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## **101 ways to change the United Nations; Let's hope for all our sakes that the Iraq war gives us the will for reform, says former UN ambassador PAUL HEINBECKER**

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The moment of truth for the United Nations is fast approaching. Last fall, Secretary-General Kofi Annan told the General Assembly that the UN had "come to a fork in the road. This may be a moment no less decisive than 1945 itself." The blue-ribbon panel that Mr. Annan announced at the time to propose reforms has reported back. The question now is whether the international community can find the collective political will to remedy the UN's undoubted failings or whether existing animosities will condemn the world organization to atrophy. Nothing less than the future of global governance hangs on the outcome.

As a measure of how difficult it is to reform the UN, the word "reform" does not even appear in the mandate of the High Level Panel on Threats, Challenges and Change appointed by Mr. Annan. The body is riven with divisions between rich countries and poor, between the Security Council and the General Assembly, between the nuclear powers and others, between the Arabs and Israelis and the Indians and Pakistanis, and, most significant, between a unilateralist U.S. administration and a multilateralist UN membership.

Finding consensus in these circumstances seems like mission impossible, which is why no serious reform has been tried in more than 40 years. Nonetheless, the panel has produced a series of recommendations that, if adopted, will make the UN the effective organization that Canadians and many others long for.

The challenge now is to find the 127 votes, including those of the existing five permanent members of the Security Council, that are necessary to make the profound changes. The panel has wisely concluded that reforming what the UN does is more important than rejigging who does it. The bulk of the recommendations deals with substance; the most significant address the use of force.

Since the Charter was adopted in 1945, a contradiction has arisen between the UN's fundamental purpose - "to save succeeding generations from the scourge of war" - and one of its most cherished precepts - national sovereignty. The Charter's framers believed that peace would best be achieved through collective security and the proscription of outside interference in the internal affairs of states. Since the end of the Cold War, however, the proportion of intrastate conflicts has grown dramatically, raising the dilemma that people cannot be saved from the scourge of war without outside intervention. A crucial post-9/11 challenge is the potential nexus of terrorists and weapons of mass destruction. Further, the world is coming to understand the reciprocal relationship of economic development and security, and the indivisible character of security.

In its 101 recommendations, the panel has not shrunk from proposing very significant change. On the use of force, it recommends a series of guidelines derived in large part from the Lloyd Axworthy-commissioned 2001 report, *The Responsibility to Protect*. Specifically, the UN panel endorses the emerging norm of the "responsibility to protect" - that is, when a state cannot or will not protect its citizens, the responsibility to do so falls temporarily on the international community embodied in the Security Council.

The panel adopts other central recommendations of the Canadian report, notably the threshold tests for intervention (genocide, ethnic cleansing and large-scale loss of life) and the four precautionary principles (including the necessity of acting with the right intention and the prospect of doing more

good than harm). The panel makes a distinction between unilateral pre-emption, which is allowed under existing international law, and unilateral prevention, which is not. To the U.S. insistence on its right to act to forestall a gathering danger, the panel says unilateral preventive action, as distinct from collectively endorsed action, is too dangerous. "Allowing one to act is to allow all." At the same time, the panel believes that sound arguments for prevention will persuade the Security Council to act.

The panel urges the U.S. and Russia to schedule a progressive de-alerting of their nuclear weapons and recommends that the deadline for the international program for the reduction of highly enriched uranium be foreshortened to five years. The panel warns that 40 countries have the capacity to build nuclear weapons on short notice, and stresses the importance of preserving the integrity of the Nuclear Non-Proliferation Treaty. It calls for greater equity in the effort to ensure security, noting that Rwanda suffered the equivalent of three 9/11 attacks every day for 100 days.

Drawing a link between economic development and security, the panel recommends that richer countries such as Canada establish a timetable for achieving the development assistance target of 0.7 per cent of their GNP. It also urges that new negotiations be launched on global warming. The panel proposes the creation of a peace-building commission reporting to the Security Council - in recognition that, in the past, the UN has too often not stuck with its interventions and finished the job. It also recommends changes to the Commission on Human Rights, which it recognizes as an embarrassment to the UN; the panel suggests that human-rights experts head national delegations rather than government officials. Further, the panel commends Prime Minister Paul Martin's innovative idea of transforming the Group of 8 into the Group of 20 as one way to achieve policy coherence.

The panel has agreed on a definition of terrorism - a first for the UN - that would proscribe action against civilians or non-combatants that is intended to intimidate a population or compel a government to act. The panel stresses there is nothing in the fact of occupation that justifies the targeting and killing of civilians.

The panel has made clear that getting the substance of the Security Council mandate right is more important than getting its membership right. Nevertheless, the panel offered two options for increasing the number of permanent seats, without vetoes, to reflect reality. A council with the enlarged mandate foreseen by the panel would benefit from having the greater legitimacy in the eyes of the world that more equitable representation would provide.

The panel's U.S. representative, former national security adviser Brent Scowcroft, has said that all of the panel's recommendations are in America's interests. In a direct reference to current U.S. government policies, the panel approvingly quotes Harry Truman's statement to the UN's founding conference in 1945: "We all have to recognize - no matter how great our strength - that we must deny ourselves the licence to do always as we please." It took the worst war in history to create the UN. Let's hope the Iraq war has been a sufficient reality check to galvanize the will to reform it.

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