Voices asking for the USA to use its scarce resources to help economic and social development abroad and to stop putting its money into short-term military-security aid also exist; see John W. Sewell and Christine E. Contee, "Foreign Aid and Gramm-Rudman", *Foreign Affairs*, Vol. 65, No. 5 (Summer 1987), pp. 1015-1036.

pragmatism, but at no time [to be guided] by a clear strategic concept of the potential contribution of the United Nations to the kind of world order [the US] desire".<sup>49</sup> A call for the adoption by the USA of a strategy of "practical internationalism" which is the "middle way between the twin perils of dogmatic unilateralism and utopian multilateralism" might prove promising, if listened to.<sup>50</sup>

Finally, the Congress heeded to calls by those like Senator Kassebaum and members of the US Administration who thought that the UN had made steps in the right direction which should be recognised. The Kassebaum amendment was modified in 1987 to allow for the restoration of the US assessed contribution to the UN to its full amount which could now be paid in three stages.<sup>51</sup> Only 40% of the contribution could be paid at the beginning of the US fiscal year for which it had been appropriated. Another 40% would be released after the President certified to the Congress that UN reforms were being implemented. In particular, the President had to report on the successful implementation of UN General Assembly resolution 41/213, especially the provisions regarding decision-making by consensus on budgetary issues; the limitation to a maximum of 50% of the nationals of any country on the Secretariat serving on secondment (as recommended by the G-18); and the 15% reduction in the staff of the Secretariat. The remaining 20% of the contribution would be released thirty days after the submission of the above report by the President, unless the Congress expressed its objection in a joint resolution within that period. The Congress also authorised the Administration to restore cutbacks effected through the Kassebaum Amendment "[s]ubject to the availability of appropriations", which means if money could be found.<sup>52</sup>

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<sup>49</sup> From John Gerard Ruggie, "The United States and the United Nations: Toward a new Realism", *op. cit.*, pp. 354-355.

<sup>50</sup> Richard N. Gardner, "The Case for Practical Internationalism". *op. cit.*, p. 831.

<sup>51</sup> See Section 702 of the "Foreign Relations Authorisation Act, Fiscal Years 1988 and 1989" (US Public Law 100-204—December 1987); the text of the Law can be found in *United States Code Annotated, op. cit.*

<sup>52</sup> See US PL 100-204, Section 702.—Unlike the original Kassebaum Amendment, this Section has a termination date: 30 September 1989. See also Robert W. Gregg, *op. cit.*, pp. 24-31; "Administration Wants More Money: Funding Impasse Imperils State Department Bill", by John Felton, *Congressional Quarterly, Weekly Report*, Vol. 45, No. 14 (4 April 1987), p. 622; and "Administration Unhappy With Congressional Strings: Congress Clears State Department Measure", by Steven Pressman, *Congressional Quarterly, Weekly Report*, Vol. 45, No. 51 (19 December 1987), p. 3124. Interestingly enough, by the same Law (PL 100-204, Sections 721-730), a "United States Commission on Improving the Effectiveness of the United Nations" was established to:

"(1) examine the United Nations system as a whole and identify and evaluate its strengths and weaknesses; and

(2) prepare and submit to the President and to the Congress recommendations on ways to improve the effectiveness of the United Nations system and the role of the United States in the United Nations system, including the feasibility of and means for implementing such recommendations".

This part of the Law was to take effect on 1 March 1989 and the Commission is expected to transmit its report within 20 months after that date.

The situation regarding the fate of the UN and US-UN relations continued to look somewhat uncertain until the summer of 1988, when the "outbreak of peace" took place. One after the other several long-standing regional conflicts apparently took the road to settlement and the UN played a predominant role in this process (see Afghanistan, Iran-Iraq, Namibia, etc.), perhaps mainly symbolic but still indispensable in many respects.<sup>53</sup> This period was also marked by the last months in office of President Reagan who would definitely not like to leave behind as his final legacy "the collapse of the house of peace".<sup>54</sup> As a matter of fact, a couple of weeks before the President's scheduled speech to the UN General Assembly, on 26 September 1988, and approaching the US presidential elections, it was announced that the USA, satisfied by the progress made by the UN in the direction of reform, especially with regard to the budgetary process and the reduction of personnel, would arrange to pay its dues to the world body.<sup>55</sup> Not everything went smoothly after that announcement but by the end of 1988 there was good reason to believe that the money withheld by the US Administration would somehow finally be paid and the US contribution to the UN regular budget would be restored, especially after the success in practice of the newly established budget formulation process.<sup>56</sup> Nevertheless, disagreement over the management of UN finances seems inevitable to continue in one way or another, as the recent dispute over the cost—and therefore the extent—of the UN operation for the independence of Namibia shows.<sup>57</sup>

An event that exemplified the deep cracks in the US commitment to the UN, irrespective of the US withholding of funds and budget related issues, occurred in a dramatic way in late November - early December 1988, when Secretary of State Shultz, urged by US Congressmen, denied a visa to Yasser Arafat to address the UN General Assembly in New York, despite the conciliatory tone that Arafat had previously

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<sup>53</sup> See below section on the role of the Secretary-General and the Secretariat.

<sup>54</sup> UN Under-Secretary-General Joseph Verner Reed (US national) addressing President Reagan—quoted from *The Wall Street Journal* in "US Cash Coming to UN Any Day Now... Any Day", *The Diplomatic World Bulletin*, Vol. 18, No. 10 (17-24 October 1988), p. 10.

<sup>55</sup> For details see Chapter II, section on the financial situation of the United Nations in late 1988 - early 1989. See also an assessment of this change in US attitude in "Speech by Reagan to UN Today Seen as Sign of Change in Attitude", by Julie Johnson, *The New York Times*, 26 September 1988, p. A6. Following President Reagan's address to the UN General Assembly see also "Mr Reagan, the Multilateralist", editorial article, *The New York Times*, 27 September 1988, p. A 34.

<sup>56</sup> See Chapter II about the consensus agreement finally reached on the UN budget outline for 1990-1991 and "UN Assembly votes "Reform" Budget", by Paul Lewis, *The New York Times*, 22 December 1988, p. A3.

<sup>57</sup> See "Senate Rejects Aid for UN Troops", by Susan F. Rasky, *The New York Times*, 24 October 1988, p. A3 and "UN Chief Warns of Cost of Peace", by Paul Lewis, *The New York Times*, 11 December 1988, Section 1, p. 4.

adopted in the Palestinian National Council in Algiers in early November 1988.<sup>58</sup> The UN General Assembly, after condemning the US action as a violation of the US international legal obligations as the host country for the UN, under the 1947 Headquarters Agreement between the USA and the UN, and after issuing a sort of an ultimatum to the United States to no result,<sup>59</sup> moved its debate on the Palestinian question to Geneva,<sup>60</sup> in order to enable Arafat to address it. The final outcome of all this is well known: In a press conference on the occasion of his UN speech Arafat explicitly accepted the US conditions for dialogue with the PLO and the dialogue soon actually started. Indeed, this whole mess had a happy ending, or rather a somewhat hopeful start for the prospects of peace in the Middle East. If one accepts that the end justifies the means and if indeed one accepts that what was in the US officials' minds when they rejected the visa application of the PLO leader was exactly the end finally achieved, then one can sympathise with the American action.<sup>61</sup> But as far as the UN and its prestige is concerned, its treatment by the USA left a lot of questions to be answered about the seriousness of the American commitment to multilateralism and to the World Body.

In addition to the above, the USA record of voting at the forty-third session of the General Assembly, the final year of the Reagan Administration, was once again disquieting, as shown on Table IV.1 (see following page).<sup>62</sup> It is obvious from this table that the US attitude has been the most negative, the USA being in the minority in 84 out of 135 instances of voting and abstaining in an additional 35 instances. Although the findings look less grave if one includes the large number of resolutions adopted without a vote, where everybody, including the USA, apparently, at least, was on the winning side, the fact remains that the USA

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<sup>58</sup> For a more detailed look at Shultz's decision and the internal US fighting behind it see "Shultz's Last Stand: Why he fought to keep Arafat away from the UN", *Time*, New York, 5 December 1988, p. 23. For an urging to let Arafat speak in New York, see "Let Arafat Speak his Piece", by Flora Lewis, *The New York Times*, 27 November 1988, Section 4, p. 15.

<sup>59</sup> See General Assembly resolution 43/48 of 30 November 1988, adopted by a roll-call vote with 151 states voting for the resolution, 2 against (Israel and the USA) and 1 abstaining (the UK). See also "US Gets Deadline from UN on Barring Arafat", by Paul Lewis, *The New York Times*, 1 December 1988, p. A6.

<sup>60</sup> See General Assembly resolution 43/49 of 2 December 1988, adopted by a recorded vote with 154 votes for, 2 against (Israel and the USA) and 1 abstention (the UK).

<sup>61</sup> See answer on these lines jokingly given by former US Assistant Secretary of State Richard Murphy (who reportedly favoured giving Arafat a visa to address the UN in New York—see "Shultz's Last Stand: Why he fought to keep Arafat away from the UN", *Time*, 5 December 1988, p. 23), during a talk that he gave at the University of Kent at Canterbury, on "The Search for Peace in the Middle East", on 9 February 1989.

<sup>62</sup> For the compilation of Table IV.1 records of the voting in the General Assembly were obtained from the United Nations publication *Resolutions and Decisions Adopted by the General Assembly during the First Part of its Forty-Third Session (from 20 September to 22 December 1988)*, Department of Public Information, United Nations, New York, Press Release GA/7814, 16 January 1989.

Total number of resolutions adopted:	324	
		%
Resolutions adopted without a vote:	188	58.02
Resolutions adopted by recorded vote:	127	39.20
Resolutions adopted by roll-call vote:	8	2.47
Resolutions adopted by a non-recorded vote:	1	0.31

Selected country attitudes based on their voting behaviour as recorded in the 135 instances of voting by recorded and roll-call vote during the 43rd Session of the UN General Assembly (20 September - 22 December 1988)*												
	VOTES											
	YES			NO			ABST.			NON-P./A.		
	No.	%		No.	%		No.	%		No.	%	
		**	***		**	***		**	***		**	***
Israel	26	19.26	8.02	49	36.30	15.12	52	38.52	16.05	8	5.93	2.47
Japan	62	45.93	19.14	12	8.88	3.70	59	43.70	18.21	2	1.48	0.62
USSR	128	94.81	39.51	1	0.74	0.31	2	1.48	0.62	4	2.96	1.23
UK	39	28.89	12.04	38	28.15	11.73	56	41.48	17.28	2	1.48	0.62
USA	13	9.63	4.01	84	62.22	25.93	35	25.93	10.80	3	2.22	0.93

YES= vote for the resolution finally adopted  
 NO= vote against the resolution finally adopted  
 ABST.= abstention  
 NON-P./A.= non-participation in the voting or absence

- \* In some cases countries advised the UN Secretariat after the vote that they had intended to vote in a different way but this is not taken into account and, in any case, it would not change the above results significantly.
- \*\* Number of votes expressed as a percentage of the 135 instances of recorded and roll-call vote.
- \*\*\* Number of votes expressed as a percentage of the total number of resolutions adopted with or without a vote.

Table IV.1

is the most isolated member of the General Assembly.<sup>63</sup>

The US attitude at the UN, as exemplified by the information presented above, reflects a US preference for bilateralism, "oligo-lateralism", and, kept as a last resort, in case the other two approaches do not work, unilateralism—certainly not multilateralism of the UN kind. Bilateralism is relevant to the USA-USSR relations that, especially during the second Presidential term of Ronald Reagan, were the central focus of US foreign policy, with regular summit meetings and the signing of the INF treaty for the elimination of medium- and shorter-range nuclear missiles from Europe. "Oligo-lateralism", or eclectic multilateralism, is relevant to the US close relations with its military allies, especially within NATO, and with its economic allies/competitors in a series of fora of varying exclusiveness, like the OECD, the Group of 7 most developed Western states, etc. Unilateralism is manifested, *inter alia*, in such UN-related actions as the non-payment of significant parts of the US contribution, the denial of a visa to Arafat, etc. The US friends and foes alike are aware of this US approach that basically limits the scope of US participation to the UN to damage minimisation<sup>64</sup> and to the pursuit of the few goals that the Americans think should be pursued by the UN, like human rights protection, war against drug trafficking, peacekeeping, and a few others.<sup>65</sup>

The new US President, George Bush, made moves early in his term, to show a more positive and creative approach towards the United Nations. Symbolically, perhaps, the UN Secretary-General was the guest of honour at the first White House dinner of the Bush Presidency, on 24 January 1989.<sup>66</sup> Time will show whether the new President, who, interestingly enough, has served as his country's representative to

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<sup>63</sup> Of course, some Americans might choose to say that the USA is the most discriminated against and abused member of this central international forum. Hopefully, although this could be understood as a first reaction, it would not stop there but would stimulate some thinking upon the US attitude at the UN within the USA. For the voting behaviour of states in previous years and the increasingly negative attitude of the United States in recent years see Miguel Marín Bosch, "How Nations Vote in the General Assembly of the United Nations", *International Organisation*, Vol. 41, No. 4 (Autumn 1987), especially pp. 713-724.

<sup>64</sup> In the political field, at least before the 1988 UN successes in the settlement of regional disputes, it seems that the US strategic objective has been damage limitation and minimisation, certainly through the use of veto in the Security Council. Another characteristic of US attitude within the UN, as I had the chance to discover for myself at UN Headquarters during the 43rd session of the General Assembly, seems to have been a sort of "let's educate the barbarians" approach, using "jeremiads" and keeping an overall arrogant stance.

<sup>65</sup> See interview of 19 October 1988 {3}.

<sup>66</sup> See "Bush to meet UN Chief", *The New York Times*, 19 January 1989, p. B 11, announcing the invitation by President Bush to the Secretary-General. See also *The Diplomatic World Bulletin*, Vol. 19, No. 2 (13-20 February 1989), p. 1.

the United Nations in New York from March 1971 to February 1973,<sup>67</sup> will turn out to be more cooperative and serious about the UN, and whether he will go for a "kinder and gentler world", along with his electoral campaign promise of a "kinder and gentler nation". There seems indeed to be some qualified optimism in many quarters.<sup>68</sup> In general, the approach of the new US Administration to international problems seems to be rather more "enlightened", judging by some first signs, like the embracement of ecological concerns by the new US Secretary of State, James Baker.<sup>69</sup> Finally, it would be a welcome move if President Bush and his Administration embarked upon a peace counter-offensive to the Soviet offensive systematically pursued by Mikhail Gorbachev.<sup>70</sup> Certainly the world would stand to gain rather than lose from such a development.

### **The Soviet attitude: An attack of goodwill**

While the US was attacking the UN driving it to bankruptcy, the Soviet Union, well into the Gorbachev era, was launching an "attack of goodwill" at the World Body. Probably these two things are not unrelated, the USSR wanting to capitalise on what it perceives to be a US weak point or mistake, but there are indications that, at least, this is only part of the truth.

It has not always been like this. Under Gorbachev the Soviet Union has developed a new face, if not a new character, in many aspects of its internal and foreign policies, including its attitude towards the United Nations. But before "glasnost" and "perestroika" it was widely accepted that:

The Soviet Union has participated in the United Nations for limited purposes and certainly with limited expectations. If... there is in the United States an acute contrast between hopes and results in the UN, no such hiatus exists on the Soviet side—simply because Moscow had no

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<sup>67</sup> See "Bush to Meet UN Chief", *The New York Times*, 19 January 1989, p. B 11.

<sup>68</sup> See "George Bush's New World", editorial article, *The New York Times*, Sunday 15 January 1989, Section 4, p. 26 and interview of 27 January 1989 {20}.

<sup>69</sup> See "Joint Effort Urged to Guard Climate", by Philip Shabecoff, *The New York Times*, 31 January 1989, p. C7.

<sup>70</sup> "I will argue that Washington should take the lead in formulating an aggressive Western diplomatic agenda aimed at testing Gorbachev at his word. His new thinking includes many intriguing concepts and suggestions. We should begin with a working hypothesis that Gorbachev really means what he says, and that, as an intelligent leader, he also understands the logical implications of his statements. The challenge is to formulate equally far-reaching proposals for Soviet actions that advance Western interests through propositions that Gorbachev cannot refuse—if he means what he says."—Graham T. Allison, Jr., "Testing Gorbachev", *Foreign Affairs*, Vol. 67, No. 1 (Fall 1988), p. 19. See also Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, p. 828.

such naïve expectations to begin with. It sees membership as a contract based on the mutuality of certain interests. The United Nations, it maintains, has no rights or powers of its own—only those derived from its member states. It is at all times an organ subordinate to these states, not the independent voice of a world conscience or of a common will.<sup>71</sup>

The United Nations had in the past been consistently regarded by the Soviet Union "as an instrument, although depending largely on whether at a given time the UN was construed as a tool of American imperialism or as something to be exploited by the "peace" forces" and as "a rostrum, a forum, and an arena".<sup>72</sup> The realisation that the UN could be an independent actor that could act even against the Soviet interest came for the Soviets through the Congo experience and prompted Khrushchev to propose the replacement of the Secretary-General (Dag Hammarskjöld, at that time) by a "troika" consisting of three members, each representing one of the three major ideological blocs at the world level, the socialist states (East), the West and the nonaligned states (NAM). The whole UN Secretariat should be reorganised on these lines.<sup>73</sup> Nevertheless, "[f]rom Soviet commentary it appears that whereas in the early sixties Soviet observers were fearful that unless steps were taken the UN might again act in opposition to Soviet interest, Soviet observers in the mid-sixties no longer regard[ed] such a prospect as a serious possibility".<sup>74</sup> After being in a permanent minority during the first UN decade and the Cold War, the USSR approached the then emerging developing country/non-aligned majority in the United Nations and voted with it on many issues, "including the three that inspire the greatest Third World emotion: revision of the global economic system, South Africa and the Arab-Israeli conflict"<sup>75</sup> (though not the UN budget), guaranteeing itself a relatively easy ride. However, the USSR did not manage to escape its inclusion by the Third World in the developed "North" that had an obligation "to redress the economic wrongs of centuries", in relation to a NIEO, and was criticised for its 1979 military intervention in Afghanistan.<sup>76</sup>

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<sup>71</sup> Alexander Dallin, *The Soviet Union at the United Nations: An Inquiry into Soviet Motives and Objectives*, Methuen & Co., London, 1962, p. 189.

<sup>72</sup> William Zimmerman, *Soviet Perspectives on International Relations: 1956-1967*, Princeton University Press, Princeton, New Jersey, 1969, pp. 107-108.

<sup>73</sup> See *ibid.*, pp. 109-113 and Norman L. Hill, *International Politics*, Harper & Row, Publishers, New York and Evanston, 1963, p. 374.

<sup>74</sup> See William Zimmerman, *op. cit.*, pp. 113-114.

<sup>75</sup> M.J. Peterson, *op. cit.*, pp. 45-46. See also *ibid.*, p. 60.

<sup>76</sup> See Margot Light, *The Soviet Theory of International Relations*, Wheatsheaf Books, Brighton, Sussex, 1988, pp. 112, 133 and 230-233 and Klaus von Beyme, *The Soviet Union in World Politics*, Gower Publishing Company, Aldershot, Hants, 1987, pp. 127-128.

From the mid-1980's onwards, a new era in USSR-UN relations seems to have been inaugurated by the present Soviet leadership. The new approach becomes clear from the following quotation from Mikhail Gorbachev's report at the festive meeting for the 70th anniversary of the October Revolution:

We have come out resolutely for strengthening the prestige of the United Nations, for the full and effective use of the powers conferred upon it and its agencies by the international community.

We are doing our best to enable the United Nations, a universal mechanism, to competently discuss and ensure a collective search for a balance of interests of all countries and to discharge its peacemaking functions effectively.<sup>77</sup>

Indeed, the new Soviet attitude is manifested in Moscow's change of stance towards UN peacekeeping. The Soviet Union "virtually reversed its long-standing hostility and suspicion towards peace-keeping efforts by the world body"<sup>78</sup> when it announced that it was going to pay its arrears of \$197 million some of which dated back to the late 1950's and early 1960's (see Chapter II), and it also proposed joint naval operations in the Gulf under the authority of the UN Security Council Military Staff Committee provided for in the Charter (see Articles 26, 45, 46 and 47) but not used before. A re-examination of the Charter would make it obvious that "a lot of unused opportunities exist", said Vladimir Petrovsky in a programme on the UN and the Gulf broadcast by BBC radio.<sup>79</sup>

Of course, the UN is not the only or even the main focus of Soviet foreign policy (for example, bilateral relations with the USA are of greater prominence in speeches and actual deeds)<sup>80</sup> but by no means is

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<sup>77</sup> "October and Perestroika: The Revolution Continues", Mikhail Gorbachev's report at the festive meeting for the 70th anniversary of the October Socialist Revolution, *Soviet News*, 4 November 1987 (No. 6399), pp. 401-402.

<sup>78</sup> "Soviets switch policy on UN peace-keeping", by Leonard Doyle, *The Independent*, 16 October 1987, p. 1.

<sup>79</sup> As reported and quoted in "Moscow urges revival of UN military body", by Andrew Gowers, *Financial Times*, 15 October 1987, p. 4. See also, "Soviets switch policy on UN peace-keeping", by Leonard Doyle, *The Independent*, 16 October 1987, p. 1 and "UN military men still looking for a mission", by Leonard Doyle, *The Independent*, 7 December 1987, p. 8. For the new Soviet attitude see also "The Russians come in from the cold", by Edward Mortimer, *Financial Times*, 20 October 1987, p. 17 and "Soviets Say UN Peace-keeping Effort Should Emphasize Prevention", by Paul Lewis, *The New York Times*, 18 October 1988, p. A6.

<sup>80</sup> "The concept of a bipolar world remains central to Soviet thinking. Gorbachev's address to the 27th Party Congress was notable for its unprecedented preoccupation with East-West relations and particularly the relationship with the United States." Quotation from Dimitri K. Simes, "Gorbachev: A New Foreign Policy?", *Foreign Affairs*, Vol. 65, No. 3 (1987), p. 485.

the World Body ignored or downgraded in any sense. The USSR tries to keep a balance and to pursue at the same time both bilateral and multilateral agreements.<sup>81</sup> Some would construe this stance as allowing the USSR more flexibility, always with an eye on developments at the bilateral level, using, in fact, multilateralism as a possible alternative and as an extra card to press ahead in bilateral negotiations. In this sense, one can argue that the Soviet attitude is more pretentious than that of the USA, the USA being more honest in openly admitting its preference for bilateralism rather than multilateralism.<sup>82</sup> In any case, not only does the USSR lately support the UN but they are also putting forward ideas with the alleged intention of strengthening the United Nations further. An important place in the new Soviet approach toward the United Nations is occupied by the promotion by the USSR of the notion of a "comprehensive system of international security" or "comprehensive approach to strengthening international peace and security in accordance with the Charter of the United Nations" as it has most recently been renamed.

The concept of a "comprehensive system of international security" was officially advanced at the 27th Congress of the Communist Party of the Soviet Union that took place in Moscow in February 1986.<sup>83</sup> It has been further elaborated by Mikhail Gorbachev, *inter alia*, in his article "Realities and Guarantees for a Secure World" written on the occasion of the opening of the 42nd session of the General Assembly,<sup>84</sup> in a way which has been characterised as "remarkable for its lack of ideological rhetoric and its constructive spirit".<sup>85</sup> The basic idea behind this concept is the interdependence of all countries and peoples in today's world and the interrelation of the various issues that preoccupy peoples' minds today. What the Soviets propose is addressing the problem of security in all its aspects, be it the military aspect, the classical interpretation of security, but also the political, economic, humanitarian and ecological aspects.<sup>86</sup> The military aspect

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<sup>81</sup> See interview of 6 January 1989 {8}.

<sup>82</sup> See interview of 17 January 1989 {13}.

<sup>83</sup> See "The Political Report of the CPSU Central Committee to the 27th Congress of the Communist Party of the Soviet Union", delivered by Mikhail Gorbachev, complete text published in English in *The Current Digest of the Soviet Press*, Vol. XXXVIII, No. 8 (26 March 1986), especially pp. 31-32.

<sup>84</sup> Mikhail Gorbachev, *Realities and Guarantees for a Secure World*, Novosti Press Agency Publishing House, Moscow, 1987. The article was first published by the Soviet newspapers *Pravda* and *Izvestia* on 17 September 1987 and was reproduced by *Soviet News*, 23 September 1987 (No. 6393), pp. 337-339, under the title "The Reality and Guarantees of a Secure World"; it was also circulated as a UN document (A/42/574 - S/19143, Annex) under the title "Reality and Safeguards for a Secure World". See also Mikhail Gorbachev, *For the Sake of Preserving Human Civilisation*, speech before the participants in the international forum "For a Nuclear-Free World, for the Survival of Humanity", Moscow, 16 February 1987, Novosti Press Agency Publishing House, Moscow, 1987.

<sup>85</sup> Anders Aslund, "The New Soviet Policy Towards International Economic Organisations", *The World Today*, Vol. 44, No. 2 (February 1988), p. 27.

<sup>86</sup> Sometimes reference is made to other aspects of security, like "socio-cultural", "ideological" and

of security, although it remains predominant, is expected to diminish in significance as the process of achieving agreements in the area of disarmament gains momentum. Political security presupposes the existence of a positive political climate at the international level characterised by mutual trust and co-operation between states and respect for the existence of different politico-economic systems in different states ("the right of choice" at the international level). The need for economic security is another manifestation of the interdependence of today's world and is related to such problems as the debt crisis faced by the developing countries and demands for the establishment of a New International Economic Order (NIEO) made by the same countries.<sup>87</sup> The ecological aspect of international security is exemplified by recent incidents of ecological disaster the results of which are felt in areas beyond the boundaries of the states in which they originated, like the Chernobyl disaster, the Amazon forest destruction, the depletion of the ozone layer, etc.<sup>88</sup> The humanitarian aspect of security is related to the well-being of individuals, humanitarian assistance to calamity-stricken peoples, and, most importantly, perhaps, respect for the human rights and the fundamental freedoms of the individual throughout the world.<sup>89</sup> The United Nations is asked to take on this broader definition of security and to work for its realisation in the world.<sup>90</sup>

A first resolution (41/92 of 4 December 1986) referring to the concept of "a comprehensive system of international peace and security" sponsored by a group of Socialist states was adopted at the 41st session of the General Assembly.<sup>91</sup> A second resolution referring to the above Soviet concept was also adopted by the General Assembly at its 42nd session (resolution 42/93 of 7 December 1987) but with a substantial

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"socio-economic", "cultural", etc—see, *inter alia*, speeches in the First Committee of the General Assembly by the representatives of Lao (25 November 1988, speech contained in UN Doc. A/C.1/43/PV.49, especially p. 18); Liberia (29 November 1988, contained in UN Doc. A/C.1/43/PV.53, especially p. 38); and the Niger (29 November 1988, contained in UN Doc. A/C.1/43/PV.53, especially pp. 54-55).

<sup>87</sup> On the notion of international economic security see *Concept of International Economic Security: Report of the Secretary-General*, General Assembly, Forty-second Session, UN Docs. A/42/314 - E/1987/77 of 4 June 1987 and A/42/314/Add.1 - E/1987/77/Add.1 of 15 October 1987. This report was submitted in compliance with General Assembly resolution 40/173 of 17 December 1985.

<sup>88</sup> See a recent article "on the growing awareness of a threat to the planet": "Green Revolution in International Relations", by Laura Raun and Bruce Clark, *Financial Times*, 13 March 1989, p. 3.

<sup>89</sup> The item "New International Humanitarian Order" has been on the agenda of the General Assembly since its thirty-sixth session (1981)—see *Annotated Preliminary List of Items to be included in the Provisional Agenda of the Forty-Third Regular Session of the General Assembly*, General Assembly, Forty-third Session, UN Doc. A/43/100 of 15 June 1988, pp. 282-283. Most recently, at its 43rd session, the General Assembly adopted without a vote three resolutions (resolutions 43/129, 43/130 and 43/131 of 8 December 1988) under this item.

<sup>90</sup> See Georgios Kostakos, "An Approach to International Security: The Soviet Proposal", *Paradigms*, Vol. 2, No. 2 (Winter 1988-1989), pp. 86-91.

<sup>91</sup> Resolution 41/92 was adopted by 102 votes to 2, with 46 abstentions.

decrease in support.<sup>92</sup>

If the article by Mikhail Gorbachev in *Pravda* and *Izvestia* (see above) serves as the main point of reference and source of inspiration for the promotion of the comprehensive concept of security, the most systematic exposition up to now of what concrete measures the adoption of this expanded notion of security would entail can be said to be the *aide-mémoire* submitted by Vladimir Petrovsky, Deputy Foreign Minister of the USSR and Deputy Head of the Soviet Delegation, to the forty-third session of the General Assembly.<sup>93</sup> Concrete proposals are put forward in this document under three broad headings:

- a) enhancing the effectiveness of the United Nations and of its main bodies;
- b) more extensive use of United Nations peacekeeping operations; and
- c) affirmation of the primacy of international law in inter-state relations.

Under the first heading, proposals are made mainly regarding the performance of the Security Council, the General Assembly, ECOSOC and the UN Secretary-General.

—With respect to the Security Council, a more active use of the mechanisms for formal and informal consultations is urged among the Security Council members, with closer interaction among the permanent members of the Council. The Council should hold formal closed meetings to discuss issues in depth and to explore the possibility of agreement. Meetings should be held at the foreign-minister level in the course or on the eve of General Assembly sessions.<sup>94</sup>

—Regarding the General Assembly, the Soviets propose, *inter alia*, the adoption of a greater number of resolutions by consensus, the monitoring of the implementation of General Assembly resolutions and the holding of special sessions on individual concrete aspects of comprehensive security.

—For ECOSOC, it is stated that the Soviet Union "would not oppose" the universalisation of that body, the elimination of some of the subsidiary bodies the functions of which should be taken up by the Council

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<sup>92</sup> Resolution 42/93 was adopted by 76 votes to 12, with 63 abstentions. The decrease in support was due not only to an increase in Western opposition but also to an increase in the number of developing countries abstaining.

<sup>93</sup> See *Towards Comprehensive Security Through the Enhancement of the Role of the United Nations (Aide-mémoire)*, annexed to UN Document A/43/629 of 22 September 1988.

<sup>94</sup> Consider relevant provisions of Article 28 of the United Nations Charter. See Andrew Boyd, *Fifteen Men on a Powder Keg: A History of the UN Security Council*, Methuen & Co., London, 1971, pp. 364-368, for a historical account of proposals to implement Article 28, especially para. 2 that provides for periodic meetings of the Security Council "at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative".

itself, the extension of the duration of Council sessions and the holding of sessions on practical issues at the ministerial level.

—The Soviet Union favours a greater role for the Secretary-General who would, *inter alia*, be able to take the initiative to request the convening of the Security Council, keep the Council informed about developments in areas of conflict or about other matters of interest to the Council, and propose measures to the Security Council for the prevention and peaceful settlement of disputes and for ensuring comprehensive security. A thorough consideration of the Secretary-General's annual reports on the work of the Organisation should take place in the General Assembly which could adopt decisions on the conclusions and recommendations contained in the Secretary-General's report.

—The UN intergovernmental machinery should become more economical and the Secretariat should be streamlined and become more efficient; all states should comply strictly and fully with their financial obligations towards the UN.

Under the second heading, proposals are made aimed at consolidating and further developing the UN peacekeeping operations, which should be put on a more solid legal and financial basis. Such proposals include the use of UN personnel to observe explosive areas of the world; the stationing of UN observers along the frontiers of a country that felt threatened from outside interference; the despatching of observer missions by the General Assembly or the Secretary-General, with the concurrence of the Security Council; and, most importantly, the establishment of a reserve of military observers and armed forces of the United Nations.<sup>95</sup> The USSR would be willing to provide military contingents to the UN peacekeeping operations, if there was such need and if the UN membership displayed such interest.

Finally, under the third heading, proposals are put forward for a more extensive use of the potential of the International Court of Justice, the jurisdiction of which should become mandatory for all on mutually agreed terms.<sup>96</sup> International agreements to be reached under UN auspices could include special clauses

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<sup>95</sup> Regarding the establishment of a standing UN peacekeeping force, consider unanimous resolution by the US Congress, backed by John Foster Dulles, calling for a similar arrangement in 1957, following the UN successful intervention in the Suez crisis—see interview given by Brian Urquhart in *UN Chronicle*, Vol XXV, No. 4 (December 1988), p. 12 and Brian Urquhart, *A Life in Peace and War*, Harper & Row, Publishers, New York, 1987, p. 137. Some of the problems inherent to such an ambitious project are put forward in "Keeping the Peacekeepers in Operation on the Frontline", interview with Marrack Goulding, *Secretariat News*, August 1988, p. 6.

<sup>96</sup> The USSR itself moved towards greater acceptance of the Court's jurisdiction. See "Moscow permits World Court Role", by Paul Lewis, *The New York Times*, 3 November 1988, p. A 11 and "In Sight: A Real

providing for adjudication by the International Court of Justice of disputes resulting from the interpretation and application of such agreements. The General Assembly and the Security Council could ask the Court more often for advisory opinions on important international legal issues.

During the debate on the item at the forty-third session of the General Assembly,<sup>97</sup> the sponsors of the draft resolution (namely Bulgaria, the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, Rumania, the Ukrainian SSR and the USSR, later joined by the Lao People's Democratic Republic, Viet Nam and Madagascar), especially the USSR among them, were again criticised, mainly by Western countries, for allegedly wanting to introduce an amendment of the UN Charter or at least a major re-interpretation of the Charter to suit their purposes. The sponsors were accused of trying to impose on the world forum an ideology at a time when the role of ideology was at the world level giving place to pragmatism and a new climate of co-operation that had allowed the UN to achieve its 1988 successes regarding the settlement of regional conflicts.<sup>98</sup> Nevertheless, there was an overall agreement about the existence of non-military threats to security, threats of an economic, humanitarian and ecological nature, although there was no apparent agreement on how the acceptance of this new reality could be put into practical use through the United Nations. The competence of the First Committee to deal with security as defined very comprehensively by the sponsors was challenged by many delegates, even from among those who finally voted for the resolution. Many asked for concrete proposals from the sponsors to be put forward in the appropriate UN fora each time, rather than general discussions on all-embracing systems of security.

The proposed resolution was finally adopted by the General Assembly in plenary by 97 votes to 3 (Israel, the USA and Japan), with 45 abstentions (resolution 43/89 of 7 December 1988). The resolution, that commanded an increased support in relation to the one adopted on the item in the previous General Assembly session, was for the first time supported also by several neutral or relatively neutral countries of

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World Court", editorial article in *ibid.*, 4 November 1988, p. A 34.

<sup>97</sup> This time I had the chance to follow closely the debate on comprehensive security that took place in the First Committee of the General Assembly. Verbatim records of the speeches made during the debate can be found in UN Docs. A/C.1/43/PV.47 to 54 (verbatim records of meetings 47 to 54 of the First Committee).

<sup>98</sup> See, *inter alia*, the speeches made in the First Committee by the representatives of the United States and the United Kingdom, contained in UN Docs. A/C.1/43/PV.51, pp. 41-47 and A/C.1/43/PV.48, pp. 36-42 respectively.

the West (Australia, Canada, New Zealand, Norway and Sweden), along with the Socialist states and many developing and Non-Aligned countries. There was a general appreciation of the sponsors' willingness to amend their original draft resolution before the First Committee to accommodate most of the other states' demands. This was indeed done to such an extent that the resolution at the end was purely procedural, encouraging member states "to contribute to an international dialogue, primarily within the framework of the United Nations, the Security Council, the General Assembly and their subsidiary bodies, in order to find universally acceptable ways and means and to co-ordinate practical measures to strengthen on a comprehensive basis the system of security laid down in the Charter of the United Nations and enhance the role and effectiveness of the United Nations in the maintenance of international peace and security in all aspects".<sup>99</sup> This is virtually doing nothing more than keeping the item alive on the agenda of the General Assembly.

The *aide-mémoire* referred to above, that was circulated during the forty-third session of the General Assembly, was not discussed in depth in the First Committee and the sponsors of the item on comprehensive security did not insist on it being discussed. They rather made clear, in order to pacify other delegations, that the resolution finally adopted was the only agreement reached and the circulation and discussion of other documents and issues did not prejudice future consideration of and action upon the item. However, the proposals contained in the *aide-mémoire*, changed, of course, to accommodate reactions to them expressed by the UN membership and new developments, are expected to come up again, in one form or another, in the discussions at the forty-fourth session of the General Assembly, where the sponsors, especially the USSR, are broadly expected to put forward concrete proposals on these lines in the appropriate United Nations bodies.

The ideas put forward within the framework of comprehensive security, are not that novel or unique in fact. They have been put forward in the past by Western thinkers and even leaders, mainly in the 1970's.<sup>100</sup> This broadly acknowledged fact<sup>101</sup> makes these ideas even more difficult to reject out of hand.

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<sup>99</sup> General Assembly resolution 43/89, para. 1.

<sup>100</sup> For the theoretical underpinnings of these ideas see Chapter V that follows, mainly on globalism and regimes/neo-realism and even federalism. See also President Carter's report, "The President's Report on The Reform and Restructuring of the UN System", *op. cit.*, especially pp. 61-64 and proposals put forward by the Campaign for UN Reform, a Washington-based organisation. For similarities between the Soviet proposals and previous proposals, in this case by world parliamentarians (Parliamentarians Global Action), see research findings by Christos A. Frangonikolopoulos in his PhD thesis (forthcoming—University of Kent at Canter-

Western countries, although they are often suspicious of Soviet initiatives, have to think twice before attacking them head-on.

The Soviets seem to be very flexible and claim that they have no preconceptions about what exactly a reformed UN would look like. They also show a willingness to discuss their original ideas with others. The Soviet Union now even welcomes the participation of individuals and non-governmental organisations in the running of world affairs. Gorbachev spoke again about this in his address to the UN General Assembly on 7 December 1988 when he expressed Moscow's happiness that an increasing number of important international public figures were "ready to shoulder the burden of universal responsibility" and drew attention to the idea of "convening on a regular basis, under the auspices of the United Nations, an assembly of public organisations".<sup>102</sup> Gorbachev attributes significant importance to scientists and cultural personalities, the "international intellectual élite", whom he invites to co-operate with and advise politicians towards a better future for mankind as a whole.<sup>103</sup> In this new frame of mind, the Soviets now allow long-term/permanent appointments of Soviet citizens to the UN Secretariat.<sup>104</sup>

Moreover, the Soviet Union seems to be taking up some role of guardian of UN integrity:

To ensure that the United Nations and its specialised agencies operate at full capacity it should be realised that using financial levers to pressure it is inadmissible. The Soviet Union will continue to cooperate actively in overcoming budget difficulties arising at the United Nations.<sup>105</sup>

The strong Soviet support for the Organisation was reiterated recently by Eduard Shevardnadze in his speech during the general debate of the General Assembly, on 27 September 1988, and, most importantly,

bury) on the Six Nations' Peace Initiative.

<sup>101</sup> See interviews of 13 January 1989 {10} and 10 January 1989 {9}.

<sup>102</sup> See Gorbachev's address to the General Assembly contained in UN Doc. A/43/PV.72, pp. 31-32.

<sup>103</sup> See Mikhail Gorbachev, *Perestroika: New Thinking for Our Country and the World*, William Collins Sons & Co., London, 1987, pp. 152-156. See also Soviet proposal for the establishment of a world consultative council, in Chapter III above.

<sup>104</sup> Mentioned to me during a discussion with the Soviet Deputy Foreign Minister Mr. Vladimir Petrovsky in October 1988, at the UN Headquarters in New York. See also "Kremlin, in Shift, to Permit Soviets at UN to Hold Long-term Contracts", by Paul Lewis, *The International Herald Tribune*, 6 June 1988, p. 4; "Le statut des personnels soviétiques à l'ONU pourrait être modifié", *Le Monde*, 8 June 1988, p. 4; and "Reagan, in Shift, Supports Full Funding of UN", by Alyson Pytte, *Congressional Quarterly, Weekly Report*, Vol. 46, No. 38 (17 September 1988), p. 2579.

<sup>105</sup> Mikhail Gorbachev, *Realities and Guarantees for a Secure World*, *op. cit.*, p. 15. For a comparison between the US and the new USSR attitude towards the UN see "Soviets Taking a New Look at the UN", by Paul Lewis, *The New York Times*, 7 December 1988, p. A18. For the challenge the new Soviet approach to international relations poses to the US see "Gorbachev in Motion: Asking for a New World, He Leaves Bush Tough Choices", by Andrew Rosenthal, *The New York Times*, Sunday 11 December 1988, Section 4, p. 1.

by Mikhail Gorbachev, in his address, the first by the Soviet leader, to the General Assembly, on 7 December 1988.<sup>106</sup> Both speeches were characterised by a very positive and imaginative approach to international relations, in general, and the role of the United Nations, in particular.

Some people see the new Soviet attitude towards the UN as mainly a propaganda campaign, a strategy to influence peoples' minds and to take the Soviet Union out of its isolation and permanent minority position in the UN.<sup>107</sup> Some others see the whole new Soviet approach as basically another trick in the East-West game that allegedly is what really matters to the superpowers.<sup>108</sup> Finally, others explain the Soviet U-turn as a result of domestic Soviet problems, not least grave economic and ecological ones.<sup>109</sup> Nevertheless, whatever the degree of its sincerity, the new Soviet stance has created some euphoria to those who look forward to seeing the UN being used "as its founders intended as a framework in which the great powers, working together and with the advice and consent of the wider international community, can take action to preserve world peace."<sup>110</sup> This may be a dream not realisable any more, at least as far as undisputable superpower leadership is concerned (see developing country demands) but hope for something better has certainly been sparked off by the recent positive and even idealistic (allowing, of course, for propaganda, external and domestic, motives) Soviet attitude towards the UN.

The recent boom of UN successes is to a large extent due to the new Soviet attitude in world politics, in general, and towards the United Nations Organisation, in particular. UN successes such as Afghanistan, Namibia, even Iran - Iraq, would be impossible if there had been no change in the Soviet stance. In addition to the above, by putting forward their comprehensive security concept, the USSR could further help by providing the UN Organisation and the UN system with a central motivating and binding concept that is now lacking, thus enabling the UN and the international community to manage world peace and interdependence in the transition to a new era. The Soviet proposals may have a lot of flaws and political calculations behind them but for the first time they bring the focus of discussion about the UN to the very core of the

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<sup>106</sup> See UN Docs. A/43/PV.6, pp. 56-83 and A/43/PV.72, pp. 2-35 respectively.

<sup>107</sup> From, *inter alia*, interview of 13 January 1989 {10}. See also past experience of Soviet propaganda peace offensives in Klaus von Beyme, *op. cit.*, p. 66.

<sup>108</sup> From, *inter alia*, interview of 17 January 1989 {13}.

<sup>109</sup> From, *inter alia*, interview of 11 January 1989 {11}.

<sup>110</sup> "The Russians come in from the cold", by Edward Mortimer, *Financial Times*, 20 October 1987, p. 17. See also Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, p. 828.

UN problem, that is the lack of a comprehensive view of the place and scope of the United Nations in the world today. Hopefully, the debate will continue in a constructive way, lending the long-missing central meaning and rationale to the various attempts at UN reform.

**The attitude of some up-and-coming states:**

**The case of Japan and the problem of representation on the Security Council**

In the years to come—if not already—the role played on the world stage by certain countries, because of their economic strength and/or population growth and/or relative importance in their region, will become all the more important. In this category of countries belong Japan and the Federal Republic of Germany, the vanquished of the Second World War but now champions of economic growth; India, the second most populous country in the world; and Brazil, Mexico, Argentina, Indonesia and Nigeria, five important regional powers.<sup>111</sup> Such countries will inevitably ask and/or be asked to assume a more decisive role in world affairs. The problem is, of course, how the system is going to incorporate these emerging important actors and offer them roles compatible with their increased and increasing importance and influence—how change can be effected smoothly, without risking a major breakdown of the system. The country to be studied more thoroughly in this section is Japan. There are some good reasons for that. Briefly, the case of Japan comes up most visibly because of the country's impressive economic success, its relative lack of integration into any other group at the UN or outside and its catalytic role in the creation of the G-18.

*Japan*

As the columnist Flora Lewis observed: "Japan is the first underdeveloped country to vault the dividing line and suddenly to confront the problems of wealth".<sup>112</sup> The Japanese, not without good reason, are becoming more and more self-confident and are developing an attitude of superiority as they compare their country's and economy's growth and advancement with the condition some other developed countries are in. A poll conducted in April 1986 by *The New York Times*, CBS News and the Tokyo Broadcasting System showed

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<sup>111</sup> There seemed, more or less, to be a general agreement on these names in the UN context, especially those of Japan, India and Brazil—from interviews of 11 January 1989 {11}, 11 January 1989 {12} and 25 January 1989 {18}.

<sup>112</sup> "Japan's Moral Crossroads", by Flora Lewis, *The New York Times*, 11 May 1986, Section 4, p. 21.

that "[m]ost Japanese believe their country has become a global power and that, as such, it should be playing a broader role in international affairs". The Japanese felt that one of Japan's strong foreign obligations was to provide more aid to poor countries, while they did not favour increased military spending for their country, as the Americans have been urging them to do.<sup>113</sup>

Indeed Japan recently increased the amount of its budget that is to be used for foreign assistance and as a result Japan surpassed the United States as the first foreign aid donor and lender in the world.<sup>114</sup> A new role for Japan, a "Japan contributing to the world", is taking shape through the "International Co-operation Initiative", which "comprises three pillars, namely, the strengthening of co-operation to achieve peace, the promotion of international cultural exchange and the expansion of Japan's Official Development Assistance (ODA)".<sup>115</sup> The United Nations presents an outlet for Japan's expanding international relations; a forum to maintain friendly relations with all countries, especially those possessing natural resources vital to Japan's economy; and a guarantor of international peace and security for at least "[a]s long as Japan remains a country of limited military strength".<sup>116</sup>

In particular with regard to its role within the UN, Japan has recently stepped up its involvement in UN affairs. The very recent process of reform and the creation of the G-18 started from a Japanese proposal made by Foreign Minister Shintaro Abe who proposed, at the fortieth session of the General Assembly, that a "group of eminent persons for a more efficient United Nations" be established, "so that the world body and its specialised agencies would function efficiently into the twenty-first century".<sup>117</sup> This proposal, put forward in the background of the passing of the Kassebaum amendment by the US Congress, stemmed from a position that Japan, in general, shares with the United States, favouring a more stringent manage-

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<sup>113</sup> "Japanese Favour A Global Role, A Survey Finds", article by Clyde Haberman, *The New York Times*, 3 May 1986, p. A1.

<sup>114</sup> See "Japan to be No. 1 Giver of Foreign Aid", by David E. Sanger, *The New York Times*, 20 January 1989, p. A4 and "Takeshita's Scorecard After a Year: Less Is More", by Susan Chira, *The New York Times*, Sunday 23 October 1988, Section 1, p. 18. See also statement by Hideo Kagami, permanent representative of Japan to the United Nations, during the general debate of the forty-third session of the General Assembly, New York, 28 September 1988, contained in UN Doc. A/43/PV.9, pp. 48-49.

<sup>115</sup> See address by the Japanese Prime Minister Noboru Takeshita to the Fifteenth Special Session of the General Assembly (Third Special Session devoted to Disarmament), on 1 June 1988, contained in UN Doc. A/S-15/PV.2, pp. 58-62. See also statement made by Hideo Kagami, in UN Doc. A/43/PV.9, p. 41.

<sup>116</sup> Sadako Ogata, "Japan's United Nations Policy in the 1980s", *Asian Survey*, Vol. XXVII, No. 9 (September 1987), pp. 960-961 and 965.

<sup>117</sup> See speech of 24 September 1985 by Shintaro Abe, contained in UN Doc. A/40/PV.7, especially p. 26.

ment of UN finances, a greater say for the major contributors over budgetary issues and less "politicisation" in the UN and the UN system:

[I]t must be admitted that the debates on many issues have not always been productive, and that inefficiencies have developed as a result of the excessive expansion and increased complexity of the Organisation.

There has also been a tendency to politicise unduly problems that should more rightly be considered as technical problems belonging to economic, social, cultural or other fields.<sup>118</sup>

At the same time, Japan is not happy when it is pushed to pay more, as a large contributor, in order to help the UN out of the difficult situation in which it finds itself because of the unilateral withholding or delaying of payments by member states, especially by permanent members of the Security Council, like the USA and the USSR, that have special privileges but also special responsibilities in the UN.<sup>119</sup>

Nevertheless, Japan, like most other countries, does not seem to have a concrete vision of how the United Nations Organisation and the UN system should work, other than it should perform efficiently, effectively and authoritatively. How exactly this can be done, they allegedly expect, to a great extent, the Secretariat, to make concrete proposals that would balance the various states' interests.<sup>120</sup>

At the regional level, Japan is very active in ESCAP (UN Economic and Social Commission for Asia and the Pacific) and is the major contributor to the Asian Development Bank. In general, it supports regional co-operation which could "take over some of the work that has been left to the World Organisation, and thereby alleviate its heavy burden".<sup>121</sup> Japan is also evolving into a sort of champion of and model for its Asian neighbours, many of which it had previously tried to conquer, during World War II and before.<sup>122</sup>

Japan's contributions to the UN system have kept increasing along with the increasing economic strength of the country. Now Japan, paying for 11.38% of the UN regular budget, according to the

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<sup>118</sup> From statement by Hideo Kagami, in UN Doc. A/43/PV.9, p. 51.

<sup>119</sup> Sadako Ogata, *op. cit.*, pp. 958-959.

<sup>120</sup> See interview of 10 October 1988 {2}.

<sup>121</sup> Sadako Ogata, *op. cit.*, p. 972.

<sup>122</sup> See "Japan and the World: Applying Assertiveness Training to a Foreign Policy", by Susan Chira, *The New York Times*, 6 September 1988, p. A8.

1989-1991 scale of assessments, is the third largest contributor to the UN regular budget, after the two superpowers, and very close to the second largest contributor, the USSR, which has been assessed at a total of 11.57% (including the assessments of the Byelorussian SSR and the Ukrainian SSR).<sup>123</sup> Japan is the second largest contributor to many UN agencies like the UNDP and the UNHCR.<sup>124</sup>

Japan is developing into one of the staunchest supporters of peacekeeping operations. Already in 1982 Japan took the initiative and, working closely with non-aligned states and states with neutralist tendencies, managed to have resolution 37/67 on the peacekeeping functions of the United Nations adopted by the General Assembly, amid suspicions on the part of the Security Council permanent members that this might question their running of the Council and of the peace and security field.<sup>125</sup> Quite recently, in early 1988, Japan donated \$20 million to a special UN fund to support peacekeeping operations, in particular for Afghanistan and Iran and Iraq.<sup>126</sup> Japan also made in 1988 an initial contribution of \$60 million for assistance to Afghan refugees through UN agencies like the UNHCR and the World Food Programme.<sup>127</sup> Breaking slowly free from fears that actual involvement in peacekeeping, beyond the supply of funds, could be against its constitution that prohibits Japanese military involvement abroad, Japan has contributed civilian personnel to the UN observer teams in Afghanistan and Iran and Iraq and was examining the possibility of getting further involved, for example in the United Nations Transition Assistance Group for Namibia (UNTAG).<sup>128</sup>

A more active involvement by Japan in the peace and security field and a recognition of its increasing importance on the international scene would probably entail a permanent seat for Japan on the Security Council. Nevertheless, Japan's interest in becoming a permanent member of the Council was not supported by the membership of the UN, when it was pursued more openly in the past, with the exception of the United States.<sup>129</sup> Japan apparently abandoned its claim to Security Council permanent membership when it

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<sup>123</sup> See UN resolution 43/223 on the scale of assessments.

<sup>124</sup> See Sadako Ogata, *op. cit.*, pp. 967-968.

<sup>125</sup> See *ibid.*, pp. 962-963.

<sup>126</sup> See "Japan and the World: Applying Assertiveness Training to a Foreign Policy", by Susan Chira, *The New York Times*, 6 September 1988, p. A8.

<sup>127</sup> See statement by Hideo Kagami, in UN Doc. A/43/PV.9, p. 46.

<sup>128</sup> See statement by Hideo Kagami, in UN Doc. A/43/PV.9, p. 46; "Japan and the World: Applying Assertiveness Training to a Foreign Policy", by Susan Chira, *The New York Times*, 6 September 1988, p. A8; and Sadako Ogata, *op. cit.*, pp. 963-964.

<sup>129</sup> See Sadako Ogata, *op. cit.*, pp. 961-962. About proposals for altering and/or expanding the permanent membership of the Security Council and particularly the case of Japan, see Sydney D. Bailey, *The Procedure*

saw that there was a lot of resistance and in view of the fact that such a permanent membership would require amendment of the Charter, a process that if started could not only be limited to satisfying Japan's demand. Other countries, like India or Brazil, and groups of countries, like the Africans and the Latin Americans, or the Non-Aligned Movement as a whole, would ask for similar treatment and perhaps other broader issues related to Charter reform would be brought up opening a real "Pandora's box".<sup>130</sup> So Japan decided to adopt a more cautious policy. It tries to be an elected member of the Security Council as often as possible, as representative of the Asian group. In fact, Japan has been one of the most frequently elected member states for a non-permanent seat, having served 6 times (last two-year term ended on 31 December 1988), the same number of times as Brazil and one more than either India or Argentina.<sup>131</sup> However, Japan was reported lobbying Indonesia and other developing countries for a Security Council permanent seat as late as 1985.<sup>132</sup> In any case, Japan is slowly but steadily becoming a *de facto* permanent member of the Security Council.<sup>133</sup>

In the peace and security field, Japan also favours strengthening the office of the Secretary-General and the Secretary-General's role as "the third party most readily available to deal with armed conflicts of varying types".<sup>134</sup>

Overall, Japan remains a reluctant giant, "still trying to define what kind of foreign policy role it can play without military power and without any clear ideological mission".<sup>135</sup> Nevertheless, "Japan's recent activism in the United Nations is likely to continue".<sup>136</sup> Japan, in a way, is getting more involved in world affairs on non-controversial issues, while at the same time it keeps a relatively low profile waiting for the

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*of the UN Security Council*, Clarendon Press, Oxford, 1975, pp. 167-171 and Andrew Boyd, *op. cit.*, p. 363.

<sup>130</sup> See Sadako Ogata, *op. cit.*, p. 962.

<sup>131</sup> Interestingly enough, this time, up to 1 January 1989, it happened that all ex-"axis" powers, i.e. Japan, Germany (the Federal Republic of) and Italy, were simultaneously members of the Security Council. This coincided with the recent UN successes in the peace and security field. The "outbreak of peace" perhaps owes something to the participation in the Security Council of these once again increasingly important states.

<sup>132</sup> See "Permanent Council Seat at UN Sought by Japan", *The International Herald Tribune*, 7 May 1985, p. 6.

<sup>133</sup> "As a non-permanent member, Japan is working assiduously to find solutions to the various issues before the Security Council, and even after its term expires Japan will continue to work with equal diligence to enable the Security Council to realize fully its lofty purpose." From statement by Hideo Kagami, in UN Doc. A/43/PV.9, p. 46. See also interview of 25 January 1989 {18}.

<sup>134</sup> Sadako Ogata, *op. cit.*, pp. 971-972.

<sup>135</sup> "Japan and the World: Applying Assertiveness Training to a Foreign Policy", by Susan Chira, *The New York Times*, 6 September 1988, p. A8. See also "Japan's Role: A Milestone—Hirohito's Death Puts Focus on New Identity", by Susan Chira, *The New York Times*, Sunday 8 January 1989, Section 1, p. 15A.

<sup>136</sup> Sadako Ogata, *op. cit.*, p. 968.

rest of the world community to ask for its greater involvement at a higher level rather than pursuing high-flying goals itself and being in danger of attracting envy and hatred.<sup>137</sup>

*Other up-and-coming countries in brief*

The Federal Republic of Germany, much like Japan, is struggling with a "political dwarf/economic giant" stereotype role that is to a great extent a remnant of a past age.<sup>138</sup> As it is coming of political age, the Federal Republic is becoming more assertive on the international scene, often proving defiant to its old "guardians" and allies.<sup>139</sup> The Germans have still to give a decisive answer to many questions about their new international role but they have already started asserting their particular approach, even if through and from within the European Community framework to a great extent.

The phenomenon of new up-and-coming countries does not limit itself to countries of the developed world. Several large states in the developing world have the potential, already being exploited or not, to become major actors in the international arena, because of their population, and/or area, and/or natural resources, and/or potential nuclear capability, etc. As such states the names of India and Brazil are often given by delegates from all groups of states, quite often followed by the names of Mexico, Argentina, Nigeria, Indonesia, and even others.<sup>140</sup> Although they may be active in regional fora or within the Non-Aligned Movement and the G-77, these countries have enough internal problems that require a great part of their energies, to be able or even willing to start stepping ahead and fighting for greater recognition in the international arena.<sup>141</sup> However, whenever discussion takes place about a representative executive council of limited membership for the UN, or about a possible expansion and/or redistribution of seats on the Security Council, the names of the above countries, especially of India and Brazil, come naturally to the talk.<sup>142</sup>

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<sup>137</sup> See interview of 10 October 1988 {2}.

<sup>138</sup> See Joyce Marie Mushaben, "A Search for Identity: The "German Question" in Atlantic Alliance Relations", *World Politics*, Vol. XL, No. 3 (April 1988), pp. 398-399.

<sup>139</sup> See, for example, "West Germany looks set to be the black sheep of the Nato family", As Bonn celebrates its 40th anniversary, Anna Tomforde recalls its troubled past, *The Guardian*, 6 February, 1989, p. 6.

<sup>140</sup> See above. For a somewhat different list see Sydney D. Bailey, *op. cit.*, p. 167.

<sup>141</sup> The case of China is somewhat *sui generis*, but in any case, China's importance has been anticipated from an early stage and China has been given a Permanent Seat on the Security Council; it is mostly up to China itself to go after a bigger international role when it is ready.

<sup>142</sup> See Chapter III, section on proposals for major structural reform of the UN.

What characterises fairly well the situation with regard to the position of all these up-and-coming states at the UN, whether they come from the North or from the South, is the realisation that they do not have as much to lose from a change in the current constitutional setting as the more established old powers, while they probably stand to win from such a change.<sup>143</sup> Nevertheless, their integration in international relations of all sorts, their participation in groups, alliances, etc., does not allow them to pursue an opportunistic "go for it" policy.

### *Security Council membership*

While it seems reasonable for the status and representation of some countries to be upgraded, there are some other countries that have come to attract criticism as enjoying more prerogatives than they deserve, taking into account their significance in today's world. In particular, the United Kingdom and France, the "Heartlands" of the old great European Empires, seem to have diminished in importance today and their continuing special treatment and prerogatives, above all permanent membership of the Security Council and the right of veto, cause discontent and are revealing of the discrepancy between UN structures and provisions and the real world. While the European Community as a whole may be considered as an up-and-coming major or even super-power, these states alone are rather losing legitimacy when they insist on that status for themselves.<sup>144</sup> The fact also that they are both representatives of the same Western tradition along with the United States and even, to a significant extent, the Soviet Union, and hold this important permanent membership on the Security Council that has more repercussions, like carrying with it important posts in the Secretariat, angers developing countries who are not represented in that ultimate state elite.<sup>145</sup>

Of course, the fact that these countries, along with the other permanent members, still belong in the military and particularly nuclear elite gives them a comparative advantage in relation to some up-and-coming countries, like Japan or the Federal Republic of Germany.<sup>146</sup> These countries also command

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<sup>143</sup> See interview of 10 January 1989 {9}.

<sup>144</sup> About proposals for an EC take-over of the British and French permanent seats on the Security Council see Sydney D. Bailey, *op. cit.*, pp. 168-169. Nevertheless, it seems that these two countries studiously keep their special status and role on the Council outside the framework of European Community co-operation.—This was also one of the findings of a series of interviews conducted by Professor A.J.R. Groom regarding Britain in the UN.

<sup>145</sup> See interview of 25 January 1989 {18}. China is a *sui generis* case, as was said before.

<sup>146</sup> But what about India or Brazil?

significant respect as they are very well versed in high politics, as peace and security politics traditionally have been, due to their prominent international position dating back to the days before the creation of the United Nations or even the League of Nations.<sup>147</sup>

Several plans for reform of the Security Council, its membership, permanent or not, and the voting system on it have been put forward. An exhaustive (and exhausting) review has been done by Hanna Newcombe.<sup>148</sup> Nevertheless, the issue of Charter reform is so controversial, with potentially unpredictable and grave consequences for all concerned, that nobody advocates opening it wide, although all would like some partial reforms that would suit them.

In the absence of any major breakthrough in international understanding concerning the very principles of international co-operation, no reform proposal can be expected to please two thirds of the General Assembly membership and all five current permanent members of the Security Council, as required for an amendment of the Charter (see Articles 108 and 109). The way out seems to be informal arrangements of some sort, which, if successful, might, at some point, be incorporated into an amended Charter. Therefore, what can be expected is an improvement of the functioning of the Council; more resolutions adopted by consensus; limited use of the veto prerogative; participation, informally, on the Council, on an almost permanent basis, of a small number of important states; and greater and more productive interaction between the members of the Council, especially the most important ones (including the five permanent members) and between the Council members and the Secretary-General.

Also in an attempt to avoid the thorny issue of reforming the Security Council, some put emphasis on a more thoughtful selection of non-permanent members "...due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation, and also to equitable geographical distribution", as stipulated in Article 23 of the Charter.<sup>149</sup>

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<sup>147</sup> The United Kingdom, in particular, plays an important role also because of its special relationship and access to the United States that the rest of the UN membership can use.—Also one of Professor A.J.R. Groom's findings (see fn. 144).

<sup>148</sup> See Hanna Newcombe, "Reform of the UN Security Council", *Peace Research Reviews*, Vol. VIII, No. 3 (May 1979).

<sup>149</sup> This view is supported, *inter alia*, by Sydney D. Bailey, *op. cit.*, p. 171 and Andrew Boyd, *op. cit.*, p. 363.

*A role for the "middle-powers"*

Instead of thinking in the old terms of the succession of great powers and of balancing those powers against each other, some other, more novel proposals, breaking out of this historical loop have occasionally been put forward. They envisage a greater role for some "middle-sized" states, which somehow collectively would provide the missing leadership centre at the United Nations. Although there is no precise definition or an exact list with the names of these middle-sized powers, there is a tendency to include in them the Nordic countries and some other neutral or neutralist Western states, like Canada and Australia, as well as some important Third World/Non-Aligned states like India, Brazil and Nigeria and even Japan.<sup>150</sup>

Sadrudin Aga Khan, former United Nations High Commissioner for Refugees, and Maurice F. Strong, in 1985 Executive Co-ordinator of the UN Office for Emergency Operations in Africa, estimate there to be about twenty of these states that can bridge the gap between East and West and North and South, by providing some sort of leadership which won't be characterised either by the indifferent attitude of the powerful states, "for whom the United Nations is more often a scapegoat than an instrument", nor by the "politics of frustration" resorted to in the General Assembly by numerous but small and weak states. They argue that this greater role for the "middle-sized" states can be accommodated within the existing UN constitutional framework, without impinging on the fundamental principles of "veto" for the permanent Security Council members and of "one state-one vote" for all states in the General Assembly. They propose a gradual reduction in the upper limit to any state's contribution to the UN budget, till this reaches, say, a maximum of 10%.<sup>151</sup> The extra money needed to compensate for this reduction would mainly come from the "middle-sized" states that would thus be encouraged (and entitled) to play a bigger role.<sup>152</sup>

According to some, there are signs of a greater role evolving for these middle powers, especially in the economic and social fields, but it is still rather early to tell if this is going to be a permanent trend.<sup>153</sup> In any case, these middle-sized states and some important statesmen coming from them have long been play-

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<sup>150</sup> Notice that some of these states have previously been referred to as "up-and-coming".

<sup>151</sup> See also Chapter II.

<sup>152</sup> See "Proposals to Reform the UN, "Limping" in its 40th Year", op-ed article by Sadrudin Aga Khan and Maurice F. Strong, *The New York Times*, 8 October 1985, p. A31 also published under the title "United Nations: Reforms Might Help It to Work", *The International Herald Tribune*, 9 October 1985, p. 8.

<sup>153</sup> See interview of 25 January 1989 {18}. See also Chapter III.

ing a very important role at the UN, even in the peace and security field, where they notably support and have supported from the beginning, peacekeeping operations and peacemaking efforts. In the economic and social fields they have contributed to the further elaboration of the notions of interdependence and development so that they could at some point become broadly acceptable.<sup>154</sup> But this mediation between East and West, North and South, large and small countries, for the easing of tensions, has not, till now at least, evolved into a leadership role and a broad vision that could push the UN into a new start and would define a new framework for the World Body to develop within it.<sup>155</sup>

### **Systems of weighted voting in the General Assembly and the attitude of the Third World**

As Israel's permanent representative at the UN (1985), Benjamin Netanyahu, very descriptively put it: "The first thing a new country does after it gets independence is to get a flag, write a national anthem and take out membership in the United Nations."<sup>156</sup> The UN is the custodian of the former colonies' independence.<sup>157</sup> UN membership crowns national sovereignty and international recognition and offers a common ground, especially for small states that cannot afford embassies all around the world, where diplomats and politicians from all countries can meet and talk in a serene atmosphere.<sup>158</sup>

Of course, the UN cannot just be the registrar of international births. The influx of many mini- and even micro-states to the United Nations Organisation in recent years has accentuated the long-lasting debate on the form of state representation and voting in such a worldwide body like the General Assembly. The old principle of sovereign equality and its manifestation in the one state-one vote system that still persists in many UN fora, most notably the UN General Assembly, has admittedly its shortcomings, not least because

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<sup>154</sup> See the Brundtland Report, or, more accurately, the Report of the World Commission on Environment and Development, *Our Common Future*, Oxford University Press, Oxford, 1987; the Palme Report or Report of the Independent Commission on Disarmament and Security Issues, *Common Security: A Programme for Disarmament*, Pan Books, London, 1982; and the Brandt Report or Report of the Independent Commission on International Development Issues, *North-South: A Programme for Survival*, The MIT Press, Cambridge - Massachusetts, 1980.

<sup>155</sup> See Donald J. Puchala and Roger A. Coate, *The State of the United Nations, 1988*, The Academic Council on the United Nations System (ACUNS), Reports and Papers: 1988-2, USA, 1988, p. 47.

<sup>156</sup> Quoted in "Across the World, UN Takes On Problems Large and Small", first of three articles on the UN at 40, by Elaine Sciolino, *The New York Times*, 22 September 1985, Section 1, p. 16.

<sup>157</sup> Paraphrasing Abdul Koroma, Sierra Leone's chief delegate to the UN, in "UN's Internal Conflict: Reality Edging Out Vision", second of three articles on the UN at 40, by Elaine Sciolino, *The New York Times*, 23 September 1985, p. A12.

<sup>158</sup> See Peter R. Baehr & Leon Gordenker, *op. cit.*, p. 48, talking about the importance of UN membership for newly independent states. As Baehr and Gordenker observe: "...This strengthening of national self-assurance paradoxically occurs in an organisation founded to foster international solidarity."

it distorts to a great extent the power and influence determining the occurrence of events in the real world. This creates a gap between real world and UN representative bodies, that finally results in the relative isolation of the two and the lack of meaningful interaction. No matter how much this may affect the real world (not that much, but by no means not at all), it mainly causes problems to the UN, making the World Body distanced and even irrelevant to what is going on. As William J. Dixon reports, the situation has reached the point that "member countries representing less than 4 per cent of the world's population can constitute a simple majority and that only about 8 per cent need be represented in a two-thirds majority".<sup>159</sup> Weighted voting has been adopted in some international fora broadly belonging to the UN system, like the IMF and the World Bank, but the possibility of such a voting system being adopted by an international/global and comprehensive/non-specialist body like the UN General Assembly looks rather meagre.

In any case, the first criteria that come to one's mind when considering the introduction of a weighted voting system are those of population and of power, this latter usually taken to mean economic power which is readily measurable. Voting according to population transfers to the international level the well-known and broadly accepted Western principle of universal voting, each person (and not some personified state) having one vote. If this emphasis on population has some idealistic overtones, an emphasis on power and economic strength is more "realistic" in conception.<sup>160</sup> Examining the effect that representation according to population would have on UN General Assembly voting and the new distribution of power among the world's regions, M.J. Peterson concluded that such a shift "would make the Assembly an Asian-dominated body".<sup>161</sup> If the contribution to the UN budget was used as an indicator of economic strength (see Chapter II) then the West would be clearly favoured.<sup>162</sup> Many other systems, based in some way on one or both of the above two criteria, have been proposed.<sup>163</sup>

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<sup>159</sup> William J. Dixon, "The Evaluation of Weighted Voting Schemes for the United Nations General Assembly", *International Studies Quarterly*, Vol. 27, No. 3 (September 1983), p. 295.

<sup>160</sup> See Hanna Newcombe, James Wert and Alan Newcombe, "Comparison of Weighted Voting Formulas for the United Nations", *World Politics*, Vol. XXIII, No. 3 (April 1971), pp. 454 and 456.

<sup>161</sup> M.J. Peterson, *op. cit.*, p. 56. As reported by Peterson, for 1983, Asia was estimated to hold 58% of the world population, while Africa only 11%, Latin America 8%, Eastern Europe 9% and Western Europe and others 14%.

<sup>162</sup> The West contributed in 1983 about 63.03% of the UN resources, while Africa only 1.63%, Asia 14.96%, Latin America 4.23% and Eastern Europe 16.16%, as reported in M.J. Peterson, *op. cit.*, p. 57. Under the present one country-one vote system the above regions have got the following percentages of the General Assembly votes: Africa 32%, Asia 25%, Latin America 21%, Eastern Europe 7% and Western countries 14% (compare also with previous footnote), as reported in *ibid.*

<sup>163</sup> See books and articles by Hanna Newcombe, *inter alia*, Hanna Newcombe & Terry Mahoney, *Alternative Paths: UN Roll-Call Votes under Weighted Voting (1946-1973)*, The Peace Research Institute,

It has also been suggested that the smaller UN member states should be made "associate members" of the Organisation, benefiting from UN activities and having the right to speak on matters of importance to them, but without having the right to vote. Of course, it is difficult to see how "mini-states" or even "micro-states" already enjoying full-member status at the UN will concede to such a proposal. Also the definition of a "mini-state" or a "micro-state" (population range qualifying for such a categorisation) has not yet been and it is difficult ever to be undisputably established.<sup>164</sup>

Instead of turning to "number-crunching", looking for answers in the development of ever more complex voting systems, it could prove more productive to try to define and ponder over the real main issues involved. The crucial question each time a sort of weighted voting system is examined is what requirements should a voting system fulfill in order to be acceptable to all parties. Newcombe, Wert and Newcombe suggest that in order to be acceptable a voting system should achieve "a "balance", in which none of the major blocs is placed in a permanent minority";<sup>165</sup> or in a permanent majority, for that matter. Supplementing this view and putting it into perspective, William J. Dixon makes an important distinction between votes and (relative) voting power, when he asserts that "[i]n general, voting power in a collectivity is related to the number of votes held by an individual member only within the larger context of: (a) the number of votes available to other members; and (b) the decision rule [e.g. two-thirds majority or simple majority, etc.] adopted by the voting body".<sup>166</sup>

A serious problem that crops up, of course, has to do with the identification of these "major blocs" the relative voting power of which has to be balanced: Which are they and to what extent can one argue that they remain stable and cohesive? Are blocs independent of the issues discussed or change according to the nature of the issue being debated? One could talk about the West, the East and the Developing countries as the three major blocs.<sup>167</sup> Nevertheless, on developmental issues, the East often sides with the Developing

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Dundas-Ontario, 1983 and Hanna Newcombe, James Wert and Alan Newcombe, *op. cit.*, pp. 452-492. See also David Steele, *op. cit.*, pp. 150-152.

<sup>164</sup> See Peter R. Baehr & Leon Gordenker, *op. cit.*, pp. 46-48. See also "the Colombian proposal" in David Steele, *op. cit.*, p. 150 and a similar proposal put forward by the Campaign for UN Reform, a private US organisation, referred to in Benjamin B. Ferencz, *op. cit.*, pp. 58-59. Finally see President Carter's suggestion: "We are also prepared to examine the offer to very small new States of some form of associate status with the United Nations, short of full membership and voting privileges." From "The President's Report on the Reform and Restructuring of the UN System", *op. cit.*, p. 64.

<sup>165</sup> Hanna Newcombe, James Wert and Alan Newcombe, *op. cit.*, p. 465.

<sup>166</sup> William J. Dixon, *op. cit.*, p. 297.

<sup>167</sup> See "At 40, UN Needs a Firmer US", op-ed article by Senator Daniel P. Moynihan, *The New York*

World, although not always, and on political questions, having to do with superpower rivalries, the protagonists continue to summon around them their respective clienteles from the Developing World, while on budgetary issues East and West often join against the South. How can one "definitively" define the "major blocs" then?

William J. Dixon, after examining the voting patterns of states during the thirtieth session of the General Assembly, considers as major blocs the following ones: Developing World, Western Community, Muslim Community, Latin America, Soviet Bloc and Unclassified States.<sup>168</sup> He examines the percentage of votes awarded to each of these blocs by each of 15 different formulas of weighted voting.<sup>169</sup> He then examines the actual voting power of these blocs (see quotation above) using a certain formula.<sup>170</sup> Calculation of an "index of bias in weighted voting systems" exhibits "the failure of *any* representational formula to distribute voting power in proportion to its allocation of votes".<sup>171</sup> Dixon finally concludes that, instead of starting from a proposed voting system and examining the effects that it, if implemented, would have on the voting power of the various blocs, it makes more political sense to start from a power sharing scheme that would be acceptable to all major blocs, and then, through a "'backward search" algorithm", reach the voting system that would approximately produce the agreed power sharing pattern. Even in the unlikely event that there was the political will for a new power sharing agreement, the allocation of votes by such a system would inevitably seem arbitrary. In general, the prospect of establishing a broadly acceptable weighted voting system that "firstly, distributes voting power in a generally satisfactory manner [among blocs] and secondly, counts all votes equally, that is, delivers virtually identical power ratios to most members... is remote at best".<sup>172</sup>

The above conclusion should make one think seriously about the feasibility of devising and introducing a weighted-voting system in the General Assembly of the United Nations, at least in the near future.

Resentment of the present system, by the Western powers, at least, is due to the permanent majority which

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*Times*, 17 September 1985, p. A31. For a questioning of the worth of talking about blocs in the UN, especially lately, see "Are Blocs at the UN Crumbling or as Monolithic as Ever?", article by Esther B. Fein, *The New York Times*, 23 October 1985, p. A10.

<sup>168</sup> See William J. Dixon, *op. cit.*, p. 303 and Appendix (pp. 310-311).

<sup>169</sup> See *ibid.*, pp. 300-303 and Tables 1 (p. 301) and 2 (p. 304).

<sup>170</sup> *Ibid.*, pp. 303 and 305 and Table 3 (p. 305).

<sup>171</sup> *Ibid.*, pp. 305-306 and Table 4 (p. 307).

<sup>172</sup> *Ibid.*, pp. 306 and 308-309.

the present system guarantees to relatively small and weak but numerous Third World states. However, without any significant breakthrough, as is now the case, regarding the issues that preoccupy these Third World states, like the NIEO, there can be no major concession on their part regarding the voting system,<sup>173</sup> and they have the two-thirds majority to block any Charter amendment in that direction (see Articles 108 and 109 of the UN Charter). Also the ever increasing diversity among the developing states themselves makes the reaching of agreement in their group representation (G-77, NAM) all the more difficult and therefore the developing country attitude as a whole towards reforms becomes less flexible and substantive.

On the other hand, a new reality is manifesting itself. It is becoming clear that the developing countries have now passed that "kind of adolescent period, ..., in the newly independent developing world where people became, as adolescents often do, extremely radical".<sup>174</sup> A "creeping moderation" is now evident and a will to find compromises.<sup>175</sup> This is not least due to the realisation on the part of the governments of developing countries of the multitude of problems relevant to the running of an organised society that cannot be simply exorcised by colourful rhetoric or by blaming all evils to outside factors.<sup>176</sup> This "coming of maturity" of the developing states obviates, to a great extent, the need for the introduction of a weighted voting system or the insistence on voting in general. The magic word is now "consensus" and it is expected that among mature partners there can always be a broad understanding reached that at least won't be detrimental to anyone's interests. Indeed, the percentage of resolutions adopted by consensus at the forty-third session of the General Assembly was more than 50% and the same has been the case since the mid-1970's and occasionally even before.<sup>177</sup> Consensus in the CPC, a far cry from the introduction of weighted voting in the General Assembly "proportionate to the contribution of each member state to the budget of the United Nations",<sup>178</sup> was accepted by the Americans as a satisfactory arrangement for decision-making with

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<sup>173</sup> Paraphrasing Nicol and Renninger who wrote, regarding the UN reform exercise of the mid- and late 1970's: "With no significant results on the substantive issues side [NIEO], developing countries understandably have little enthusiasm for implementing managerial reforms." Davidson Nicol and John Renninger, *op. cit.*, p. 91.

<sup>174</sup> From Sir Brian Urquhart's interview with *Time*, "A Very Civil Servant", 5 December 1988, p. 52.

<sup>175</sup> See Richard N. Gardner, "The Case for Practical Internationalism", *op. cit.*, pp. 827-828 and interview of 13 January 1989 [10].

<sup>176</sup> See, for example, "A Shifting African Mood", op-ed article by Flora Lewis, *The New York Times*, Sunday 15 January 1989, Section 4, p. 27.

<sup>177</sup> As was calculated above, 188 out of 324 resolutions, i.e. 58.02% of the resolutions adopted by the General Assembly at its forty-third session between 20 September and 22 December 1988 were adopted without a vote (see Table IV.1). For previous General Assembly sessions see M.J. Peterson, *op. cit.*, pp. 81-85 (for the 1st to the 39th sessions), and UN Docs. A/40/53, A/41/53 and A/42/49.

<sup>178</sup> From the text of the Kassebaum Amendment.—See also Chapter I.

regard to the UN regular budget. No serious proposal has been put forward regarding desirable weighted voting systems ever since.<sup>179</sup>

### The role of the UN Secretary-General and of the Secretariat

[T]he identity of every organisation... tends to be lodged in its professional staff. Members, stockholders, or citizens may control the organisation, but they cannot *be* it; the staff, in a fundamental sense, *is* the organisation.<sup>180</sup>

The founders of the United Nations, taking into account past experience, especially that acquired through the League of Nations endeavour, once again opted for the "Drummond" rather than the "Hankey" vision for the UN Secretariat, choosing, in principle, an international rather than a multinational/intergovernmental Secretariat to service the new world forum.<sup>181</sup> In practice, of course, things have been less clear, the character of the Secretariat being greatly influenced by the way its head, the Secretary-General, perceives its (and his) role and the attitude of the member states, especially the most important among them.<sup>182</sup>

The role of the UN Secretariat is supposed to be impartial as expected by international civil servants who are there to serve the international community as a whole and perform the role of an "honest broker" in situations of tension. Under the UN Charter, every member of the UN Secretariat undertakes not to "seek or receive instructions from any government or from any other authority external to the Organisation" (Article 100(1)). In turn, "[e]ach Member [state] of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities" (Article 100(2)).

In practice, the independence of the Secretariat has been and is being compromised in more than one ways.<sup>183</sup> Violations of the principle of independence enshrined in the Charter range from allowing people

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<sup>179</sup> See also discussion about US attitudes above and in Chapter II.

<sup>180</sup> Inis L. Claude, Jr., *Swords into Plowshares: The Problems and Progress of International Organization*, Random House, New York, 1984 (fourth edition), p. 191.

<sup>181</sup> See "Hankey v. Drummond" in Thomas M. Franck, *Nation Against Nation...*, *op. cit.*, pp. 94-97; see also Inis L. Claude, Jr., *op. cit.* pp. 193-194. For the various stages in the evolution of the international secretariat, from the nineteenth century up to the modern days, and the various issues involved, see Jean Siotis, *Essai sur le Secrétariat International*, Publications de l' Institut Universitaire de Hautes Etudes Internationales, No. 41, Librairie Droz, Genève, 1963.

<sup>182</sup> See Anthony Mango, "The Role of the Secretariats of International Institutions", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, pp. 40-41.

<sup>183</sup> For a comprehensive treatment of the concept of the International Civil Service and its independence see "The Changing Concepts of the International Civil Service", adapted from an unpublished UNTAR pa-

to serve only on fixed-term appointments while on secondment from their home governments, segregation and withholding of their salaries, as is the case for the USSR and other socialist states' nationals,<sup>184</sup> to supplementary payments or housing benefits paid to their nationals working in the Secretariat by Western states like Germany, Japan, Canada and even the United States.<sup>185</sup> More brutal violations of the human rights and the diplomatic immunities and privileges of international civil servants also take place.<sup>186</sup>

One could argue that the independence of the Secretariat is undermined at its foundations by the creation by UN legislative bodies of Secretariat units to serve particular causes that are not accepted by all. Such criticism has been directed in recent years against the Third World majority in international representative fora, e.g. with regard to the creation of UNCTAD, which acts to a great extent as a Third World Secretariat.<sup>187</sup> Of course, one can argue that the West has also created Secretariat units favourable to its interests, as with the Bretton Woods institutions and their Secretariats, except that those were created a long time ago, in the period of the setting-up of the UN. Nevertheless, some students of the UN do not find particularly bad this "pluralistic approach in which a diverse set of organisations, servicing different clienteles, attempts to deal with complex and multifaceted problems". "Moreover", they argue, "the confusion that results from two or more organisations attempting to deal with the same set of problems can be counter-

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per by Dr. Robert S. Jordan and Dr. John P. Renninger, in Norman A. Graham & Robert S. Jordan, eds., *The International Civil Service: Changing Role and Concepts*, Pergamon Policy Studies on Socio-economic Development, published in co-operation with UNITAR, Pergamon Press, New York, 1980, pp. 1-27 as well as Thomas M. Franck, *Nation Against Nation...*, *op. cit.*, chapter 6.

<sup>184</sup> The Soviet bloc countries traditionally oppose permanent contracts for UN employees (on this see also disagreements reflected in *The G-18 Report*, recommendations 55 and 57 (pp. 22-23)). However, recently, the USSR has allowed permanent appointments—see section on the Soviet attitude above.

<sup>185</sup> In this latter case, payments are made after completion of UN service, on return to the US federal civil service, and are referred to as "equalisation payments". In general, the exact supplementary benefits and the people qualified for those benefits differ from country to country. See "Staff Report on Personnel Issues in 5th Committee—Action Asked on "Scandalous" Supplementary Payments", *UN Report* (A Publication of the UN Staff Union), Vol. 4, No. 2 (November 1988), New York, p. 1; *Personnel Questions: Views of the Staff Representatives of the United Nations Secretariat*, General Assembly, Forty-third Session, Fifth Committee, UN Doc. A/C.5/43/27 of 31 October 1988, especially paras. 31-32 (p. 8); *Report of the International Civil Service Commission for the Year 1988*, General Assembly, Official Records: Forty-third Session, Supplement No. 30 (UN Doc. A/43/30), United Nations, New York 1988, Annex II (pp. 56-59); and interviews of 5 January 1989 {7} and 27 January 1989 {19}.

Regarding the US attitude towards the "independence" of the UN Secretariat consider also the period of McCarthyism, when the "witch-hunt" against American communists was also brought into the UN.—See Thomas M. Franck, *Nation Against Nation...*, *op. cit.*, pp. 100-103; Julian Behrstock, *The Eighth Case: Troubled Times at the United Nations*, University Press of America, Lanham, USA, 1987; and John Gerard Ruggie, "The United States and the United Nations: Toward a New Realism", *op. cit.*, p. 351, referring in general to attitudes towards the UN Secretariat. For the attitude of the socialist states towards the Secretariat see Thomas M. Franck, *Nation Against Nation...*, *op. cit.*, pp. 104-110 and for that of the Third World countries see *ibid.*, pp. 110-114.

<sup>186</sup> See UN Doc. A/C.5/43/27, paras. 28-30 (pp. 7-8) and Appendix (pp. 11-16).

<sup>187</sup> See M.J. Peterson, *op. cit.*, pp. 168, 178 and 221.

balanced by the gains that result from the competition injected into the system."<sup>188</sup> One can only remark that the UN organisations are supposed to be *global* fora, trying to cater for the needs of the international community as a whole. Outside of the UN system there can be, and there are, international fora that serve the particular interests of their clienteles which consist of only part of the international community.<sup>189</sup> Competition may make sense between non-global international organisations and the UN can provide fora for this competition to express itself productively, but competition has a rather counter-productive effect when practiced among the various parts of the global forum themselves. Views like the above may well be due to a misunderstanding of the function of the UN and to a tendency to "UN-ise" every international activity and interaction that, as practice shows, does not really help the world body.

At the top of the Secretariat, the Secretary-General plays a really unique role. Beyond being "the chief administrative officer of the Organisation" (Article 97 of the United Nations Charter) and beyond his right to "act in that [above] capacity" in all meetings of UN organs (Article 98) and to appoint the UN Secretariat staff "under regulations established by the General Assembly" (Article 101 (1)), the Secretary-General, most importantly, may also "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security" (Article 99). The Secretary-General represents the Organisation and is the only non-state *political* actor within it. Many of his prerogatives that are widely acknowledged are not provided for in the United Nations Charter. Quoting Thomas M. Franck:

Precisely because that role [that is, the role of the Secretary-General in international relations] is not spelled out by the Charter, it is also not hedged with debilitating limitations and procedural incapacities. In this sense, the Secretary-General has had the freedom to invent himself in the light of the experiences and realities of the postwar world, and has not been hobbled to a bad guess as to what those realities might be.... The rise of the Secretary-General to a role of

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<sup>188</sup> Davidson Nicol and John Renninger, *op. cit.*, p. 91. See also Robert S. Jordan, "'Truly' International Bureaucracies: Real or Imagined?", in Lawrence S. Finkelstein, ed., *Politics in the United Nations System*, Duke University Press, Durham and London, 1988, especially pp. 437-442 where the fact of and even the desirability of the co-existence of "global" responsibilities of and "national" constraints on international civil servants are acknowledged.

<sup>189</sup> In this respect, as long as the Bretton Woods institutions remain closed to some countries, their globality and place in the UN system can be questioned.

considerable eminence, even in the company of heads of important states, is primarily a result of clever incumbents' seizing—sometimes creating—historic opportunities.<sup>190</sup>

As Richard N. Gardner explains, there seem to be two conceptions of the Secretary-General's role that contrast with each other. Some see the Secretary-General as mainly an administrative officer, a sort of a "glorified clerk", while some others view him as an administrative officer, of course, but also, more significantly, as a political actor, with an important role to play and initiatives to take, on many occasions.<sup>191</sup>

The authority of the Secretary-General has in the past been strongly supported by Western countries where the tradition of fairly independent civil services is well-rooted and the emphasis is put upon the merits of the individual, to a great extent. Quite different used to be the Soviet attitude towards the expansion of the Secretary-General's prerogatives and influence. At one point even, during the Congo operation, the Soviets had strongly supported the abolition of the post.<sup>192</sup> In a clear departure from their previous negative attitude, the Soviets have been lately proposing measures for the strengthening of the role of the Secretary-General.<sup>193</sup> Especially the granting to the Secretary-General of the power to convene the Security Council would be a major upgrading of his role and a re-interpretation of the Charter.<sup>194</sup> Other important countries are also in favour of a more active role, with increased discretionary powers, for the Secretary-General.<sup>195</sup> Related to this, there seems lately to be an across the board agreement on having the Secretary-General closely involved in such activities as the investigation of alleged violations of the Geneva protocol on Chemical Weapons.<sup>196</sup>

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<sup>190</sup> Thomas M. Franck, *Nation Against Nation...*, *op. cit.*, p. 118. See also Thomas M. Franck, "The Good Offices Function of the UN Secretary-General", in Adam Roberts & Benedict Kingsbury, eds., *United Nations, Divided World: The UN's Roles in International Relations*, Clarendon Press, Oxford, 1988, p. 91.

<sup>191</sup> See "Report of a Seminar on "The Future of the United Nations Secretariat"", by Richard N. Gardner, in *The Future of the United Nations Secretariat*, a report by Professor Richard Gardner on an International Conference held in May, 1972, in New York City and Rensselaerville, co-sponsored by The United Nations Institute for Training and Research (UNITAR) and The Institute of Man and Science, pp. 20-21.

<sup>192</sup> This happened in the last years of Dag Hammarskjöld's term of office, when the Soviets deeply disagreed with his handling of the Congo operation (ONUC). Khrushchev then proposed the replacement of the post of the Secretary-General by a *troika*, a committee of three persons, each of which would have a veto on substantive decisions.—See above discussion of Soviet attitudes and fn. 73.

<sup>193</sup> See above discussion of proposals put forward by the Soviet Union within the context of the concept of "comprehensive security".

<sup>194</sup> See interview of 11 January 1989 {11}.

<sup>195</sup> See the attitude of Japan examined above and interview of 10 January 1989 {9}.

<sup>196</sup> In this respect, the role of the Secretary-General was emphatically reaffirmed at the Conference on the Prohibition of Chemical Weapons that took place in Paris from 7 to 11 January 1989. See "Text of the Declaration from the Paris Conference on Chemical Weapons", *The New York Times*, 12 January 1989, p. A10

A concept to which the incumbent Secretary-General, Javier Pérez de Cuellar, seems committed is that of "preventive diplomacy", as he made clear already from his first report on the Work of the Organisation.<sup>197</sup> In order to be able to monitor spots of tension and potential conflict on the planet, with a view to intervening to prevent a dispute before it actually flares up into a direct confrontation, and in order to be able to contribute to the easing and ending of confrontations that are already in progress, the UN and its Secretary-General should be provided with swift and accurate information of the same quality enjoyed by the most technologically developed member states. As a move to that end and within the process of the structural reform of the UN Secretariat, the Office for Research and the Collection of Information was established.<sup>198</sup> The work of this Office is closely related to the function of "early warning" that many propose should be undertaken by the United Nations, not only with regard to existing or imminent military conflicts, but also with regard to other problems at the world level, e.g. ecological ones.<sup>199</sup> The success of this new endeavour will be determined by the ability to put in place the required infrastructure, in terms of personnel, resources/equipment and administrative arrangements; the leadership decision, especially on the part of the Secretary-General, to use the information acquired in a timely and effective way; and the willingness of governments, especially of the great powers, to co-operate.<sup>200</sup> In this broad framework, proposals have also been made for the appointment of UN "ambassadors", reporting to and conveying messages from the Secretary-General, in the various capitals, especially the most important ones. Trygve Lie had proposed such an arrangement and Waldheim renewed the proposal but there are objections, not least on financial grounds.<sup>201</sup>

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and related articles in *ibid.*

<sup>197</sup> See UN Doc. A/37/1, reproduced in *Yearbook of the United Nations 1982* (Vol. 36), Department of Public Information, United Nations, New York, 1986, pp. 3-8. In this respect, consider Dag Hammarskjöld's attempts to put such a concept into practice; Hammarskjöld's "preventive diplomacy", however, was directed more towards "keeping newly arising conflicts outside the sphere of bloc differences"—see Dag Hammarskjöld quoted by Sydney D. Bailey, "The United Nations Secretariat", in Evan Luard, ed., *The Evolution of International Organisations, op. cit.*, pp. 92-93.

<sup>198</sup> See Chapter III for a detailed presentation of the functions of the new Office.

<sup>199</sup> For a comprehensive treatment of the concept of "early warning" and the role of the United Nations in that respect, see John P. Renninger, "Early Warning: What Role for the United Nations?", paper presented at the UNITAR/USSR Association of the United Nations Roundtable on the "Future Role of the United Nations in an Interdependent World", Moscow, USSR, 5-9 September 1988. Consider also the similar function of "global watch" proposed for the UN in the economic and social fields by the UNA-USA panel—see Chapter III.

<sup>200</sup> See John P. Renninger, *Early Warning: What Role for the United Nations, op. cit.*, pp. 9-10.

<sup>201</sup> See Thomas M. Franck, "The Good Offices Function of the UN Secretary-General", in Adam Roberts & Benedict Kingsbury, eds., *op. cit.*, p. 92; B.G. Ramcharan, *op. cit.*, pp. 116-117, quoting K. Waldheim; and Richard N. Gardner, *The Future of the United Nations Secretariat, op. cit.*, p. 21.

Although the attitude of governments is crucial in the success of any Secretary-General/Secretariat endeavour, it is not only direct intervention from member states or their unwillingness to co-operate that renders the Secretariat and the Secretary-General ineffective. Quite often, unfortunately, "internal" opposition or non-cooperation, from various Secretariat quarters, has negative effects on the efforts of the Secretary-General or his representatives. This situation is to a great extent a result of the structure of the Secretariat and the practices established for filling the senior posts there. Despite repeated General Assembly reaffirmations of the opposite principle,<sup>202</sup> certain senior posts in the Secretariat are still considered the "exclusive preserve[s]" of certain states or groups of states that nominate the persons to occupy the posts, with the Secretary-General appointing them, at best choosing from a short list of candidates.<sup>203</sup> Even if the persons appointed have qualifications appropriate for the job that they are given, which is not necessarily the case,<sup>204</sup> the fact that they usually come from outside the UN, after having served their respective countries for years, and they usually come for a short time, after which they often return to a national post, makes one question the extent of their loyalty and dedication to the United Nations. This practice is not conducive to informal and substantive co-operation among the senior Secretariat officials themselves and between each one of them and the Secretary-General. Also the various Secretariat departments tend finally to reflect the administrative style of the national administration from which successive heads of each department are drawn, thus undermining the notion of one independent and unified international Secretariat. All this, and the elevation of the principle of equitable geographical representation in the professional staff of the Secretariat, even in each of the Secretariat sub-units, to the paramount principle for the filling of posts,<sup>205</sup> leads to delicate intra-Secretariat balances that preclude almost any in-depth consideration of

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<sup>202</sup> See, for example, General Assembly resolutions 33/143 of 20 December 1978 and 35/210 of 17 December 1980 and the non-unanimous recommendation 55 (p. 22) in *The G-18 Report*, referring to the latter resolution. See also recent General Assembly resolutions 42/220 A of 21 December 1987 and 43/224 A of 21 December 1988.

<sup>203</sup> Notice, for example, that the Under-Secretary-General for Political and Security Council Affairs has always been a Soviet national (see *Yearbook of the United Nations*). Notice also the appointment, in February 1989, of a Frenchman, Mr. Antoine Blanca, to replace another Frenchman, Mr. Jean Ripert, who resigned as Director-General for Development and International Economic Co-operation (see *The Diplomatic World Bulletin*, Vol. 19, No. 2, 13-20 February 1989, p. 2). Another American was expected to fill the post of Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services after the appointment by President Bush, in early 1989, of J. V. Reed as Chief of Protocol at the US State Department (see "Diplomatic Pouch", *The Diplomatic World Bulletin*, Vol. 19, No. 1 (19-26 January 1989), p. 5).

<sup>204</sup> See interview of 25 January 1989 {16}.

<sup>205</sup> Kurt Waldheim is considered to have given in completely to demands for equitable geographical representation. This opened the doors of the Secretariat to many not-so-competent people.—See interview of 5 January 1989 {7}. See also Chapter III.

substantive issues and any imaginative initiative.<sup>206</sup>

The Secretariat is often too diplomatic, ending up being more conservative than any member state and not substantive in dealing with issues.<sup>207</sup> This is also partly due to the fact that professional staff end up devoting most of their time and energy to the preparation of reports following requests to that effect addressed to the Secretary-General by the various intergovernmental bodies of the UN; this results in a hectic time-table that does not allow for creative thinking and affects adversely the quality and originality of the reports.<sup>208</sup> The Secretary-General probably realises the need for substantive treatment of issues, but in order to deal with that, to the extent that he feels allowed to, he creates a separate tier, an exclusive group around him, dealing with the substantive parts of the UN work. This group consists of the Secretary-General's Executive Office, consultants and, since its creation recently, the Office for Research and the Collection of Information. This may be useful for the Secretary-General but alienates the rest of the personnel and does not incite interest for work in other parts of the Secretariat.<sup>209</sup> Also it does not give a clear idea to Secretariat members about what to do (they often choose inaction) and keeps some divisions and offices supposedly doing substantive work doing procedural-superficial things.

Unfortunately, inspiration and leadership is as a rule not forthcoming on the part of the Secretary-General. This is the case not only with regard to the Secretariat but also in relation to the broader world public. The Secretary-General has failed to speak, to any significant extent, "for, and to, the public" and he has been unable "to reach out to the public and capture its imagination".<sup>210</sup> Admittedly, the Secretary-

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<sup>206</sup> Several times during the interviews that I conducted I was told that the condition of the UN Secretariat is not at all dissimilar to the condition of any national administration in the world, even those of the developed countries. All the signs of bureaucratic problems manifested in the Secretariat manifest themselves, to a lesser or greater extent, in the national administrations as well. Although this may well be true, this should not prevent one, as some seem to suggest, from looking for solutions to the UN Secretariat problems, in view, at least of the important international functions the latter is supposed to perform.

<sup>207</sup> For a discussion of the "substantive" functions of the Secretariat, see Anthony Mango, "The Role of the Secretariats of International Institutions", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, pp. 44-48.

<sup>208</sup> See Anthony Mango, "The Role of the Secretariats of International Institutions", in Paul Taylor and A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, pp. 43-45 and interview of 29 December 1988 {6}.

<sup>209</sup> For a glimpse in internal UN politics see "UN Secretariat Is Reorganised", by Paul Lewis, *The New York Times*, 22 November 1988, p. A14, announcing the decision by the Secretary-General to concentrate in his hands responsibility for peacemaking activities in the Middle East, Cyprus and Afghanistan, away from the Under-Secretary-General for Special Political Affairs, Murrack Goulding. See also internal fighting surrounding the establishment and definition of functions of the Office for Research and the Collection of Information that had as a result the new office to overlap in some of its functions with other Secretariat sections—see interview of 25 January 1989 {16}.

<sup>210</sup> See B.G. Ramcharan, *op. cit.*, p. 235, advising to the opposite. It is fair to acknowledge here that the annual report of the Secretary-General on the work of the Organisation stands out from the rest of the paper-

General himself is constrained by the very fact that he is usually chosen as a compromise candidate among the major powers, especially the five permanent members of the Security Council, and the major blocs, and has therefore to be very cautious to retain the support or at least the tolerance of the states that voted him in office and may vote him in once again.<sup>211</sup> To free the Secretary-General from some of the constraints and compromises imposed upon him through the prospect of his re-election, there have been proposals to modify the current practice and arrange for the Secretary-General to be elected for a longer term of office than the present five years (e.g. six, seven or eight years), without the possibility of him being re-elected.<sup>212</sup> A further proposal would favour the establishment of a "titular monarch" at the UN, to perform the formal/ceremonial functions today performed by the Secretary-General, thus allowing the latter more time for substantive work.<sup>213</sup>

Notwithstanding major future developments, even if it is not fair to refer to the Secretary-General as a "glorified clerk" (see above) it would not be far from present reality to refer to him as a *glorified diplomat*, which certainly does not point to charismatic and innovative leadership or will to initiate.<sup>214</sup>

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work produced by the United Nations and often amounts to a "state of the world" essay. The report, however, is not paid great attention to, not even within the Organisation. For example, with regard to the latest such report, UN Doc. A/43/1 of 14 September 1988, the General Assembly simply took note of the report without discussing it—see UN Doc. A/43/PV.32, p. 2 and General Assembly decision 43/404 of 17 October 1988. For the problems of presentation of the UN in general, especially in Western developed countries, and proposals to tackle them, see David Blair and Andrew Williams, "Role and Future of the United Nations", in *The Role and Future of the United Nations*, A collection of contributions to the International Symposium convened by the World Federation of United Nations Associations from 3 to 8 October 1983 in the Palais des Nations, Geneva, Switzerland, World Federation of United Nations Associations (WFUNA), 1985, pp. 19-21.

<sup>211</sup> See a characteristic example of this in Waldheim's attitude as described by Brian Urquhart in his *A Life in Peace and War*, *op. cit.*, pp. 267-268. Mr. Pérez de Cuéllar was elected in 1981 as a compromise candidate after a bitter campaign and 16 unsuccessful rounds of voting.—See "Unanimously, the UN's Man", by Elaine Sciolino, *The New York Times*, 11 October 1986, p. A2. He was reelected in 1986 as a compromise candidate, as the major powers that have the veto right at the Security Council, did not seem to be ready for an African as head of the UN.—See "UN Chief bows to tradition", *Financial Times*, 11 October 1986, p. 2. Unfortunately, the compromise shows in the style of the Secretary-General who, according to some commentators, is not as dynamic as the post and the circumstances require.—See "The UN's lack of Authority", by Jurek Martin, *Financial Times*, 16 October 1986, p. 27. About how Javier Pérez de Cuéllar approaches his role as UN Secretary-General, in theory, at least, see "The Role of the UN Secretary-General", by Javier Pérez de Cuéllar, in Adam Roberts and Benedict Kingsbury, eds., *op. cit.*, pp. 61-77, especially pp. 61-62 and 70.

<sup>212</sup> See Thomas M. Franck, "The Good Offices Function of the UN Secretary-General", in Adam Roberts and Benedict Kingsbury, eds., *op. cit.*, p. 93 and Peter J. Fromuth, ed., *op. cit.*, p. 68 (already mentioned in Chapter III). See also views of T. Meron reproduced in B.G. Ramcharan, *op. cit.*, pp. 118-119.

<sup>213</sup> See Thomas M. Franck, "The Good Offices Function of the UN Secretary-General", in Adam Roberts & Benedict Kingsbury, eds., *op. cit.*, pp. 92-93.

<sup>214</sup> See Anthony Mango, "The Role of the Secretariats of International Institutions", in Paul Taylor & A.J.R. Groom, eds., *International Institutions at Work*, *op. cit.*, p. 48. For sure, the incumbent Secretary-General, Javier Pérez de Cuéllar, of Peru, had long been a diplomat for his country before undertaking several UN jobs in the 1970's and even in-between his UN Secretariat assignments. See also his assertion: "I haven't been in the United Nations for 40 years. I'm a Peruvian diplomat. I don't have to make a sacrifice and die with my ship. That's why I haven't made up my mind."—From an interview of the Secretary-General

The UN Secretariat's contribution to the recent outbreak of peace in many of the world's troubled regions was also mainly "diplomatic". The Secretary-General and his associates created a diplomatic edifice that allowed the belligerents to save their dignity and enabled them to sell their ending of the conflict to their respective peoples and the world at large when, under the pressure of the circumstances, often imminent disaster or exhaustion and under the influence of the new climate in the super-power and East-West relations they felt they had to do so. No matter how important this face-saving function may be, and it is very important indeed, it is quite different from active involvement and the actual bringing about of an end to a conflict, a permanent solution rather than a shaky settlement.<sup>215</sup> It is interesting to see what role the Secretary-General can play in the prevention of conflicts, as he himself has asked and he is lately rather often urged to, unless he modifies his style.

### Conclusion

The United Nations is primarily a political institution. Its performance, therefore, depends greatly on the political will of its member states, especially of the most important among them, to see it working. The irony is that, until now, the great powers, most importantly the two superpowers, have not coincided in their support for the UN. The United States, the early enthusiastic supporter, turned in recent years into a fierce critic and brought about the latest UN financial crisis, at a time when the previously cynical USSR was transformed, under Gorbachev, into an ardent supporter of the world body. Hopefully, it will soon

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regarding his seeking a second term of office or not, in view of the latest UN financial crisis, in "UN Chief Says He Might Step Down at End of Term", by Elaine Sciolino, *The New York Times*, 22 September 1986, p. A3. See in that respect Sir Brian Urquhart's assertion that: "I wasn't a diplomat. I was an international civil servant, which is a completely different thing. I don't like the word diplomat, actually."—From his interview with *Time*, "A very civil servant", 5 December 1988, p. 50.

For a much more positive view of the present Secretary-General's role and a defence of UN's performance, see speech by Stephen Lewis, Ambassador and Permanent Representative of Canada to the United Nations, to the National Convention of the UNA-USA, New York, 29 April 1985, published in *Statements and Speeches*, No. 85/2, Cultural and Public Information Bureau, Department of External Affairs, Ottawa, Canada, pp. 2-5.

<sup>215</sup> See Sir Brian Urquhart's answer to the question: "Is the UN responsible for peace breaking out?". He said: "I don't think so. I think the change in the international climate, which I suppose started with Mikhail Gorbachev, is of incalculable importance. Of course, if you want to get out of a conflict with honour, the UN and the Secretary-General are the best way of doing it." From "A very civil servant", an interview of Sir Brian Urquhart with *Time*, 5 December 1988, p. 50. "He [the Secretary-General] spent the sort of wilderness years from 1982 to 1987, pretty bad years in the UN, as the only negotiator on Afghanistan, Iran-Iraq, Western Sahara, Cyprus and a lot of other things, and he established a position of great respect with all the different antagonists in all these situations. When the international climate changed and the outburst of common sense began to take place, he was in a position to act very quickly." From *ibid.*, p. 52. For "face-saving" as the main function of the Secretary-General and the UN more generally in the settlement of international conflicts see interview of 25 January 1989 {16}.

become apparent that the situation is not necessarily a zero-sum game, so that a constructive dialogue can take place regarding the structures, functioning and scope of the UN. The Soviet proposals in that respect have a lot to offer, even as only a starting point for negotiations.

In order to remain relevant, the UN has to keep reflecting reality. In a more interdependent world, where the continuing claim of some states to hegemony is being seriously challenged by some new "up-and-coming" ones, the UN provisions and structures have to be reviewed in order to be able to accommodate the new situation. Informal arrangements incorporating some of the reforms needed could contribute to a smooth transition from the old constitutional setting to a new more adequate one (see also the Conclusion of Chapter III). In that respect it seems that less adherence to strict formal rules and increased decision-making by consensus is a promising feature that is evolving at the UN.

The World Body, if it is to be something more than the sum of its constituent parts (e.g. the member states), needs to develop its own voice and initiative. Imaginative and impartial leadership on the part of the Secretary-General and independence of the Secretariat are indispensable, if the UN is ever to perform any substantive tasks for the well-being of the global community.

## CHAPTER V

### The Conceptual Dimensions

#### Introduction

In this Chapter an attempt is made to bring together the empirical data about UN problems and attempted reforms presented in Chapters II, III and IV and some theories that have been developed in the field of international organisation. This attempt at *synthesis* is very much needed not only for the academic study of the United Nations but also for an effective practical approach to UN problems.

Indeed, many of the attempts at reforming the UN lack exactly that broader framework within which they would make sense and they would be consistent with other parallel actions. Thus, isolated attempts pursued in a piecemeal way and very often for reasons of expediency do not have much chance to be successful and to have lasting results. Such attempts certainly do not contribute to the United Nations finding its way and functioning optimally.

The above notwithstanding, this thesis and this Chapter in particular cannot deal with the grander philosophical problems of the future of humanity, international order, the notion of sovereignty, etc., although there are obviously close links between these issues and the future of the United Nations. Of course, such broader questions have to be and luckily enough are being treated by competent people,<sup>1</sup> but this study cannot afford to be comprehensive to that extent. An exception to this is a brief examination in this Chapter of the notions of "purposive" versus "practical" association and "cosmopolitanism" versus "state-centricism" that follows the critical review of the existing theories of international organisation. The Chapter ends with a summation of the various attitudes towards the United Nations, in theory and in practice, into three major alternative approaches to the role of the UN which are discussed in the light of recent developments trying to evaluate their future potential.

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<sup>1</sup> For an overview of various philosophical questions pestering the discipline of International Relations see *Millennium*, Vol. 17, No. 2 (Summer 1988), Special Issue on Philosophical Traditions in International Relations.

## Evaluation of existing theories of international organisation -- Theories revisited

In this thesis, theory is allotted an important position, as the human intellectual agent acting upon and contributing to the shaping of events; in this context the predictive and prescriptive rather than descriptive or explanatory aspects of theories are examined. This seems to be particularly the case with regard to global organisation for which there is not enough historical precedent to support a "hard" (even within the limits of social science) theory.

### *A typology of theories in the field of international organisation*

Theories in the field of international organisation can be distinguished according to their attitude towards change and their general interpretation of the human condition; the time span for the realisation of their predictions; the nature of action they favour and/or prescribe; their way of viewing international organisations; and their holistic or disjointed approach.<sup>2</sup>

As far as the general attitude of a theory towards change and its interpretation of the human condition is concerned, one can distinguish between two main currents of thought, permeating, it seems, all recorded human history. These two general trends could be named as *idealism* and *realism*.<sup>3</sup> None of the above words is meant here in a pejorative sense, although both have acquired at times such a negative—but at other times also a positive—meaning. Idealism, also known as utopianism (this version is usually today overcharged with negative connotations), or optimism, believes in the perfectibility of the nature of man, progress, and the *solution* of problems, thus it welcomes change that it interprets as a further step towards the realisation of the perceived natural harmony of interests. Realism, on the other hand, also known as

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<sup>2</sup> For other relevant typologies see, *inter alia*, Geoffrey L. Goodwin, "World Institutions and World Order", in Carol Ann Cosgrove & Kenneth J. Twitchett, eds., *The New International Actors: The United Nations and the European Economic Community*, MacMillan and Co., London, 1970, pp. 55-64; Charles Pentland, "Functionalism and Theories of International Political Integration", in A.J.R. Groom and Paul Taylor, eds., *Functionalism: Theory and Practice in International Relations*, University of London Press, London, 1975, p. 11 ff; and Paul Taylor, "A Conceptual Typology of International Organisation", in Paul Taylor & A.J.R. Groom, eds., *International Organisation: A Conceptual Approach*, Frances Pinter, London, 1978, pp. 118-136.

<sup>3</sup> One should, of course, bear in mind, for this and other attempts at categorisation, that: "Frequently, writers display "hybrid" characteristics, which makes it difficult, not to say unproductive, to try to insert them into convenient "realist" or "utopian" pigeon-holes. Nonetheless, as long as it is remembered that we are talking at the level of intellectual ideal-types, there is some value in depicting the general characteristics of a realist [or idealist, or other] tradition of thought." Quotation from Ian Clark, *Reform and Resistance in the International Order*, Cambridge University Press, Cambridge, London, New York, New Rochelle, Melbourne, Sydney, 1980, p. 55.

pessimism or tradition of despair, argues that there are objective problems with human nature which are aggravated at the international level. These fundamental problems or flaws are not expected to go away with time, therefore some coercive mechanism is needed if peace and order are to be maintained.<sup>4</sup>

The anticipated time span for the realisation of the "final stage" predicted/prescribed by a theory varies from one school of thought to the other. With respect to this characteristic, theories could be classified under one of the following categories: *static*, i.e. theories that do not anticipate any major change; *evolutionary or gradualist*, i.e. theories that adopt a "step-by-step" approach; and *revolutionary*, i.e. theories that anticipate abrupt major change.

With respect to the nature of action a theory favours and/or prescribes for the achievement of its "final stage"/"ideal world" and its insistence on formal or informal arrangements, theories could be classified as *formal or legalistic* and *informal or customary*.

In relation to the significance they attribute to international organisations, in particular governmental ones that interest me mostly here, theories can be classified into four categories, according to their viewing international organisations as, in order of increasing significance, *instruments*, *controllers*, *actors*, or *effectors*.<sup>5</sup>

Finally, theories could be characterised as *holistic and centralist* or *disjointed and issue-oriented*, according to their tackling the problems of international organisation as one whole and devising a central authority to deal with them or dividing up the problems in smaller issue-related puzzles that allegedly are easier to be tackled through decentralised efforts, more or less confined to specific issue-areas.<sup>6</sup>

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<sup>4</sup> Kant and Rousseau are chosen by Ian Clark as the "ideal types" of idealism/"optimism" and realism/"despair" respectively. See Ian Clark, *op. cit.*, chapters 2 and 3.

<sup>5</sup> Classification proposed by Paul Taylor, "The Functions and Emergence of International Organisations", in Paul Taylor, ed., *A Survey of International Institutions, Lectures given at the 1981 NALGO International School at Trinity Hall, Cambridge, NALGO, London, 1982*, pp. 16-21. Although Paul Taylor seems to consider the role of "controllers" as the most significant latest stage in the evolution of international organisations, I chose to rank it only third in significance here. This I did interpreting the term "controller" as "monitor" or "verifier" and having in mind the actual restrictions imposed on this role today (for example, a very specific, narrow area of competence), although there may be undiscovered potential in this role (see, in this respect, the "global watch" and "early warning" functions proposed for the UN in Chapters III and IV).

<sup>6</sup> One could also devise one more classification using as criterion the methodological strictness of a theory. Under such a classification a theory would be considered methodologically sound if it were conscious of related methodological questions and put forward specific enough propositions that if disproved would automatically lead to its falsification. Such classification has no much meaning after the calming down of the behavioural fervour of the 1960's and, most importantly, after the realisation that the most influential theories of international organisation that dominate the field today, namely functionalism and regime theories, don't claim that they are, strictly speaking, theories, but rather loose "approaches"—see, for functionalism, Paul Taylor and A.J.R. Groom, "Functionalism and International Relations", in A.J.R. Groom

In what follows I examine what I consider as the most important theories in the field of international organisation today. These are: federalism, liberalism, functionalism and neo-functionalism, globalism, developmentalism, classical realism, and the various regime theories. I study the weak and strong points of each and all of these theories in the search for a solid theoretical foundation for the world organisation of tomorrow. Greater emphasis is put on the examination of functionalism and regimes as the main contenders; the former still holding strong, either as pure functionalism or as neo-functionalism, representing the idealist tradition; and the latter being the latest "in" thing in the field of international organisation, representing the realist tradition.

### *Federalism*

Federalists look forward to the creation of an international organisation of a general and comprehensive character with strict rules and wide functions. A supranational authority—which can well be named the national authority of the new expanded nation—is created, and the previously independent states are united under its leadership. The supranational body establishes its authority and preponderance over the ruling bodies of the constituent units, and attracts a significant amount of the loyalties of the local people; it has also in its possession the means of coercion that will guarantee its superior position against any secessionist challenge, if the need be. The smaller units still enjoy autonomy in fields related to local needs.

The way to unity is a political one for federalists. Federation is achieved through a political act of elites supported by popular sentiment. William H. Riker has defined federalism as "a bargain between prospective national leaders and officials of constituent governments for the purpose of aggregating territory, the better to lay taxes and raise armies".<sup>7</sup> Pressure and compromise are both used to an intense degree till a final agreement is achieved. Of course, in order to subscribe to an agreement, the elites of the constituent units have to feel that, for the part of their sovereign power they are passing over to the supranational body, they are going to gain in some other highly ranked area(s) like security and/or prosperity etc.<sup>8</sup> A

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& Paul Taylor, eds., *Functionalism...*, *op. cit.*, p. 1, and for regimes Jack Donnelly, "International Human Rights: A Regime Analysis", *International Organisation*, Vol. 40, No. 3 (Summer 1986), p. 640.

<sup>7</sup> William H. Riker, *Federalism: Origin, Operation, Significance*, Little, Brown & Co., Boston and Toronto, 1964, p. 11.

<sup>8</sup> H.K. Jacobson, *Networks of Interdependence: International Organisations and the Global Political System*, Alfred A. Knopf, New York, 1984 (second edition), pp. 60-62.

constitution incorporates the final agreement and distributes effective power between the central authority and the local ones. Every move after that is based on this sanctified constitution.

In accordance with the typology proposed above, federalism could be identified as an idealistic, revolutionary, legalistic, and holistic approach to international organisation that views international organisations as effectors. This is perhaps the oldest current of thought on international organisation and one can say that it comes without interruption from the days of Dante and the other proponents of the revival of the Roman Empire, at least. It entails no real conceptual innovation, as it reproduces the ideas and beliefs that underlie the creation of states, only on a grander scale this time.

Federation has worked at the regional level as the examples of the federated states of the United States of America, Switzerland and Canada, among others, show.<sup>9</sup> But, of course, federation is not without problems (see American Civil War, problems in Quebec, Biafra etc.) and there is not one way to federation (compare the US and Swiss systems). Diversities of all sorts: ethnic, cultural, religious, political, etc., that still characterise the world today—despite its increased interdependence and relative homogenisation of recent years—make plans for world federation difficult to see being implemented, in the immediate future, if ever.

Moreover, it is not self-evident that one can extrapolate the notion of the state onto the global level. A state, in order to consolidate its existence, needs, up to now at least, other states against the background of which it enhances its particular characteristics and with which it comes into alliance and/or war. But such considerations are inconceivable at the global, all-embracing level—unless, of course, one expects the Martians to appear at any moment!

Of course, if we accept that federalism is more flexible and is not trying to project the state, in the current meaning of the word, from the local to the global level but is ready for adjustments, then federalism is a certain winner and has probably won, in a sense, already today. But for definitions and classifications to have a meaning we have to define them in a restrictive way. Thus, federalism, defined as the formation of a federal state at the world level that will be based on the rule of law and on arrangements similar to those

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<sup>9</sup> See Charles Pentland, "Functionalism and Theories of International Political Integration", in A.J.R. Groom & Paul Taylor, eds., *Functionalism...*, *op. cit.*, pp. 12-13.

in effect within existing federal states, is rather too ambitious an expectation from today's world. Also, the desirability of pursuing such an objective is, in the final analysis, debatable, at least on practical, organisational grounds.<sup>10</sup>

### *Liberalism*

Liberal idealism is a direct antecedent of the previous centuries' peace and free trade movement. It believes in the possibility of close international co-operation short of grand unification plans and rejects isolationism and cynical realism. Interactions at the international level need not rest on mere power calculations and the unhindered pursuit of individual interest. Certain rules of morality, legally binding or more informal, based on a mutual understanding, can be of benefit to all and can bring about the anticipated natural harmony of interests.

Although states are the dominant actors, they are not the only ones. International non-governmental organisations and transnational corporations have, *de facto*, a role to play, within the legal framework of the system as formulated by the states. International governmental organisations are new actors brought forth by governments to provide them with fora for co-ordinating their actions, but also to symbolise their determination to work together, and to incarnate (through their intergovernmental organs and their secretariats) the conscience of the nascent world community.<sup>11</sup> Public opinion supports international association and influences the decisions of international organisations.

Elements of this approach are manifest in the principles of international co-operation incorporated into the Treaty of Versailles and the League of Nations experiment under the powerful influence of Woodrow Wilson.<sup>12</sup> The approach was later discredited, when the many shortcomings of the League experiment became apparent. Just before the outbreak of the Second World War the approach was fiercely criticised by E.H. Carr in his seminal book "The Twenty Years' Crisis".<sup>13</sup> Nevertheless, liberalism persisted and had a

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<sup>10</sup> See following: "A maximalist future for the United Nations".

<sup>11</sup> See Dag Hammarskjöld's examination of two different conceptualisations of the role of the United Nations in Dag Hammarskjöld, "Two Differing Concepts of United Nations Assayed", in David A. Kay, ed., *The United Nations Political System*, John Wiley & Sons, New York, 1967, pp. 109-126.

<sup>12</sup> See Inis L. Claude, Jr., *op. cit.*, pp. 52-54.

<sup>13</sup> E.H. Carr, *The Twenty Years' Crisis 1919-1939: An Introduction to the Study of International Relations*, The MacMillan Press, London and Basingstoke, 1984 (first edition 1939).

discernible impact on the creation and functioning of the post-World War II generation of international organisations, at the initial stages of their existence, at least.<sup>14</sup>

The problem with Liberalism is that it presupposes that differences and grievances can be easily accommodated and dispersed when dealt with through reason that is common to all people. Law based on reason can provide the guide to proper behaviour and peaceful co-existence. The point missed here is that reason is no panacea either, unfortunate as this may sound. Ethnic ties, cultural propensities, religious beliefs and even human idiosyncrasies cannot always, to say the least, be subjected to the rule of reason as an idealistic Western/Enlightenment-style approach would predict.

Liberalism has encountered and will always encounter problems, because of its very basic principles. It elevates international institutions to a prominent position, but this position it chooses is not a position of "stable equilibrium". Increased expectations encouraged in some by liberalism's approach to international phenomena generate pressure towards an even greater strengthening of the power and independence of international organisations, in the direction of the federalist or the neo-functionalist (see below) approach. At the same time, insecurity caused to states and national elites for the same reasons, generates a reverse reaction that attempts to reassert the prominence of national authority in the direction of the classical realist or neo-realist approaches (see below).

In a few words, liberalism is an idealistic, static, formal and holistic approach to international organisation and views international organisations as actors.

### *Functionalism and Neo-functionalism*

Functionalists show an unwillingness to designate *a priori* what the ultimate goal of international organisation is. They leave it to the future to decide and they hardly attempt any predictions, as they are extremely conscious of the complexity of and the cross-cutting linkages and influences in today's world.<sup>15</sup> One thing that admittedly functionalists go for is the creation of "a working peace system", in the words of David

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<sup>14</sup> See Inis L. Claude, Jr., *op. cit.*, pp. 78-79. For an in-depth discussion of "pure" and "compensatory" liberalism see R.D. McKinlay & R. Little, *Global Problems and World Order*, Frances Pinter (Publishers), London, 1986, chapters 2, 5 and 8.

<sup>15</sup> See David Mitrany, "The Functional Approach to World Organisation", in Carol Ann Cosgrove & Kenneth J. Twitchett, eds., *op. cit.*, p. 74.

Mitrany, functionalism's major proponent;<sup>16</sup> not a system that would keep the nations peacefully apart but one that would bring them actively together.<sup>17</sup>

According to functionalist thinking, co-operation among nations should put emphasis on "the common index of need" and not on "the individual index of power".<sup>18</sup> States, facing a new world reality and forced by the need to promote the well-being of their people, co-operate with each other in many areas where co-operation is the only way to solve problems as global problems require global answers.<sup>19</sup> Functions performed in these areas are usually of a technical nature, come up due to advances in knowledge and technology, and are supposed to be self-determinable—i.e. able to determine by themselves the extent, geography-wise and range-of-activity-wise, to which they have to be pursued.<sup>20</sup>

The special nature of each function then should determine the formal way in which its performance should be pursued; "form should follow function"<sup>21</sup> and not the opposite, as is usually the case when high/power politics—which functionalism rejects and considers "dead" in our nuclear age<sup>22</sup>—is involved. "Functional "neutrality" is possible, where political "neutrality" is not."<sup>23</sup> Political bargaining is to be superseded by "factual audit".<sup>24</sup>

Functionalism draws inspiration from the creation of specific-purpose functional agencies at the international and the intra-national level in the late nineteenth and early twentieth centuries and is based on liberal-socialist and anarchist ideas.<sup>25</sup> To a limited extent the League of Nations, especially in its later

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<sup>16</sup> "A Working Peace System" is the title of a famous essay written by David Mitrany and first published in 1943. See David Mitrany, *A Working Peace System: An Argument for the Functional Development of International Organisation*, National Peace Council, pamphlet No. 40, London, November 1946 (fourth edition).

<sup>17</sup> Paraphrasing David Mitrany, *ibid.*, p. 7.

<sup>18</sup> See David Mitrany, "The Functional Approach to World Organisation", in Carol Ann Cosgrove & Kenneth J. Twitchett, eds., *op. cit.*, p. 72. John Burton and the "World Society" school seem to have taken this common index of need and elevated it to the centre of their theory of international relations. See, for example, John W. Burton, *Global Conflict: The Domestic Sources of International Crisis*, Wheatsheaf Books, Brighton, 1984, chapter 15.

<sup>19</sup> David Mitrany, "The Functional Approach in Historical Perspective", *International Affairs*, Vol. 47, No. 3 (July 1971), pp. 532 and 538-539.

<sup>20</sup> *Ibid.*, pp. 540-541.

<sup>21</sup> Paul Taylor & A.J.R. Groom, "Functionalism and International Relations", in A.J.R. Groom & Paul Taylor, eds., *Functionalism...*, *op. cit.*, p. 1.

<sup>22</sup> David Mitrany, "The Functional Approach in Historical Perspective", *op. cit.*, pp. 532-533.

<sup>23</sup> David Mitrany, "The Functional Approach to World Organisation", in Carol Ann Cosgrove & Kenneth J. Twitchett, eds., *op. cit.*, p. 73.

<sup>24</sup> *Ibid.*

<sup>25</sup> See Paul Taylor & A.J.R. Groom, "Functionalism and International Relations", in A.J.R. Groom & Paul Taylor, eds., *Functionalism...*, *op. cit.*, pp. 3-4. See also Mark F. Imber, "Re-reading Mitrany: A Pragmatic Assessment of Sovereignty", *Review of International Studies*, Vol. 10, No. 2 (April 1984), pp. 103-

years, and, to a greater extent, the United Nations, were drawn upon functionalist lines, as far as the economic, technical and social part of their activities is concerned.<sup>26</sup>

Political and security questions as such are passed by by functionalism. "A working peace system" will naturally emerge<sup>27</sup> in a world cut across boundaries by a fully-fledged network of functional organisations providing "essential services to fulfill commonly-felt needs".<sup>28</sup> To that end great importance is attached not only to functional organisations formed by governments, but also to non-governmental organisations.<sup>29</sup>

One possibility for the future is that the loyalties of the people will be transferred from the sovereign-territorially fixed state and its government to that complex network of functional organisations cutting across borders, those ""service" states and governments [that] are here to stay",<sup>30</sup> and some form of international government is expected gradually to emerge.<sup>31</sup> The power of the state and with it power politics shall wither away—but when and exactly how this is going to happen is not to preoccupy one's mind in advance. One should concentrate on the functional process itself; functionalists have no grandiose plans like federalists (and neo-functionalists—see below) and do not work in the state-mentality writ large, as the others do.

A lot has been said about functionalism's teleological determinism—the belief that a working peace system will finally *naturally* emerge in the way that functionalists say it will and their insistence that high politics can happily (more or less) be dismissed as dying, if they are not dead already.<sup>32</sup> Of course, by

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<sup>26</sup> Notice, however, that: "The functional experiment of the United Nations is full-scale in terms of the number of international agencies and the diversity of the technical, economic, social, and humanitarian problems that are placed within their range. But to say that the agencies are competent to *deal* with problems is not to say that they are equipped to *solve* them. The experiment is decidedly less than full-scale in terms of the conferment upon functional agencies of authority to make decisions, to order compliance, to command resources, and to initiate and conduct activities."—Inis L. Claude, Jr., *op. cit.*, p. 395.

<sup>27</sup> For a formulation of this course towards a working peace system see Mark Imber's five stages that allegedly summarise Mitrany's views, in Mark F. Imber, "Re-reading Mitrany: A Pragmatic Assessment of Sovereignty", *op. cit.*, pp. 105-106 ff.

<sup>28</sup> Paul Taylor & A.J.R. Groom, "Functionalism and International Relations", in A.J.R. Groom & Paul Taylor, eds., *Functionalism....*, *op. cit.*, p. 2.

<sup>29</sup> *Ibid.*, p. 5. See also Antony J.N. Judge and Kjell Skjelsbaek, "Transnational Associations and their Functions" and Michael Hodges, "Functionalism and Multinational Companies", in *Ibid.*, pp. 190-224 and 225-237 respectively.

<sup>30</sup> David Mitrany, "The Functional Approach in Historical Perspective", *op. cit.*, p. 541.

<sup>31</sup> See David Mitrany, "The Functional Approach to World Organisation", in Carol Ann Cosgrove & Kenneth J. Twitchett, eds., *op. cit.*, p. 74.

<sup>32</sup> For a discussion of these and other points see the articles by Mark F. Imber, "Re-reading Mitrany: A Pragmatic Assessment of Sovereignty", *op. cit.*, pp. 103-123; Robert I. McLaren, "Mitranyan Functionalism:

happily dismissing high politics, Mitrany and the functionalists seem to forget the important co-ordinating role that political authority, at whatever level, plays. In their anticipated world, functionalists substitute for the anarchy of the system of independent states the anarchy of a system of independent functional agencies, seemingly ignoring the omens that this latter system can also generate bitter conflicts and competition and is also considerably dysfunctional.<sup>33</sup> By doing this, functionalists risk rediscovering the wheel—in this case politics and some formal arrangements, in particular related to co-ordination, inspiration, and leadership—at a significant cost in terms of energy (human and other) and time.

Functionalism concentrates a lot (too much?) on the notion of *function* which it considers as "objective" and "clear-cut", and neglects, if not ignores, the notion of *purpose* which is a basic element of human activity.<sup>34</sup> Purposeful human thought and action defines and pursues functions that are related to its designated areas of interest. This cannot be ignored without subduing the world to a technocratic and deterministic view of unconscious—and therefore most possibly sinister—purposes, unworthy of creative, intellectual, and to a great extent self-determinable beings (and not functions). The vague functional vision of a working peace system as the final end is not specific and persuasive enough to entertain such gloomy prospects.

The belief that technical co-operation will somehow by itself shift peoples' loyalties from the state to something else unspecified and that the network of functional agencies will expand and become self-regulating seem rather simplistic and naive, product of a sort of technocratic idealism of another age. Functional agencies have, of course, been created and technical co-operation is probably at its highest level ever, but the a-political nature of "purely technical" tasks still remains to be demonstrated. First and foremost, states, perhaps because of Mr. Mitrany's revelation of the secret, would never leave even the most functional agency unattended. Every agency has its own General Assembly or General Conference and its Executive Board where people talk on behalf of sovereign states that they represent. The a-political character of

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Possible or Impossible?", *Review of International Studies*, Vol. 11, No. 2 (April 1985), pp. 139-152; and Mark F. Imber, "A Comment", *Review of International Studies*, Vol. 11, No. 2 (April 1985), pp. 153-155.

<sup>33</sup> I am referring here to the experience of the UN technical, economic, and social system that consists of the independent Specialised Agencies and other autonomous or semi-autonomous entities and the problems that arise from this very fact. Such issues have already been discussed in Chapter III of the thesis.

<sup>34</sup> See Ernst B. Haas, "On Systems and International Regimes", *World Politics*, Vol. 27, No. 2 (January 1975), pp. 154-155. See also discussion on "purpose" and "practice" later in this Chapter.

technical tasks is... demonstrated by the periodic charges and counter-charges for politicisation of one or the other agency.<sup>35</sup> If nothing else, one can argue that international technical co-operation through such agencies helped states keep up with and to a great extent control a technology developing at record speed. Also functionalism, with its unspecified time-horizon for the withering away of loyalties to states, offered a good excuse to shut up the impatient critics of statism who could not wait for things to come in their natural sequence.

In other words, functionalism is something like the theory of the free market, that, purportedly, if left to function alone, would bring paradise on earth, through undistorted competition, etc. For better or worse, this has never been tried in practice and government regulation of some sort remains the case for even staunch proponents of the concept. As a result, we will probably never have the chance to live in a purely free market, perhaps because a free market world might well be a world not inhabitable by human beings who happen to be a bit more than pure producers and consumers. In the same way, we cannot have a "free technology" or a "free science" world, a purely a-political world, because that would not be a world of human beings either.

According to the typology propounded above, functionalism is an idealistic, gradualist, informal, and issue-oriented approach to international organisation, and views international organisations as controllers and, perhaps, at a later stage, actors. *Neo-functionalism*, to be examined in the following paragraphs, is, in contradistinction, idealistic, gradualist, formal and holistic, and views international organisations as effectors.

Neo-functionalists came to reconcile functionalism and politics. Their approach is a blend of functionalism and federalism, in that it shares the latter's ultimate aspirations to a federation and the creation of a supranational authority (conscious underlying purpose), while it chooses the former, i.e. functional co-operation, as the means of achieving its ends. That is why Mitrany proposed the name "semi-functionalism" as better representing the credo of neo-functionalism.<sup>36</sup>

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<sup>35</sup> For a brief discussion of politicisation see Victor-Yves Ghebali, "The Politicisation of UN Specialised Agencies: A Preliminary Analysis", *Millennium*, Vol. 14, No. 3 (Winter 1985), pp. 317-334. For a further discussion of politicisation, particularly in the case of UNESCO, see the PhD Thesis by Sagarika Dutt, University of Kent at Canterbury (forthcoming).

<sup>36</sup> David Mitrany, "The Functional Approach in Historical Perspective", *op. cit.*, p. 535.

Neo-functionalism is almost a case-theory as it was inspired by and used to explain Europe's alleged course towards integration during the 1950's. The creation of the European Coal and Steel Community in 1950-1952 and the subsequent creation of the European Atomic Energy Community (Euratom) and the European Economic Community (EEC) in 1957 and the expansionary policy these bodies initially pursued under the leadership of people like Monnet, Spaak and Hallstein, made it seem like the "spill-over" effect was really there and would gradually lead, through ever greater co-operation in new fields, to the "engrenage" that would finally mean the union of Europe. Theorists like Ernst Haas and Leon Lindberg supported this effort and offered a theoretical framework in which it seemed to make sense.<sup>37</sup>

Neo-functionalism re-introduced an essential element missing from functionalism, that is the political will that can mobilise and direct processes. While accepting, in principle, the functionalist credo about the sovereignty of states withering away with peoples' concentration on joint economic and technical ventures, neo-functionalism recognises a step by step approach to supranationalism which won't be completed until political elites and issues get involved in this process towards integration. Integration will come because some will realise that it is to their interest that it comes and will push for it further, rather than wait till it comes on its own, if ever. To reach some new stage, you have to have an idea of what that stage will look like, otherwise it makes no sense talking about something that will come "out of the blue". Political will and theorising contribute to the formulation of something out of the many that would be possible but will never take place, except that one.

The European case remains the primary example of neo-functionalism at work and acquires increasing prominence in the process towards 1992 and the unified European Market. Following the ups and downs of the EC in its course towards greater integration, neo-functionalism has itself experienced similar ups and downs in its popularity. In the course of Europe towards 1992, the first seems once again to be the case.

What about the United Nations? Is the whole world on such a track of ever increasing co-operation towards final integration? Unfortunately, the world, although interdependent, is still so diverse that the

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<sup>37</sup> See Haas and Schmitter's three sets of variables intervening in the transition from economic to political union and J.S. Nye's "process mechanisms" and "integrative potential" discussed in James E. Dougherty & Robert L. Pfaltzgraff, Jr., *op. cit.*, pp. 433 and 439-443 respectively.

possibility of taking the path to integration in the European way cannot easily be conceived, as yet. Economic, cultural, religious and, of course, political differences would create a mess if international borders were to be opened for the free movement of persons and goods throughout the world. Neo-functionalism can be taken seriously for countries with similar cultural backgrounds and roughly similar standards of living, but is still a dream in the case of the world as a whole today. Nevertheless, neo-functionalism cannot be ruled out for the long term or can be said to be at work already but with low intensity at the world level.

### *Globalism*

*Globalism's* proponents are people disquieted by visions of an approaching Armageddon, in the form of a nuclear holocaust and/or ultimate ecological degradation, and the subsequent extinction of all living species, including man, and of man's civilisation. Launching catch-phrases like "this endangered planet", "the spaceship Earth", or "the global village", they try to "wake up" their fellow human beings and to institutionalise the perceived unity of mankind. However, union and co-ordinated management of problems do not necessarily mean uniformity and complete homogenisation. Globalists favour the continuing existence of various civilisations, life-styles and traditions, and the proliferation of transnational organisations and pressure groups.<sup>38</sup> More purely and self-consciously idealistic than functionalism or neo-functionalism, globalism advocates some sort of impatient gradualism in humanity's course towards comprehensive unity. The desired end will come about through formal no less than informal means, through co-operation of the principal states, national and transnational interest groups and elites and strengthening of central and regional international institutions, including the UN organisations. However, emphasis is put on "the *dynamics of structural growth*", rather than on "the *statics of constitutional arrangement*".<sup>39</sup>

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<sup>38</sup> See Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, The MacMillan Press, London and Basingstoke, 1977, pp. 302-305, and Clive Archer, *International Organisations, Key Concepts in International Relations* (Series Editor: Paul Wilkinson), George Allen & Unwin, London, 1983, pp. 100-102.

<sup>39</sup> See Richard A. Falk, *This Endangered Planet: Prospects and Proposals for Human Survival*, Random House, New York, 1971, especially chapters VII and IX (quotation from p. 314). For a concise presentation of the main points of the average globalist approach see Robert C. Johansen, *The National Interest and the Human Interest: An Analysis of US Foreign Policy*, Princeton University Press, Princeton, New Jersey, 1980, pp. 31-36. For a more philosophical examination of globalism or "the world-order movement" see Norman K. Swazo, "The 'Ontological' Meaning of the World-Order Movement", *Alternatives*, Vol. X, No. 2 (Fall 1984), pp. 267-296.

Globalism is an idealistic, rather revolutionary and informal, holistic approach to world organisation that views international organisations as controllers and actors. It attempts, although usually from a Western starting point, to create a consciousness of a higher level to embrace the whole of human kind in a universal community. This is a laudable attempt to formulate a new way of thinking where belonging to one ethnic, or religious, or cultural group does not contradict your belonging to the world as a whole, and confrontation and conflict can be seen transformed into co-operation and amity on this broader level of thinking. The nation-state is not considered a taboo, and greater universal organisation does not contradict with greater diversity, certainly greater than that an attachment to a rigid state model would allow. Also, the recognition of the importance of other actors at the international level, like transnational associations, non-governmental organisations and corporations, draws a more realistic picture of how the world looks like today.

Nevertheless, what is probably missing is a prescribed course of transition to a universal institutional framework that would incorporate and provide for all these new elements of reality. The end scope is well known, as is the point of departure in today's world reality; what is probably missing is a precise and solid road connecting the two. However, globalism may well be an area of growth in an era of global information and communication systems and of increased awareness of world-wide problems and threats, especially of an ecological and humanitarian nature.

### *Developmentalism*

Developmentalism is the formalisation of attempts made by the states of the so-called Third World to effect a redistribution of wealth at the world level and a movement of financial resources and technological know-how from the developed North to their underdeveloped South. The gap between the poor and the rich of the world has to be bridged as soon as possible, and development, of the kind found in the rich/successful countries, is the only way to do it.<sup>40</sup> An appeal is made to mankind as a whole for a new international order to be established, not least an economic one.<sup>41</sup>

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<sup>40</sup> Nevertheless, see M. Bedjaoui's warning against "this "ideology of development" because it poses a real threat to the Third World, which will not always have the strength to reject it and will simply imitate the models of growth exhibited by the industrialised nations". Mohammed Bedjaoui, *Towards a New International Economic Order*, UNESCO, Paris, 1979, p. 70.

<sup>41</sup> See brief discussion of the NIEO debate in Chapter IV.

Developmentalism airs the frustration and grievances of the developing states that find themselves thrown into a world where they have very few means to compete against developed and, therefore, much better prepared adversaries. This approach to international organisation, which is favourable to their demands, is used to compensate for their lack of "actual" power through its moral/emotional appeal. By using symbols and highly charged expressions, like "common heritage of mankind", etc., they try to morally impose a redistribution of wealth and know-how among the various parts of the world. Campaigns for a New International Economic Order and a New World Information and Communication Order use arguments like the above. But a lot of the moral appeal of these calls is lost when it becomes obvious that they are basically targeted at helping the newly formed states and particularly the ruling elites within these states to stabilise their position internally and to extract concessions from the developed world.

In case idealistic rhetoric does not work, developmentalists turn to other means, like insistence on majority rule, wherever applicable (e.g. UN General Assembly, UNCTAD, etc.), and calls for self-reliance and autonomous development of the South, or even revolution and confrontation with the North. The sharp increase in the price of oil in late 1973-early 1974 was seen by some as the turning point in the struggle of the poor against the selfish rich, and as a proof of the Third World's hidden strength.<sup>42</sup>

Developmentalism appears liberal—even more liberal than traditional western liberalism—at the international level: a stern advocate of state equality, trade without barriers, and of the principle of one state-one vote in international fora. It also adheres wholeheartedly to the principle of non-intervention by the international community in the internal affairs of states, as this helps the Third World ruling elites to evade accountability for their far from idealistic and/or ideal approaches to domestic issues. International organisations are welcome, as long as they bring money and offer status and glamour. Perhaps this is a distorted version of the approach devised by politicians for their self-interested goals but it should be acknowledged that the approach lends itself easily to such (ab)use. Developmentalism is an idealistic (but also realistic), revolutionary, formal and holistic approach, that views international organisations as effectors (but also instruments).

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<sup>42</sup> Consider the views of Radha Sinha, Samir Amin, Dos Santos and others as presented in Clive Archer, *op. cit.*, pp. 118-122.

### *Classical Realism*

Classical realism approaches international organisation in a minimalist way, viewing, in general, international organisations as another utensil at the disposal of governments for the conduct of their foreign policies. There is no supranational authority or other such ultimate goal that has to be pursued. Loose international organisation, permanent—through actual permanent organisations, or *ad hoc*—based on some commonly accepted rules, incorporated in multilateral or bilateral treaties, provides the rules of the international political game and the minimum predictability required for the uninterrupted flow of goods, services and information in an otherwise competitive (but, it is hoped, peaceful) society of sovereign states.<sup>43</sup>

Realists built upon the disillusionment with liberalism that followed the failure of the League of Nations experiment and the outbreak of the Second World War,<sup>44</sup> although their basic ideas about "power politics" and the "balance of power" are much older. International organisation in the realist framework is sustained by policies in that direction pursued by the political elites of independent-sovereign states. The tune is played by the most powerful states that enjoy special prerogatives and "duties" (see the "Big Five" of the United Nations). The loosest confederation among states is the most that can be expected.

The classical realist position adopts a realistic, static, formal, and issue-oriented<sup>45</sup> approach to international organisation; international organisations are seen as instruments for the conduct of national foreign policies. It is a minimalistic approach which may be suitable to and acceptable during periods of closed doors and tension but cannot be justified in periods of openness and increased opportunities for mutually beneficial interaction. So realism may thrive in a period of isolation and cold or warmer war but is too isolationist, reactionary and counterproductive in a period of détente and "glasnost".

As goods and people and information, above all, cross freely national borders, the notion of preserving the state as it is and pursuing the "national interest" becomes all the more difficult to define and defend. People realise that their well-being to a great extent is contingent upon the continuation of and increase in the transactions mentioned above. In that sense, national leadership cannot afford to be or to be perceived

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<sup>43</sup> For a pronouncement of the classical realist viewpoint see, among others, Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, Alfred A. Knopf, New York, 1978 (fifth edition, revised). For the realist model see also R.D. McKinlay & R. Little, *op. cit.*, chapters 4, 7 and 10.

<sup>44</sup> See E.H. Carr, *op. cit.*

<sup>45</sup> Of course, the peace and security area is considered the most central.

as being selfish because it is in danger of losing the rapport with its own people. Defining participation in the world fora as damage limitation can only lead to isolation and even rejection by the rest of the international community, including finally one's own allies, if not one's own people, in a period of co-operation and of prospects for mutually beneficial ventures. Of course, it has been argued that realism in its classical and much-criticised form has given its place to a new realism, a much more sophisticated one.<sup>46</sup> To the extent that this new realism or "neo-realism" is relevant to this study of world organisation, it is examined in the following section on regimes.

### *Regimes*

An attempt to account for new phenomena that manifest themselves in the conditions of increasing interdependence that characterise today's world and that have not been accounted for before by the classical realist theorists, led to the formulation and rapid proliferation of the various regime theories. In the introductory article to a much celebrated issue of *International Organisation* devoted to regimes, the editor, Stephen Krasner, defined international regimes as:

sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations. Principles are beliefs of fact, causation, and rectitude. Norms are standards of behaviour defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice.<sup>47</sup>

The incorporation in regimes of principles and norms is supposed to distinguish them from the older realist approach that bluntly accepted the unhindered manipulation of the international system in the pursuit of the national interest. This restoration of principles and norms within the realist tradition even led some to argue that regimes are a synthesis of realism and idealism.<sup>48</sup>

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<sup>46</sup> See Richard Little, "Structuralism and Neo-Realism", in Margot Light & A.J.R. Groom, eds., *International Relations: A Handbook of Current Theory*, Frances Pinter (Publishers), London, 1985, pp. 74-89.

<sup>47</sup> This much quoted definition of regimes is found in Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables", *International Organisation*, Vol. 36, No. 2 (Spring 1982), p. 186. But see Oran R. Young's criticisms in "International Regimes: Toward a New Theory of Institutions", *World Politics*, Vol. XXXIX, No. 1 (October 1986), pp. 104-122, especially pp. 104-108. Young would rather define regimes as: "social institutions... [i.e.] recognised practices consisting of easily identifiable roles, coupled with collections of rules or conventions governing relations among the occupants of these roles" (*ibid.* p. 107).

<sup>48</sup> See Jack Donnelly, *op. cit.*, p. 640; Stephan Haggard & Beth A. Simmons, "Theories of International

Following Krasner's categorisation, one can distinguish between three fairly different approaches to the notion of regime.<sup>49</sup> The distinction is made on the basis of the relation that each approach stipulates among "basic causal variables"—i.e. calculations of interest by states, regimes, and affected behaviour/outcomes. What is at the centre of the argument is whether regimes can independently influence behaviour and outcomes, or they are only epiphenomenal and what actually counts is the underlying considerations of power and interest that create, sustain and discard regimes.

The conventional *hard realist/structuralist/neo-marxist* school, in the form of Susan Strange and Kenneth Waltz, among others, insist on the continuing preponderance of national interest and power at the international level. Regimes are cosmetic to irrelevant items—nothing more than "power politics in disguise".<sup>50</sup>

At the opposite end, the *Grotian* school, consisting of people like Raymond Hopkins, Donald Puchala and Oran Young, see regimes everywhere as "inherent attributes of any complex, persistent pattern of human behaviour".<sup>51</sup> Regimes get established with time in all areas of human interaction, and continue to exist and influence outcomes independently of calculations of power and interest. Nevertheless, in their formation, regimes are to a great extent determined by the then prevailing distribution of power and the overarching interests of the various elites that incarnate the various states. But principles and norms, as well as other elements beyond power and interest, also interfere in the establishment of a regime.

Finally, the mainstream *modified structuralist/neo-realist* school, people like Keohane and Stein, stand on the middle ground between the hard realists and the Grotians. They argue that although underlying calculations of interest and power are still the most important variables determining international behaviour, "regimes may matter, but only under fairly restrictive conditions"<sup>52</sup>. Trying to reconcile the above two conflicting views, they propose that in specific issue areas, where national action alone cannot

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Regimes", *International Organisation*, Vol. 41, No. 3 (Summer 1987), p. 492; and Stephen D. Krasner, "Regimes and the Limits of Realism: Regimes as Autonomous Variables", *International Organisation*, Vol. 36, No. 2 (Spring 1982), pp. 509-510.

<sup>49</sup> See Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables", *op. cit.*, especially pp. 185-186 and 189-194.

<sup>50</sup> To use Georg Schwartzberger's famous phrase quoted in Ian Clark, *op. cit.*, p. 8.

<sup>51</sup> See Stephen Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables", *op. cit.*, p. 190.

<sup>52</sup> See *ibid.*

bear the fruit expected, co-operation within agreed norms in a regime is the closest you can get to the accomplishment of the national interest in that issue area, in today's interdependent world.<sup>53</sup> Regimes are more permanent than "one-shot" agreements and provide a commonly acceptable framework in which agreements are made possible.<sup>54</sup> Therefore regimes are considered, in the long-run, at least, as mutually beneficial by all actors, increase predictability in the conduct of international interactions and are based on and guaranteed by the notion of reciprocity.

A lot of discussion has taken place on the indispensability or not and the role of a predominant power, a "hegemon", in the creation and persistence of a regime. It has been suggested that regimes, after been created by a dominant power—following major events that mark a significant shift in the distribution of power among states, like major wars—persist, even if the power of the hegemon is eroded (see for example the persistence of the post-World War II international economic regime despite the decline of US hegemony).<sup>55</sup> According to Krasner, "[o]nce a regime is actually in place, it may develop a dynamic of its own that can alter not only related behaviour and outcomes but also basic causal variables [that gave rise to it in the first place]".<sup>56</sup> Regime transformation does not linearly follow changes in the distribution of power at the international level (regimes exhibit a sort of inertia/"lag"), and regimes may even influence, through the qualities of their existence, this redistribution of power ("feedback").<sup>57</sup>

The term "regime" is sometimes used in order to describe a range of state behavioural patterns in a particular issue-area of international concern.<sup>58</sup> In this sense it is the successor of the previously used term "system" that was discredited as anything more than a descriptive term; "regime" may well have the same fate.<sup>59</sup> Of course, as Ernst B. Haas made clear early enough,<sup>60</sup> the term system often purportedly refers to

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<sup>53</sup> For a well-known formulation of the concept of "interdependence" see Robert O. Keohane & Joseph S. Nye, *Power and Interdependence: World politics in Transition*, Little, Brown and Company, Boston and Toronto, 1977.

<sup>54</sup> See Robert O. Keohane's point presented by Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables", *op. cit.*, pp. 186-187.

<sup>55</sup> See Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, Princeton University Press, Princeton, New Jersey, 1984, especially pp. 31-46.

<sup>56</sup> See Stephen D. Krasner, "Regimes and the Limits of Realism: Regimes as Autonomous Variables", *op. cit.*, p. 500.

<sup>57</sup> See *ibid.*, pp. 501-509.

<sup>58</sup> See Stephen Haggard & Beth A. Simmons, *op. cit.*, p. 493.

<sup>59</sup> See *ibid.*, pp. 493, 513 and 517.

<sup>60</sup> See Ernst B. Haas, "On Systems and International Regimes", *op. cit.*, pp. 147-150 ff.

some actual, objective entity<sup>61</sup> while "regime" is supposed to stand for a set of principles and rules enforced upon and/or developed around an area of human interaction to give it meaningful shape, to guarantee predictability and conformity, and to establish and/or to formalise a "system" of patterned interactions. International institutions are created to supervise these "systems" and to urge compliance with the agreed upon principles and rules, assuming thus some role of "controllers" in that they are seen to control activities in their field of competence independently of the wishes of governments".<sup>62</sup>

In defining regimes in such a way, an attempt is made to harness them and keep them on the right track that systems have long lost. But, as is becoming all the more obvious, this is not an easy task. The term regime is already used by some, especially of the Grotian persuasion, to cover almost anything, and therefore tends to mean nothing.<sup>63</sup> "[R]egimes exist in all areas of international relations, even those, such as major-power rivalry, that are traditionally looked upon as clear-cut examples of anarchy."<sup>64</sup> "Discover a regime—you can!", could become (or is it already?) a popular slogan in the world of regime theorists. Such a general interpretation of the term "regime" is allowed by Krasner's definition that refers to *implicit or explicit* principles, norms, etc. Theorists should be alerted by reference to the methodological law of "non-vacuous comparison", if they want their devised categories to be of any use. Some theorists are aware of these dangers already and have subsequently adopted a more moderate approach towards regimes.<sup>65</sup>

One should also be alerted by the reverting of the bulk of regime theorists to "good-old" notions of state uniformity (states as unitary actors) and rationality (states as rational actors), with declining attention paid to the increasing global interdependence, the importance of non-state actors and international organisations at the international scene and the blurring of the differences between international and domestic politics.<sup>66</sup> These theorists use *both*, transactions *and* actors, as independent variables, and assign themselves the impossible task to study transactions in a given issue-area, while at the same time stipulating what the

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<sup>61</sup> See General Systems Theory, e.g. as presented by Ervin Laszlo in his, *The Systems View of the World: The Natural Philosophy of the New Developments in the Sciences*, George Braziller, New York, 1972.

<sup>62</sup> See Paul Taylor, "Prescribing for the Reform of International Organisation: The Logic of Arguments for Change", *Review of International Studies*, Vol. 13, No. 1 (January 1987), p. 29 ff.

<sup>63</sup> But see on this differentiation of the neo-realist conceptualisation of regimes from the Grotian one in Jack Donnelly, *op. cit.*, p. 602.

<sup>64</sup> Donald J. Puchala and Raymond F. Hopkins, "International Regimes: Lessons from Inductive Analysis", *International Organisation*, Vol. 36, No. 2 (Spring 1982), p. 270.

<sup>65</sup> See, for example, Jack Donnelly, *op. cit.*, pp. 639-642.

<sup>66</sup> See Stephan Haggart & Beth A. Simmons, *op. cit.*, pp. 492 and 515-517.

main performers of these transactions are (namely sovereign states).<sup>67</sup>

Last, but not least, Krasner's definition of regimes—but also definitions given by others—and the actual regime literature, confine regimes to certain issue-areas.<sup>68</sup> Is this issue-specificity of regimes a reflection of the increasing fragmentation of international relations, as Jack Donnelly suggests,<sup>69</sup> or is it just a reflection of the fragmentation and grand-theory disillusionment in the theorists' minds? If the first is true, my attempt here may lead me to the conclusion that the UN as a comprehensive global body should be completely dismantled as non-sensical, or become even more loose and decentralised than it now is. If the second is true, more or less, something that I choose as my working hypothesis here, the task of writing such a thesis becomes even more challenging and, hopefully, more rewarding.

Regime theories leave, up to now, many unanswered questions: What happens when there are more than one competing regimes and institutions overseeing these regimes in the same issue-area, as, for example, in the area of international trade characterised by the uncomfortable coexistence of GATT and UNCTAD?<sup>70</sup> What about "perceptual" regimes—regimes that in the minds of some decision-makers exist and cover a particular issue-area, while in the minds of others are inexistent or quite different? Related to that, how formal should a regime be to be taken for granted by decision-makers and to deserve close examination by academics? A final, most important question: Can there be an overall, all-embracing regime in the "issue-area" of international political<sup>71</sup> co-operation, in which case it would cover all UN activities and would offer a guide for the most appropriate UN restructuring? These questions may or may not be answered in the new contributions to the burgeoning regimes literature; till they are answered these questions may rightfully continue to be asked.

Regime approaches cannot be easily classified using the typology proposed above, not least because of the differences between them. Nevertheless, taking as representative the mainstream neo-realist regime

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<sup>67</sup> See Ernst B. Haas, "On Systems and International Regimes", *op. cit.*, p. 151. See also C.R. Mitchell, "World Society as Cobweb: States, Actors and Systemic Processes", in Michael Banks, ed., *Conflict in World Society: A New Perspective on International Relations*, Wheatsheaf Books, Brighton, 1984, pp. 59-77.

<sup>68</sup> The most often visited area, it seems, is that of international political economy, with an emphasis on economics rather than politics.

<sup>69</sup> See Jack Donnelly, *op. cit.*, p. 641.

<sup>70</sup> For a discussion of this see Andrew Williams, "Negotiating an International Trade Regime", *Paradigms*, Vol. 2, No. 1 (June 1988), pp. 30-43.

<sup>71</sup> The term "political" used in its original sense to incorporate all aspects of public life.

approach, one could say that regimes belong to a realist view of the world; are established (by the hegemon—after major events) in a revolutionary way; can exist without formal arrangements (*implicit* or explicit principles, norms, etc.); and are issue-oriented. International organisations are created to oversee the functioning of a regime in a specific issue-area, are therefore seen as controllers.

### **Purpose vs. Practice—Cosmopolitanism vs. State-centricism**

Attention will be focussed in this section on a somewhat broader debate that centres on the nature and possible extent of international co-operation. This debate shares many common themes with the one among the various theories of international organisation presented above but is of a more fundamental and philosophical nature. It is a debate that has attracted increased attention in recent years but can also be seen as the modern version of the ages-old "idealism vs. realism" great debate, concerning this time association at the world level.

Two different conceptualisations of the world fight for predominance.<sup>72</sup> One argues that the "world" today basically consists in a "practical" association of states, that is in "a society of states in which a number of independent states conduct their relations on the basis of authoritative common practices",<sup>73</sup> "subject only to the constraints of mutual toleration and mutual accommodation".<sup>74</sup> This "pluralist" approach accepts the predominance of the state at the world level, at least as a necessary evil, a minimum common denominator in a world otherwise characterised by fundamentally different cultures, religions, etc. In this perceived "reality", from which no rapid and/or radical departure is envisaged, "...the rule of non-interference—respect for "domestic jurisdiction," as one of the most sensible, but least acted upon, clauses of the UN Charter puts it—must have priority".<sup>75</sup>

The other conceptualisation of the world argues that the world community is virtually an association

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<sup>72</sup> Here I concentrate on the pole of the normative debate that is more relevant today. A fuller account including also the "state of nature" or "international scepticism" approach can be found in Charles R. Beitz, *Political Theory and International Relations*, Princeton University Press, Princeton, New Jersey, 1979. See also Martin Wight, "An Anatomy of International Thought", *Review of International Studies*, Vol. 13, No. 3 (July 1987), pp. 221-227.

<sup>73</sup> See Terry Nardin, *Law, Morality, and the Relations of States*, Princeton University Press, Princeton, New Jersey, 1983, p. 187.

<sup>74</sup> *Ibid.*, p. 50.

<sup>75</sup> Chris Brown, "Not My Department? Normative Theory and International Relations", *Paradigms*, Vol. 1, No. 2 (December 1987), p. 110.

of individuals, and groups of individuals for the advancement of common purposes, e.g. peace, social and economic development, etc. In other words, the "world society" is a "purposive" association that uses various practices to achieve its aims and adjusts these practices according to changing circumstances so that its aims are better served. This approach is more cosmopolitan in that it believes that there is a virtual unity in mankind that emanates from a shared human nature. States, consisting of individuals, cannot be considered to "have moral priority over the individuals who compose them"; the state is a product of historical, sociological and psychological necessity but its further utility has to be closely scrutinised.<sup>76</sup> "...[I]t is the interests of *persons* that are fundamental, and "national interests" are relevant to the justification of international principles only to the extent that they are derived from the interests of persons".<sup>77</sup> International life in our interdependent world looks increasingly like the domestic life and should be increasingly treated as such.<sup>78</sup>

Of course, the difference between these two standpoints may well be a difference in emphasis, as practical association presupposes the existence of at least some basic common purposes served through established rules and practices, e.g. "avoiding mutual annihilation",<sup>79</sup> while purposive association needs to take into account precedents and entrenched practices in the pursuit of common purposes. Nevertheless, the difference remains an important one and brings to bear upon considerations about the future of international organisation and the role of the United Nations.

The United Nations, initially at least, is broadly accepted to have been intended as a purposive association comprising the victorious allies of the Second World War. Its broad purposes are stated in the Preamble to and Article 1 of the United Nations Charter.<sup>80</sup> However, the "real" world is not like that, more so since decolonisation and the recognition as states of many diverse societies. This points to a discrepancy between the real world, which allegedly is a "practical" one, and the UN which still claims to be a "purposive" body.<sup>81</sup> The world is called to recognise "that the forces that divide it are at least as powerful as those

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<sup>76</sup> Mark Hoffman, "States, Cosmopolitanism and Normative International Theory", *Paradigms*, Vol. 2, No. 1 (June 1988), pp. 67-68.

<sup>77</sup> Charles R. Beitz, *op. cit.*, p. 64.

<sup>78</sup> See *ibid.*, throughout and p. 179.

<sup>79</sup> Terry Nardin, *op. cit.*, p. 319. See also *ibid.*, pp. 323-324.

<sup>80</sup> See also *ibid.*, pp. 104-107ff.

<sup>81</sup> See *ibid.*, pp. 310 and 316-317.

that unite it, and that moral consensus on matters of substance is probably unattainable", while "common understandings on matters of procedure may be available, based on the ubiquity of the state and the needs of a system of states".<sup>82</sup> Following that line of argument further, international organisation should realise its limitations and concentrate on commonly accepted practices to safeguard minimum "common goods", rather than embark upon the realisation of grand "common purposes" that are unrealistic and perhaps dangerous. A nostalgia for the pre-1945 era and, indeed, the 18th and 19th centuries in Europe is evident in this approach,<sup>83</sup> which looks back to "'the morality of states" and ... an ethic of coexistence... rather than... those superficially more modern approaches which stress the rights and duties of individuals or the international struggle of classes".<sup>84</sup> Any movement in the direction of something like a world state would threaten the "diversity and liberty" of the international society.<sup>85</sup>

The above attitude can be seen in the context of a long-overdue apology of the West to the other parts of the world that experienced its expansion of all sorts, as an acceptance of diversity and as a challenge "from inside" to the old European Enlightenment project.<sup>86</sup> On the other hand, from a Third World/developing country perspective, this approach can be seen as an attempt to perpetuate Western/developed country predominance through the insistence upon rules that have been developed in the past by and for the developed countries themselves.<sup>87</sup>

Moreover, how can one distinguish between what one should keep and what one should throw away from Western tradition? The state as a form of political organisation is admittedly of Western origin. Why should it be accepted that the state is now "part of the common property of mankind",<sup>88</sup> while at the same time the other Western ideals of "truth" and "reason" should be dropped for a "pragmatic ethic of coexistence" based on a "pragmatic tolerance"?<sup>89</sup>

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<sup>82</sup> See Chris Brown, "The Modern Requirement? Reflections on Normative International Theory in a Post-Western World", *Millennium*, Vol. 17, No. 2 (Summer 1988), pp. 346-347.

<sup>83</sup> See Terry Nardin, *op. cit.*, pp. 62-68.

<sup>84</sup> Chris Brown, "The Modern Requirement?...", *op. cit.*, p. 345.

<sup>85</sup> Terry Nardin, *op. cit.*, p. 177.

<sup>86</sup> See Chris Brown, "The Modern Requirement?...", *op. cit.*, pp. 339-348.

<sup>87</sup> Consider Terry Nardin's approach to the NIEO debate in Terry Nardin, *op. cit.*, pp. 270-271.

<sup>88</sup> Chris Brown, "The Modern Requirement?...", *op. cit.*, p. 345.

<sup>89</sup> *Ibid.*, pp. 344-345.

In a more positive way, cosmopolitanism welcomes ever-growing international co-operation towards the achievement of shared goals and aspirations that leads to increasing realisation of the unity of mankind. The State is expected to become all the more limited in scope the more this process goes ahead. International organisation is instrumental in the course of mankind from fragmentation to integration. However, "[i]n the application of principles to practice, normative and empirical considerations interact in complex ways".<sup>90</sup> A lot of thinking and debating remains to take place before something more concrete emerges. Of course, there is always the underlying suspicion that through the "trojan horse" of cosmopolitanism Western thinking may be embarking upon an ultimate attempt to impose its "truths" upon the rest of the world.<sup>91</sup> Drawing too much upon Kant, cosmopolitanism today may well be the product of some European idealistic and even naive rationalistic thinking of the past but may also be a refreshing inspiration for the future.

#### **Alternative conceptualisations of the UN — Alternative plans for the UN in the future**

In what follows, three alternative plans are presented for the United Nations in the future. Each of these plans stands theoretically on more than one of the theories critically reviewed above. These plans also take a different stance with regard to the debate between purpose and practice, cosmopolitanism and state-centrism. Although I could have devised a future for the UN as prescribed by each one of the above theories of international organisation, this, I think, would be a futile exercise as the "ideal types" produced would be far removed from any possible actual development. Rather than indulging in intensive model-building to little practical effect, I chose to concentrate my efforts on delineating a few broad possible ways of conceptualising the UN and its future role, described respectively as maximalist, minimalist and middle-of-the-road. This is also consistent with the acknowledged fact that many, if not most, of those dealing with international organisation and the UN in practical terms have a rather vague idea of the existing theories in the field and even if they are conversant with these theories they keep them apart from their everyday work.<sup>92</sup>

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<sup>90</sup> Charles R. Beitz, *op. cit.*, p. 183.

<sup>91</sup> See Chris Brown, "Cosmopolitan Confusions: A Reply to Hoffman", *Paradigms*, Vol. 2, No. 2 (Winter 1988-89), pp. 105-107.

<sup>92</sup> Conclusion reached after several interviews with practitioners.

The three alternative conceptualisations correspond, more or less, to the categories put forward previously in this Chapter with regard to the role and significance attributed to the UN, namely the UN as an effector, an instrument and a controller/actor (these two together) respectively. Minimalism moves within the "practical association" framework, while the other two alternatives are more "cosmopolitan", the middle-of-the-road one in a more "modern" way. The reform proposals presented in the previous three Chapters can be seen as falling more within one or another of these "alternative futures" for the UN, although many proposals fall in more than one alternatives, depending on the way one interprets them and the intentions of those suggesting them. The feasibility of implementing all and any of these plans is also examined in the light of current developments and taking into account the perceived qualities of the international environment which, for the purpose of this exercise, are considered stable, in the short term at least. All three alternatives are presented in a hypothetical language, none of them being singled out as *the* one matching reality. This is not so much due to an attempt at being "impartial" but rather reflects the current state of affairs regarding the role and place of the UN in world politics, which, in my opinion, still remain to be decided.<sup>93</sup>

*Alternative A: A maximalist future for the United Nations*

Maximalist thinking looks ultimately forward to a single unified government for the whole world. The UN is thus seen as the embryo of the federal superstructure that is expected to finally embrace the globe. With a view to achieving that objective, UN institutions are urged to strengthen their hold over their national counterparts, so as to be able finally to provide a strong central structure consisting of a Legislative, an Executive and a Judiciary.

The General Assembly is naturally destined for the role of the Legislative, although its performance, up to now, has not been that encouraging. The Assembly is not representative of the distribution of military power, political influence, wealth or population at the world level. It is plagued by endless debate and void rhetoric and the resolutions it manages to reach are vague and are simple recommendations not carrying the

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<sup>93</sup> See also Chapter VI. For a systematic survey of opinions held by people and organisations outside the UN framework (academics, research institutes, etc.) that comes close to the formulation of such alternatives, regarding, in particular, UN structural change, see John P. Renninger, *What Structural Changes are Needed in the System of International Institutions?*, *op. cit.*, pp. 7-12.

authority of international law in any strong sense. Therefore, proposals working in this maximalist mode ask to reshape the Assembly to make it more representative and authoritative. Proposals for representatives on the Assembly to be elected directly by the people of each country and in numbers more or less proportional to the population of each country move in this direction. The same with proposals to establish a second chamber within the General Assembly, along with the existing one, where peoples, not governments, will be represented.<sup>94</sup>

An Executive Council, elected by and responsible to the General Assembly, would be an improved version of the Security Council and would play the role of the Cabinet at the world level.

An authoritative International Court of Justice would be in a position to impose sanctions against recalcitrant states and an international police force would be able to enforce compliance all around the globe, especially in view of a general disarmament process that would be effected.

To finance its operations such a United Nations would collect money directly (although, perhaps, for practical reasons, through the existing national bureaucracies) through taxation imposed on individuals and concerns around the world.<sup>95</sup>

Nothing would be outside the purview of such a United Nations. It would deal with all questions dealt with by the modern state, only at a larger scale, and would have the final word virtually on everything.

The overambitious character of such an approach contrasts sharply with actual developments and with the record of UN performance up to now, which is moderate, at best. Moreover, governments do not seem at all keen on passing over their sovereignty to a supranational body which they would not be able to control tightly. This is true of the old nation states as well as, if not more so, of the numerous new ones that emerged after the dissolution of the old colonial empires.

On the other hand, the Third World states seem to favour a (per)version of this plan that would re-enforce the decision-making powers of the UN and in particular of the General Assembly, the "Legislative". This is understandable as developing states control the Assembly by holding the majority of votes under the

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<sup>94</sup> See section "World peace through world law" and, partly, section "A parliamentary future for the UN", in Chapter III.

<sup>95</sup> See section "Alternative sources of income for the UN" in Chapter II.

present system and it is them who have the majority of claims to make from the rest of the world. In that sense, they often adopt a maximalist stance, although, at the same time, they remain very jealous of their sovereignty. This maximalism of convenience, although it cannot be taken too seriously, due to the lack of real economic and/or military and/or political strength of its proponents, has greatly contributed to the anarchical expansion of the UN and the UN system, with all the subsequent effects.<sup>96</sup>

A resurgence of realism or "pragmatism" and a redefinition of diplomacy as the art of the possible on the international scene makes proposals like the above sound rather out of place and naive. The sweeping reforms of the UN Charter required to introduce such radical measures could not be ratified by the Security Council, its permanent members and the two thirds of the membership of the General Assembly, all at the same time, at least in the foreseeable future.<sup>97</sup> The desirability of a superstate encompassing the whole world is also questionable, not least on grounds of feasibility, governability, the optimal size of bureaucracies, efficiency, best utilisation of resources, etc. The establishment of the UN as "effector", a Leviathan at the world level, may still have to wait long before being seriously considered, if ever.

#### *Alternative B: A minimalist future for the United Nations*

Most recent developments studied in this thesis seem to draw a future for the UN on much more modest lines than the above. The UN would continue to be a meeting place for leaders and a forum to let off steam. No major overall change is anticipated, at least as far as the Charter is concerned and in view of the insurmountable resistance to changing the one country-one vote rule. The General Assembly would continue to make recommendations as today with the modest impact it has today. Behind the scenes, some bodies of limited membership, nominally acting under the authority of the General Assembly, would virtually make decisions on crucial issues on the basis of consensus, thus strengthening the hand of the major powers which are also the major contributors to the UN budget.<sup>98</sup>

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<sup>96</sup> See Chapter III.

<sup>97</sup> See also Chapter IV, especially sections on up-and-coming countries and the attitude of the Third World.

<sup>98</sup> See the upgrading of the Committee for Programme and Co-ordination as a result of the recent attempts at reform (see Chapter II). See also the recent US attitude towards the UN (see Chapters I, II and, especially, IV).

The Security Council would remain as it is, a club of restricted membership, perhaps with some understanding reached to have some up-and-coming states, of growing importance economically and/or population-wise, elected on the Council on a more or less permanent basis. The Council would remain tightly in control of the central peace and security field and would act readily whenever there would be the will for co-operation between the major powers and in particular the two superpowers. No Charter amendment is anticipated, although there is an understanding that whatever change were to be deemed inevitable would be effected through informal or semi-formal arrangements, short of formally unseating the existing ones, in a learn-to-live-with-it-all constitutional setting.

The Secretary-General and the Secretariat would be called upon to do the "dirty jobs", to find ways of implementing the decisions taken on rather broad lines in the area of peace and security as well as in other areas. Nevertheless, the Dag Hammarskjöld phenomenon of a self-minded Secretary-General interpreting his mandate on too broad terms should not be allowed to surface again, by common understanding among the major powers.

The United Nations system, overall, would remain loose and functionally decentralised/anarchical as it is today, offering prestigious posts for many ambitious international and national personalities and forums for all tastes and all particular interests. Of course, there would be no chance of the functional agencies being left relatively free to develop constituencies of their own and to attract the loyalties of the people, as functionalism would like, or even more to spill over and evolve into a supranational government, as neo-functionalism would hurry to foresee. The UN would virtually be an instrument to be used by governments to get out of unpleasant situations, to save their faces and their domestic legitimacy in case of accepting a compromise in a dispute or otherwise, etc. Even if there were an appearance of the UN being the guardian and controller of international regimes—i.e. rules, formal and informal, based on an understanding reached by government representatives for the conduct of affairs in a particular field of common interest—the UN would not be left free to act in the common interest as its administrative heads and staff independently perceived it, but would certainly be overlooked by intergovernmental directorates including representatives of some key states, the superpower participation to be guaranteed by right.

Efficiency and efficient management would be the sword of Damocles hanging over these organisa-

tions to make sure that they do not forget their painfully learnt lesson again. Efficiency would count much more than effectiveness which, in any case, is not always welcome.

Such a plan, although it sounds very realistic (if not crude) and down-to-earth does not have many chances to be put into practice neatly as presented above and as its supporters would like it to. Being a plan devised by the developed countries, such a plan is inevitable to meet and has already met the resistance of the developing world for which effectiveness counts more than efficiency, especially when effectiveness means things being done in their countries while efficiency involves spending less money from that paid in mainly by the developed world. Moreover, the Third World is not going to allow itself to be bound indefinitely by "understandings" that undermine its only major constitutional weapon available, that is its numerical majority in the General Assembly as well as in other UN fora that function on the one country-one vote rule. An attempt to put in practice such a plan could simply result in a mid-way compromise,<sup>99</sup> the viability of which in the longer term and in view of the expected lack of progress on substantive issues would be rather precarious.

*Alternative C: A middle-of-the-road future for the United Nations*

Many major proposals for UN reform fall somewhere in between the two previously presented alternatives.<sup>100</sup> What they advocate is a strengthening of the UN structures, authority and involvement in areas in which the World Body seems to be doing well or it has the potential to do well or it should be made to do well. At the same time, they reject plans for the UN taking over virtually all responsibilities of national governments.

The General Assembly should not attempt to legislate for every detailed issue falling normally under the purview of national authorities but would rather concentrate on some important issues on which an attempt should be made to reach consensus. Such decisions arrived at by consensus could be considered binding international law.

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<sup>99</sup> See General Assembly resolution 41/213 formalising such a compromise and its implementation (see previous Chapters).

<sup>100</sup> See the UNA-USA proposals and, partly, the Bertrand and the Marc Nerfin proposals in Chapter III and the Soviet proposals in Chapters III and, especially, IV.

Some sort of intergovernmental Council of limited membership with representatives of the major countries, in terms of population and/or wealth, individually, and of the rest of the countries collectively, through elected group representatives, should be established or should evolve through the transformation of an existing body. This high-level Council, that would be competent in one or more fields, would negotiate among its members compromise solutions to global problems which would then be forwarded to the General Assembly for final endorsement.

A lean but highly competent and independent Secretariat would help in the process of negotiations and would undertake to implement decisions of the General Assembly and/or the Council, in co-operation with national bureaucracies. The system of Specialised Agencies would be made more coherent and tuned to achieving the objectives set by the centre.

The whole work of the United Nations would revolve around some key concepts allegedly expressing current realities like "human interest", "global watch", "early warning" and "comprehensive security".<sup>101</sup> The UN would have as its major tasks to detect world problems and to act as a catalyst in the search for a consensus on how to tackle these problems. Once a consensus would have been reached and a regime regulating the problem-area would have been established, the UN would undertake to monitor the compliance of all with the agreed upon rules.

A disillusionment with the possibility of change in the peace and security field had as a result such proposals to be put forward mainly with regard to the economic and social fields, including economic, humanitarian and human rights and ecological problems. This distinction, however, gets rather blurred by the complexity, multiplicity and interrelatedness of the issues dealt with.

Such an alternative, though it implies some constitutional amendments, does not rely on them for its implementation and success as it allows for more flexible approaches using existing organs that might later formally evolve into something else. Of course, it cannot go around the need for political will that would give the green light for the formal or informal new arrangements to be effected. The fact that a superpower has apparently come to accept and actively promote similar ideas is a mixed blessing, as such an important

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<sup>101</sup> See Chapters III and IV.

actor guarantees the high ground for publicising these concepts and for pushing ahead with them but also causes suspicion and accusations of propaganda, etc.<sup>102</sup>

## Conclusion

All the theories in the field of international organisation presented above have their positive and negative points. Functionalism and regimes may have attracted more attention and may have been elaborated in more detail but it should be recognised that the rest of these theories also continue to be the subject of debate and to rally considerable support. To a great extent the debate remains one between a state-centric/practical view of the world and a more cosmopolitan/purposive one, or, cast in broader terms, it is yet another form of the very old debate between "idealism" and "realism".

The three alternative approaches presented at the end cover, more or less, the attitudes that exist today with regard to the world body, its character and future role, in practical but also in theoretical terms. The choice to go for one instead of another of these alternatives could have a decisive effect upon the future of the United Nations and of global organisation, more generally, in the years to come. Before even attempting to take sides, one should take into consideration the broader issues briefly dealt with in the course of this Chapter. In Chapter VI that follows I conclude my thesis with a brief critical overview of the latest attempts at UN reform and some suggestions of my own about what the UN role could be and what reform steps could be made in that direction.

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<sup>102</sup> See discussion of the new USSR attitude towards the UN in Chapter IV.

## CHAPTER VI

### Conclusion

The recent UN crisis, no matter how questionable its origins and content may have been, brought home a message: The UN could not go on expanding for ever, at least not with its old structures and operating procedures. However, the reform process did not end up in a positive suggestion of what the UN could or should do. This is still pretty much an open question. In this final Chapter I attempt to give my own answer as it developed through the examination of the various UN problems, the recent attempts at reform and some more far-reaching proposals put forward but not yet put into practice. My thoughts have already been expressed throughout the thesis. Here they are summarised with a view to offering a broader vision for the UN in the future, without challenging in any way the value of the previously made more detailed statements.

Broadly speaking, the insights gained through this study of the UN problems and the solutions put forward for tackling them at four different levels, namely budgetary/financial, administrative/managerial and structural, political, and conceptual, can be summarised in the following eight points, each one of which consists of a "statement of fact" and a "proposal for action":

1. The UN has to work efficiently, as the developed countries demand. Scarce resources should be put to the best use through rationalisation of procedures, good management and evaluation of results.
2. At the same time, there has to be a transfer of resources from the developed to the developing countries and a redistribution of wealth which will gradually lead to more equal standards of living for all the peoples of the world. The North, especially the North-West, could agree to an increase in the transfer of wealth and technology from the North to the South and to a gradual leveling of differences, while the South could accept a restructuring of the UN system and, therefore, of the system and style of international multilateral relations, to make it more efficient as asked for by the North

(see previous point). The South should not insist on making use of its numerical majority that is enough in numbers to make decisions but does not have the means to put such decisions into practice. This major compromise arrangement cannot take place overnight but can be achieved by stages carefully thought out and agreed upon.

3. The phenomenon of the power and predominance of the state at the world level does not seem to be withering away in the foreseeable future. Therefore, states have to be taken into serious account and their demands accommodated to the degree possible. The UN should not alienate itself from its member states, if it wants to play a central role at the international level.
4. Although important, states are not the only actors on the international scene and along with existing international, transnational, etc. associations, the UN can develop a certain degree of supranationality and personality and character of its own. Thus it will be able to withstand the periodic break-downs in inter-state relations, especially relations between the superpowers, and will be in a position to offer its good offices on a permanent basis and in a more effective way to the peoples of the world.
5. The UN should not be expected to become something like a world government, dealing with all aspects of life now regulated by national governments. The UN should concentrate its dynamism and scarce resources on locating international problems and "mid-wifing" global agreements and consensus in certain crucial areas, like settlement of disputes, disarmament, transfer of resources and development, human rights, environmental protection, etc. After agreements have been reached, the UN can undertake the task to monitor compliance with those agreements, as an impartial controller of the relevant regimes. Whenever agreements are breached, the UN may warn the party(-ies) involved and, if no result is obtained in this way, may speak out and/or bring the recalcitrant(s) before the International Court of Justice.
6. The UN, by means of its non-state components, i.e. the Secretary-General and the Secretariat and, perhaps, a "World Consultative Council",<sup>1</sup> should keep an overview of the state of the world and of the human condition, in general, that narrow national interest and the multitude of day-to-day prob-

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<sup>1</sup> See Soviet proposal examined in Chapter III.

lems do not allow individual governments, even when they have the good intention, to develop.<sup>2</sup> Thus, notions like "human security",<sup>3</sup> or "comprehensive security",<sup>4</sup> or "world interest", or "global interest" should gradually evolve and take their place among the factors determining international politics.

7. The intergovernmental component of the UN, that is they who conclude agreements and undertake to implement them, should start to operate in a more substantive and business-like way. Discussions would be facilitated and results could be more easily reached if there was a central body of limited membership, perhaps a reformed Security Council, where all issues would be initially discussed in a comprehensive way by high-level representatives of a small/representative number of states, before being forwarded to the General Assembly for final approval.<sup>5</sup>
8. The UN system should have one decision-making centre, where governments would be represented. This should be limited to the United Nations proper, while the Specialised Agencies should be coordinated by specialists-international civil servants reporting to the Secretary-General and accountable to him/her and to the deliberative centre that would exercise the ultimate control. This would help intra-UN and intra-governmental co-ordination.

What the UN can do then, in order to come strengthened out of its middle-age crisis, is to simplify its intergovernmental structures by abolishing the various General Assemblies and Conferences of the system and retaining the UNO General Assembly as the only legislative body where all member states are represented. The various Executive/Governing Boards with their executive/legislative functions should be replaced by a central Executive Council/Council of Ministers that would be of limited membership and that would meet with different composition of actual people (but the same countries or groups of countries) for the various areas of UN activity. This Council, that would replace ECOSOC and the Security Council, would be something like the EC Council of Ministers. The Council would propose legislative action to the

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<sup>2</sup> Consider the function of "global watch" proposed by the UNA-USA (see Chapter III) and the function of "early warning" already being developed by the UN Secretariat (see Chapter IV).

<sup>3</sup> See UNA-USA proposal in Chapter III.

<sup>4</sup> See Soviet proposals in Chapter IV.

<sup>5</sup> See the Bertrand and UNA-USA proposals in Chapter III and the "comprehensive security" proposals of the USSR in Chapter IV.

General Assembly and would take urgent decisions in situations of crisis. It would also overview the implementation of mandates by the Secretariat.

The Secretariat should be reorganised in a rational way throughout the system and on independent lines. It should be accepted as an independent actor in its own right. The criticisms often made against the Secretariat as regards its alleged politicisation and partiality could subside if the allocation of posts was not based, as it is today, on an attempt to place one's own people to high posts, but the Secretariat was made more professional, up to its highest echelons, with "a careers structure based on merit".<sup>6</sup> Also a Secretariat leaner in numbers but of improved quality and widely acknowledged independence would project to governments and the world this more trustworthy image of an executive Secretariat consisting of highly-competent individuals always ready to tackle problems effectively. The Secretariat should not directly undertake operational activities but should concentrate on central forum-servicing, monitoring of developments on global issues, planning and evaluation, mediation, and control/monitoring of agreements. The Secretary-General would preside over a small Commission consisting of the heads of the main UN system Agencies (including the Bretton Woods institutions) which would work closely together to provide leadership throughout the system. The regular budget, a unified one for the whole system, would include only the standard administrative costs. Any operational activities would be carried out by other national/corporal/NGO agencies and would be financed by voluntary contributions (by states, governmental and non-governmental organisations, corporations and individuals) with resources allocated through the UN.

The practice of reaching decisions by consensus should be generalised, at least at the level of the Executive Council, the central intergovernmental limited-membership body. This would obviate the periodically recurring demands for new voting systems often based on complicated formulas. Nevertheless, consensus *is not* exactly the same as unanimity; using more or less M.J. Peterson's words, consensus has come to mean today the taking of a decision after extensive negotiations without a vote, having secured a minimum, at least, positive identification of all states with the decision adopted.<sup>7</sup> Unanimity, on the other

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<sup>6</sup> See Stephen Chan's eight points on the Commonwealth Secretariat which *mutatis mutandis* are also valid as regards the UN Secretariat. In Stephen Chan, *The Commonwealth in World Politics: A Study of International Action 1965-1985*, Lester Crook Academic Publishing, London, 1988, pp. 56-57. See also the similar views of the UN Secretary-General as presented in UN Doc. A/42/234, para. 50 (p. 18).

hand, entails elements of formal voting, minimum negotiations, and a veto prerogative for all members. As M.J. Peterson observes, with regard to the General Assembly, "[t]he consensus rule is simply the latest development in a long Assembly tradition of seeking wide agreement on many questions. Habits developed under the unanimity rule, and the traditional international law doctrine that rules are effective only when they have the express or tacit consent of states, both kept the Assembly from going too far in a majoritarian direction."<sup>8</sup> The degree to which decisions reached by consensus can be interpreted as international law rather than as simple recommendations will be established with time.<sup>9</sup>

All the above can be achieved even within the existing constitutional framework of the UN. For example, if the Security Council took up a comprehensive approach to security, on the lines the Soviets propose or something like that, it could become the Council of Ministers suggested above,<sup>10</sup> while the General Assembly, through a broad intergovernmental understanding, could start acting also as the Plenary Conference of each of the Specialised Agencies. The structure of the Secretariat can be modified without any Charter amendment.<sup>11</sup>

The changes should be spread in time, step by step, as to be acceptable by everybody. No formal Charter revision would be necessary in the first instance. A common agreement to shift the emphasis from existing bodies (e.g. Security Council, ECOSOC, ACC in their present form) to new ones (e.g. Council of Ministers, Commission) could lead to these bodies functioning for some time as General Assembly--Security Council--ECOSOC affiliates. If these bodies passed the test successfully, then a formal amendment of the Charter would just formalise what would already be common practice, while, if the experiment

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<sup>7</sup> See M.J. Peterson, *op. cit.*, p. 86. For a brief discussion of decision-making processes in international fora, from the 19th century through the League of Nations arrangements to the United Nations provisions, see Peter R. Baehr & Leon Gordenker, *op. cit.*, pp. 49-50.

<sup>8</sup> M.J. Peterson, *op. cit.*, p. 81.

<sup>9</sup> In any case, "...the legal significance of resolutions represents a minor part of their meaning. Rather, recommendations may have substantial political significance."—Peter R. Baehr & Leon Gordenker, *op. cit.*, p. 56. What it mainly offers, a General Assembly and/or a Security Council resolution, is publicity of one's demands etc., and *legitimacy*, both internationally and domestically. This legitimacy is conferred by the fact that one's actions and attitudes are endorsed by "The United Nations", through the *moral authority* that the United Nations possesses by being the closest you can get to the world community and mankind. Letting off frustration experienced by states and the hope for taking world opinion to one's side and establishing norms of international behaviour favourable to one's causes and belief system make the UN a worthwhile arena. See *ibid.*, pp. 55-59.

<sup>10</sup> See discussion of the Soviet proposals in Chapter IV. See also the provisions of Article 65 of the Charter regarding ECOSOC—Security Council interaction.

<sup>11</sup> For a first attempt at visualising the UN structure after reforms on the above lines have been implemented, see Appendix V of the thesis.

failed, things could be restored to where they were before, for no better or worse.

The most recent UN reform process<sup>12</sup> mainly focussed on the UN regular budget, the budgetary process and the actual level of resources appropriated, and on the number of staff employed by the UN Secretariat and the latter's administrative and structural arrangements. The best one could finally expect of this reform process is a partial shake-up of the UN bureaucracy and an increased awareness of the need for efficiency. Other proposals for reform put forward or hinted at in the G-18 report were either ignored or left to die a slow death after some lukewarm attempts at implementing them, although (or, perhaps, because) a lot of these proposals were among the more deep-going ones.<sup>13</sup> Once again, we can repeat for this cycle of reforms what Nicol and Renninger said for the mid- and late-1970's one: Only incremental change is possible at the UN that has become institutionalised and rigid.<sup>14</sup> The problem is that in this way problems just get patched up, settled for a short while, definitely not solved, and are ready to open up again in the next strained UN period.

The above may be quite a just assessment of the results of the reform process that started in 1985 as such. At the same time, another process seems to be under way, in the UN and the world at large, which may finally prove more important in the medium- and/or long-term in shaping the World Organisation of the future. This process, put into motion by changed world realities rather than political calculations and power games, puts great pressure on the UN and governments to change and adapt to changing circumstances. Some proposals that I would classify as falling within the middle-of-the-road conceptual alternative (Alternative C) of Chapter V, including the Soviet one for "comprehensive security" and the UNA-USA one for a "successor vision" for the UN, bear in them elements of such an adaptation to new world conditions.

Unfortunately, the transformation of the international system won't be as clean and neat as a rational theorising mind would like and contemplate. No instant UN transformation and transition from outdated structures and practices to new, most modern, efficient and effective ones should be ever expected. It is

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<sup>12</sup> For an overview of the UN reform process since 1985 see schematic presentation of the process in Appendix II of the thesis.

<sup>13</sup> Consider attempts at reforming the UN intergovernmental machinery in the economic and social fields—see Chapter III.

<sup>14</sup> See Davidson Nicol and John Renninger, *op. cit.*, pp. 91-92.

therefore a question of creative statesmanship and deft management to enable the system to adapt to the new circumstances and perform its role as initially intended, and, even more, as came to be expected. The interested public, non-governmental organisations, the academic community, etc., have an important role to play, if they decide to do so substantively, in helping to shape the final outcome. The broader public should also be brought into this process and its awareness should be increased. This thesis has hopefully contributed somewhat to the identification of the existing problems, the proposed solutions and the feasibility of those solutions, as well as the results of the recent reform endeavour.

The UN reform process can only be continuous, if it is to reach any substantive results. The use of ultimata calling for reform, with a particular aim, can be a tool for putting political pressure on the Organisation but cannot bring about lasting and important results, especially when pressure is put unilaterally and with apparent disregard of some fundamental rules of the Organisation. The UN may have survived the worst days of its latest financial crisis, but that does not mean that it is alive and well. Its vitality and ability to adjust to changed circumstances will be put to severe test within the next decade or so. That could certainly mean further trouble but it could also open new prospects for the United Nations and the world.

## POSTSCRIPT

As requested by the General Assembly in resolution 41/213 of 19 December 1986 and again in resolution 43/213 of 21 December 1988, the Secretary-General issued his final report on the implementation of the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (G-18), as endorsed in resolution 41/213. This final report, to be discussed at the forty-fourth session of the General Assembly, was issued on 26 April 1989 as UN Doc. A/44/222 under the title: *Review of the Efficiency of the Administrative and Financial Functioning of the United Nations: Final Report of the Secretary-General on the Implementation of Resolution 41/213*.

In the report, the Secretary-General, after reviewing the difficulties he encountered in trying to implement the mandated reforms—due mainly to the financial crisis faced by the Organisation and to decisions taken by intergovernmental bodies, proceeds to a "factual review" of the actions taken by the Secretariat, the General Assembly and, occasionally, other bodies, to implement resolution 41/213.<sup>1</sup>

*Inter alia*, the Secretary-General finds that no substantive progress has been achieved regarding the curtailment of the number of meetings of the various intergovernmental organs and of the related costs.<sup>2</sup>

With regard to recommendation 8 of the G-18 and in view of the inability of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields to agree on specific recommendations regarding the restructuring of the UN intergovernmental machinery in the economic and social fields, the Secretary-General expresses his intention to submit to the General Assembly a report as requested in General Assembly resolution 43/174.<sup>3</sup>

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<sup>1</sup> See UN Doc. A/44/222, paras. 8-11 (pp. 4-5).

<sup>2</sup> See *ibid.*, paras. 12-29 (pp. 5-10), referring to recommendations 1-7 of the G-18.

<sup>3</sup> See *ibid.*, paras. 30-31 (pp. 10-11). See also Chapter III.

The restructuring in the political sector of the Secretariat has been completed but the restructuring in the economic and social sectors is still pending, due to the lack of progress in the parallel process of restructuring the UN intergovernmental machinery in these sectors.<sup>4</sup>

The specific actions taken with regard to individual recommendations of the G-18 on the intergovernmental machinery and its functioning, the structure of the Secretariat, personnel policies, the monitoring, evaluation and inspection of UN activities, and the planning and budget procedure are summarised in the report of the Secretary-General (UN Doc. A/44/222). The most important developments have already been discussed in the main part of this thesis (mainly Chapter III but also Chapter II).

The Secretary-General ends his report by stating that:

While resolution 41/213 envisaged the implementation of the approved recommendations by the Group of High-level Intergovernmental Experts over a three-year period, some recommendations cannot be implemented within a fixed period of time but are of an ongoing nature; this is particularly so in the area of human resources management. Furthermore, actions by the Secretary-General must be based on decisions yet to be taken by Member States in the General Assembly or its subsidiary bodies, as is the case in the economic and social sectors and in the servicing of conferences and meetings. The Secretary-General therefore views the implementation of resolution 41/213 not as a finite process but as one that will continue to contribute to a more effective and efficient Secretariat.<sup>5</sup>

As requested by the General Assembly in resolution 43/213, the Secretary-General is expected to submit a further report to the General Assembly at its forty-fifth session where he should assess, analytically, the effect of the implementation of resolution 41/213 on the Organisation and its activities as a whole and how it has enhanced the efficiency of its administrative and financial functioning.

In general, for better *and* for worse, the shock of the first reform/financial crisis years is virtually over and things are back to their normal pace, more or less, again.

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<sup>4</sup> See UN Doc. A/44/222, para. 50 (pp. 15-16).

<sup>5</sup> *Ibid.*, para. 197 (p. 48).

In any case, importantly enough, US attitudes towards the United Nations have shifted and the World Body is now viewed more favourably by the broad American public, as a poll conducted during the period 11-18 March 1989 shows.<sup>6</sup> Also the US authorities seem determined to settle their financial dispute with the Organisation. The budget submitted to Congress in 1989 provided for full payment of the US contribution and for payment of 10% of past dues.<sup>7</sup>

In the meanwhile, however, the UN's financial problems continue. In a Secretariat document issued in May 1989, the total amount of unpaid contributions to the UN regular budget for the current and prior years was reported to be, as at 30 April 1989, \$797,745,663, of which \$495,131,467 (\$278,844,842 for prior to 1989 years and \$216,286,625 for the current year) was owed by the USA. The total outstanding contributions to UNEF, UNDOF, UNIFIL, UNIIMOG, UNAVEM and UNTAG at the same time amounted to \$669,158,958, of which \$226,701,798 was owed by the USA and \$229,778,980 by the USSR (including the Byelorussian SSR and the Ukrainian SSR—the combined Soviet dues for the current and prior years for the UN regular budget amounted to \$52,269,245, all of it for the current year).<sup>8</sup>

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<sup>6</sup> See results of a poll sponsored by the UN Department of Public Information (DPI) in collaboration with the United Nations Association of the United States (UNA-USA) and conducted by the Roper Organisation—see *La Semaine Internationale/International Review*, A weekly survey of news and events from the United Nations and its related Agencies at Geneva, Information Service, UN Office at Geneva, SI/16/89, 5 June 1989, pp. 2-3.

<sup>7</sup> See interview with the new US ambassador to the UN in New York, Thomas R. Pickering, in *The Diplomatic World Bulletin*, Vol. 20, No. 8 (3-10 July 1989), p. 1.

<sup>8</sup> See *Status of Contributions as at 30 April 1989*, Secretariat, UN Doc. ST/ADM/SER.B/315 of 3 May 1989.

## **APPENDICES**

## **APPENDIX I**

41/213. *Review of the efficiency of the administrative and financial functioning of the United Nations*<sup>110</sup>

*The General Assembly,*

*Recalling* its resolution 40/237 of 18 December 1985, by which it decided to establish the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations,

*Having considered* the report of the Group<sup>111</sup> and the related report of the Fifth Committee,<sup>112</sup> as well as the comments on the report of the Group made by the Secretary-General<sup>113</sup> and the Administrative Committee on Coordination,<sup>114</sup>

*Expressing its appreciation* to the Group for its report,

*Taking fully into account* the views expressed during the consideration of this item at the current session,

*Recognizing* the need for measures to improve the efficiency of the administrative and financial functioning of the United Nations with a view to strengthening its effectiveness in dealing with political, economic and social issues,

*Recognizing* the need to improve the planning, programming and budgeting process in the Organization,

*Reaffirming* the requirement of all Member States to fulfil their financial obligations as set out in the Charter of the United Nations promptly and in full,

*Recognizing* the detrimental effect of the withholding of assessed contributions on the administrative and financial functioning of the United Nations,

*Recognizing further* that late payments of assessed contributions adversely affect the short-term financial situation of the Organization,

I

RECOMMENDATIONS OF THE GROUP OF HIGH-LEVEL INTERGOVERNMENTAL EXPERTS TO REVIEW THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

1. *Decides* that the recommendations as agreed upon and as contained in the report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations<sup>111</sup> should be implemented by the Secretary-General and the relevant organs and bodies of the United Nations in the light of the findings of the Fifth Committee<sup>112</sup> and subject to the following:

(a) The implementation of recommendation 5 should not prejudice the implementation of projects and programmes already approved by the General Assembly;

<sup>110</sup> See also sect. I, footnote 9.

<sup>111</sup> *Official Records of the General Assembly, Forty-first Session, Supplement No. 49 (A/41/49).*

<sup>112</sup> A/41/795.

<sup>113</sup> A/41/663.

<sup>114</sup> A/41/763, annex.

(b) The percentages referred to in recommendation 15, which were arrived at in a pragmatic manner, should be regarded as targets in the formulation of the Secretary-General's plans to be submitted to the General Assembly for implementation of the recommendation; further, the Secretary-General is requested to implement this recommendation with flexibility in order to avoid, *inter alia*, negative impact on programmes and on the structure and composition of the Secretariat, bearing in mind the necessity of securing the highest standards of efficiency, competence and integrity of the staff, with due regard to equitable geographical distribution;

(c) The Secretary-General should transmit to the International Civil Service Commission those recommendations having direct impact on the United Nations common system (recommendations 53 and 61), with the request that it report to the General Assembly at its forty-second session, so as to enable the Assembly to make a final decision; the expertise of the Commission should be availed of in dealing with the other recommendations over which the Commission has a mandate to advise and make recommendations;

(d) The Secretary-General should take into consideration the relevant provisions of General Assembly resolution 35/210 of 17 December 1980, in implementing recommendations 55 and 57, to the extent they are agreed upon;

(e) The Economic and Social Council, assisted as and when required by relevant organs and bodies, in particular the Committee for Programme and Co-ordination, should carry out the study called for in recommendation 8;

(f) The Committee for Programme and Co-ordination, assisted as required by the Joint Inspection Unit and other bodies, shall evaluate the implementation of the recommendations relating to the intergovernmental machinery and its functioning, as indicated in recommendation 70;

(g) In the implementation of recommendation 24, the provisions of General Assembly resolution 41/201 of 8 December 1986 should be duly taken into account;

2. Requests the Secretary-General and the Committee for Programme and Co-ordination to report to the General Assembly as indicated in recommendations 69, 70 and 71 of the Group;

## II

### PLANNING, PROGRAMMING AND BUDGETING PROCESS

1. Decides that the planning, programming and budgeting process shall be governed, *inter alia*, by the following principles:

(a) Strict adherence to the principles and provisions of the Charter of the United Nations, in particular Articles 17 and 18 thereof;

(b) Full respect for the prerogatives of the principal organs of the United Nations with respect to the planning, programming and budgeting process;

(c) Full respect for the authority and the prerogatives of the Secretary-General as the chief administrative officer of the Organization;

(d) Recognition of the need for Member States to participate in the budgetary preparation from its early stages and throughout the process;

2. Reaffirms the need to improve the planning, programming and budgeting process through, *inter alia*, the following:

(a) Full implementation of regulation 4.8 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, which governs co-ordination between the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions;

(b) Implementation of the recommendations contained in paragraphs 25 to 54 of the report of the Committee for Programme and Co-ordination on the work of its twenty-sixth session;<sup>115</sup>

(c) Ensuring follow-up of implementation of the recommendations of the Committee for Programme and Co-ordination;

(d) Improvement of the representation of Member States in the Committee for Programme and Co-ordination in conformity with the provisions of paragraph 46 of the annex to General Assembly resolution 32/197 of 20 December 1977;

3. Resolves to achieve improvement in the consultative process for the formulation of the medium-term plan through:

(a) Full implementation of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation pertaining to the medium-term plan, as contained in the annex to General Assembly resolution 37/234 of 21 December 1982 and of the related Rules;

(b) Submission of the introduction to the medium-term plan, which constitutes an integral element in the planning process, to Member States for wide consultations;

(c) Consultations in a systematic way regarding the major programmes in the plan with sectoral, technical, regional and central bodies in the United Nations;

(d) Drawing up by the Secretary-General, in consultation with the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions, of a calendar for such consultations;

4. Approves the budget process set forth in annex I to the present resolution;

5. Reaffirms that the decision-making process is governed by the provisions of the Charter of the United Nations and the rules of procedure of the General Assembly;<sup>116</sup>

6. Agrees that, without prejudice to paragraph 5 above, the Committee for Programme and Co-ordination should continue its existing practice of reaching decisions by consensus; explanatory views, if any, shall be presented to the General Assembly;<sup>116</sup>

7. Considers it desirable that the Fifth Committee, before submitting its recommendations on the outline of the programme budget to the General Assembly in accordance with the provisions of the Charter and the rules of procedure of the Assembly, should continue to make all possible efforts with a view to establishing the broadest possible agreement;<sup>116</sup>

<sup>115</sup> Official Records of the General Assembly, Forty-first Session, Supplement No. 38 (A/41/38 and Corr.2).

<sup>116</sup> See annex II to the present resolution.

8. Requests the Secretary-General to submit to the General Assembly, through the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions, such supplementary rules and regulations as may be deemed necessary for the improvement in the planning, programming and budgeting process;

9. Also requests the Secretary-General to submit to the General Assembly at its forty-second session a proposal on the date for submission of the outline of the programme budget and also on the date for final approval of the outline by the Assembly;

10. Further requests the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

102nd plenary meeting  
19 December 1986

## ANNEX I

### Budget process

#### A. Off-budget years

1. The Secretary-General shall submit an outline of the programme budget for the following biennium, which shall contain an indication of the following:

- (a) Preliminary estimate of resources to accommodate the proposed programme of activities during the biennium;
- (b) Priorities, reflecting general trends of a broad sectoral nature;
- (c) Real growth, positive or negative, compared with the previous budget;
- (d) Size of the contingency fund expressed as a percentage of the overall level of resources.

2. The Committee for Programme and Co-ordination, acting as a subsidiary organ of the General Assembly, shall consider the outline of the programme budget and submit, through the Fifth Committee, to the Assembly its conclusions and recommendations.

3. On the basis of a decision by the General Assembly, the Secretary-General shall prepare his proposed programme budget for the following biennium.

4. Throughout this process, the mandate and functions of the Advisory Committee on Administrative and Budgetary Questions shall be fully respected. The Advisory Committee shall consider the outline of the programme budget in accordance with its terms of reference.

#### B. Budget years

5. The Secretary-General shall submit his proposed programme budget to the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions in accordance with the existing procedures.

6. The Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions shall examine the proposed programme budget in accordance with their respective mandates and shall submit their conclusions and recommendations to the General Assembly, through the Fifth Committee, for the final approval of the programme budget.

#### C. Contingency fund and additional expenditures

7. The programme budget shall include expenditures related to political activities of a "perennial" character whose mandates are renewed annually, together with their related conference costs.

8. The programme budget shall include a contingency fund expressed as a percentage of the overall budget level, to accommodate addi-

tional expenditures relating to the biennium derived from legislative mandates not provided for in the proposed programme budget or, subject to the provisions of paragraph 11 below, from revised estimates.

9. If additional expenditures, as defined in paragraph 8 above, are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

10. A comprehensive solution to the problem of all additional expenditures, including those deriving from inflation and currency fluctuation, is also necessary. It is desirable to accommodate these expenditures, within the overall level of the budget, either as a reserve or as a separate part of the contingency fund set up in paragraph 8 above. The Secretary-General should examine all aspects related to the question and report, through the Advisory Committee on Administrative and Budgetary Questions and the Committee for Programme and Co-ordination, to the General Assembly at its forty-second session.

11. Pending a decision by the General Assembly on the question dealt with in paragraph 10 above, the revised estimates arising from the impact of extraordinary expenses, including those relating to the maintenance of peace and security, as well as fluctuations in rates of exchange and inflation, shall not be covered by the contingency fund and shall continue to be treated in accordance with established procedures and under the relevant provisions of the Financial Regulations and Rules. The Secretary-General should nevertheless make efforts to absorb these expenditures, to the extent possible, through savings from the programme budget, without causing in any way a negative effect on programme delivery and without prejudice to the utilization of the contingency fund.

## ANNEX II

### Statement made by the President of the General Assembly at the 102nd plenary meeting, on 19 December 1986<sup>117</sup>

... I have obtained a legal opinion from the Legal Counsel of the United Nations on three paragraphs of the draft resolution. The legal opinion reads as follows:

"You have requested our opinion on the legal consequences of three draft paragraphs which are under consideration for inclusion in a resolution to be adopted by the General Assembly on the United Nations budgetary process. These three paragraphs read as follows:

"5. Reaffirms that the decision-making process is governed by the provisions of the Charter of the United Nations and the rules of procedure of the General Assembly;

"6. Agrees that, without prejudice to paragraph 5 above, the Committee for Programme and Co-ordination should continue its existing practice of reaching decisions by consensus; explanatory views, if any, shall be presented to the General Assembly;

"7. Considers it desirable that the Fifth Committee, before submitting its recommendations on the outline of the programme budget to the General Assembly in accordance with the provisions of the Charter and the rules of procedure, should continue to make all possible efforts with a view to establishing the broadest possible agreement;"

"It is our opinion that these draft paragraphs read separately or together do not in any way prejudice the provisions of Article 18 of the Charter of the United Nations or of the relevant rules of procedure of the General Assembly giving effect to that Article."

That coincides with the views expressed by all delegations.

I concur with the foregoing, and I take it that the General Assembly also agrees with it.

<sup>117</sup> Annexed to the resolution following a decision by the General Assembly.

## **APPENDIX II**

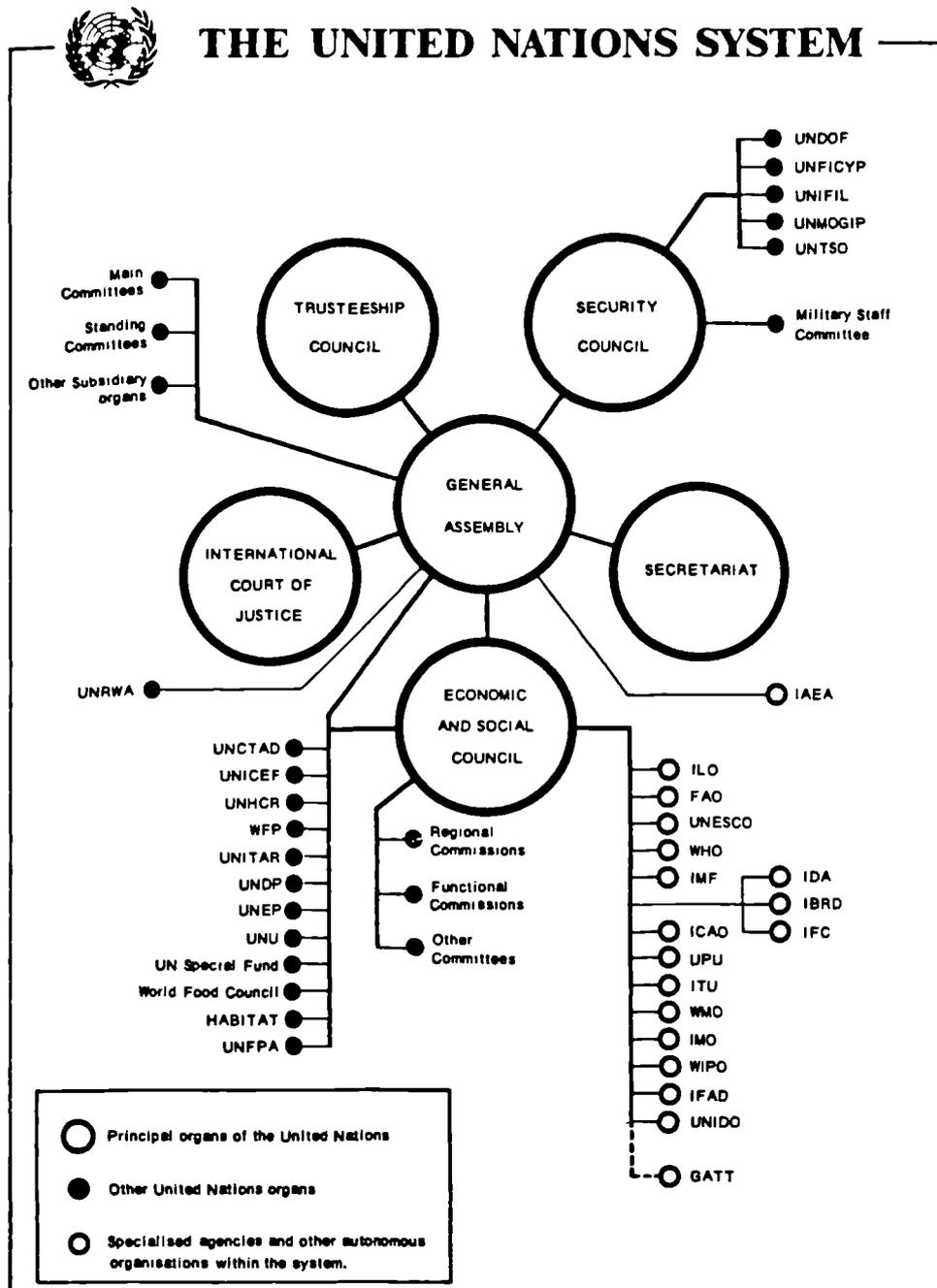
SCHEMATIC PRESENTATION OF UN REFORM PROCESS SINCE 1985	
<p>Accumulated UN deficit since the late 1950's and early 1960's {II}*</p> <p>Passing by the US Congress of the Kassebaum amendment (Section 143 of US Public Law 99-93) and of other legislation affecting payment of US contributions to the UN (1985) {I &amp; IV}</p>	
<p>40th General Assembly (1985-1986)</p>	<p>Japanese proposal for "a group of eminent persons for a more efficient United Nations" {IV}</p> <p>["The Bertrand Report", UN Doc. A/40/988 of 6 December 1985 {III}]**</p> <p>Establishment of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations ("G-18") (UNGA resolution 40/237 of 18 December 1985) {I}</p> <p>Economy measures proposed by the Secretary-General (UN Doc. A/40/1102 of 12 April 1986) and adopted by the resumed 40th General Assembly (UNGA decision 40/472 of 9 May 1986) {I}</p>
<p>41st General Assembly (1986-1987)</p>	<p>[Re-election of Javier Pérez de Cuéllar to the post of UN Secretary-General for another five-year term (October 1986) {IV}]</p> <p>Adoption of the G-18 proposals and of a new budgetary process for the UN (UNGA resolution 41/213 of 19 December 1986) {I, II, III &amp; AppI}***</p> <p>Establishment of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields (ECOSOC decision 1987/112 of 6 February 1987) {III}</p>
<p>42nd General Assembly (1987-1988)</p>	<p>Progress report of the Secretary-General on the implementation of General Assembly resolution 41/213 (UN Doc. A/42/234 of 23 April 1987) {III}</p> <p>[UNA-USA report on "A Successor Vision: The United Nations of Tomorrow" (September 1987) {III}]</p> <p>[Proposals by Mikhail Gorbachev in his article in Pravda of 17 September 1987, (also circulated as UN Doc. A/42/574 - S/19143) {III &amp; IV}]</p> <p>USSR to pay their dues since UNEF and ONUC {II &amp; IV}</p> <p>Modification of Kassebaum amendment (section 702 of US Public Law 100-204) (December 1987) {II &amp; IV}</p> <p>General Assembly resolution 42/211 of 21 December 1987 reviewing steps towards implementation of resolution 41/213 {II &amp; III}</p>

(continued onto the next page)

<p>43rd General Assembly (1988-1989)</p>	<p>Second progress report of the Secretary-General on the implementation of General Assembly resolution 41/213 (UN Doc. A/43/286 of 8 April 1988) {III}</p> <p>Report of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields (UN Doc. E/1988/75 of 1 June 1988) {III}</p> <p>ECOSOC resolution 1988/77 of 29 July 1988 on revitalisation of the Economic and Social Council {III}</p> <p>["Outbreak of peace"—UN successes regarding conflicts in Afghanistan, Iran-Iraq, etc. (summer-autumn 1988) {IV}]</p> <p>US vows to pay its dues to the UN (September 1988) {II &amp; IV}</p> <p>[Aide-mémoire with systematic exposition of Soviet proposals for Comprehensive Security through the enhancement of the role of the United Nations (UN Doc. A/43/629 of 22 September 1988) {IV}]</p> <p>General Assembly resolution 43/174 of 9 December 1988 referring to the Report of the Special Commission of ECOSOC {III}</p> <p>General Assembly resolution 43/213 of 21 December 1988 reviewing steps towards implementation of resolution 41/213 {III}</p>
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- \* {a} means that this step of the UN reform process is discussed mainly in Chapter a of the thesis
- \*\* [xyz] means that xyz not directly related to UN financial crisis
- \*\*\* {App#} means that relevant useful information can be found in Appendix # of the thesis

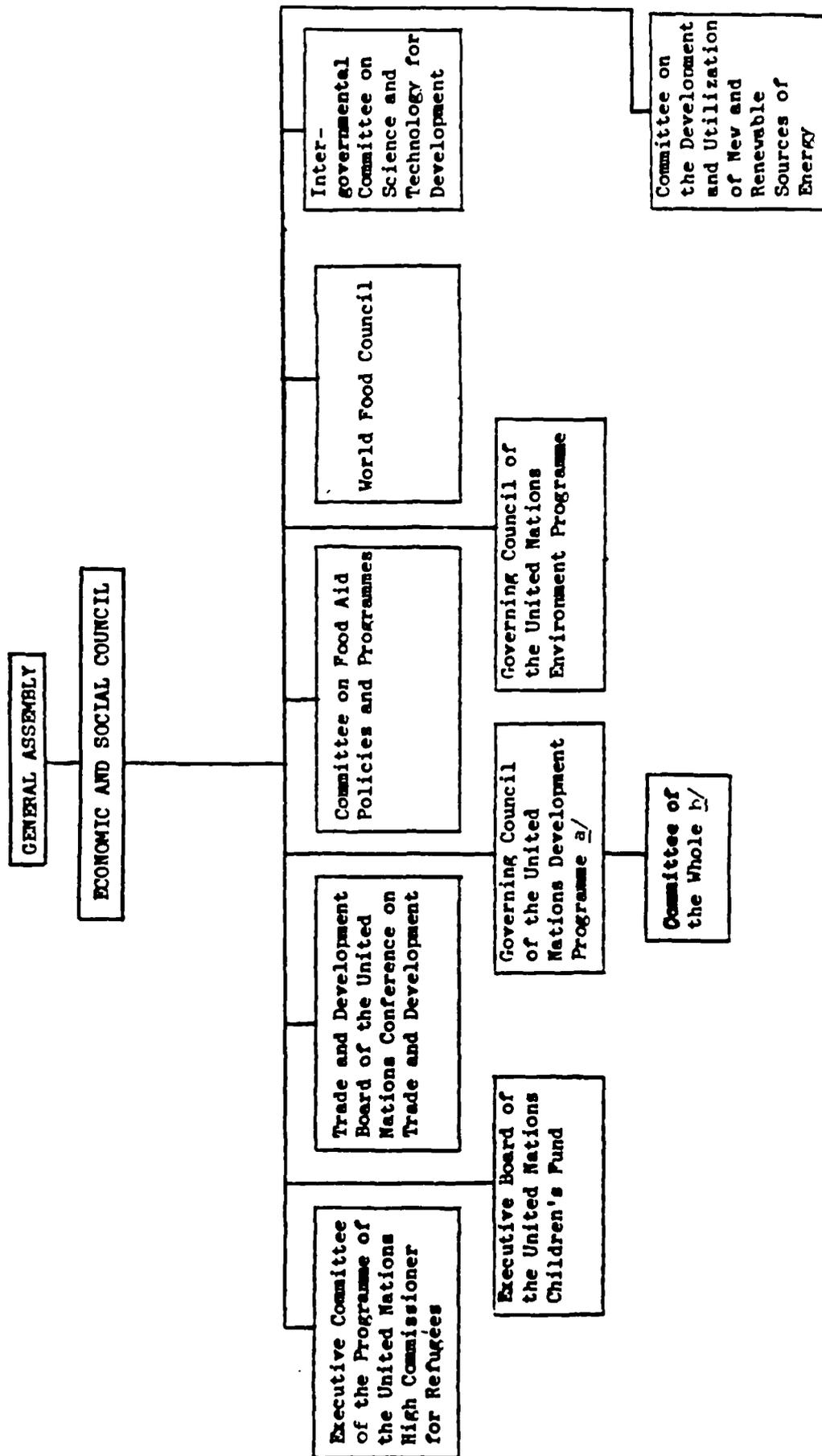
## **APPENDIX III**



**Figure AIII.1**

*Source: United Nations Handbook 1988, New Zealand Ministry of Foreign Affairs, Wellington, New Zealand, 1988, p. 5*

**Subsidiary bodies of the General Assembly  
that report to the Assembly  
through the Economic and Social Council**



a/ The United Nations Development Programme or its Administrator administers the following funds: Special Measures Fund for the Least-Developed Countries, United Nations Capital Development Fund, United Nations Volunteers, United Nations Revolving Fund for Natural Resources Exploration, United Nations Trust Fund for Assistance to Colonial Countries and Peoples, United Nations Trust Fund for Sudano-Sahelian Activities, United Nations Fund for Science and Technology for Development, United Nations Development Fund for Women, Energy Account.

b/ On an experimental basis.

Figure AIII.2

# Subsidiary Machinery of ECOSOC

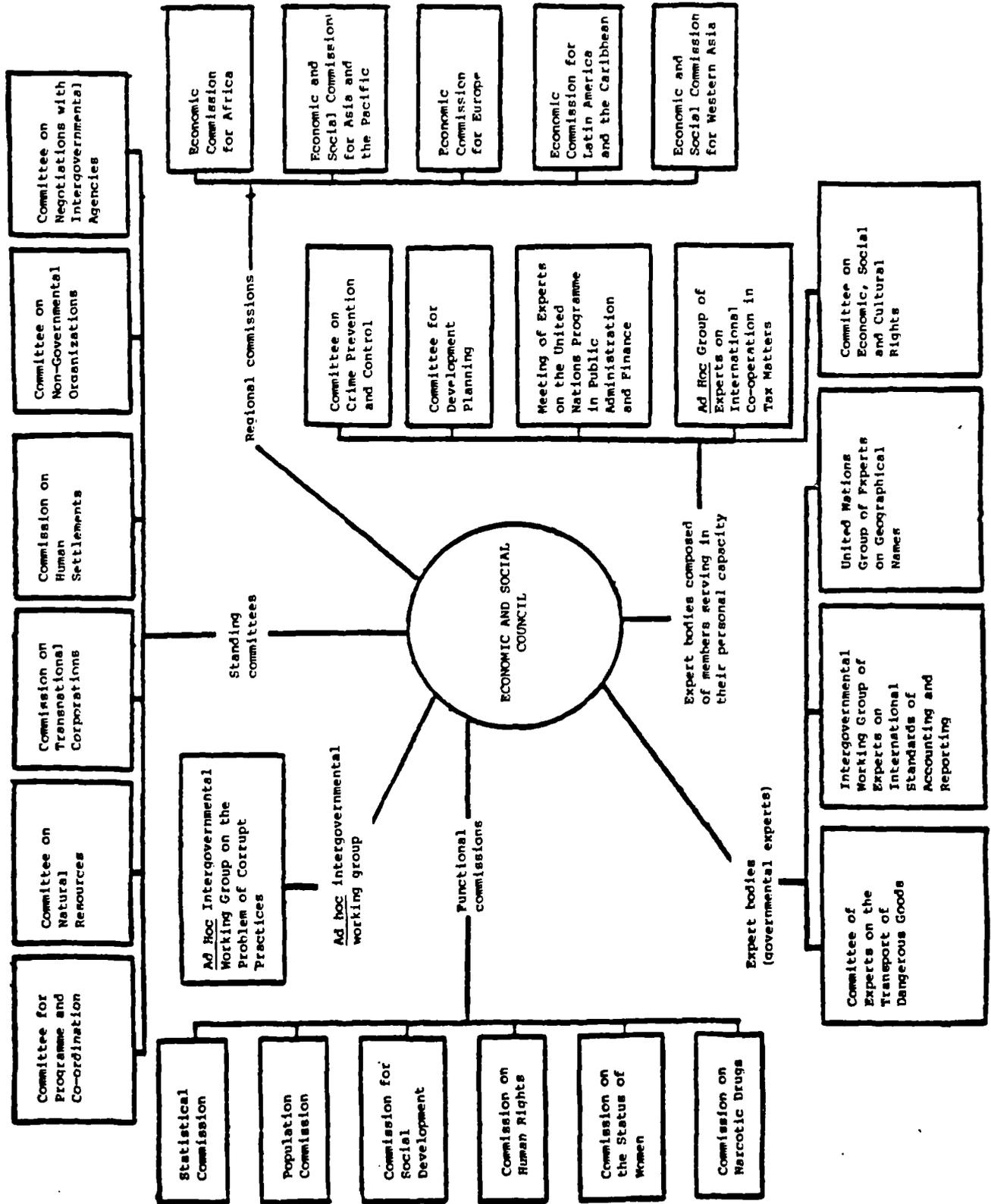


Figure AIII.3

Source: UN Doc. E/SCN.113, p. 10

<b>The Structure of the UN Secretariat</b> <i>(Main Departments and Offices and Main Recent Reforms)†</i>	
<b>Before Recent Reforms††</b>	<b>After Recent Reforms†††</b>
<i>The Secretary-General</i>	<i>The Secretary-General</i>
Executive Office of the Secretary-General	Executive Office of the Secretary-General
	Office for Research and the Collection of Information
Office of the Director-General for Development and International Economic Co-operation	Office of the Director-General for Development and International Economic Co-operation
Office of the Under-Secretaries-General for Special Political Affairs	Office of the Under-Secretary-General for Special Political Affairs
Office for Special Political Questions	<i>(To SPQRCT Administration of special economic assistance programmes to UNDP)</i>
Office of the Under-Secretary-General for Political and General Assembly Affairs	Office of the Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services
Office of Secretariat Services for Economic and Social Matters	<i>(To OPGS)</i>
Office for Field Operational and External Support Activities	<i>(Administrative support services for peacekeeping to Field Operations Division, Office of General Services, DAM Dissemination of political information to ORCI)</i>
Office of Legal Affairs	Office of Legal Affairs
Department of Political and Security Council Affairs	Department of Political and Security Council Affairs
Department of Political Affairs, Trusteeship and Decolonisation	Department for Special Political Questions, Regional Co-operation, Decolonisation and Trusteeship —Office of the United Nations Commissioner for Namibia
Department for Disarmament Affairs	Department for Disarmament Affairs
Department of International Economic and Social Affairs	Department of International Economic and Social Affairs <i>(Functions of Office of Programme Planning and Co-ordination to Office of Programme Planning, Budget and Finance, DAM)</i>
Department of Technical Co-operation for Development	Department of Technical Co-operation for Development
Department of Administration and Management —Office of Financial Services —Office of Personnel Services —Office of General Services	Department of Administration and Management —Office of Programme Planning, Budget and Finance —Office of Human Resources Management —Office of General Services
Department of Conference Services	Department of Conference Services
Department of Public Information	Department of Public Information <i>(new structure)</i>
Office of the United Nations Commissioner for Namibia	<i>(To SPQRCDT, under special arrangements)</i>

**Table AIII.4**

† See Chapter III, sub-section on the structure of the Secretariat.

†† Compiled from information given in *Yearbook of the United Nations 1984* (Vol. 38), Department of Public Information, United Nations, New York, 1988, Appendix III.

††† Compiled from information given in UN Docs. A/C.5/43/1/Rev.1, A/43/286 and E/SCN.1/3.



**APPENDIX IV**

## Persons Interviewed†

Abbadi, Abdelkader (UN, Political Affairs Division) \*  
Baker, James (UN, Office of the Director-General)  
Brückner, Peter (Mission of Denmark to the UN in New York)  
Chisholm, Kathleen (Mission of the USA to the UN in New York)  
Dedring, Jürgen (UN, ORCI)  
Fahmy, Nabil (Mission of Egypt to the UN in New York)  
Fareed, (Mr.) (UN Consultant, ECOSOC)  
Franck, Thomas (New York University—USA)  
Goossen, Dirk Jan (UN, ICSC)  
Hong, Mark (Mission of Singapore to the UN in New York)  
Inomata, Tadanori (Mission of Japan to the UN in New York) #  
Ion, Nicolae (UN, Political Affairs Division) \*  
Kanninen, Tapio (UN, ORCI) \*  
Khamis, Ali (UN, Programme Planning and Budget Division)  
Laurenti, Jeff (UNA-USA) #  
Morphet, Sally (UK, Foreign and Commonwealth Office) #  
Moschopoulos, Dimitris (Greece, Ministry of Foreign Affairs) #  
Moussouris, Sotirios (UN, Centre Against Apartheid) \*  
Oldfelt, Karin (Mission of Sweden to the UN in New York) \*  
Petrovsky, Vladimir (Deputy Foreign Minister, USSR) #  
Platis, Dimitris (Mission of Greece to the UN in New York)  
Renninger, John (UN, DIESA, formerly with UNITAR)  
Riza, Iqbal (UN, General Assembly Affairs Division) \*  
Rollet, Christine (UN, Department of Administration and Management)  
Russler, Diana (UN, ACABQ Secretariat)  
Sergeev, Vladimir (Mission of USSR to the UN in New York)  
Sherry, George (Occidental College—USA, formerly UN Assistant Secretary-General)  
Taylor, Helen (Mission of the UK to the UN in New York)  
Urquhart, Brian (The Ford Foundation—New York, formerly UN Under-Secretary-General) \*  
Vaher, Ado (Mission of Canada to the UN in New York) \*  
Vraalsen, Tom (Mission of Norway to the UN in New York)  
Wittig, Peter (Mission of the FRG to the UN in New York)

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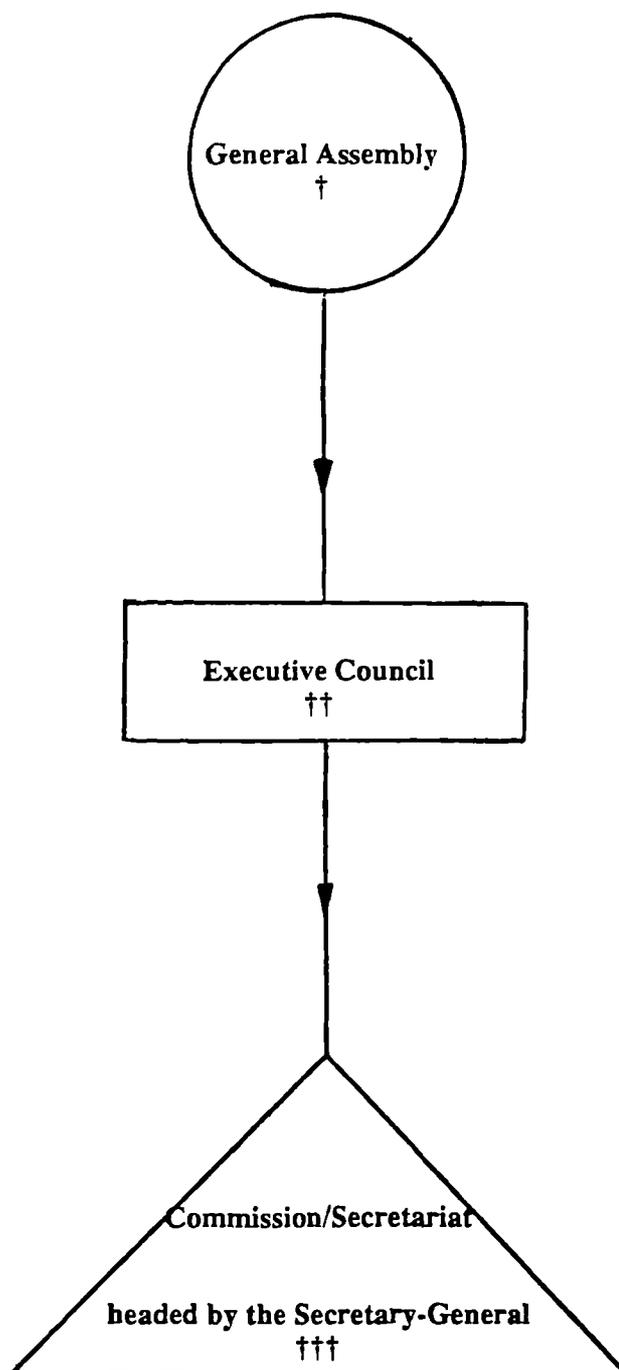
† Most of the interviews were conducted as informal discussions, therefore no verbatim records have been kept. For most of the interviews there are summary records written after the interviews on the basis of the notes taken. Whenever there are rather elementary summary records kept, the sign "#" is placed after the name and capacity of the person interviewed, while whenever there are no summary records at all the sign "\*" is used.

All interviews were conducted in New York, except with Ms. Morphet and Mr. Moschopoulos which were conducted in London and Athens respectively.

All interviews were conducted between April 1988 and January 1989, inclusive.

**APPENDIX V**

## Possible Structure of a Reformed UN and UN System



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† Plenary intergovernmental body for all United Nations Agencies. Each state has one vote. Committee structure: First (Political) Committee—Security, Disarmament and Peacekeeping; Special Political Committee—Special Political Questions including Decolonisation; Second (Economic) Committee—Economic, Trade and other Related Questions; Third (Social) Committee—Social and Humanitarian Questions; Fourth (Science, Technology and Environment) Committee—Questions Relating to Science, Technology and the Environment; Fifth (Administrative and Budgetary) Committee—Questions Relating to the UN Administration, Personnel Management and Budget; Sixth (Legal) Committee—Legal Questions

†† About 25 members; some large states represented individually while others in groups. Decisions adopted, as a rule, by consensus. The Council to convene under different composition according to the issues to be discussed; each time its members to be represented by a high-level government officials and periodically by heads of state or government.

††† For the structure of the Commission/Secretariat see following page.

Commission/Secretariat Structure				
C-1*	Area Co-ordinators	Main Bodies	C-2**	C-3***
1	Secretary-General (Chairman of the Commission)	EOSG		1
		ORCI	1	
1	Director-General for Peace and Security Affairs and Special Political Assignments (Vice-Chairman of the Commission)	Executive Office and Good Offices and Mediation Service+		1
		DDA & Verification Agency	1	
		Peacekeeping Operations	1	
1	Director-General for Development and International Economic Co-operation (Vice-Chairman of the Commission)	Executive Office & DIESA		1
		UNDP & DTCD	1	
		IMF	1	
		World Bank	1	
		UNCTAD & GATT	1	
		UNIDO	1	
		ECA	1	
		ECE	1	
		ECLAC	1	
		ECSCWA	1	
		ESCAP	1	
1	Director-General for Cultural, Scientific and Humanitarian Affairs	Executive Office		1
		UNESCO & UNU	1	
		UNHCR	1	
		UNRWA		1
		UNDRO	1	
		United Nations High Commissioner for Human Rights	1	
		UNCHS		1
1	Director-General for Health, Food and Agriculture	Executive Office		1
		WHO	1	
		UNICEF		1
		UNFPA		1
		UN Fund for Drug Abuse Control		1
		WFP	1	
		FAO	1	
		IFAD		

(continued onto the next page.)

- \* C-1: Member of the Inner Commission.
- \*\* C-2: Member of the Commission.
- \*\*\* C-3: Member of the Expanded Commission.
- + In co-operation with EOSG and ORCI.

Commission/Secretariat Structure (continued)				
C-1*	Area Co-ordinators	Main Bodies	C-2**	C-3***
1	Director-General for Energy, Transportation, Communication and the Environment	Executive Office		1
		UNEP	1	
		International Energy Agency (including IAEA)	1	
		ITU		1
		UPU		1
		IMO		1
		ICAO		1
		WMO		1
		World Space Organisation		1
1	Director-General for Legal Affairs (The Legal Counsel)	Executive Office		1
		ICJ Registry		1
		Codification of International Law and Treaty Section		1
		LOS		1
		WIPO		1
		ILO		1
1	Director-General for Forum Servicing and Administration	Executive Office		1
		Office of Programme Planning, Budget and Finance	1	
		Office of Human Resources Management		1
		Office of General Services		1
		DCS	1	
		DPI	1	
		UNITAR		1

- \* C-1: Member of the Inner Commission.
- \*\* C-2: Member of the Commission.
- \*\*\* C-3: Member of the Expanded Commission.
- + In co-operation with EOSG and ORCI.

## APPENDIX VI

**Some basic facts regarding the  
main intergovernmental and expert bodies  
involved in the UN budget formulation process†**

*The General Assembly*

The Charter's provisions governing UN finances designate the General Assembly as the UN organ holding the ultimate authority in the allocation of funds and the general financial supervision of the United Nations. The Charter's provisions are to be found in Articles 17, 18 and 19. In short, in Article 17 the General Assembly is assigned the role of considering the budget of the Organisation, approving it and apportioning the expenses to the member states. The General Assembly is also supposed to consider and approve any financial and budgetary arrangements between the UN proper and the Specialised Agencies of the UN system, and is given a say in the administrative budgets of the Specialised Agencies which it can examine and make recommendations upon.

Article 18 explicitly classifies budgetary questions as "important questions" that require a two-thirds majority of member states present and voting to be decided upon.

Finally, Article 19 provides for sanctions against member states not complying with their financial obligations towards the Organisation. In particular, Article 19 stipulates that "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organisation shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years". Nevertheless, to water down the automaticity of this relatively draconian measure and to give flexibility to the Assembly to cope with particular circumstances, the Charter provides that "The General Assembly may... permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member".

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† The information presented here is mainly taken from *The United Nations Charter; Rules of Procedure of the General Assembly* (UN Doc. A/520/Rev.15); *United Nations Handbook 1988*, New Zealand Ministry of Foreign Affairs, Wellington, New Zealand, 1988; and *Yearbook of the United Nations*.

### *The Committee for Programme and Co-ordination*

The Committee for Programme and Co-ordination (CPC) is an intergovernmental body affiliated to both, the General Assembly and ECOSOC. It was established following ECOSOC resolution 920 (XXXIV) of 1962 and was given its present name by resolution 1171 (XLI) of 1966. According to its terms of reference found in ECOSOC resolution 2008 (LX) of 1976, its scope is to assist the General Assembly and ECOSOC in the areas of planning, programming and co-ordination. The Committee deals with the substantive aspects of the medium-term plan and the regular budget, recommending priorities among programmes, watching the implementation of programmes by the Secretariat and advising on the avoidance of duplication and on other co-ordination matters throughout the UN system.

CPC's initial membership of 11 was increased to 16 in 1966 and to 21 in 1970. The members of the Committee serve for three-year terms. According to General Assembly resolution 3392 (XXX) and ECOSOC resolution 2008 (LX), CPC's members are elected by the General Assembly upon the nomination of ECOSOC on the basis of equitable geographical distribution. In the case of the 21-member CPC this was materialised by electing 5 members from African states, 4 from Asian states, 4 from Latin American states, 3 from Eastern European states and 5 from Western European and other states.

CPC's membership has been recently increased to 34 in view of the Committee's increased responsibilities in the new UN budget formulation process (see main text—Chapter II). This latest increase in CPC's membership was brought about by General Assembly decision 42/450 of 1987 adopted on a recommendation made by ECOSOC in its resolution 1987/94. The Committee's seats are now geographically distributed as follows: 9 seats go to African states, 7 to Asian states, 7 to Latin American and Caribbean states, 4 to Eastern European states and 7 to Western European and other states.

### *The Advisory Committee on Administrative and Budgetary Questions*

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) is one of the General Assembly's two standing committees (the other one being the Committee on Contributions—see below) that have been established to deal with continuing problems during and between the regular sessions of the Assembly. It was set up following General Assembly resolution 14 (I) of 1946. It is an expert body consist-

ing today (following resolution 32/103 of 1977) of sixteen members, at least three of which are "financial experts of recognised standing" (Rules of Procedure of the General Assembly, Rule 155). ACABQ's members are selected "on the basis of broad geographical representation, personal qualifications and experience" and no two of them can be nationals of the same state (Rule 156). They serve for three-year terms and are eligible for reappointment. The Committee holds closed meetings and this enhances its image as an expert body not entangled in everyday politicising. ACABQ has accumulated and still maintains a high degree of expertise through long-serving members; for example, the present Chairman of the Committee, C.S.M. Mselle, of Tanzania, has been Chairman since 1975 and had been a member of the Committee for several years before that.

ACABQ is "responsible for expert examination of the programme budget of the United Nations" (Rule 157) and reports to the General Assembly, usually through the Fifth Committee. Among its other duties, ACABQ examines, on behalf of the General Assembly, the administrative budgets of the UN system Specialised Agencies as well as proposals for financial and budgetary arrangements between the UNO and the Agencies (Rule 157). This Committee is supposed to deal with the strictly technical aspects of the UN budget, without interfering with the substantive aspects of it that fall under CPC's mandate.

#### *The Committee on Contributions*

The Committee on Contributions (CoC), the other General Assembly standing committee, was also set up, like ACABQ, by General Assembly resolution 14 (I) of 1946. The Committee's 18 members (the latest increase in CoC's membership was brought about by General Assembly resolution 31/95 A of 1976) are also selected in their personal capacity, on the basis of broad geographical representation and for renewable three-year periods (Rules 158 and 159).

The Committee advises the General Assembly on the apportionment of the Organisation's expenses among its member states, "broadly according to capacity to pay". CoC also advises the General Assembly on the assessment of new incoming member states, on appeals by states that are dissatisfied with their assessments and on the appropriate action to be taken against states neglecting their financial obligations towards the Organisation (Rule 160).

### *The Fifth Committee*

The Fifth or Administrative and Budgetary Committee is one of the Assembly's seven Main Committees (Rule 98) and advises the General Assembly (Plenary) on matters related to budgeting and administration that according to the Charter come within the General Assembly's purview. All member states may be represented on the Committee and decisions, as in all Main Committees, are made by a majority of the member states present and voting (Rule 125).

The Fifth Committee is assisted in its work by reports submitted by CPC and ACABQ in their respective areas of competence. Other bodies reporting to the General Assembly through the Fifth Committee are the Committee on Contributions (see above), the International Civil Service Commission, the Joint Inspection Unit, the Board of Auditors and the Joint Staff Pension Board. When resolutions proposed by the various Committees are estimated by the Secretary-General to involve expenditures, they have to go through the Fifth Committee that examines the effect of each of these resolutions on the UN budget estimates (Rule 153).

Of course, according to the Charter provisions discussed above, the General Assembly *as a whole* has the final word on budgetary questions, and reaches its decisions in plenary by a two-thirds majority.

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