Capturing the 21st Century Security Agenda:

Prospects for Collective Responses

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The Stanley Foundation

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Preface

In response to a rapidly shifting geopolitical landscape, United Nations Secretary-General Kofi Annan, in November 2003, commissioned a High-level Panel on Threats, Challenges, and Change.[1] Sixteen distinguished and internationally experienced men and women were asked by the secretary-general to examine the state of "collective security" in the wake of an evolving terrorist threat and two major military actions led by the United States to address it. The secretary-general asked the panel to examine the threats and the suitability of the existing international structure to meet these new challenges.

Led by the victors of World War II, the nations of the world in 1945 chartered a new organization "to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace." Premised on state sovereignty, the system of "collective security" that evolved reflected a balance of power between the West, led by the United States, and the Soviet bloc. In recent years, however, the end of the Cold War and the redistribution of

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[1] See Appendix for a list of the members of the Secretary-General's High-level Panel on Threats, Challenges, and Change.

power resulting from it, the appearance of new threats—especially terrorism conducted by nonstate actors and the increasing number of intrastate conflicts—have transformed the risks and raised fundamental questions regarding the adequacy of the existing arrangements for the maintenance of peace and security.

International institutions are more essential than ever.

This uncertainty has been compounded by the increasing perception that endemic poverty, malnutrition, and diseases (especially the new AIDS pandemic) were not only perpetuating unfathomable human suffering but also aggravating social unrest and political instability in many countries, and thus contributing to general insecurity. The UN Charter itself recognized that the mission to preserve peace depended on the organization's work "to promote social progress and better standards of life in larger freedom."

Secretary-General Annan underscored this reality when he established the high-level panel in 2003 and called for institutional change that will enable the international community to respond to the new threats facing states, communities, and individuals.

In support of the secretary-general's initiative, two institutions—the Stanley Foundation, which has long supported international policy research and similar UN commissions, and the United Nations Foundation, a public charity created in 1998 by entrepreneur and philanthropist Ted Turner to support the United Nations and its causes—joined forces to solicit issue briefs and host four roundtables in support of the panel's deliberations over the course of 2004. The issues and format of these sessions were greatly assisted by the United Nations research group (directed by Dr. Stephen Stedman) established to support the panel's work.

This report is a synthesis of the roundtable discussions and the papers commissioned to inform them. Although it is far from a compendium of the panel's total inquiry, this

compilation provides a picture of the breadth and seriousness of the panel's review—and the challenge faced by the community of nations.

As this publication goes to press, we cannot forecast what the Secretary-General's High-level Panel on Threats, Challenges and Change will recommend; we can, however, say that we are honored to have played a role in furthering critical discussions that could well set the course for the new century. We believe that international institutions are more essential than ever, and we commend the secretary-general's courage and leadership in calling for a new look at both the issues and the institutions that have served us for more than half a century in our continued quest for peace, prosperity, and security for all people.

Timothy E. Wirth
President
United Nations Foundation
September 2004

Introduction

The US action in Iraq last year—over which the super-power and the Security Council deadlocked—constituted a crisis for the United Nations. In this case, the oft-quoted Chinese definition of crisis as a mixture of danger and opportunity seems particularly apt. In that spirit, the UN secretary-general in November 2003 formed his High-level Panel on Threats, Challenges, and Change to assess the threats and challenges, discern the opportunities, and propose needed changes.

The fundamental question is whether the United Nations has or can be given the capacity to confront the threats of our contemporary world with an effective system of collective or cooperative security. Will the United Nations be able to provide solutions for the problems that beset its member states? Can a world body established to uphold high principles and rules defend its relevance in the face of critics who operate on the premise that only power really matters?

It is no wonder that, when addressing the General Assembly in September 2003, Kofi Annan referred to this situation as "a fork in the road…no less decisive than 1945 itself."

President Bush has described the crisis another way. During his late 2003 visit to the United Kingdom, the

president said, "America and Great Britain have done and will do all in their power to prevent the United Nations from solemnly choosing its own irrelevance and inviting the fate of the League of Nations." We may not all view the United Nations as edging toward joining the League on the ash heap of history, but probably all are mindful of the hazards involved if the United Nations and the United States continue to drift apart in mutual suspicion and mistrust. Conversely, we know that if their respective agendas can be more closely harmonized, the United Nations and the international system as a whole can be much more effective and contribute greatly to a secure peace with freedom and justice.

This brings us back to the high-level panel, whose mandate is essentially to propose how such harmony can be achieved. The secretary-general described the problem quite clearly in his General Assembly speech:

> All of us know there are new threats that must be faced—or, perhaps, old threats in new and dangerous combinations: new forms of terrorism, and the proliferation of weapons of mass destruction.

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

We don't have to read between the lines here to understand the problem. The United States and perhaps much of the developed world consider the first list (terrorism, weapons of mass destruction) to be the most urgent threats of today—while most of the rest of the world community and

particularly the less developed countries are more concerned about the "soft threats" of extreme poverty and disease. The secretary-general's point is that to earn its keep, the United Nations must respond to all of these challenges, and he has turned to the high-level panel to tell us how to do it.

A sweeping critical review of the international system is no small task, and fortunately the panel includes individuals of exceptional accomplishment in world affairs and diverse perspectives, with the support of a skilled research staff. And the panel does not labor alone. Many friends of the United Nations, advocates of effective global governance, and proponents of principled multilateralism in international affairs are supporting the panel in its efforts.

For our own part, the Stanley Foundation considers this endeavor so important that we have made it a major focus of our programs. In just the first half of 2004, we held a series of six conferences, including two of the meetings we convene annually, to gather ideas that we then transmitted to the high-level panel and have now collected into this publication. The foundation was very glad to collaborate on four of these meetings with the United Nations Foundation, whom we consider a close colleague.

In mid-January, as the panel was still organizing itself, the Stanley Foundation devoted its 35th United Nations Issues Conference at Arden House to the question of how the panel could maximize its prospects for success, drawing on the political dynamics of the issues involved and the lessons of similar previous commissions. Participants stressed the importance of the panel's mandate to assess threats. As the conference report put it, "Taking the assessment step seriously will lay the basis for the recommendations and help identify the opportunities for common ground." As Kofi Annan observed in the General Assembly speech quoted above, the diversity of threat perceptions among member states constitutes a substantial challenge to the panel.

Poverty and disease can reduce life expectancy as much as war.

Participants proposed several guidelines to help shape a realistic approach toward the United States, including suggestions on how issues should be approached and what might encourage serious US consideration of panel recommendations. They also offered suggestions on how to promote positive consideration of the panel's findings once they are made public. The importance of follow-through for implementation was stressed; mechanisms must be set up to keep the panel's recommendations on the international agenda. In other words, the panel's report should be seen as the midpoint, not the endpoint, of the process.

While the UN Issues Conference considered broad themes and ideas for process, four conferences in March and May, organized jointly with the United Nations Foundation, focused on particular issue areas before the panel. Not coincidentally, the topics closely matched concerns the secretary-general obliquely attributed to the United States and the developing world: the use of force in response to terrorists and their potential allies, humanitarian intervention, small arms and light weapons, and the relationship between extreme poverty and security.

At the use of force conference, participants recognized differences in threat perceptions. A three-tiered framework was proposed to assess the right to self-defense: (1) classical self-defense involves response to an armed attack that has been launched and requires no international sanction beyond Article 51 of the UN Charter; (2) preemptive use of force is military action in anticipation of an imminent impending attack, with the state mounting preemptive use of force bearing the burden of proof that the attack it faced was indeed real and imminent, perhaps with accountability and consequences if it proved not to be; and (3) preventive use of force for threats that are real but not imminent, such as threats from the development of weapons of mass destruction.

While preventive use of force may be warranted in certain cases (the "duty to prevent" concept was discussed), it was suggested that any expansion of the circumstances justifying self-defense carries a higher burden of proof to show justification or seek authorization for the steps taken to "defend" it. While the Article 51 right of self-defense might be interpreted to cover preemption of imminent attacks, the imminence would have to be shown. And for threats that are further in the offing, UN authorization should be essential.

Forceful intervention in humanitarian crises is an important piece of unfinished business from the last decade. It has been ten years since the Rwandan genocide, yet it is not clear that the response would be any different today. Indeed as I write this, the government of Sudan is fending off international pressure to crack down on genocidal attacks that have taken place in the Darfur region. The Commission on Intervention and State Sovereignty proposed the principle of "Responsibility to Protect" as well as specific guidelines regarding outside military intervention in such crises. This concept should be affirmed and validated as the norm for intervention to deal with humanitarian atrocities. Participants at the conference on intervention in humanitarian crisis also identified resource and capacity needs as well as some issues associated with reliance on regional and subregional organizations.

The traditional notion of security and so-called "soft threats" intersect at the issue of small arms and light weapons. Small arms and the rebel forces or criminal gangs—it is often difficult to distinguish between the two—that amass them usually fill the social/economic/political space left by failing states. Our conference on small arms and light weapons concluded that the United Nations' role is central since arms embargoes are a very important tool against their proliferation in local and regional conflicts. Participants strongly endorsed the Programme of Action that resulted from the

2001 UN Conference on Small Arms and also urged that it be augmented by proposed new international conventions covering arms traffickers and the marking and tracing of weapons.

The conference on poverty and security explored these threats as the Global South confronts them. Conceptually, participants affirmed the human security perspective and highlighted that extreme poverty and ill health can reduce life expectancy in an underdeveloped country just as dramatically as war, as illustrated by HIV/AIDS. They emphasized that the United Nations has a comparative advantage to set strategic direction and supervise international relief, development, reconstruction, and governance efforts. But they also questioned how the United Nations can do this without overburdening the Security Council. The composition of the Security Council and the effectiveness of other central UN organs are also factors here.

The Stanley Foundation's 39th Conference on the United Nations of the Next Decade took place in Prouts Neck, Maine, in June as the high-level panel was about to transition from deliberating to drafting. Three panel members—Arab League Secretary-General Amre Moussa, International Crisis Group President Gareth Evans, and former British Ambassador to the UN David Hannay—as well as panel research director Stephen Stedman took part. The conference yielded specific proposals for how to deal with certain threats and challenges, the need for institutional change, and, as at the January conference, suggestions to boost the chances that the panel's findings will actually be implemented.

Since the fundamental mission of the panel is to bolster the world's collective security system, it will need to describe how best the international community can guard against threats. It thus faces the conceptual task of weaving together diverse threat perceptions into a common understanding.

The threat most clearly identified as inimical to international peace and security is armed conflict, and the threat of armed conflict has dominated Security Council deliberations over the years. But can a collective security system intended to serve the widest interests of the community of nations remain so focused on halting wars? What about the structural factors—such as grinding poverty and the weakness of governance—that impede the development of countries and their citizens and sometimes contribute to conflict? What about the devastating new technologies of war and terrorism, whose threat transcends specific conflicts? In terms of institutional structure, can the world community tackle its agenda of threats and challenges with the main political and policy action still concentrated in one council? For that matter, can the Security Council preserve its legitimacy without adjusting its membership?

As the panel answers these questions, it will outline an agenda that takes in a fuller sweep of contemporary problems and takes stock of the concerns of the entire world community. Indeed, elaborating a new paradigm of international peace and security could be one of the most important conceptual contributions of the panel.

While participants stressed the need to base any proposals for institutional change on identifiable real-world needs, the need to update decision-making structures is clear. With a weak constitution based on a nation-state system that itself is evolving, a dependence on member agreement and support, dated Security Council composition, tightly circumscribed authority, financial insecurity, and many other limitations, the United Nations may be like the bumblebee. Theoretically, it shouldn't be able to fly. Yet over the years it has proven remarkably resilient and flexible.

Where member nations have agreed, it has worked. Peacekeeping was not included in the Charter, but it was developed to meet agreed needs and continues to evolve to

No one is truly secure while others are not.

serve new situations. The United Nations has helped to build international norms of behavior. Universal membership is a major strength. It has named and shamed egregious violators of these norms. Operational arms effectively perform necessary international functions, particularly in the relief and development fields. The list of beneficial contributions goes on and on.

But the question today is whether an organization designed for the challenges of 1945 is equal to the threats and challenges of the 21st century. Since the end of the Cold War, which froze the United Nations into a limited role, we have saddled the United Nations with new assignments and increasing expectations. Several of its central organs are obsolete or ineffectual. Security Council composition reflects the world of sixty years ago. The General Assembly has evolved into a debating society, using ponderous consensus decision making even for urgent issues. ECOSOC, intended as the organ to deal with world economic and social matters, is generally regarded as ineffective. The Trusteeship Council is out of business. The Military Staff Committee has never functioned. Change clearly is needed.

Can we contemplate radical change? For some forty years I have participated in many discussions about strengthening and improving the United Nations. I dare to believe that these have contributed toward the evolution and adaptation of the organization. Often these discussions collided with the difficulty of amending the Charter, and the usual outcome was to shrink from that challenge. Voices of caution worried that Charter change was a kind of political Bermuda Triangle that could well destroy the organization. The United Nations was left to "muddle through" its new challenges, adjusting and adapting as it could. But as one participant put it, "every idea whose time has come was once ahead of its time," and therefore charter revision should not be off the table if that is what is truly needed. With a mandate covering the international

system as a whole, however, and not just the United Nations, the panel will likely also be looking at other relevant forums and options.

Given this unusual opportunity and the wisdom and stature that have been assembled for the panel, anything less than a bold vision of a revitalized collective security system that rallies political will and channels resources where needed would be a disappointment.

The international community faces an unusual opportunity. The relevance of the premier international organization has been called into question. A highly competent high-level panel has been appointed to assess the threats and challenges of this new century and propose the changes needed to strengthen the rule of law.

It is clear that perceptions of threats and challenges differ greatly around the world. These differences are driven by huge asymmetries—economic, political, and military—among various nations and peoples. I am convinced that the changes needed to deal with this century's threats and challenges can be achieved only if the panel and we can find and articulate areas of common interest and convincing "win-win" bargains that deal with the threat realities of all sectors. We must recognize that the survival issues of the future—and for that matter, many of the opportunities—are global in character and that, in the long run, no one can be secure while others are not.

Richard H. Stanley
Chair and President
The Stanley Foundation
September 2004

This introduction was adapted from Richard Stanley's opening remarks to the foundation's 39th Conference on the United Nations of the Next Decade in June 2004 as well as the conference proceedings.

Rethinking the International System

Executive Summary

As is often noted, the United Nations was designed in 1945 for a world that is dramatically different from our own. While there have been useful and important organizational innovations over the past six decades, the United Nations' member states have by and large preserved it without significant change.

The conceptual task of the High-level Panel on Threats, Challenges, and Change will be to weave together diverse threat perceptions into a common understanding. The threat most clearly identified as inimical to international peace and security is armed conflict, and the threat of armed conflict has dominated Security Council deliberations over the years. But can a collective security system intended to serve the widest interests of the community of nations remain so focused on halting wars? What about the structural factors—such as grinding

poverty and the weakness of governance—that impede the development of countries and their citizens and sometimes contribute to conflict? What about the devastating new technologies of war and terrorism, whose threat transcends specific conflicts? In terms of institutional structure, can the world community tackle its agenda of threats and challenges with the main political and policy action still concentrated in one council? For that matter, can the Security Council preserve its legitimacy without adjusting its membership?

As the panel answers these questions, it will outline an agenda that takes in a fuller sweep of contemporary problems and takes stock of the concerns of the entire world community. Indeed, elaborating a new paradigm of international peace and security may be one of the most important conceptual contributions of the panel.

The findings of the Stanley Foundation conference fell into three major areas: threats and challenges, institutional change, and maximizing the panel's impact, with the resulting recommendations listed below.

Threats and Challenges
Participants explored policy issues associated with four major threats and challenges to international peace and security: the use of force, states under stress, weapons of mass destruction (WMD), and terrorism. They chose not to focus on underdevelopment and poverty reduction, not for their lack of importance but because the Millennium Declaration and the Monterrey Conference were so successful in building consensus.

• **Draw up guidelines for when states may resort to military force.** The participants identified a growing enthusiasm for a clearer set of criteria that would offer parameters on the use of force and serve as useful guidelines for decisions made by the UN Security Council. Against

the backdrop of recent UN Security Council debates on Iraq and current ones on intervention in the Darfur region of Sudan, participants felt strongly that the use of force should be among the panel's priority areas of examination. Given that the resort to force is a consideration for many of today's threats—and that the UN Charter seeks to regulate its application—the use of force intersects with threats from terrorism to WMD to humanitarian crises.

- **Highlight the need for greater attention and resources to bolster states under stress.** When countries are unable to control their territory, meet the basic needs of their citizens, or establish legitimate and accountable public institutions, there are serious ramifications for the international community. The vacuum left when states are unwilling or unable to perform the most basic functions attracts transnational groups such as terrorists or drug traffickers seeking to exploit their weakness. In the worst cases, this can fuel violent conflict, result in the breakdown of society, and ultimately draw in international peacekeepers to preserve order.

- **Budgets for civilian stabilization programs should be underwritten with assessed contributions.** When the United Nations authorizes a new peacekeeping mission in tandem with the armed peacekeepers, there must be civilians who are expert in state-building, rule of law, employment generation, economic management, etc. Most importantly, though, all these components must receive adequate resources. While peacekeeping operations are financed through assessed contributions, the equally important peace-building functions must now rely on voluntary contributions.

- **Efforts to prevent the proliferation of WMD must be multipronged.** Participants outlined a comprehensive nonproliferation framework with five major components:

(1) reducing demand for weapons of mass destruction, (2) reducing the supply of weapons materials, (3) adequate verification and monitoring mechanisms, (4) multilateral enforcement, and (5) defense against attacks. Most participants felt the category of WMD itself is a catchall and that important distinctions must be made among the threats posed by nuclear, radiological, chemical, and biological weapons.

- **The priority for nuclear nonproliferation is the control of fissile materials.** Participants expressed concern about eliminating and/or safeguarding the leftover Cold War nuclear stockpiles of the former Soviet Union. But this challenge goes well beyond the former states of the USSR; more than 138 sites around the world produce fissile material, most of which is inadequately guarded.

- **The United Nations should help develop a compelling counterterrorism strategy.** The United Nations is well positioned to help establish norms to guide this effort and thereby legitimize an appropriate counterterrorism strategy. As part of its broader support for stronger governance, the United Nations should develop programs to help member states strengthen their antiterrorist intelligence and law enforcement capacity. Participants lauded the efforts of the counterterrorism and Al Qaeda sanctions committees, but noted that much more is learned and accomplished when representatives from those committees actually travel to consult with capitals.

Institutional Change

Ever since the announcement of the high-level panel by Secretary-General Annan, disproportionate public attention has been given to structural reform. Participants agreed strongly that the panel should propose only those structural reforms needed to address threats or challenges and avoid abstract tinkering with the architecture; the

panel should instead define the substantive needs and then work out the institutional implications.

- A **new or repurposed forum is needed to address the economic and social agenda of the 21st century.** Today's international economic and social agenda is an ambitious one, including the Millennium Development Goals, the fight against AIDS and other infectious diseases, trade liberalization and the phasing out of agricultural subsidies, and further coordination between the United Nations and the Bretton Woods institutions. Yet the principal organ of the United Nations tasked with managing economic and social issues is the Economic and Social Council (ECOSOC), which is perceived nearly universally as ineffective, poorly structured, and not up to the task of taking decisive action. Several participants expressed support for a recent French proposal to eliminate ECOSOC and create an "economic and security council" that is larger than the Security Council but smaller than ECOSOC. There was also interest in using the G-20 for this purpose, but with the group meeting regularly at the head-of-state level rather than its usual pattern of finance ministers.

- **Mechanisms are needed to ensure that states under stress receive needed attention.** Given that nearly every arm of the UN system is working either in or on weak states, the setting of strategic direction and supervision of international efforts concerning relief, development, reconstruction, and governance could be a special competency of the United Nations. UN councils or committees could provide much needed leadership particularly over complex relief and development operations in crisis countries. Ad hoc committees could perhaps be established to track and guide particular state-building efforts. Some participants also proposed the creation of an "international security advisor" for the secretary-general and the Security Council, who would be a second deputy secretary-general focused on potential

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The secretary-general must personally advocate for the panel's proposals.

crisis situations. Institutionalizing such a post could intensify the monitoring and sound needed alarm bells earlier and more loudly.

- **Outline the rudiments of Security Council reform without filling in the specifics.** Perhaps one of the most widely anticipated (and highly controversial) topics of the panel report is the subject of Security Council reform. Adopting a pragmatic approach would allow the panel to provide an impetus for debate without resolving all of the details. One participant suggested four pragmatic guidelines: (1) expand the Security Council to 24 members, (2) make the new seats nonpermanent but with renewable terms, (3) rationalize the regional groupings from which nonpermanent members are nominated, and (4) emphasize an oft-forgotten criteria in Article 23 of the Charter, which in effect states that Security Council members need to fulfill the obligations that go hand-in-hand with possession of a seat on the Security Council.

- **The General Assembly badly needs political revitalization.** Plagued by a severe leadership deficit, the General Assembly has become dominated by "grandstanding" and "horse-trading." One participant reminded the group that the 1982 Falklands/Malvinas Islands War (between the United Kingdom and Argentina) is still formally on the General Assembly agenda. It was suggested that the General Assembly draw up its agenda afresh each year, perhaps with a "rules committee" to set the parameters of debate. That said, with its universal membership, the General Assembly enjoys a unique legitimacy and will remain an important forum for political debates.

Maximizing the Panel's Impact

The high-level panel will present its final report to the secretary-general in December 2004. The participants discussed the challenges facing the panel and the implementation of its findings.

- **Err on the side of boldness.** The panel should put forward ambitious recommendations that will spur the United Nations to be more effective in addressing threats to international peace and security of the 21st century. The panel's recommendations are likely to be watered down as they are discussed, debated, negotiated, and then hopefully implemented. One participant noted, "every idea whose time has come started out as an idea ahead of its time." That said, there are also certain to be ideas worth proposing that could be adopted without much political wrangling.

- **Mobilize the secretary-general.** There was a consensus view that in order for the panel to succeed, the secretary-general will have to "pull out all the stops" and organize and commit himself to selling the report. Participants recalled the integral role the secretary-general played in the drafting and negotiation of the Millennium Declaration—a milestone document that is often referred to as one of the most impressive achievements ever to emerge from the United Nations. He must repeat the role he played then and consider this report "to be his legacy" if it is to gain traction.

- **Develop an outreach strategy.** The participants urged the panel, its staff, and the secretary-general to begin developing an outreach strategy. Potential allies of the panel are plentiful, but they will have to be enlisted and put to work. For example, the government of Mexico is considering organizing a "Friends of Reform" group within the United Nations; this new group could be a useful source of support for the panel's report as it turns to the implementation stage. Participants also suggested that the panel actively engage national capitals and parliaments, local and national UN Associations, universities and academia, and NGOs and celebrities at an early stage.

Panel findings will need sustained political attention to ensure they are implemented.

- **Treat the release of the report as the midpoint.** If the secretary-general considers the release of the report as the climax of the process, the report will find itself on shelves or in wastebaskets. Implementation and sustained advocacy will be necessary. As one participant noted, "This is a campaign of a thousand skirmishes, rather than one decisive battle." The September 2005 General Assembly session will provide a focal point for deliberation of the panel's recommendations, but other political mechanisms such as review conferences should be sought to sustain the debate.

- **The role of the United States is critical.** Like it or not, the United States will play a critical role in determining the overall success or failure of the panel report. The panel should consider working with Congress to organize hearings on its report and engaging the leadership of the House and Senate. In addition, the panel should actively work with President Bush and his administration to generate buy-in in advance on the key findings of the report. Given the prominence of Iraq in the upcoming US elections, there may be unusual openness in both political parties to tackle the difficult steps of UN change.

- **The support of developing countries is a make-or-break issue.** One participant reminded the group that when the panel's terms of reference were announced, at the outset there was quite a bit of frustration on the part of many developing countries with respect to a perceived lack of emphasis on issues of greatest concern to them. While that perception has largely dissipated, the panel will have to take great care in making sure that its report appeals to the developing as well as the developed world. There will need to be a careful balance if the developing world is to feel invested in the panel's recommendations.

The High-level Panel on Threats, Challenges, and Change offers an exceptional opportunity to take stock of this

changing world and determine how best to remake the world's system of collective action. There is no silver bullet of a policy package or reform proposal that will fully and adequately address the complex and often intertwined challenges. Yet the high-level panel can use this unique opportunity to offer fresh thinking about and "win-win" solutions for the role of the United Nations, member states, and humankind. It can chart a new way forward for this millennium that will yield a greater measure of peace, justice, freedom, and security.

Conference Report

In September 2003 when UN Secretary-General Kofi Annan addressed the opening of the General Assembly in New York, the United Nations was still reeling from a divisive rift within the Security Council over Iraq. While the council's debate over a military confrontation with Saddam Hussein ended in a stalemate, the episode prompted many to begin asking serious questions about the role and efficacy of the United Nations in the 21st century. To be sure, Iraq was merely the tipping point for an urgent agenda of issues—including terrorism, transnational crime, disease, humanitarian crises, poverty, and weapons proliferation—that the United Nations and the international community more generally have struggled to address.

Recognizing that the time had come to stop and reflect on the challenges facing the world in this new century, Secretary-General Annan stated plainly last September that as an international community, "We have come to a fork in the road." Down one path lay the status quo; down the other, a transformation of the international system of collective action to better address threats and challenges to international peace and security.

It was with this in mind that on November 4, 2003, the secretary-general announced the creation of the High-level Panel on Threats, Challenges, and Change. The panel was charged with examining the main threats to international peace and security in the 21st century and recommending changes necessary to ensure the United Nations remains a key tool for collective action more than 50 years after its founding. The panel consists of 16 eminent international figures. According to the panel's terms of reference, the group will "examine today's global threats and provide an analysis of future challenges to international peace and security…identify clearly the contribution that collective

action can make in addressing these challenges, [and]…recommend the changes necessary to ensure effective collective action."

In June 2004 the Stanley Foundation convened a group of policy experts, ambassadors from the missions to the United Nations in New York, and several representatives of the high-level panel itself for the foundation's 39th annual conference on the United Nations of the Next Decade in Prouts Neck, Maine. Conference participants were asked for their own views of how to address the threats and challenges of our times and how the global governance system, especially the United Nations, should be updated. In addition, the group was tasked with developing concrete proposals on how the high-level panel can maximize its contribution to change.

Sizing up the Threats and Challenges

Most participants agreed on three fundamental principles in addressing these threats and challenges. First, threats to international peace and security must be defined broadly. A threat to someone living in Canada may not be considered a threat to someone living in Côte d'Ivoire and vice versa; however, if threats are defined broadly, the developed and the developing world may find it possible to agree on a common set of threats that pose a grave threat to the international system at large. Second, in addressing one threat, it is imperative that the international community does not undermine strategies for addressing another threat. For example, one participant questioned whether the current US-led "war on terrorism" was perhaps inciting a greater degree of violent conflict—especially in the Greater Middle East—rather than reducing it. Third, the discussion must steer clear of a polarizing North versus South debate; this is a potentially paralyzing dynamic that could sidetrack progress altogether.

Anticipating the response to the panel's report, one participant said, "If it's not controversial, and everyone accepts it, then the report hasn't said anything." But as another participant pointed out, most of the ideas in the report are bound to be unpopular with at least some member states, so each government must also be able to find items they would deem attractive so they can accept the package as a whole. Participants supported the notion of a "win-win" set of proposals that, while not tepid or uncontroversial, speaks to a broad range of concerns.

The conceptual task of the panel should be to weave together diverse threat perceptions into a common understanding. The threat most clearly identified as inimical to international peace and security is armed conflict, and indeed the threat of armed conflict (between or within nations) has dominated Security Council deliberations over the years. But can a collective security system intended to serve the widest interests of the community of nations remain so focused on halting wars? What about the structural factors—such as grinding poverty and the weakness of governance—that impede the development of countries and their citizens and sometimes contribute to conflict? What about the devastating new technologies of war and terrorism, whose threat transcends specific conflicts?

In terms of institutional structure, can the world community tackle its agenda of threats and challenges with the main political and policy action still concentrated in one council? For that matter, can the Security Council preserve its legitimacy without adjusting its membership?

As the panel answers these questions, it will outline an agenda that takes in a fuller sweep of contemporary problems and takes stock of the concerns of the entire world community. Indeed, elaborating a new paradigm of international peace and security may be one of the most important conceptual contributions of the panel. One of the conference participants outlined a potential definition:

A *threat* is anything that causes large-scale diminishment of human life chances and poses danger to the constituent elements of the international system, which are states, or to the fundamentals of the system itself, which are norms and the rule of law.

The reference to life possibilities echoes the "sovereignty of human beings" of which the secretary-general has often spoken.

Even as the panel develops such a unifying framework, it must also disaggregate the threats to identify the most urgent concerns. The group discussed the rubric of "hard" threats (e.g., terrorism and WMD) versus "soft" threats (e.g., failures of development) but concluded that the two are inextricably linked. Ultimately, the panel identified six chief types of threats: (1) threats associated with interstate conflict; (2) threats associated with intrastate conflict; (3) threats emanating from nonstate actors, such as terrorists and organized crime; (4) threats posed by instruments of destruction, such as the proliferation of WMD; (5) the diminution of life possibilities due to extreme poverty; and (6) the degradation of the environment. [1]

Several conference participants urged the panel to remember that its mandate also extends to challenges—not just threats—to the existing order. In this respect, some participants suggested the panel take a view on trade policy and recommend ways to rectify the failures of the Doha Development Round and get global trade talks back on track.

The panel must combine diverse threat perceptions into a shared framework.

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[1] One participant suggested a further methodology for rating the urgency of a situation or issue. This would involve assessing the consequences (number of affected people), linkages to other problems, prospects for practical success, and price of inaction. Other participants felt, though, that such comparison among threats would be counterproductive, and one participant argued that there is a de facto prioritization reflected in the apportionment of resources and political will.

There was a significant amount of debate over whether and how the panel should seek to prioritize threats. One participant noted that by "prioritizing everything, you effectively prioritize nothing."

Contemporary Political Challenges

Participants' views ranged widely on how much the panel should focus on the role of the United States in the global system. One participant favored the panel taking this issue head on and argued that the "role of the US is the determining factor in shaping the future of the international system with both positive and negative elements." In particular, there was some concern about the impact that the Bush administration's unilateralist tendencies would have on the effectiveness of collective security, especially given the United States' stated doctrine of preemption.

Others argued for an approach that did not single out the United States. One participant stated that a "monomaniacal focus on the US" could be "misleading, counterproductive," and extremely unhelpful in crafting strategies that are acceptable to the entire global community—the United States included. While Washington's considerations should be taken into account, so should the considerations of the United Nations' other 190 member states. The key, it was suggested, was figuring out how best the United Nations could try to channel US power.

The increasing strategic focus of the United States and much of the developed world on the Middle East and the wider Islamic world represents a fundamentally new shift that may have repercussions for the panel's deliberations. The tense relationship between the Arab and Islamic world—home to a quarter of the world's population—and the West presents a serious challenge that must be addressed by the United Nations if other challenges are to be considered objectively. A few participants argued for new strategies to address the "rage" felt in many parts of the Islamic world

if the world is to move beyond the kind of "clash of civiliza-
tions" showdown that we are slowly, perhaps inadvertently,
moving toward. The Israeli-Palestinian conflict was brought
up several times during the discussions.

But one participant flatly contested the notion of a clash,
instead arguing that the extremists on all sides have hijacked
the conversation and that the mainstream elements both in
the West and in the Islamic world need to engage in the
conversation if a peaceful solution is to be found.

Debating Threats and Challenges

Participants explored policy issues associated with four
major threats and challenges to international peace and
security: the use of force, states under stress, WMD, and
terrorism. While critical issues concerning underdevelop-
ment and poverty reduction were not directly discussed,
this was not for lack of concern or priority. Rather, partici-
pants concluded that the groundbreaking achievements of
the Millennium Declaration and the Monterrey Consensus
should serve as the basis for continued efforts.

The Use of Force

Against the backdrop of recent UN Security Council
debates on Iraq and current ones on intervention in the
Darfur region of Sudan, participants felt strongly that the
use of force should be among the panel's priority areas of
examination. Given that the resort to force is a considera-
tion for many of today's threats, and the UN Charter seeks
to regulate its application, the use of force is an issue that
cuts along threats from terrorism to WMD to humanitarian
crises. Yet serious questions about when force is appropriate
and what constitutes the "legitimate" use of force still
abound. The participants identified a growing degree of
enthusiasm for identifying criteria that would set parame-
ters on the use of force and serve as useful guidelines that
would govern decisions made by the UN Security Council.

There was broad consensus on five core principles or criteria:

• **Seriousness.** What is the magnitude of the threat to both state and human security?

• **Purpose.** Is the primary purpose of the proposed exercise of force to repel a threat?

• **Last resort.** Has every nonmilitary option been considered? Have all peaceful alternatives been judged ineffective or inappropriate?

• **Proportionality.** Are the scale, duration, and intensity of force the minimum necessary to meet the threat?

• **Balance of consequences.** Is there a reasonable chance of success? Will the costs of action not exceed the costs of inaction?

Several participants suggested clarifications of these criteria and raised additional questions that need further analysis. One participant sought a broad definition of the "seriousness" of the threat and argued that a country's failure to adhere to certain standards of governance should constitute a serious threat to international and human security. There was a great deal of debate on the whether the use of force should always be considered as a last resort. While Article 42 of the UN Charter spells out a series of steps that should be taken to resolve a dispute—determination, nonmilitary pressure, judicial settlement, and in the most extreme cases, the use of force—there were differing interpretations of whether force could only be used as a last resort.

One participant noted that following the progression of steps outlined in the Charter in each and every case could result in delaying timely international action and that the threat of the use of force (or even the actual use) could be helpful early on in bringing an end to violent conflict.

Another participant argued that universally relegating the use of force to a last resort was "seductive though counter-productive." Haiti in the early 1990s was suggested as a possible example of where the early use of force, rather than relying on economic sanctions, could have achieved significant gains with substantially less long-term damage. There was a commonly held view that the proportional use of force should not be equated with the "minimum necessary force" because in certain circumstances, such as Iraq, deployment of a larger force to establish security and stability may actually prevent larger civilian casualties in the long run.

Several participants suggested the adoption of two additional criteria, namely the urgency of the threat and the importance and obligation of reporting on the results ex post facto. Focusing on results would avoid the "diffusion of responsibility" problem by forcing the Security Council to be accountable for its decisions.

Useful as these criteria might be, future debates on the use of force will likely encounter differences over how to calculate the gravity and urgency of a given threat. Who is in charge of assessing whether the proposed military action is proportional to the threat, and who is responsible for quantifying what the costs of action versus inaction are? Is there a mechanism in place that would apply to situations where the Security Council cannot get agreement among its members?

While much of the debate over the use of force focuses around how to constrain force, oftentimes the United Nations is not trying to restrain force but rather encouraging the provision of forces for peacekeeping and peace enforcement duties. It was also noted that in the wake of Iraq there might be a critical undersupply of force from major military powers such as the United States and the United Kingdom who may consider themselves overextended. Despite obligations under the Charter, member states often ignore their responsibilities to contribute resources to

Weak and failing states constitute a major threat to peace and security.

peacekeeping operations. A recent surge in the number of peacekeeping operations worldwide—and the potential for more on the horizon—has created tremendous financial difficulties as well as a shortage of not only deployable personnel but also the equipment necessary to sustain them and the training needed to make them effective.

With the military resources of the major powers increasingly overstretched, regional and subregional organizations such as the African Union (AU) and the Economic Community of West African States (ECOWAS) are filling the void and playing a larger role in peacekeeping and peace enforcement. The participants lauded the growing trend toward regional approaches to keeping the peace. Yet the competence and presence of regional organizations varies significantly. In addition, there are large parts of the world where regional organizations are either nonexistent or frustratingly weak, as is the case in much of Asia.

States Under Stress
One of the most dangerous yet widely underappreciated threats to international peace and security emanates from the world's weak, failing, and failed states—or what participants termed *states under stress*.[2] A country's inability to control its territory, meet the basic needs of its citizens, and establish legitimate and accountable public institutions can have serious ramifications for the international community. The vacuum left when states are unwilling or unable to perform the most basic functions can attract transnational groups such as terrorists or drug traffickers seeking to exploit their weakness. In the worst cases, this can fuel violent con-

[2] The World Bank terminology for weak and failed states is "low income countries under stress" (LICUS). While definitions can be frustratingly imprecise, the bank states that LICUS countries are those states whose "policies, institutions, and governance can be defined as exceptionally weak when judged against the criterion of poverty reduction, especially with respect to the management of economic policy, delivery of social services, and efficacy of government." See the World Bank, LICUS Initiative, *www1.worldbank.org/operations/licus/*.

flict, result in the breakdown of society, and ultimately draw in international peacekeepers to preserve order.

Participants agreed that the high-level panel should provide a blueprint for UN action on this front—arguing that it will be one of the most critical challenges for the international community in the years to come—yet is an area in which the "UN has most dramatically underperformed." Despite the fact that virtually all parts of the UN system are dealing with the causes or effects of state weakness in one way or another, the United Nations is still not up to the challenge of addressing states that are "under the radar screen." One participant lamented the fact that the UN has little, if any, day-to-day contact with regional and subregional organizations most attuned to the emerging crises in their areas. For instance, the UN has only one person assigned to work with the African Union. The UN remains woefully unprepared for contingencies, its flexibility undercut as donors earmark more than 50 percent of projects managed by UN operational agencies.

Despite this record of poor performance, the United Nations has a comparative advantage in this area because many of the issues that emerge as a result of state weakness can best be handled by an institution such as the UN, which at its best can help focus political attention and human and financial resources. Participants agreed on four areas that deserve particular emphasis: early warning, prevention, intervention, and state-building.

Early Warning. Participants felt strongly that despite the presence of up to four early warning mechanisms within the Secretariat, present arrangements for early warning were inadequate. While the knowledge accumulated by these four disparate mechanisms was deemed valuable, they are not being coordinated or brought together in any coherent way, nor is the information produced getting into the hands of those who need it most: first and foremost, the UN

The "responsibility to protect" raises whether a mechanism to suspend sovereignty of an offending state is needed.

Security Council. Several participants supported the creation of a new "international security advisor" for the secretary-general and the Security Council, who would be a second deputy secretary-general focused on potential crisis situations. Institutionalizing such a post could intensify the monitoring and sound any needed alarm bells more loudly.

While there was consensus on the inadequacy of existing early warning mechanisms, several participants felt that placing too much emphasis on early warning is a scapegoat for the real problem: a lack of political will on behalf of the member states to take proactive steps to address state weakness. One participant stressed that for those in the field, it is quite evident which countries will implode and that any investments in New York-based early warning capacity would be better spent ensuring that information collected in the field by UN agencies and nongovernmental agencies is used effectively to inform the political decisions of member states.

Prevention. The mantra of prevention, often echoed since the 1990s, needs to be updated and expanded to include prevention of not just state conflict—or even state failure—but state weakness. Addressing the root causes of weakness can allow the international community to nip the problem in the bud, rather than merely delay the outbreak of violent conflict down the road.

Yet in order to undertake serious preventive action, the United Nations needs to solve its own endemic structural inadequacies. How can the UN marshal sufficient resources for prevention? How can the UN work in close partnership, rather than in competition, with international financial institutions such as the World Bank and the International Monetary Fund, with much greater resources at their disposal? How can the UN work with regional organizations to build sustained and effective partnerships to deal with the challenges in their "neighborhoods"?

Intervention. One obstacle to outside intervention in a conflict situation—even of a humanitarian nature—is the overly strict, traditional interpretation of sovereignty that is espoused by "certain member states intent on constraining the specialized agencies as part of a broader agenda to defend the principle of national sovereignty." In other words, a few self-appointed governments regularly protest actions in other countries where they do not even have a direct stake. These states employ obstructionist tactics often with "scant consideration for the practical effects on the people most directly affected by war."[3] This obstructionist agenda can delay or even deny timely intervention and places a higher premium on the supposed rights of the state rather than the rights of the distressed population.

In the most extreme cases of mass violence or displacement, proponents of military intervention for humanitarian rescue argue that states effectively surrender their sovereignty since they no longer provide fundamental protection to their citizens. In such situations, the "responsibility to protect" shifts to the community of other nations, as proposed in 2001 by the International Commission on Intervention and State Sovereignty. This raises the question of whether there should be a formal mechanism to suspend national sovereignty.

State-Building. Perhaps the greatest role for the United Nations in states under stress is in the "state-building" arena. Many of the major donor nations are clearly reluctant to make sizable ongoing commitments, as evidenced by their poor record of fulfilling pledges. The resulting shortfall has stymied recent efforts to rebuild failed states such as Afghanistan and Iraq. A truly preventive international effort at state-building would seek to reverse state weakness in countries like Bolivia, Indonesia, and Nigeria. The UN has the potential to fill this glaring gap in international capacity.

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[3] The Stanley Foundation, *UN on the Ground*, October 2003, *reports.stanleyfoundation.org*.

With this in mind, the United Nations should strategically prioritize its operational capacity to bolster state capacity and develop expertise especially in those areas that are essential for stabilization, such as disarmament, demobilization, and reintegration of combatants. In this vein, the concept of "multidimensional" peacekeeping operations was endorsed. When the UN authorizes a new peacekeeping mission, peacekeepers should be deployed in concert with civilians who are expert in state-building, rule of law, employment generation, economic management, etc. Most importantly, though, all these components must receive adequate resources. While peacekeeping operations are financed through assessed contributions by the member states, the equally important peace-building functions rely on voluntary contributions—resulting in a major gap between needs and resources. As one participant noted, "the member states who provide the greatest share of assessed contributions provide the smallest share of voluntary contributions" to UN peace operations. A well-resourced peacekeeping force that lacks an adequate civilian complement to perform the critical tasks of peace-building is a recipe for disaster.

Yet the state-building challenge is so immense that participants felt it will require a major institutional focus and commitment for the United Nations to be effective in the state-building arena. Participants questioned whether existing arrangements are adequate for the long-term state-building charge in seemingly "incurable" situations like Kosovo, the Democratic Republic of the Congo, or Afghanistan. Such major ongoing operational efforts need a UN council or committee through which member states can provide political direction and support. For cases where a UN-run transitional administration is needed to temporarily assume some powers, several suggested taking a closer look at the Trusteeship Council and the legal authorities that exist within the UN Charter for some form of modern-day international or regional trusteeship of countries under prolonged stress.

Weapons of Mass Destruction
On April 28, 2004, the UN Security Council showed heightened concern over the proliferation of WMD by adopting Resolution 1540—intended to restrict member states' ability to share WMD technology with nonstate actors, defined as an "individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution."[4]

At the same time, moves by both Iran and North Korea toward developing nuclear weapons capabilities underscore the gap between the adoption and enforcement of council resolutions. Less than two months after the Security Council action, Iran reversed its pledge to halt manufacturing equipment for its nuclear centrifuges. North Korean negotiators, meeting in Beijing, told US officials that North Korea was considering testing a nuclear device.

The participants described the outlines of a comprehensive nonproliferation framework with five major components: (1) reducing demand for WMD, (2) reducing the supply of weapons materials, (3) adequate verification and monitoring mechanisms, (4) multilateral enforcement capacity, and (5) defense against attacks. Having noted this multipronged strategy, participants also stressed the importance of differentiating among the threats from and proper responses to the different types of weapons. The technology of bioterror, for instance, is potentially so readily available to terrorists that governments must prepare to respond with some kind of defense to guard the health of their citizens.

On the nuclear side, the viability of the existing Nuclear Non-Proliferation Treaty (NPT) regime was debated. Two major threats to the existing NPT regime were cited: states pursuing nuclear programs despite being signatories to the treaty and the potential provision of nuclear technology,

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[4] United Nations Security Council Resolution 1540, S/RES/1540 (2004), April 28, 2004.

Stockpiles of nuclear materials left over from the Cold War is a major concern.

information, and know-how to nonstate actors such as terrorist groups. In addition to these threats, participants stressed the dilemma posed by the cases of India, Pakistan, and Israel—nuclear states that are not signatories to the NPT and thus not governed by the current nonproliferation regime. One participant questioned whether the original political bargain of the NPT is still valid; there are renewed questions about promoting access to peaceful nuclear technologies, and the nuclear weapons states parties to NPT do not seem committed to reducing their own arsenals consistent with Article VI of the treaty.

Defenders of the existing treaty regime argued that there was too much "gloom and doom" about the current nonproliferation regime and that it is far from broken down. On the contrary, Libya's decision to reverse course and dismantle its nuclear program is a prime example of how the NPT regime is operating quite well despite critics' belief that "it is in its last ten minutes of life." Others argued that the workable components of the NPT that have survived over the years need to be saved and that the outmoded components need to be drastically updated. This echoes a recommendation of an experts' roundtable on nuclear nonproliferation (cosponsored by Harvard University's Belfer Center for Science and International Affairs, the Nuclear Threat Initiative, and the United Nations Foundation), which found that the NPT "has served a useful purpose in slowing proliferation, but contains loopholes that must be closed" and needs to be updated.[5] Loopholes that enable signatories to produce significant amounts of weapons-grade material just short of building a nuclear device need to be closed if the NPT regime is to survive.

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[5] United Nations Foundation, "Nuclear Non-Proliferation—A United Nations Role?" roundtable conference cosponsored by the Belfer Center for Science and International Affairs, the Nuclear Threat Initiative, and the United Nations Foundation, April 5, 2004.

There is also major concern about eliminating and/or safeguarding the leftover Cold War nuclear stockpiles of the former Soviet Union. Yet this challenge moves well beyond the former states of the USSR; more than 138 sites around the world produce fissile material, most of which is inadequately guarded. One participant suggested that the high-level panel should consider endorsing a new multilateral initiative to curb the supply of WMD materials that could be modeled after the United States' Proliferation Security Initiative (PSI). Under the PSI, created by President George W. Bush in 2003, the United States works with PSI partner countries to "develop a broad range of legal, diplomatic, economic, military, and other tools to interdict" shipments of biological, chemical, or nuclear material.[6]

But in addition to the supply side, equal consideration must be given to reducing the global demand for weapons technology and materials and exploring regional security arrangements to curb this demand. Participants stressed the need to consider the reasons why states seek nuclear capabilities—their own threat assessments. Since some would-be proliferators feel threatened by the United States or other nuclear powers, the operative double standard was discussed at length. Several participants argued that the failure of the nuclear powers to implement any meaningful reduction has removed any sense of urgency for emerging nuclear powers to disarm. Many felt that there was a perception on behalf of emerging nuclear countries that the current system allows the P-5 countries to keep their nuclear weapons in perpetuity without having to make good on their commitments to disarm.[7]

[6] US Department of State, Bureau of Nonproliferation, Proliferation Security Initiative Frequently Asked Questions, May 24, 2004, available at *www.state.gov/t/np/rls/fs/32725.htm.*

[7] Paraphrasing Mohammed El-Baradei, the head of the International Atomic Energy Agency, one participant summarized this view stating, "You cannot declare a particular type of weapon to be illegal and then have states base their national security on that very weapon."

With respect to biological proliferation, verification and monitoring are exceedingly difficult and constitute a major challenge for the international community. Within five years, there could be more than a thousand laboratories capable of producing deadly biological agents. Such potentially extensive proliferation makes defensive public health measures essential, steps that will be of broader benefit to public health, particularly in developing countries. On the biological front, participants endorsed an important norm-setting role for the United Nations. One participant suggested that the UN could work with biotechnology firms to delineate a universal code of conduct governing those biological technologies that have dual-use potential. But another participant expressed caution that a universal code of conduct might be met with resistance by many developing countries who fear that such codes will harm their infant industries much more than companies in the industrialized world.

Finally, there was widespread consensus that inadequate resources are being devoted to monitoring compliance. Within the United Nations, there is a gross misallocation of resources that are dedicated for enforcement of nonproliferation. Current resource flows do not accurately reflect the extent and the gravity of the problem. Both the International Atomic Energy Agency (IAEA) and the United Nations Special Commission (UNSCOM) lack the resources and support at the international level that is required for these bodies to operate effectively.

In addition to the resource gap, there is a dire communications and coordination gap between the IAEA, UNSCOM, and the UN Security Council. At present, provisions under the NPT and the Chemical Weapons Convention (CWC) require that the IAEA notify the Security Council only when there is breach of those international treaties. In order for the Security Council to play a useful role in prevention, the threshold for

communication between the IAEA and the Security
Council should be significantly reduced, and the IAEA
needs to be able to communicate with the Security
Council on a regular basis. Participants also endorsed the
idea of a new special rapporteur who would report regu-
larly to the Security Council on proliferation challenges.

Terrorism
Despite the prominence of international terrorism on the
global agenda, this problem still lacks a comprehensive
multilateral strategy. Many conference participants agreed
that the dominant approach to combating terrorism is
wrong-headed for several reasons. First, participants felt
that many of the current counterterrorism strategies are
actually creating more rather than fewer terrorists. An
overreliance on military responses to the terror threat has
fueled a great deal of resentment and ill will among many
in the developing world, especially in Arab and Islamic
countries. It can thus be argued that the tactics of the
powerful states that are the victims of terrorism are harm-
ing the fight against terrorism. The Russian response to
Chechnya and the US handling of the situation in
Fallujah were cited as two prominent examples of how
the use of overwhelming force to combat terrorism can be
counterproductive.

Second, the current frame for combating terrorism is too
"America-centric" despite the fact that terrorism continues
to pose a threat to the entire world, not just the United
States. Several participants noted that the "war on terror-
ism" language is extremely unhelpful both in terms of
recruiting allies to take a leading role in combating terror-
ism and in terms of generating support from key partners
in the Arab and Islamic world. In order to root out terror-
ist networks wherever they operate, multilateral coordina-
tion is essential. Without international cooperation, any
effort to reduce terrorism is bound to be incomplete. This
will require not only a change in framing and language but

also a change in tactics that emphasizes the full range of tools necessary to combat terrorism: financing, law enforcement, military action, and new ways of addressing states under stress.

The United Nations can set counter-terrorism norms and help states build capacity.

What is needed is a compelling multilateral counterterrorism strategy. The United Nations is well positioned to help establish norms to guide this effort and thereby legitimize an appropriate counterterrorism strategy. As part of this effort, the secretary-general could use his bully pulpit—as he did so effectively following the tragic attacks of September 11—to lend support to counterterrorism efforts and urge states to take the terrorism challenges seriously.

The challenge of shaping global norms regarding terrorism begins with the thorny definitional problem of what constitutes terrorism. While participants discussed the analytical differences among types of terrorism—political terrorism (the Tamil Tigers in Sri Lanka or the Chechen rebels), religious terrorism (Al Qaeda and its militant Islam affiliates), and criminal terrorism (Liberia and Colombia)—they felt strongly that the United Nations should define terrorism not by the aims of the terrorists but by the nature of the acts themselves. The UN could categorize what specific acts are "terrorist" acts and which ones are not. In this way, the UN could play an important normative role akin to the role it played in defining piracy. The definitional debate is in its early stages and serious questions remain unresolved concerning how attacks on occupying powers and/or government authorities should be categorized.

The United Nations should play a leading role in highlighting successful partnerships in fighting terrorism around the globe. One prominent example cited was the partnership established between the Australian and Indonesian national police after the September 11 attacks. Through close police cooperation with Australia, the

Indonesian government detected, arrested, and prosecuted several terrorist cells within its borders. This example of regional cooperation has gone without any assistance from the UN but could serve as an example of how regional patterns of cooperation—perhaps facilitated by regional and subregional organizations—could help combat terrorism. The UN should also, as part of its broader support for stronger governance, develop programs to help member states strengthen their antiterrorist intelligence and law enforcement capacity.

Beyond playing a normative role, several participants felt that the United Nations should take a much more hands-on approach, such as providing technical assistance to states that lack resources and technical expertise but want to strengthen their counterterrorism capacity. The UN as currently configured is not well equipped to provide counterterrorism assistance.

When countries seek help to strengthen their counterterrorism capacity, their only recourse is bilateral assistance. This is problematic for donor countries that do not have counterterrorism expertise but would like to provide financial assistance via a multilateral channel to countries lacking in capacity, and for recipient countries that would readily accept multilateral assistance (rather than bilateral aid from the United States and other major powers) if such capacity existed. Yet there is no obvious locus for developing this capacity within the UN system. Several possibilities were mentioned, including the UN Office on Drugs and Crime (UNDOC) and the UN Development Programme (UNDP).

Shortly after 9/11, the Security Council passed Resolution 1373, which established a Counter-Terrorism Committee (CTC), consisting of all 15 members of the Security Council.[8] The CTC was mandated to monitor member

[8] United Nations Security Council Resolution 1373, S/RES/1373 (2001), September 28, 2001.

states' compliance with obligations under 1373, particularly to track financial flows to terror networks. CTC is in the process of revamping its structure, an effort that includes establishing an executive secretariat to be headed by a permanent executive director. While participants praised the CTC's restructuring efforts, they urged the leadership of the CTC to reconsider its cumbersome reporting requirements for member states. Participants argued that the CTC has lost considerable support because of "excessive" and "abusive" reporting requirements, resulting in "report fatigue" on the part of member states. One participant noted how useful it can prove when representatives of these committees actually visit some of the capitals struggling with these issues.

Those worried about terrorism should be concerned about narrowing the gap between rich and poor. It is by now understood that poverty is not a "root cause" of terrorism in any simple, direct way. However, recent experience tells us that there are certain conditions that are favorable to terrorists and their cause, including a lack of economic opportunity, underemployment, and isolation. The failure of globalization to deliver broad-based benefits to large parts of the developing world contributes to the picture painted by militants of the wealthier nations as self-centered.

Institutional Issues

As is often noted, the United Nations was designed in 1945 for a world that is dramatically different from our own. While there have been useful and important organizational innovations over the past six decades, the United Nations' member states have by and large preserved it without significant change rather than updating it as a forum where political will and dynamism can be marshaled to tackle the issues of the day.

Failure to reform this outdated structure has resulted in increasing disaffection with the United Nations on behalf

of the member states. It has also resulted in a growing sentiment that the UN Security Council is the only organ of the UN that is of any consequence, a feeling that is symptomatic of the continued atrophying of the Economic and Social Council (ECOSOC) and the General Assembly.

Ever since the announcement of the High-level Panel on Threats, Challenges, and Change by Secretary-General Annan, disproportionate attention has been focused on the prospect of structural reform. There was a strong consensus that the panel should propose only structural reforms that are needed to address threats or challenges and avoid abstract tinkering with the architecture. One participant noted that the panel's "test of relevance will be solved by policy change, not institutional reform": the panel should figure out the substantive needs and then work out the institutional implications. The participants also urged the panel in its final report to present an integrated package of its architectural recommendations that will contain "something for everyone" in order to assuage the concerns of various constituencies at the United Nations.

That said, the participants outlined five key items for the panel to consider in its deliberations on institutional change: (1) a more effective forum for the United Nations' economic and social organs, and the related issue of ECOSOC; (2) organizational responses to address states under stress; (3) the composition and structure of the UN Security Council; (4) the role of the General Assembly; and (5) reform of the UN Secretariat.[9]

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[9] The participants also enumerated, without considering in depth, another six reform items deemed worthy of additional consideration by the panel. These included the United Nations' military enforcement capacity; judicial functions performed by the International Court of Justice and the International Criminal Court; the role of the military advisor to the secretary-general; the structure and composition of the UN Commission on Human Rights; the resourcing of UN functions; and coordination among the Secretariat, the intergovernmental system, and UN agencies.

Economic and Social Issues

Today's international economic and social agenda is an ambitious one, including the Millennium Development Goals, the fight against AIDS and other infectious diseases, trade liberalization and the phasing out of agricultural subsidies, and further coordination between the United Nations and the Bretton Woods institutions. Yet the principal organ of the United Nations tasked with managing economic and social issues is ECOSOC, which is perceived nearly universally as ineffective, poorly structured, and not up to the task of taking decisive action.

Several participants expressed interest in a proposal made recently by the French government to eliminate ECOSOC and create an "economic and security council" that is larger than the Security Council but smaller than ECOSOC. While many participants argued against creating new institutional structures, several participants felt that the only way to bring about serious change would be to do away with ECOSOC and start anew with a smaller body.

Finally, a number of participants suggested that the panel should endorse a recent proposal to expand the purview of the G-20 to noneconomic matters and elevate its stature to the heads-of-state level.[10] The G-20 currently acts as a forum for finance ministers and central bank governors from the Group of Eight (G-8) countries and major regional powers such as South Africa, India, and Indonesia to discuss the economic and financial issues of the day. Expanding the G-8 to include major developing country

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[10] Canadian Prime Minister Paul Martin has advocated creating a permanent G-20 process at the heads-of-state level; the current G-20 process is restricted to finance ministers and central bank governors. According to Martin, such a group could be tasked with crafting common strategies on issues as diverse as transnational terrorism, HIV/AIDS and other global health issues, and international trade. See address by Prime Minister Paul Martin at the Woodrow Wilson Center, Washington, DC, April 29, 2004.

powers and empowering a G-20 to play a major decision-making role in development/security considerations—not just economic issues—would eliminate the current perceived monopoly of the Western nations.[11]

States Under Stress

While nearly every arm of the UN system is working either in or on "weak states," there is no major, overarching organ in the UN system tasked with addressing the challenges posed by states under stress, particularly to mobilize political will and financial resources. The participants stressed that the UN needs to be better organized to prevent and respond to states under stress. The UN needs to be much more proactive in preventing state failure and reversing state weakness rather than simply reacting to states that fall off the precipice.

The participants' conversation focused primarily around two key issues: resources and organization. On the question of resources, participants lauded the efforts of the UN to bring an end to several internal conflicts on the African continent but lamented the perennial resource crunch the UN faces in many of these countries. To remedy this situation, several participants suggested expanding assessed contributions beyond peacekeeping to include core elements of peace-building, which are currently funded through voluntary contributions. This would ensure that critical elements of state-building are not ignored due to a lack of donor interest. One participant used the example of Afghanistan where donors rushed to build schools for Afghan girls though very few were willing to finance the salaries of teachers for those new schools. Several participants

The UN needs a more effective forum for its economic and social agenda.

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[11] The report of the bipartisan Commission on Weak States and US National Security advocated a similar recommendation, urging the G-20 to expand its reach into the political/security sphere. See Commission on Weak States and US National Security, *On the Brink: Weak States and US National Security*, Center for Global Development, June 2004.

thought the issue could be linked to Security Council reform with a so-called "pay-to-play" approach whereby countries that sit on the Security Council would have to make specified contributions to UN peacekeeping and peace-building operations. This would ensure that countries that pull their weight would be rewarded with decision-making authority in return.

There is a clear need for a council or committee of member states charged with oversight and support of the manifold efforts at international peace-building and strengthening state capacity. That said, participants agreed that the international community must stop turning to the Security Council to deal with all of the world's problems. The above proposals for a new or revitalized economic and social forum might also take on these issues of states under stress. They might also create ad hoc committees to focus on particular countries.

Participants argued that the creation of an "international security advisor" (ISA)—as mentioned above—could be tasked with presiding over an early-warning/horizon-scanning process and serving as a trigger for ad hoc action on specific crisis countries as circumstances demand. The ISA could trigger the creation of an ad hoc subcommittee of the Security Council to monitor and recommend action to the entire Security Council.

Security Council
Perhaps one of the most widely anticipated (and highly controversial) topics of the panel report is the subject of Security Council reform. Participants observed that most member states could agree on two fundamental arguments in favor of reform *prima facie*. The first is that the world has changed a great deal since 1945 and the creation of the United Nations. Second, there were nine members of the Security Council (out of 51 member states) in 1945; today we have 191 member states with no commensurate increase

in the Security Council's size. So there is a strong case for adding members to the council. Yet moving beyond these two innocuous statements poses difficult challenges.

Participants stressed that the high-level panel consider the ingredients of a *legitimate* Security Council. Several participants argued that a more representative Security Council is a legitimate one. Citing a passage in the UN Charter that states that the role of the Security Council is to "ensure prompt and effective action," another participant argued that the Security Council was never meant to be representative. Rather, the Security Council was meant to be an elite pact—a marriage of "power and purpose." The question the panel should be asking is: Do we have the right power married to purpose? Several participants suggested that membership on the Security Council be linked to a formula (periodically reassessed), factoring in the number of civilian police, monitors, and soldiers serving in UN peacekeeping operations and the size of both assessed and voluntary contributions. This would ensure that the right power was, in fact, married to purpose, though it obviously leaves the nettlesome issue of which countries should be added to the council's membership.

Many participants also urged the panel to consider the *legislative* role of the Security Council. There was a widespread view that the Security Council is getting into the business of passing legislation that would normally be negotiated in international conferences, conventions, and treaties. Some argued that this is a major problem considering Security Council decisions are binding (under Article 25), yet 191 parliaments do not have the same right of review that they do over treaties. If the Security Council continues to play a quasi-legislative role (as demonstrated by its recent resolutions on terrorism and nonproliferation), there will have to be a rethinking of the relationship between the Security Council and the other member states. Others argued

We cannot expect the Security Council to deal with all the world's problems.

that the Security Council was merely acting to fill a void left by weak alternatives.

Many in the group suggested the panel take a pragmatic approach to Security Council reform: articulating principles of reform rather than any specific proposal for council membership. One participant suggested four basic reforms that are pragmatic: (1) expanding the Security Council to 24 members; (2) making the seats for new members nonpermanent but with renewable terms; (3) rationalizing the regional groupings from which nonpermanent members are effectively nominated; and (4) emphasizing an oft-forgotten criteria in Article 23 of the Charter, which in effect states that Security Council members need to fulfill the obligations that go hand in hand with possession of a seat on the Security Council. Adopting this approach would allow the panel to play a catalytic role—providing an impetus for a political conversation to take place among member states without resolving all of the details.

General Assembly
Many of the most important tools for putting an end to violent conflict are authorized by the General Assembly (GA), including disarmament, small arms/light weapons, peacekeeping doctrine, and resource allocation. Despite these crucial tasks and the body's centrality to the United Nations' day-to-day functioning, the GA continues to be an extremely dysfunctional body. The organization of the GA represents thinking of a bygone era and a reevaluation of the politics of the organization is badly needed.

The General Assembly suffers from a number of problems. First and foremost, the GA is plagued by a dramatic leadership deficit and has become a venue for "grandstanding" and "horse-trading." One participant reminded the conference that the 1982 Falklands/Malvinas Islands War (between the United Kingdom and Argentina) is still formally on the GA agenda. Several participants questioned

the committee structure of the GA including their focus, size, and mandate. It was suggested that the GA draw up its agenda each year from scratch, perhaps with a "rules committee" to set the parameters of debate.

Yet participants also argued that the General Assembly plays a central role in consensus-building. With its universal membership, the GA enjoys a unique legitimacy and will remain an important forum for political debates. While several participants cautioned the high-level panel from wading too deep into GA reform, many felt that one area where the panel could make a contribution was in the area of recommending mechanisms to establish effective linkages among the GA, the Security Council, and ECOSOC. One suggestion offered was institutionalizing regularized meetings among the heads of the Security Council, GA, and ECOSOC to better coordinate activities among the intergovernmental system.

Secretariat
To be effective in marshaling a collective response, the Secretariat needs to be organized for concerted action. The group identified four shortcomings that plague the Secretariat's operations. First, the Secretariat is poorly organized for addressing the challenges posed by internal violence and civil war. From prevention to peacemaking to peace implementation to peacekeeping to peace-building, the Secretariat lacks capacity for strategic planning; structured policymaking; and fashioning an integrated, coherent response. While the Department of Political Affairs (DPA) is nominally tasked with prevention, it has not structured itself for the job.

Second, routinization of policymaking on security matters within the Secretariat is completely absent. There is no structured policymaking process to ensure that input is being channeled to the principals, that the principals are acting and making decisions, and that those decisions are monitored.

Third, the Secretariat is poorly organized for early warning. While there are at least four early warning nodes within the Secretariat, they are neither coordinating their efforts closely nor are they producing the kind of strategic analysis that would be helpful for decision makers.

Finally, there is little coordination between the Secretariat and the Security Council. One participant stated that the Secretariat's "support for the Security Council is not as fluid or as direct as it could be." Several participants supported greater dialogue between the two bodies and said that when the Security Council is debating technical issues, officials in the Secretariat with technical or country-specific expertise should be encouraged to join the conversation.

Participants believed that the establishment of an international security advisor who could act as a "traffic cop" between all the programs and departments and regularly liaise with the Security Council and the intergovernmental system would help to plug the prevention, routinization, and coordination gaps. On the early warning front, participants warned of the demise of the recommendation contained within the Brahimi Report on peace operations to create an early warning mechanism within the Secretariat.[12] For the panel to issue a recommendation in this area could create a firestorm between member states who may equate such a mechanism with "spying" and a serious infringement on sovereignty, though a participant in another Stanley Foundation conference pointed out that this just makes permanent the disparity for states without sizable intelligence services.

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[12] The Brahimi Report recommended that the "Secretary-General should establish an entity, referred to here as the Executive Committee on Peace and Security (ECPS) Information and Strategic Analysis Secretariat (EISAS), which would support the information and analysis needs of all members of ECPS; for management purposes, it should be administered by and report jointly to the heads of the Department of Political Affairs (DPA) and the Department of Peacekeeping Operations (DPKO)." See Report of the panel on United Nations Peace Operation (Brahimi Report), *www.un.org/peace/reports/peace_operations/*.

Implementation of Panel Report

The high-level panel will present its final report to the secretary-general in December 2004. The participants discussed the challenges facing the panel and the implementation of its findings. They offered eight recommendations for how the panel can "maximize the prospects for success."[13]

- **Err on the side of boldness.** The panel should put forward ambitious recommendations that will spur the United Nations to be more effective in addressing threats to international peace and security of the 21st century. The panel's recommendations are likely to be watered down as they are discussed, debated, negotiated, and then hopefully implemented. To be sure, this kind of exercise is bound to be fraught with controversy, but the panel should keep in mind that "it was created not to establish paradise at the United Nations, but to prevent hell and failure at the United Nations." One participant noted, "every idea whose time has come started out as an idea ahead of its time." That said, there are also certain to be ideas worth proposing that could be adopted without much political wrangling.

- **Mobilize the secretary-general.** There was a consensus view that in order for the panel to succeed, the secretary-general will have to "pull out all the stops" and organize and commit himself to selling the report. Participants recalled the integral role the secretary-general played in the drafting and negotiation of the Millennium Declaration—a milestone document that is often referred to as one of the most impressive achievements ever to

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[13] On January 13-15, the Stanley Foundation convened a group of experts to develop a set of recommendations on how the panel could increase the likelihood that its recommendations will be implemented. See Stanley Foundation, *The Secretary-General's High-Level Panel on Security Threats—Maximizing Prospects for Success*, January 13-15, 2004, which is the final chapter of this publication.

emerge from the United Nations. He must repeat the role he played then and consider this report "to be his legacy" if it is to gain traction.

The US attitude to the panel will be crucial.

• **Develop an outreach strategy.** The participants urged the panel, its staff, and the secretary-general to begin developing an outreach strategy. Potential allies of the panel are plentiful, but they will have to be enlisted and put to work. For example, the government of Mexico is considering organizing a "Friends of Reform" group within the United Nations; this new group could be a useful source of support for the panel's report as it turns to the implementation stage. Participants also suggested that the panel actively engage national capitals and parliaments, local and national UN Associations, universities and academia, and NGOs and celebrities at an early stage.

• **Treat the release of the report as the midpoint.** If the secretary-general considers the release of the report as the climax of the process, the report will find itself on shelves or in wastebaskets. Implementation and sustained advocacy will be necessary. As one participant noted, "This is a campaign of a thousand skirmishes, rather than one decisive battle." The September 2005 General Assembly session will provide a focal point for deliberation of the panel's recommendations, but other political mechanisms such as review conferences should be sought to sustain the debate.

• **Use upcoming regional and international fora as platforms.** The secretary-general should seek to tie the panel's report to several upcoming meetings and events to multiply its impact and visibility, including British Prime Minister Tony Blair's Commission on Africa report, the 2005 G-8 Summit hosted by the United Kingdom, the upcoming African Union Summit, and the Dutch-Euro Council Meeting in June 2005.

• **The role of the United States is critical.** Like it or not, the United States will play a critical role in determining

the overall success or failure of the panel report. The panel should consider working with Congress to organize hearings on the panel report and engaging the leadership of the House and Senate. In addition, the panel should actively work with President Bush and his administration to generate buy-in in advance on the key findings of the report. Given the prominence of Iraq in the upcoming US elections, there may be unusual openness in both political parties to tackle the difficult steps of UN change.

- **The support of developing countries is a make-or-break issue.** One participant reminded the group that when the panel's terms of reference were announced, at the outset there was quite a bit of frustration on the part of many developing countries with respect to a perceived lack of emphasis on issues of greatest concern to them. While that perception has largely dissipated, the panel will have to take great care in making sure that its report appeals to the developing as well as the developed world. One participant warned against framing issues that are perhaps of most interest to the developed world (i.e., terrorism, WMD, etc.) as immediate threats, and issues of greatest import to developing countries (i.e., poverty, HIV/AIDS, etc.) as long-term challenges. There will need to be a careful balance if the developing world is to feel invested in the panel's recommendations.

Conclusion

As the member states of the United Nations and the high-level panel reflect on the threats and challenges to peace and international security of the 21st century, it is worth pausing to recognize the tremendous challenges the international community will face in the years ahead. Disease, weak and failed states, WMD, the illicit trafficking in weapons, narcotics and even human trafficking, terrorism, and a whole host of innumerable challenges pose a grave threat to the existing world order.

True reform will require more than just words; it will require action by all 191 member states if they are to meet the challenge posed by UN Secretary-General Kofi Annan in his speech before the General Assembly in September 2003:

> The United Nations is by no means a perfect instrument, but it is a precious one. I urge [member states] to seek agreement on ways of improving it, but above all of using it as its founders intended—to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, to reestablish the basic conditions for justice and the rule of law, and to promote social progress and better standards of life in larger freedom. The world may have changed…but those aims are as valid and urgent as ever. We must keep them firmly in our sights.[14]

The High-level Panel on Threats, Challenges, and Change offers an exceptional opportunity to take stock of this changing world and determine how best to remake the world's system of collective action. There is no silver bullet of a policy package or reform proposal that will fully and adequately address the complex and often intertwined challenges. Yet the high-level panel can use this unique opportunity to offer fresh thinking about and "win-win" solutions for the role of the United Nations, member states, and humankind. It can chart a new way forward for this millennium that will yield a greater measure of peace, justice, freedom, and security.

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[14] Secretary-General Kofi Annan, Address to the General Assembly, New York, September 23, 2003.

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Legitimacy and the
Use of Force

While there is a general awareness in the United Nations of the need for collective response in the face of terrorists whose sectarian militancy spurs them to spectacular destruction, there is deep division about what shape this response should take. What is the critical threshold for military force? Can preemption be exercised responsibly to counter would-be terrorists? Is it a viable strategy for disarming potentially adversarial "rogue" states? What are the consequences on the international system of the strategy's misuse? Does the United Nations' role in authorizing the use of force need to be revised or reaffirmed?

A rare window of opportunity has opened for meaningful discourse on the use of force. The Iraq debate represented a moment of contention and disunity that all sides would like to avoid repeating. Of all the issues the high-level panel will confront, few are as consequential for the international rule of law as the question of when states may take up arms against other nations. Now that President Bush had challenged the United Nations to demonstrate its relevance, the

United States has a special responsibility to contribute to, if not lead, a constructive discussion of this question.

A Use of Force Agenda for the High-Level Panel
Threat perception matters. Participants agreed that a focus on threat perception would help lay the foundation for a productive debate on the use of force. Iraq was cited as a threat that states viewed with differing degrees of alarm. As one participant commented, "For those of us in Europe, Iraq looked like a regional problem. We didn't feel immediately threatened." Without a common understanding on what constitutes a threat, broad agreement on a military response will be hard to achieve. Another participant said, "If we don't agree on a problem, we can't agree on the solution."

Participants agreed that much of the world community does not regard the threat of terrorism and weapons of mass destruction (WMD) with the same alarm that the United States does. As a result, the notion that the United States is "protecting the world from chaos" is regarded skeptically by other nations. On the other hand, if the high-level panel could lay out a process by which member states could harmonize threat perceptions and offer mutual support and assistance, this would represent a major contribution.

A framework is needed for defining self-defense. One participant sketched a three-tiered framework to analyze the right to self-defense in light of the situations that warrant armed response. This analysis suggested that any expansion of the circumstances justifying self-defense will place a higher burden of proof on a state to show justification or seek authorization for the steps that it takes to "defend" itself.

First and most obvious, classical *self-defense* involves response to an armed attack that has been launched against one. Such cases do not need international sanction beyond the provision for the right of self-defense in Article 51 of the UN Charter.

The second level is *preemptive use of force*—military action in anticipation of what is believed to be an impending attack. While preemptive action is often accepted as falling within classical self-defense, a state mounting a preemptive strike bears a burden of proof that the attack it faced was indeed real and imminent. From a standpoint of accountability, that state could eventually submit to some kind of judgment (if only political) if subsequent events showed that there was no such immediate threat.

Preventive defense is the rubric for threats that lie just over the horizon. In addition to the question of imminence, preventive defense raises the issue of the magnitude of the threat. In other words, some perils—such as those associated with WMD—may be sufficiently dire to warrant action well before they are imminent.

Actions in this category, agreed most participants, carry a particular onus for obtaining multilateral support and authorization that a state needn't seek if it is really under actual or imminent attack. Indeed, the UN Charter's Chapter VII provisions for collective action against "threats to peace" seem crafted precisely to provide for just such gathering storms; the Security Council's Iraq resolutions, for example, seemed to point in this direction. Even though the council could not reach consensus on whether force was justified against Iraq in early 2003, its resolutions clearly demanded a verifiable end to Iraq's WMD programs and held out the possibility of armed intervention. If the high-level panel at least discussed what threats might justify preventive defense, this could be a significant step toward building consensus on 21st century security threats.

The traditional steps on the path to the use of force should be kept in perspective. One participant noted that the UN Charter shows a presumptive series of steps that are to be taken in responding to threats. Indeed, the structure of the Charter itself walks through a sequence of actions in relation

Does the UN role in authorizing force need to be revised or reaffirmed?

to disputes and threats to peace—determination, nonmilitary pressure, judicial settlement, and in the most dire cases, the use of force. Such a checklist reinforces the principle that forcible action should be a last resort. But at the same time, a conflict-averse insistence on exhausting these various options can at times bog down international deliberations and serve as an obstacle to timely and effective action against a genuine and growing threat.

A similar issue arose in the humanitarian intervention debate regarding the imperative to try other means short of military force. Any extended deliberation over peaceful means could, in that context, cost human lives if discussions linger on measures that clearly would not stop the bloodshed. The "Responsibility to Protect" commission thus arrived at the standard that "every nonmilitary option…has been explored, with reasonable grounds for believing lesser measures would not have succeeded."[1] This principle could be applied more broadly to the use of force debate: all of the tools provided in the UN Charter should be considered with the recognition that some may not be appropriate.

Interpret rather than amend the Charter. The group agreed on the desirability of reinterpreting the UN Charter, rather than rewriting it, in order to make it more sensitive to today's realities. While some saw the logic in reexamining the foundations of the Charter, most felt that such an exercise would "open a Pandora's box." In response to the charge that the UN norms have amounted to nothing more than "paper rules," one individual argued that the United Nations' weaknesses have been unfairly overemphasized following last fall's debate on Iraq. "The UN Charter paradigm is not in ruins. It is the best set of international regulations anywhere and serves a purpose."

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[1] International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, (Ottawa: International Development Research Centre, 2001), p. XII.

There is a central UN role for dealing with failed and failing states. The lack of sound and basic governance in many countries is a major risk factor for many if not all of the 21st century security threats. If the high-level panel is looking for issues with leverage on problems and their prevention, at or near the top of their list should be failing states, which conference participants defined as "states with no ability to produce public goods." Many of the world's most destructive forces operate in the shadows where the rule of law does not extend. In Afghanistan, for example, the dominance of a fanatic militant movement gave Osama bin Laden a perverse sort of protection. While the idea of using the existing UN Trusteeship Council was soundly rejected as a political impossibility, the group agreed that some sort of new or revised instrument, organization, and approach to rehabilitate "ghost states" was necessary. Such a mechanism would be useful to depoliticize the current practice of "just having one superpower pick up the pieces."

Work with the Bush administration to draw useful lessons from Iraq. Emphasis was placed on the need to develop an approach and vocabulary to discuss the lessons of recent experience with the current US administration. Afghanistan and Iraq provide valuable opportunities for institutional growth at both the international and national levels. It was underscored that anticipating and managing potential disagreements could lay an important foundation for change. One participant stressed the importance of engaging the Bush administration to help them "learn in a process without embarrassment."

Regional organizations are useful for what they can become, not what they are. Participants agreed that the best way to approach the use of regional organizations was "not to look at their historical record, but rather their long-term potential." However, there was no consensus about the current benefits of regional organizations. Many argued that regional organizations were inherently weak due to the

The United States and United Nations can both draw lessons from the difficulties over Iraq.

lack of definition, an absence of standards and quality control, poor track records, and typically the dominance of a regional hegemon. One individual warned that "to rely on a regional organization that does not have the existing capabilities seriously risks delegitimizing that organization and the broader international community." Another noted that these "houses built on sand" lack both interest and legitimacy, and often found crises dropped on their plates by default at the United Nations. Despite these concerns, others pointed to the episodic success of organizations such as the European Union and the Economic Community of West African States in understanding local dynamics better than the United Nations Security Council, as well as their ability and interest in acting more rapidly.

The value of functional organizations was also highlighted by participants, particularly those bodies set up to drive intergovernmental cooperation on current threats such as the Counter-Terrorism Committee. Such thematic bodies can help keep important issues on the international agenda without their being tied too closely to particular cases or crises.

Take the "duty to prevent" concept being presented by some analysts as a challenge to develop new and more effective approaches. The group agreed that the panel would have to recognize the nexus between WMD and terrorism as a key threat. In this context, the usefulness of American analysts Anne-Marie Slaughter and Lee Feinstein's "duty to prevent" paradigm was discussed.[2] Some felt this approach conceded too much to the US administration and its view that nuclear weapons in the hands of some friendly states pose no threat and that WMD are not inherently problematic or destabilizing.

A number of participants stood by the traditional approach of the Non-Proliferation Treaty to stigmatize the weapons and call on the original five nuclear weapons states to cut their arsenals. Some practical problems of

the existing nonproliferation regimes, however, were raised. While the NPT and its monitoring body, the International Atomic Energy Agency, focus on the nuclear facilities of the treaty's non-weapons states, for instance, they missed the black market in technology over which senior Pakistani government scientist A. Q. Khan presided. But whatever one's view of the existing system or the duty to prevent, the high-level panel should look for more effective ways to address the threat from WMD.

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Conclusion

The Secretary-General's High-level Panel on Threats, Challenges, and Change has a unique opportunity to enhance the international community's understanding of the complex issues surrounding the use of force in a post-9/11 world. The time is ripe to interpret and apply the principles of the UN Charter to today's threats. For more than 50 years, the Charter has guided the conduct of states and provided an avenue for collective security. The drafters of the Charter understood that the document and organization would need to evolve to respond to new global challenges. The newest set of challenges will require yet another step in the ongoing process to improve the body's ability to serve as the indispensable organization.

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[2] See Anne-Marie Slaughter and Lee Feinstein, "A Duty to Prevent," *Foreign Affairs*, January/February 2004.

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Halting Future Genocides

While the Brahimi panel on peace operations and the Canadian-sponsored "Responsibility to Protect" Evans-Sahnoun commission have both improved prospects for effective response to crises, some of the momentum of the humanitarian intervention debate seems to have dissipated. Gaps in international capacity and political will to respond in a timely and effective way remain, and the Iraq war has heightened concerns about potential misuse of pretexts to intervene unilaterally. A central difficulty for humanitarian intervention is that the global body with the recognized authority to approve armed intervention, the United Nations, lacks the capacity to mount such operations. Often it defers instead to multinational forces fielded by "coalitions of the willing" or subregional organizations.

Regional and subregional organizations may provide one answer to the problems of capacity and political will; however, most of these organizations have severe gaps in capacity to respond effectively and would require substantial resources to develop into robust and responsive forces. The United Nations, NATO member countries, and other industrialized powers may have militaries in a better

position to respond in the short term than many regional organizations, but they may also provide valuable support and resources to bolster military capacities in weaker regions. Indeed, effective intervention and peacekeeping may best be served by a combination of contributions from member states—whether it is funds, troops, equipment, or expertise—according to each state's comparative advantage.

Current State of Peacekeeping: Good and Bad Signs
While it is unclear whether the United Nations, a regional organization, or an ad hoc coalition would be willing and able to step in if another Rwanda were to erupt—a question of renewed urgency with reports of mass killing and displacement in Western Sudan—there are some positive signs. The current operation in Liberia is relatively robust. *The Responsibility to Protect* report articulates the case for intervention and the circumstances under which it should be launched, yet it is still to be seen whether there will be sufficient support for the Evans-Sahnoun Commission's principles to take hold as international norms. In addition, many of the recommendations of the 2000 Brahimi Report on peace operations were pushed forward by the secretary-general and the Department of Peacekeeping Operations and have been implemented or are being implemented. Other positive signs include the Security Council's more frequent consultation with troop contributors and its approval of stronger mandates as well as the General Assembly's support for more realistic budgets.

Despite these improvements, there is no clear indication that sensitivities over outside intervention breaching sovereignty, limited political appetite for getting involved in messy and dangerous situations, or resource and capacity gaps have faded as major obstacles. On the sovereignty front, the Iraq war—which the Bush administration has increasingly rationalized ex post facto on the grounds of Saddam Hussein's repression and atrocities—has prompted fears that the United States will use humanitarian claims as

a pretext for intervening unilaterally. Humanitarian intervention is commonly viewed as a rescue operation that protects populations from mass killing or displacement. The removal of Saddam Hussein in Iraq indeed improved the human rights situation for the great majority of Iraqis, but it came more than a decade after Saddam's deadly campaigns against the Kurds and Shiites. In the face of this international wariness, some participants argued that the US administration has been chastened by its invasion of Iraq and the deepening problems since. With widespread international resistance to its appeals for help, it may now be more willing to be involved collaboratively with other nations and the United Nations.

Notwithstanding the progress prompted by the Brahimi Report, large gaps in capacity continue to hinder peace operations, with glaring needs in the areas of command and control, training, political and military advice, rule of law, and staff hiring. It should be remembered that the Brahimi panel focused on UN-run peace operations rather than multinational forces deployed by regional organizations or ad hoc coalitions of the willing. This reflects not only a desire to avoid burdening the UN peacekeeping debate with controversies surrounding humanitarian intervention but also a sentiment in some quarters that the United Nations is ill-suited operationally to handle larger and more aggressive deployments. (That said, there is significant overlap between the capacity issues associated with peacekeeping and those of forceful intervention.) A paper commissioned by the United Nations Foundation and distributed to conference participants empirically demonstrated that the presence of international peacekeepers has an observable positive impact in solidifying peace when compared to situations when belligerents are left to their own devices to make or honor a peace agreement.[1]

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[1] Page Fortna, Salzman Institute of War and Peace Studies, Columbia University, "Peace Operations—Futile or Vital?" commissioned by the United Nations Foundation, January 12, 2004.

Link Between Capacity to Deploy and the Political Will to Intervene

Given current political realities, intervention on humanitarian grounds will in all likelihood still depend on the political will of key member states that dominate both the decision to intervene and the decision to make funds, troops, and equipment available, whether to the United Nations or an ad hoc multinational force. One participant observed that, notwithstanding any moral responsibility, any forcible response to humanitarian crisis is seen as "a purely elective intervention."

This does not mean that the continued strengthening of capacity would not be valuable. Having a more robust, at-the-ready capacity to intervene would affect the political equation by removing the lack-of-capacity obstacle (and excuse), thereby unambiguously testing political will: whether member states would still say "no" in the face of a humanitarian disaster.

It is also possible that the political dynamic surrounding humanitarian intervention may have shifted in recent years. There is a growing recognition that severe humanitarian crises rarely remain self-contained. Often they spread or threaten to undermine entire subregions such as West Africa and the Great Lakes; one participant said that with humanitarian crises, the Cold War's long-discredited "domino theory" has at long last become operative. These crises also often lead to state failure, which has been shown to create an environment conducive to terrorist operations. These concerns give states additional motivations to intervene beyond the pure humanitarian impulse—although several conference participants pointed out that most actions by states are undertaken for a mixture of motives anyway.

Indeed, some participants asked whether the concept of "humanitarian" intervention should only apply in cases of gross human rights violations—that is, for strictly humanitarian reasons—or whether it should also apply to intervention

in crises that also pose a major threat to regional stability if left unattended. In other words, was the peace operation dispatched to Sierra Leone "humanitarian," or a prudent early intervention to prevent the spread of a contagion of instability? However, others pointed out that the international community needs to prepare for either. And for major powers at a distance, intervention in such cases seems altruistic in either case because it is not based on direct threats to their national interests.

Authority and Capacity

While authority and capacity have been the major focuses of the intervention debate, questions remain about the connection between the two. One participant summarized the problem at the United Nations as "a tendency on the part of the Security Council to authorize readily and participate reluctantly." The gap between those states authorizing intervention and the countries providing the troops presents several problems.

First, troop-contributing countries may not always agree with the mandate that the council hands them, and as a result mandates may not be clearly understood or may indeed be willfully ignored when troop-contributing countries disagree with them. Second, the robustness and capacity of forces from the developed world are sometimes critical to success, as in Sierra Leone in 2000. Third, there is significant political symbolism when developed states choose not to send their own troops for missions despite their having a greater capacity to carry out these operations. The gaps left by the parsimony of the capable are sometimes filled by the weak by default. Indeed, some developing countries contribute troops to generate income associated with the troops' salaries and per diem.

Various measures have been discussed to tighten the connection between the authorizing function of the Security Council and operational requirements and realities.

Even with the progress stemming from the Brahimi panel, severe capacity gaps remain.

Although a Bangladeshi proposal to require the permanent five (P-5) to contribute troops to any peacekeeping operation failed, it dramatized a festering complaint about a presumed P-5 sense of entitlement to set rules affecting troops of others without participating themselves. One recommendation may be to persuade the P-5 to send their own observers and trainers to accompany missions. This would also allow the P-5 to monitor mission effectiveness and, more important, sends an important political message that P-5 members are willing to put their personnel on the ground in at least limited numbers. As the panel debates potential Security Council reform and the addition of new members to the council, they may consider a commitment to contribute troops and/or financial support as a criterion for council membership. One way to solidify the progress made in the consultation between the council and troop-contributing countries would be to further institutionalize this process, particularly during the development of the mission mandate.

Regional Organizations: Potential or Problem?
Regional and subregional organizations have been increasingly seen as key actors for both authorization and provision of personnel for intervention. The role of the Economic Community of West African States (ECOWAS) in its subregion was particularly noted.[2] Africa has of course been the scene of many of the most dramatic humanitarian crises and contagious instability of the past decade. This tragic fact, along with other political and economic challenges that confront the region, has prompted African leaders to re-form and revitalize their regional organization, replacing the Organization of African Unity with the structurally stronger African Union (AU). The New Partnership for

[2] The Fund for Peace has had a project since 2001 entitled "Regional Responses to Internal War," which focuses specifically on the potential of regional organizations. See their report: Jason Ladnier, *Neighbors on Alert: Regional Views on Humanitarian Intervention*, The Fund for Peace, Washington, DC, October 2003.

Africa's Development, including government-to-government "peer review," is the AU's centerpiece, but capacity-building for peacekeeping and humanitarian crisis response is also prominent on the agenda. The rate of African troop participation in peace operations is a telling sign of the region's commitment; troops from Africa already comprise 31 percent of peacekeeping troops deployed outside Africa and 40 percent of peacekeepers within the region.

Other regions are considering strengthening the military—or at least political—capacity of their regional organizations to respond to threats. These include the Organization of American States and the Association of Southeast Asian Nations. Encouraging regional organizations to undertake peacekeeping may address problems of political will, as states are often more attentive to crises in their backyards and potential spillovers of threats. Also, neighboring states often possess the local knowledge and commitment to carrying out missions effectively. In addition, regional peacekeeping will likely come at a lower cost than UN missions, where salary rates are set according to a single formula. Several participants expressed the need to review the rates paid to regional peacekeepers to account for quality and cost effectiveness.

The conference heard a brief report from the Fund for Peace about a recent mission to assess the capacity of the AU, and the findings were sobering. The AU seems still to suffer serious shortfalls in capacity, particularly in the areas of preidentified units that have had joint training, stockpiled logistical supplies or vehicles, or experienced planners at the headquarters level. Donor governments are apparently ready to step in to help close some of these gaps, but an AU official said that his organization's administrative and accounting structures were not yet ready to absorb the levels of funding that have been offered. Another participant highlighted the devastating toll the HIV/AIDS pandemic is likely to take on African

peacekeepers, for instance decimating the South African army—one of the region's most capable.

Even if regional organizations succeed in strengthening their capacities, Western militaries should contribute the resources and expertise for which they have a comparative advantage. Time and again, for instance, the United States has been called on for its unique strengths in the areas of transport, logistics, radios and communication, and helping to organize the command element. In recognition of the professionalism of regional militaries, however, it is important for personnel from the West to show due respect to troops from countries in the region and to serve in an advisory rather than commanding role where possible.

The panel should consider how best to coordinate the efforts of the regional organizations with its partners at the international level, particularly the United Nations. A better-defined relationship between the United Nations and regional organizations could enable the latter to be called upon for UN missions to implement Security Council mandates, including those relating to international juridical processes. Standards will need to be developed for quality control of regional organizations and to protect against corruption.

Before and After: Early Warning and Reconstruction
The international response to a conflict is always best served by advance warning so that the intervention can be mounted before conditions have deteriorated too severely. But regardless of timing, any intervention must be guided by the best possible understanding of the conflict and the local and regional players. One conference participant spoke of the importance of focusing on the "peacekept"— in other words, making sure to factor in the perceptions and interests of local actors, especially conflicting parties and potential spoilers. Good information is thus of utmost value both for operational leadership as well as for the

leadership of bodies such as the Security Council that set out the mandate.[3]

While the implementation of the Brahimi Report addressed some of these needs in the UN Secretariat, early warning mechanisms and information-gathering merits additional attention by the panel. The proposal for an information and strategic analysis secretariat (EISAS) was intended to supply the Security Council with information to support its decision making, but resistance from member states that viewed it as an intelligence service for the Secretariat doomed the proposal. But as one participant pointed out, opposition to EISAS only perpetuates the disparity within the Security Council between members with their own intelligence services and those without. Another participant recalled his own experience with former Secretary-General Javier Pérez de Cuéllar's initiative, creating an Office for Research and the Collection of Information (ORCI), which aroused suspicions among some governments that the United Nations was "spying" on them and spotlighting their internal weaknesses. This participant noted that Boutros Boutros-Ghali promptly abolished ORCI.

Because violent conflicts are sometimes cyclical in nature and can reignite even after significant periods of effective cease fire, the work of consolidating peace with recovery efforts that give war-torn societies renewed hope is absolutely critical. Yet in contrast to UN peacekeeping operations, which are underwritten by an established scale of assessments for post-conflict operations, the United Nations must pass the "tin cup" each time at special conferences of donors, many of whom ultimately do not even fulfill their pledges. The

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Regions are considering how to boost their political and military capacity.

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[3] In the separate context of humanitarian action, the importance of such information is the central point of another Stanley Foundation project and report focusing on the UN specialized agencies, entitled *The UN on the Ground*.

panel should consider recommending establishment of an assessment system for costs of post-conflict political and social reconstruction.

Recommendations

- Clarify the nature of the international obligation to act by offering perspectives on the tensions between sovereignty and the rescue of populations at severe risk. The panel can provide leadership in responding to the issues raised in the Evans-Sahnoun *Responsibility to Protect* report and thereby move the debate toward a consensus on the operative norms.

- Clarify the relationship between the United Nations and the world's regional and subregional organizations on these issues and encourage the strengthening of regional capability to carry out peace operations. The panel can set objectives and standards for regional groups, including goals for the number of deployable units (at least battalion level) that are trained, equipped, and designated for future interventions.

- Stress the importance of better ground-level information both for field commanders and for the diplomats who draw up their mandates.

- Call for increased stockpiles of the critical supplies and equipment for such operations. The panel should build on the progress achieved after the Brahimi Report in stocking the UN logistics base at Brindisi, Italy. An additional UN base and perhaps regional organization bases should be considered.

- Encourage the industrialized powers to contribute to peacekeeping missions based on their comparative advantage, particularly in the areas of transport, communications, and establishing an effective command element.

- Highlight the importance of addressing the devastating effects of HIV/AIDS on peacekeeping and on the militaries from which peacekeepers are drawn.

- Support the creation of a post-conflict budget in order to consolidate the peace once peacekeepers depart.

- Make state failure and international criminal and terrorist networks a central focus of the panel's agenda, thereby addressing the key factors in the flaring of conflict and humanitarian crisis.

Conclusion

The proper test for the world community's response to potential humanitarian crises is whether it would act more decisively if another bloodletting, such as the Rwandan genocide, were to break out. This hinges on a combination of international norms, political will, and military capacity—all issues on which the high-level panel can offer critical leadership. Military intervention for humanitarian purposes was the subject of intense debate in the late 1990s and early 2000s, but attention has receded. The panel can refocus attention on these issues and help clear the way for a better response to future tragedies.

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The Poverty-Security Link

In recent years a tremendous amount of research has emerged that demonstrates linkages between poverty and the insecurity experienced by large swathes of the developing world. Some have viewed underdevelopment as a risk factor for violent conflict. The research of Paul Collier of the World Bank, for example, shows that low-income countries face a risk of internal conflict around 15 times that of countries in the Organisation for Economic Co-operation and Development.[1] To be sure, this literature is hotly contested. Others point to economic disparity—particularly along ethnic, geographic, or political lines—rather than absolute poverty levels as a better indicator of the likelihood of conflict. And some have argued that while poverty can contribute to instability, it does not in and of itself constitute a "threat to peace and international security."

The question of what constitutes a security threat is central to the mandate of the high-level panel. The potential outbreak, spread, or escalation of violent conflict is not the only

[1] Paul Collier et al., "Breaking the Conflict Trap: Civil War and Development Policy" (Washington: World Bank, 2003), p. 5.

threat associated with underdevelopment. The conditions of poverty can, in and of themselves, be seen as a threat.

Indeed, one's perception of immediate threat is very different depending on one's location and situation. The government (or citizens) of the Central African Republic, for instance, is not as likely as the United States to consider weapons of mass destruction a palpable threat. But poverty and the associated limitations on health and life possibilities are certainly uppermost concerns for government and citizens alike. This "human security" perspective can be seen most clearly in the mortality and life expectancy statistics for the world's poorest countries. An international organization such as the United Nations, whose mandate is the collective security of the community of nations, must address the scourge of poverty.

Beyond this generalized interdependence, industrialized powers worried about terrorism should be concerned about narrowing the gap between rich and poor. It is by now understood that poverty is not a "root cause" of terrorism in any simple, direct way. However, recent experience tells us there are certain conditions favorable to terrorists and their cause, including a lack of economic opportunity, underemployment, and isolation as well as a lack of strong governing institutions. The failure of globalization in the short run to deliver broad-based benefits to large parts of the developing world contributes to the picture painted by militants of the wealthier nations as self-centered. Given then that poverty has myriad implications for the security of nations and individuals:

• What is the role for development in reducing poverty and preventing violent conflict?

• What should the guiding principles be for the international donor community as they approach the nexus of development and security?

- Virtually all parts of the UN system, in one way or another, are engaged in promoting well-being and ameliorating the effects of conflict. What is the United Nations' appropriate role in addressing the connection between development, poverty, and security?

- What are the institutional ramifications for the UN system?

The participants' discussions centered on three broad themes:

- The linkages between poverty and development and its implications for international peace and security.

- The utility of development as a tool for conflict prevention.

- The institutional implications of the development/security nexus for the deliberations of the high-level panel and the future of the United Nations more broadly.

Development as a Tool for Conflict Prevention
In much of the developing world, there is a *coincidence* **of poverty and insecurity.** The participants expressed the difficulty of drawing precise linkages between poverty and insecurity, arguing that the question is largely an open one among those in the development community. The consensus view was that there is a coincidence of poverty and conflict. Participants questioned the utility of wading into chicken-and-egg debates about the precise causality and interconnections. One participant questioned the usefulness of focusing exclusively on the poverty argument, making the case that the world's most conflicted states are "a pretty rich witches' brew," where poverty, weak governance institutions, rich natural resource endowments, and religious or ethnic tensions can all play leading roles in inciting conflict. In West Africa, the most poverty-stricken states are not necessarily the most conflict-ridden: Nigeria, for example, is fairly wealthy yet continues to possess a latent tendency for conflict.

Development is more than development assistance. There was a consensus view that development needs to be broadly defined as more than just official development assistance (ODA). Several participants underscored the limitations of ODA to make a difference on its own. Participants noted the importance of considering policies toward trade and market access, debt relief, sanctions, foreign direct investment, and security sector reform as central components of development. Compartmentalization was repeatedly cited as one of the shortcomings of donor behavior in the past (e.g., the tendency to give aid while undermining free trade by supporting agricultural subsidies and other forms of trade-distorting domestic support).

Make development part of the solution rather than part of the problem. One participant argued that the much more serious challenge is not convincing people of the development/security linkage, but rather motivating countries to take action: to make development make a difference. Short time horizons and a lack of easily quantifiable results reduce the incentive for donors to invest in development as a long-term preventive measure. For the high-profile often conflict-ridden countries, donors often make pledges they have no intention of keeping and approve resolutions they do not plan on honoring. One participant invoked concepts from the social sciences and stressed the importance of using "commitment devices" to spur donor countries to make greater investments in development. When governments do not live up to their commitments, there need to be real costs associated with their failure to meet pledges toward targets such as ODA flows or to achieve the Millennium Development Goals.

Investing in knowledge is critical to "good development." Conference participants emphasized the importance of investing in both human and institutional knowledge for development. One participant argued that no one really understands the precise links between conflict and development, but that

to some extent this does not matter. Development professionals, if they listen and pay attention, can predict what is likely to unfold on the ground. The problem is that the development community does not do a good job investing in knowledge to understand the complexities of particular local situations, encouraging flexibility to adapt to rapidly changing circumstances, or investing in coordination so that all actors are pulling in the same direction. One participant argued that 10 percent of all development assistance should be earmarked for knowledge-building and dialogue. Many participants voiced their support for this kind of "ground-truthing" in the formulation of development policy. In this context, the usefulness of Bernard Wood's work, undertaken on behalf of the United Nations Development Programme, was discussed.[2] Wood breaks the conflict cycle into six stages, and for each stage he points out the risks and contingencies that must be considered and the ethical choices that must be made by the development community along the way.

Recommendations

Create an effective intergovernmental body for making the political decisions that impact development and security. If poverty and underdevelopment are deemed threats to peace and international security, the next obvious question is, What is the appropriate UN body to take the political lead on these matters? Indeed, the setting of strategic direction and supervision of international efforts concerning relief, development, reconstruction, and governance was seen as the special competency of the United Nations. The political councils of the United Nations can provide much needed leadership, particularly over complex relief and development operations in crisis countries.

Four options were discussed by the participants: (1) continuing to pile all major issues and problems onto the Security

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Donor countries falling short on their pledges should be held to account.

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[2] Bernard Wood, "Development Dimensions of Conflict Prevention and Peace-Building," United Nations Development Programme, June 2001.

Council—whose composition also needs to change to reflect factors such as gross domestic product, contribution to global public goods, population, etc.; (2) gradually reforming the Economic and Social Council (ECOSOC) to make it more effective and giving it primary responsibility for intergovernmental decision making on development and security; (3) eliminating ECOSOC, reforming the UN Charter, and starting anew with an economic and security council that is larger than the Security Council but smaller than ECOSOC in its current formation[3]; and (4) expanding the Group of Eight (G-8) to include the countries of the G-20, allowing developing countries like Colombia, India, Indonesia, and Nigeria that are powers within their regions to play a major decision-making role in development/security considerations, eliminating the current perceived monopoly of the Western nations.[4] Participants also talked about the particular need for a mechanism for countries in need of a transitional administration from the outside. The analogy is often drawn to the Trusteeship Council, though participants felt that that institution itself would not be appropriate.

Improve the United Nations' command and control capacity in the field. If the United Nations has a comparative advantage in setting strategic political and operational direction for relief and reconstruction, its representatives often also provide day-to-day leadership on the ground.

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[3] The idea of a new "economic and security council" to replace ECOSOC has been floated by the governments of Canada and France.

[4] Canadian Prime Minister Paul Martin has advocated creating a permanent G-20 process at the heads-of-state level; the current G-20 process is restricted to finance ministers and central bank governors. According to Martin, such a group could be tasked with crafting common strategies on issues as diverse as transnational terrorism, HIV/AIDS and other global health issues, and international trade. See Address by Prime Minister Paul Martin at the Woodrow Wilson Center, Washington, DC, April 29, 2004.

Sometimes this takes the form of a senior diplomatic figure serving as the Special Representative of the Secretary-General (SRSG); in other settings a career expert who is a UN resident representative, resident coordinator, or humanitarian coordinator takes the lead in-country.

The very complexity of such operations usually demands carefully calibrated interventions, yet what the United Nations has at its disposal are only blunt instruments. UN representatives in the field should have the capacity to elaborate a country strategy and make precise inter-ventions in a few catalytic sectors rather than spreading limited human and financial resources across a wide range of activities. A "super-empowered" SRSG could oversee a streamlined decision-making process in the field, have access to a flexible pot of discretionary resources and rapidly deployable staff, report to whatever political body is ultimately charged with oversight, and be held accountable with evaluation mechanisms that balance accountability with the ability to make mid-course corrections. One participant disagreed with this view, arguing that what is needed are not new command and control capabilities but more qualified SRSGs.[5]

Make new investments in multilateral security capacity. There was consensus that one of the preconditions for development, especially in post-conflict or post-transition environments, is security and public safety. This includes not only the well-known problem of civilian police and justice systems for peace and stability operations but also freeing those in developing nations from petty and violent crime. Development efforts have become increasingly focused on health and education as the keys to both indi-vidual well-being and societal development and rightly so,

[5] The Stanley Foundation held a conference entitled "Leadership of Post-Conflict Operations" that focused on this issue in April 2003. The report is available on the Web at *http://reports.stanleyfoundation.org*.

but conference participants proposed that public safety should be given similar priority.

Of the approximately $60 billion being spent on international development, only a small portion of this is being spent on improving the safety of the individual. Under the current framework, there are huge gaps in the provision of basic security ranging from a lack of rapidly deployable constabulary forces; civilian police; and rule of law professionals such as corrections officers, prosecutors, defense attorneys, and judges. There needs to be an international capacity to provide security—including the associated rule of law functions—when a public security vacuum exists.

Create a trust fund mechanism that gradually phases in resources for greater impact and sustainability. In post-conflict environments, there is usually an influx of assistance at the early stages of reconstruction, which then tapers off due to donor fatigue, changing priorities, or perceived improvement in the situation. Unfortunately, societies and institutions are often least able to productively use some forms of reconstruction aid when they are just emerging from traumatic conflict. One participant recommended that the United Nations establish a trust fund in post-conflict countries that would capture the "firehose of cash" that flows to recipient countries in the immediate aftermath of conflict and prevent an unrealistic "burn rate" of donor aid.

Strike a "grand bargain" between developed and developing countries. Several participants spoke about a "grand bargain" between developed and developing countries in which developed countries would commit to a set of policies desired by the developing countries and vice versa. One participant offered a concrete proposal for what a potential grand bargain might look like. Developing countries would agree to make concrete commitments to democracy, nonproliferation, and counterterrorism and to

recognize the responsibility that goes with sovereignty. For their part, developed countries would commit to increasing ODA flows, market access, and debt relief; providing greater incentives for foreign direct investment; devoting greater resources to fighting infectious diseases; enhancing post-conflict reconstruction capacity; and dealing with conventional proliferation threats such as small arms. This commitment would be backed up by a Chapter VII Security Council resolution that would require countries to follow through on their commitments (lest they avoid being slapped with sanctions for their noncompliance). Some participants were skeptical of such an approach, arguing that the developed countries currently hold sufficient leverage to compel developing countries to take stronger steps on terrorism or nonproliferation in the absence of such a bargain. Other participants felt that the developed countries would balk at the cost of providing more assistance, offering broader and deeper debt relief, or completely opening up markets. One participant suggested pursuing a mutually agreed upon "global compact" rather than a grand bargain between developed and developing countries. This would have the advantage of validating the sentiment that threats felt by one party would be felt equally by the other.

Conclusion

A cursory glance at the headlines from the world's leading newspapers illustrates the development challenges posed by states that possess a combustible mix of poverty and insecurity, ranging from the struggling reconstruction in Afghanistan to the seemingly endless conflict in the Democratic Republic of the Congo or even the tenuous fragility of major regional actors like Pakistan or Indonesia. Though development alone is not a panacea for these heavily conflicted environments, it is certainly part of the solution. Yet our past experience tells us how difficult sustainable development can be, especially in conflict environments.

Improving public safety should be a key element of development efforts.

One participant noted a series of conundrums that plagues the development community's attempts to find lasting solutions to poverty and insecurity in conflicted environments. On the one hand, he said, the development community must have a sound political understanding of the environment in which it is mounting an intervention, yet it must be minimally interventionist; it must possess a long time horizon in its work, yet not lose sight of the importance of evaluating its progress early and often; it must be principled, yet flexible enough to adapt to changing circumstances on the ground. Development must have a close relationship to foreign policy while not being subservient to it. And finally, donors must continue giving aid—and perhaps expand their generosity—but need to push for significant reform of the "business of aid."

These dilemmas cannot and will not be solved overnight, but the high-level panel presents an important window of opportunity to examine the United Nations' role in addressing the links between development, poverty, and security to resolve these dilemmas. The time is right—if not overdue—to articulate a vision for how the United Nations can update its institutions to tackle this emerging confluence of issues and by doing so galvanize both the developed and the developing countries to finally make good on longstanding commitments.

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The Scourge of
Small Arms

The 2001 United Nations Conference on the Illicit Trade of Small Arms and Light Weapons in All Its Aspects produced the Programme of Action (POA), a consensus document containing norms and policy recommendations for how various actors should address the problem of small arms and light weapons. In 2006 the United Nations will once again host a conference to follow up on the progress of implementing the agenda from 2001. Discussions on the issues for the next conference have already begun, including debate over whether to include agreements for legally binding measures, brokering, marking and tracing, export controls, civilian possession, nonstate actors, and legal and illicit gun flows. Many say that the POA has yet to be fully implemented and others are eager for stronger language and more action.

The role of the United Nations has been crucial thus far, yet further implementation depends on local and national actors. As regional and subregional organizations begin to

take ownership of the issue—and NGOs undertake more action at local, regional, and international levels—the United Nations' coordinating and consultative role may take on greater significance.

Small Arms: A Multifaceted and Multilayered Issue

Small arms is a crosscutting issue with a rightful place on several distinct international agendas: arms control and proliferation, international crime, terrorism, human rights, conflict prevention, post-conflict reconstruction, public health, and development and poverty reduction. Each of these rubrics comes with its own set of tools and therefore different prospects for progress. Arms control and disarmament efforts, for instance, tend to focus on negotiated documents, whereas post-conflict recovery and peacekeeping work at an operational level on the ground. The basis in the UN Charter for the organization's involvement, one participant pointed out, is the Article 26 charge to establish "a system for the regulation of armaments." Most participants also agreed that small arms should not be viewed as a cause in itself but rather as an obstacle to the achievement of human rights, security, and good governance. One key is to focus on those who use small arms to spread violence and the channels through which the weapons move rather than on the existence of the weapons. Several people cautioned against using the landmines campaign as an analogy because, unlike with landmines, banning all small arms is not the goal.

Building on the Programme of Action

Participants agreed that the 2001 UN Programme of Action, whatever its limitations, provides a very useful basis for addressing the problem of small arms, though participants also warned against complacency. The POA is a case in point for the value of nonbinding political agreements. One participant said the POA enjoys a strong sense of ownership among UN member states because they struggled over it and the final document reflects what they want

to do about the problem. In contrast, another participant described the legally binding Vienna Protocol as "virtually dead in the water."

That said, two particular areas—arms brokering and the marking and tracing of weapons—seem ripe for a binding set of standards. The former would aim directly at the individuals who are delivering small arms to warlords and other rogue elements. Under another new convention, individual weapons would be tagged with a serial number and tracked as they are shipped across international borders.

Conference attendees discussed the relative merits of an international registry of legally certified arms brokers versus a focus on a more limited number of illegal brokers. At the intergovernmental level, the UN's Counter-Terrorism Committee—a Security Council-authorized committee of member states coordinating governmental action to track individuals and arms and financial flows—could be a model. Several participants stressed that arms embargoes against particular parties or countries are among the most important tools, but only if there is effective enforcement.

The Regional and National Levels

National government ownership of and commitment to efforts are crucial. One participant suggested three tests to determine the seriousness of governmental commitment: (1) whether governments will spend their own money, (2) whether they will involve multiple ministries in the effort and appoint a national focal point that is effective in engaging other ministries, and (3) whether they accept or encourage NGOs to be engaged. The importance of involving a range of government ministries was stressed. For instance, if illegal arms traffickers are to be held fully accountable under the law, then the prosecutor must be involved in small arms issues. National militaries should also account for old weapons, including any slated for destruction, when they upgrade with new ones.

The small arms issue cuts across arms control, conflict prevention, reconstruction, and poverty.

While the UN role in convening and helping to develop norms and operational practices is critical, further progress on small arms and light weapons will depend on the efforts of member states and regional and subregional organizations. One participant reported that some regions have adapted parts of the POA to their agendas and have generated their own additional items for implementation. In the subregion of Southern Africa, governments have in fact agreed on a legally binding protocol, which has garnered nearly enough signatures to go into force; governments in East Africa are also negotiating their own set of norms. In order to coordinate regional efforts across borders and exchange information on best methods, one participant suggested that regional focal points be designated to take the lead. Participants also emphasized that those countries most affected by small arms should be given a more prominent role on the issue, perhaps by forming a caucus within the United Nations.

The Critical Role of NGOs. The UN POA in 2001 served as a galvanizing force for NGOs, and since then NGOs have become all the more integral to the progress on small arms. Because of their access to regional and national levels, where implementation takes place, NGOs play a crucial role in connecting those efforts to the international agenda. That said, NGOs have at times had to step in and compensate for lack of government capacity, for instance in compiling information. NGOs and governments thus both need support to complement one another in their respective roles.

Items on the Small Arms Agenda
Disarmament, Demobilization, and Reintegration Efforts.
The participants agreed that disarmament, demobilization, and reintegration (DDR) efforts need to increase substantially. DDR programs address the small arms problem at the ground level and in the context of "live" conflicts. Such efforts must also be applied more broadly, not just for ex-

combatants but also for women and the larger community; one participant spoke of efforts in Africa that emphasized *demobilization of societies*. Indeed, DDR has been identified as one of the top eight priorities for Africa in the New Partnership for Africa's Development (NEPAD). Nor should DDR programs be undertaken only in the post-conflict phase; rather, efforts should also be preventive with a focus on curbing the supply and demand for these weapons before violence erupts.

DDR and the broader issue of employment and sustainable livelihood in the world's poorest countries are challenges that are interwoven with many of the problems on the high-level panel's agenda and should therefore be prominent in the panel's report. In weak, conflict-ridden states, providing combatants and those susceptible to recruitment with better economic prospects is key to sustainable stability. Similarly, security sector reform and rehabilitation of societies is important in building confidence so that people feel secure enough to give up their guns.

As a practical matter, destruction of arms and ammunition that are collected is an important area where efforts must be increased. Participants discussed a case in Serbia where stockpiles of weapons have been collected and are sitting around waiting to be destroyed, which leaves them vulnerable to falling into the wrong hands. In this case, donors are awaiting the assent of the host government. One participant noted the lack of coherence in DDR efforts, since DDR has been divided over such a vast number of UN and international agencies, and suggested that the World Bank take on prevention and the United Nations' work on the post-conflict efforts as part of peacekeeping.

Legal and Illicit Flows of Small Arms. Participants warned against viewing legal and illicit flows of small arms as separate and easily distinguishable. The legal trade in small arms supplies the illicit trade, with dangerous consequences once

they come into the hands of those who want to destabilize a society. As one participant put it, "Hopefully this reality will be a less controversial idea in 2006 than it was in 2001."

While small arms are bound up with the broader issues of conflict and state failure that the high-level panel is expected to address as key 21st century threats, no easy assumptions can be made about the links between small arms networks and other criminal networks. Participants noted that connections between small arms traffickers and international terrorists were difficult to prove and had only been established in one known instance. However, some participants highlighted a potential link between small arms and weapons of mass destruction (WMD), which may share the same networks, clients, or pipelines.

Research and Information. Several participants spoke of the need for more information on small arms activities. They said that without a good baseline of data—what efforts have been undertaken and what problems are being raised—formulating strategies and plans of action is very difficult. Gathering the data and doing the research is on the agenda of the Department of Disarmament Affairs; however, doing so requires the cooperation of national-level authorities. Currently, governments report to the United Nations on their implementation, but the lack of clear and effective reporting standards has resulted in reports that are often uncritical and not very useful. One solution is to include government officials during the needs assessment process, not only so that they feel ownership for the implementation but also to ensure better information-gathering. The UN Department of Disarmament Affairs chairs the Coordinating Action on Small Arms (CASA), which is working on creating a database that contains information on the small arms activities of all of the agencies. One participant applauded this idea because "the weakness of the UN system is that there is no analytical capability within it" and that mak-

New international conventions are needed to cover arms brokering and marking and tracing weapons.

ing the raw information accessible would allow others to do the necessary analysis.

Nonstate Actors. The 2001 conference was not able to reach agreement on the role of nonstate actors in the illicit small arms market, and participants doubted the issue will be ripe for consensus in 2006.

Recommendations

• The panel should view the small arms issue in the context of other priority issues of global security, such as failed and weak states, terrorism, WMD networks, and arms flows. Small arms may be a fruitful subject for the panel since the issue involves threats that are felt more acutely by the South while also being an issue of concern for the North; it therefore may not be as controversial as other threats to security.

• The focus of efforts to address small arms should be on the uses and flows of weapons, not merely their existence, since small arms and light weapons are not destabilizing in and of themselves. Support should be given to new conventions covering arms brokering and the marking and tracing of weapons.

• Arms embargoes should be viewed as a key tool in the fight against small arms proliferation and ways should be found to strengthen them. New mechanisms should be developed for monitoring and enforcement, including the prosecution of or other sanctions against the most egregious violators.

• The panel should call on all involved to ensure the success of the 2006 follow-up conference. The conference should, among other things, provide for an ongoing process.

• The countries that are most affected by the scourge of small arms and light weapons should be more involved in

the debate. They have much to contribute but have lacked a prominent role at these forums.

- The panel should also recommend creation of new positions in the UN system to galvanize attention to the scourge of small arms. A special representative of the secretary-general could provide sustained focus and leadership on the problem, just as Olara Otunnu has done for children in armed conflict. A special rapporteur could document the many dimensions of the problem and any progress, and a goodwill ambassador could generate public attention.

- The United Nations can serve a coordinating and consultative role on the issue by organizing interregional action, putting pressure on regions where the small arms issue has not gained traction, and overseeing and guiding international efforts. It can also open issues for civil society in countries where small arms issues would otherwise not be on the national agenda.

Conclusion

As with many challenges that confront the world community, small arms and light weapons are a crosscutting problem that highlights the blind spots of the international system and international organizations in confronting issues with overlapping causes, symptoms, and consequences. Such issues pose a challenge to the high-level panel and to policy practitioners to develop methods that include a variety of actors at many levels yet are also focused and coordinated enough to be effective. Small arms and light weapons continue to pose a grave threat to human security in the world and will not go away without impetus from the highest levels and stronger unity of effort, including among civil society organizations. The United Nations is naturally the body under which the development of comprehensive strategies can be fashioned and where the efforts should be coordinated. It should be given the support and resources to be able to do so.

Participant List

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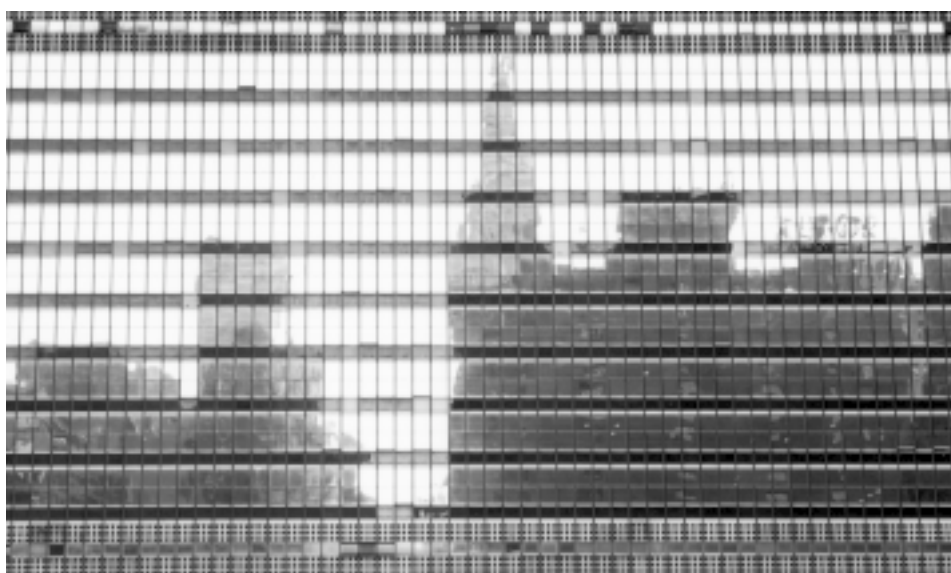**Rachel J. Stohl**, Senior Analyst, Center for Defense Information

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Maximizing the
High-Level Panel's Impact

Executive Summary

In January 2004, the Stanley Foundation convened a group of policy experts to examine the challenges facing the panel's work and its prospects for success. Drawing on rich experience with past UN reform commissions, the group considered the critical political and practical challenges facing the panel and offered recommendations for the way ahead.

The political backdrop for the panel's work is a diversity of views among member states as to what are the most urgent threats and challenges. As much as today's world is interlinked, with threats paying no heed to borders, countries still experience and perceive those threats to different degrees and with differing priorities. Terrorism may be uppermost in the minds of the US leadership, but the crushing effects of poverty and HIV/AIDS is a more urgent concern for many of the less developed countries. Noting the difficulty in mobilizing member states around threats they may not feel acutely, conference participants

said the high-level panel should use the assessment portion of its mandate to validate the full range of threats different countries face.

The secretary-general's panel represents an opportunity to take a bold and ambitious step. In this light, the group was able to reach consensus on a set of five "principles" to guide the panel's work.

- **The assessment step is absolutely critical.** The panel's mandate to assess threats to international security is very important. This step will determine how seriously many governments will take the document as they read it to see what is of interest. Such analysis should look beyond the UN system and take a global view of threats, with the understanding that not all issues will be answered. Taking the assessment step seriously will lay the basis for the recommendations and help identify the opportunities for common ground.

- **Individuals matter.** The chair and members of the panel will be instrumental in drafting and "selling" the report. They will need to think strategically about reaching out to key heads of states systematically over a period of time. It was noted that the secretary-general's role will be "absolutely essential and crucial." Furthermore, certain permanent representatives and ambassadors should be cultivated to act as effective interlocutors on the panel's behalf.

- **The work is not finished with the release of the report.** The release of the report should be seen as the midpoint in the panel's work. This will take significant pressure off the panel to write the "definitive report" and leave an opening for issues that require further discussion. Moreover, mechanisms should be set up within the UN system to track implementation following the release of the report. As the experience with the Brahimi Report showed, the chances for success are higher when there is

Support from key capitals will keep the panel from being undercut in the General Assembly.

pressure from within the UN system for reform. The panel should also consider not disbanding but rather view its work as a multiyear project with a long-term plan for implementation. Depending on the report's recommendations, the secretary-general could also work toward a heads-of-state summit meeting, either with the Security Council, the G-8, or the full General Assembly to provoke action down the line.

• **Obtain buy-in from key constituencies outside New York.** The panel will be meeting in a series of regional forums and consultations around the world. Moving beyond New York City early will allow the panel to sell its recommendations down the line. Engaging directly with capitals throughout the process will be essential to prevent the panel's work from being pecked to death in the General Assembly. Direct high-level intervention by panel members will be necessary to get pivotal heads of states to buy in. Foundations, academia, and think tanks can also have a key role in promoting dialogue and discussion.

• **The panel is not starting from scratch, nor is it alone.** There may be areas where the panel will find it useful to simply adopt large portions of existing work or delegate follow-up work to other institutions. For example, a division of labor with the Blix Commission on weapons of mass destruction might be helpful. Similarly, the panel could endorse studies that expand upon poverty as a threat to international security or examine the links between state failure and terrorism.

The appointment of the panel in November 2003, of course, came on the heels of last year's impasse between the Security Council, as it debated Iraq, and the determination of the United States to take military action. Indeed, the fact of predominant American power will thread through the panel's agenda, as a core issue for some questions and political context for others. The fundamental question underlying

the entire exercise is whether the world's rules-based multi-lateral forum and its dominant superpower can work harmoniously to guarantee international peace and security.

To help shape a realistic approach toward the United States, participants laid out five specific guidelines to help the panel's work:

- **There should be a validation of US concerns.** Fundamentally, in order for the United States to take an interest in the panel's work, the assessment phase must hit the "big issues" for the United States—in particular, terrorism and weapons of mass destruction. If the panel is able to capture and mirror the rhetoric being used in Washington, it could credibly engage the administration and say, "We hear your concerns." The secretary-general himself did so in his General Assembly address when he said, "It is not enough to denounce unilateralism, unless we also face up squarely to the concerns that make some states feel uniquely vulnerable, since it is those concerns that drive them to take unilateral action."

- **There may not be any basis for bargaining.** To influential policymakers in Washington, new capacities and greater independence for the United Nations in the areas where the United States needs assistance may not be seen as something they want to bargain for, or perhaps even accept. Some will see an advantage in simply taking an ad hoc approach and assembling coalitions whenever convenient. The stark reality is that the United States has the resources to continue reinventing the wheel each time.

- **There are people in Washington who do care.** In addition to the diplomats at the US mission, there are many in the State Department, Pentagon, and White House that may be interested. It will be important to establish the line of communication early on both to show a transparent process and to determine if the panel is "asking the right

questions." The fact that the United Nations is looking at its own accountability could send an important message that things are different this time around.

- **Many can't see past the United Nations' flaws and failings.** The hypocrisy of Libya chairing the UN Human Rights Commission still burns in the psyche of US policymakers. Unless there's a sufficient outcry that satisfies the skeptics, many will not "engage the UN with a straight face." The long-term trick is to change the level of competency in the UN system so US policymakers have less of an allergic reaction. To some extent, the United Nations must be seen as taking responsibility for an abused system rather than always passing the blame onto member states.

- **Washington likes success stories.** Whenever possible, the panel's work should highlight situations on the ground that have specific strategic value to the United States. For example, in Afghanistan or Iraq, the panel has an opportunity to recommend creating capacities in the areas that would directly help the United States with reconstruction, such as elections or human rights monitoring. If that produces a success, it will make the United Nations more relevant to Washington across the entire political spectrum.

The panel's work was seen as an unusual opportunity to advance the thinking and practice of cooperative multilateralism. Given the panoply of challenges facing the international community today—terrorism, poverty, disease, environmental degradation, population control—the United Nations is an institution that needs to adjust to new realities.

Conference Report

The Unusual Opportunity

The panel's work was seen as an unusual opportunity to advance the thinking and practice of cooperative multilateralism. Given the panoply of challenges facing the international community today—terrorism, poverty, disease, environmental degradation, population control—the United Nations is an institution that needs to adjust to new realities.

Since the panel's mandate extends to the most sweeping and fundamental questions of the international political order, it must decide what sort of change is most appropriate and feasible. The United Nations itself encompasses many functions and fora: the General Assembly and committees; the Security Council and ECOSOC; the Secretariat; and the specialized agencies, funds, and programs. Where does the panel see the opportunities? Should certain issues be added to the UN agenda—or subtracted? Are there subjects that need to be re-framed or re-energized? Does the panel want to articulate new political rules of the road? If so, do those need to be codified?

The political backdrop for the panel's work is a diversity of views among member states as to what are the most urgent threats and challenges. As much as today's world is inter-linked, with threats paying no heed to borders, countries still experience and perceive those threats to different degrees and with differing priorities. Terrorism may be uppermost in the minds of the US leadership, but the crushing effects of poverty and HIV/AIDS is a more urgent concern for many of the less developed countries. Many governments are more concerned about the flow of small arms and light weapons in their regions than they are about weapons of mass destruction. The high-level panel thus faces the question of whether it will try to craft a single agenda or program that it believes would unify the world community.

The fact of American predominance will thread through the panel's agenda.

Focusing on Assessment

Because participants at the UN Issues Conference doubted that a unifying consensus or compromise would be possible, they suggested that the panel use its mandate for assessment of threats to validate the full range of member states' concerns and threat perceptions. In a world where there is no consensus on what are the threats to security, some sort of validation of different perspectives is crucial.

In essence, the secretary-general himself took this approach in his General Assembly speech when he raised pointed questions regarding not only the impulse to unilateral action, such as taken by the United States, but also the threat at which the preemptive approach is directed:

> According to this argument, states are not obliged to wait until there is agreement in the Security Council. Instead they reserve the right to act unilaterally, or in ad hoc coalitions. This logic represents a fundamental challenge to the principles on which, however imperfectly, world peace and stability have rested for the last 58 years…. But it is not enough to denounce unilateralism, unless we also face up squarely to the concerns that make some states feel uniquely vulnerable, since it is those concerns that drive them to take unilateral action. We must show that those concerns can, and will be, addressed effectively through collective action.

Only through recognizing different perspectives on threats will the panel be able to move things forward and base their recommendations on a rigorous analysis of the situation. The participants elaborated on the components of such a "full spectrum" assessment of threats.

On one hand, the Global South needs to hear that their issues are threats in their own right, without links needing to be drawn between poverty and the threat of terrorism as

viewed from the North. Unless the panel pushes this forward, significant support will be lost. The United States and European governments need to recognize that AIDS and poverty as they affect ordinary people in the developing world are to them significant security threats. On the other hand, the United States needs to hear that its security concerns are recognized by the world—that specifically in the areas of proliferation and terrorism, the United States is uniquely threatened, as UN Secretary-General Kofi Annan highlighted in his September 23 speech to the General Assembly. Failure by the panel to validate those concerns would make success difficult.

While participants saw the value of an assessment that would examine the range of different concerns of member states, there was skepticism regarding any sort of deal or bargain at the macro-level that would trade across "different policy baskets." It's simply unrealistic for the United States to, say, significantly reduce agricultural subsidies in return for something on nonproliferation. For that matter, it cannot be assumed that the US administration even desires help with the threats usually seen as their concerns—i.e., Washington may see itself as its only sure source of help. On the other hand though, casting issues in the right light could leave room for less ambitious win-win agreements for which there is a more widely shared interest (e.g., counterterrorism and development could be seen as two sides of the same coin.).

Perhaps most importantly, whenever possible the panel should strive to show the linkages between those threats and emphasize that countries and regions perceive threats in differing degrees rather than confronting fundamentally different threats. Describing distinct threats in terms understood by other parties will allow more people to buy into the process. Showing the connections between threats will help move the conversation toward validating that they are indeed all threats. Threats can also be perceived at

different degrees within and across different policy areas or geographic regions of the world. For example, weapons of mass destruction may affect the West more than Africa in a way that HIV/AIDS affects Africa more than the West. Similarly, the United States may view the Middle East though the prism of proliferation, while the rest of the world sees the security threat as a reflection of the unresolved conflict between Israel and Palestine. The panel's challenge will be to note that threats are different and yet arrive at a common notion or understanding of threats.

In the Shadow of Iraq

Participants recognized that the panel's creation was largely driven by the secretary-general's concern about the relevance of the Security Council in the wake of last year's breakdown in collective action over Iraq. Out of these concerns, the panel is widely expected to grapple with the prospect of creating new rules to help guide authorization of "use of force for preventive purposes." The panel is also to look at the obstacles to the Security Council's effectiveness and the possibility of reforming the body. Thus it is no wonder that the panel is, as one participant put it, "shrouded in controversy."

However, one participant warned that the panel should not overemphasize the recent controversy over Iraq. "Iraq was an aberration. You don't hear the administration talking about attacking other places anymore. I hope the panel doesn't get taken over by Iraq." Instead, he noted that the real crisis for the United Nations is its insufficient capacity to deal with the panoply of contemporary challenges, such as peacekeeping, reconstruction, and development.

Several participants argued that in order for the panel to be taken seriously it needs to pose the question of whether "the UN Charter, as currently understood, is addressing today's dangers." To what extent is preemptive response legal? When do the grounds for self-defense kick in? Can

the Charter be reinterpreted to permit preventive action in the age of terrorism?

Considerations From Past Experience

At the heart of the panel's success is the question of whether its work is a "UN-focused exercise or something much broader." When compared to similar past efforts, this initiative embraces much more than UN activities in its scope. In the secretary-general's own words, the panel is described as dealing with a "fork in the road" and the "architecture of international security." At first glance, with the project embracing such broad pieces of international security, "the exercise looks cosmic."

Another key difference from past experiences is the apparent lack of immediate practical demand. As one participant noted, "with the Brahimi reform report, there was a demand for operational detail; with the 'Responsibility to Protect' commission, there was a normative need for squaring the circle." Without a natural audience or consumer, framing the panel's work will be a challenge from the outset. Indeed the proposals and ideas the panel develops will have to be ambitious if they are to avoid becoming captive of the stultifying debate endemic to the UN councils in New York, which is so resistant to change of virtually any kind.

Dealing With the United States

Participants agreed that it would be incredibly useful to have full US support, but some believed that the panel could still significantly contribute and shape the debate without it. As one individual put it, US ambivalence should not be "a reason for holding up the train." Similarly, another participant noted, "Washington can't be the pole on which to base the report…. Yes, Washington should be engaged and we should recognize where its redlines are, but the train has to move from the station without Washington." Some participants highlighted that the United States had put up signals of disinterest prior to the

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Poverty is a security threat in developing countries apart from any link to war or terror.

2002 Monterrey Financing for Development Conference only to have a shift in political dynamics resulting in Washington being pulled in. This dramatic turnaround on overseas development assistance was cited as an example where shaping the debate was enough to "bring a reluctant US along."

Others stuck to the position that the United States was a primary audience for the panel. "The US has to be engaged early on and often." In particular, the focus should be squarely on the administration itself. In this light, the American panel member, Brent Scowcroft, was described as "an inspired choice" and someone who could open doors. However, the panel was warned not to fall into the trap of expecting that Scowcroft's presence on the panel will be enough to cinch the Bush administration's support. Specifically, several participants highlighted the importance of engaging the Pentagon, and particularly the uniformed military leadership, as a potential ally in recognizing the "multifaceted nature of security and the link between fighting war and making peace."

Several in the group argued that the panel should be prepared to tackle contentious issues head on. For instance, it should pose alternatives to the administration's preemption doctrine and put forward answers to the questions posed by the secretary-general in September. By seriously addressing why certain governments would feel the need to act preemptively and unilaterally, the panel might be able to find important middle ground about how the international community should deal with the threats that only certain members feel strongly about.

Two absolute US "redlines" were discussed at length. First, the group felt that any new rules restricting the use of force would automatically be rejected. As one participant warned, "If the US sees the recommendations of the panel constraining the use of power, it's dead on arrival." Another

participant felt the need to clarify a key misperception about the difference between Democrats and Republicans on this issue. In that individual's own words, "Yes, there's a huge gulf between the two parties on soft issues. Many assume this gap includes differences over US freedom of action, but it doesn't. No administration will accept constraints on US use of force. This is not a partisan issue when you get down to it." It was recognized that many in the world community, including US allies, would like to see some framework established around the American use of power. The problem as posed by one participant: "How does the world manage American power? At some level, that has to be addressed directly; but once you do it directly, you'll have a problem with the addressee." This central issue will need to be finessed in the panel's report.

However, it was also argued that the panel should keep the issue of constraining US power in perspective. Looking at the *status quo ante*, the UN Charter provides for national and collective self-defense, and whatever reforms emerge, they are not likely to curtail this essential sovereign prerogative. Thus, on issues of the use of force, the question should be recast as what the United States has to gain by engaging the United Nations in order to secure legitimacy. In the event that a unilateral intervention starts to go wrong, such legitimacy would become a "powerful political rationale" for policymakers. Similarly, it's important to understand that the US public has a strong tendency to want that legitimacy. For purposes of collaboration and burden-sharing, the United States will prefer to have partners in dealing with real security issues. As one participant put it, "Even the hard-nosed types don't want to carry the load alone."

The second US redline discussed was the US veto power in the Security Council. The group agreed that if the panel made any suggestions regarding dropping the veto, the United States would quickly become openly hostile. "The

veto is an absolute US redline." However, participants agreed that the panel would have some space to discuss conditions for the exercise of it, in the context of how "veto abuse" had often paralyzed the council into inaction (e.g., Kosovo, Macedonia). That step might indeed spur veto-wielding powers to exercise more restraint.

To help shape a realistic approach toward the United States, the group laid out five specific guidelines to help the panel's work:

- **There should be a validation of US concerns.** Fundamentally, in order for the United States to be interested in the panel's work, the assessment phase must hit the "big issues" for the United States—in particular, terrorism and weapons of mass destruction. If the panel is able to capture and mirror the rhetoric being used in Washington, it could credibly engage the administration and say, "We hear your concerns."

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Dealing With Other Member States

The panel will also need to deal with several challenges outside of Washington and New York. As put by one participant, "The main problem with the panel is that it may come up with recommendations and get general consensus about what the problem is, but what I fear is that the member states are not ready to do what the panel wants them to do." The day-to-day wrangling in the Security Council reveals a gaping lack of consensus in the international community about what constitutes a threat. Furthermore, the fear of "external interference in internal affairs" is still alive and kicking in the halls of the

building. As a result, "It's impossible to get a shared definition of and agree on a response prior to dealing with a specific case." Participants were quick to point out that the UN Secretariat was not the problem, "With Kofi Annan, the organization has the best secretary-general it will ever have." But rather, the problem lies with the member states. The panel will need to guard against pressures from countless member states to validate each of their own specific concerns.

The question is how do threats drive Security Council reform—not vice versa.

Participants urged the panel to take a proactive strategy to win advocates and neutralize "obstructers" early on in the process. It will be critical to identify key governments in regions such as Latin America and Africa that have influence over other countries that often play an obstructionist role. Only by getting support from such regional leaders will "pack mentalities" be broken. Engaging directly with capitals throughout the process will be essential to prevent the panel's work from being pecked to death in the General Assembly. Direct high-level intervention by panel members will be necessary to get pivotal heads of states to buy in. Indeed, it would be extremely helpful to have one or more governments support the panel as an element of their foreign policy, as Canada and the United Kingdom did for the Responsibility to Protect initiative.

Just as the South has credibility problems with the North, many participants highlighted the North's credibility problem with the South. Specifically, with initiatives like the Millennium Development Goals, the North suffers credibility problems when it comes to following through on its commitments and promises. Similarly, pledges at high-profile donors' conferences for reconstruction and development rarely fully materialize. As a result, resentment continues to brew beneath the surface.

Security Council Reform
The value of tackling institutional reform, specifically with the Security Council, was discussed at length with

participants favoring touching upon it only within a larger context. While reform at some level may be necessary in order to bolster UN effectiveness and credibility, participants felt that focusing unduly on council reform could bog down the panel's work. At the same time, it was noted that Security Council reform is the "big elephant in the room" and needs to be addressed in some coherent way.

As a result, some participants felt the panel should avoid pushing specific recommendations, but rather the "most important thing is to create movement." One participant suggested that the panel should note that "once there's a consensus on threats, the way toward finding an answer on Security Council reform will be easier." Another suggested that if the panel does touch Security Council reform, it has to be tied back to those threats and answer the question, "What would a reformed Security Council help you achieve on threats that an unreformed council wouldn't?" Failure to address that link would doom the report. On any discussion of reform, the panel's credibility would be called into question unless it examined other obvious areas calling out for reform, such as the Trusteeship Council and the Human Rights Commission.

Considerable time was spent addressing what the criteria for new Security Council members might look like. Some argued that membership should be linked to a commitment of resources, specifically troops and money. Others felt that a country's political system should be a consideration (e.g., democracy, rule of law, open society). While this would be politically difficult to tackle in the report, in many quarters in Washington it would be seen as essential. Some felt that expansion should achieve greater regional representation, while others proposed a formula reflecting "power and population." Participants concluded that the panel could start a worthwhile dialogue on these issues, but would have to do so with extreme caution and care.

The group was also divided about whether the panel should wade into defining criteria for the Security Council's role regarding the use of force. Rather than rules or laws, the panel could provide guidance that would serve as a set of reference points. Many thought the guidelines would provide a useful means for "laying out what constitutes a threat and the basis of collective action." Others felt that such an exercise would come too close to touching sensitive "no-go" areas, could be easily misconstrued, and ultimately, still fail to curb a state taking unilateral action in the face of what it sees as the failure of collective action. One participant felt that at the heart of the council's problems was its failure to enforce its own resolutions. "The question of enforceability is blissfully neglected by those who have the ability to enforce them."

Guiding Principles

The secretary-general's panel represents an opportunity to take a bold and ambitious step. In this light, the group was able to reach consensus on a set of five "principles" to guide the panel's work.

- **The assessment step is absolutely critical.** The panel's mandate to assess threats to international security is very important. This step will determine how seriously many governments will take the document as they read it to see what is of interest. Such analysis should look beyond the UN system and take a global view of threats, with the understanding that not all issues will be answered. Taking the assessment step seriously will lay the basis for the recommendations and help identify the opportunities for common ground.

- **Individuals matter.** The chair and members of the panel will be instrumental in drafting and "selling" the report. They will need to think strategically about reaching out to key heads of states systematically over a period of time. It was also noted that the

secretary-general's role will be "absolutely essential and crucial." Furthermore, certain permanent representatives and ambassadors should be cultivated to act as effective interlocutors on the panel's behalf. As an example, one participant cited the impact of the Washington visits of the British ambassador to UNESCO in persuading Washington to rejoin that institution.

- **The work is not finished with the release of the report.** The release of the report should be seen as the midpoint in the panel's work. This will take significant pressure off the panel to write the "definitive report" and leave an opening for issues that require further discussion. Moreover, mechanisms should be set up within the UN system to track implementation following the release of the report. As the experience with the Brahimi Report showed, the chances for success are higher when there is pressure from within the UN system for reform. The panel should also consider not disbanding but rather view its work as a multiyear project with a long-term plan for implementation. Depending on the report's recommendations, the secretary-general could also work toward a heads-of-state summit meeting, either with the Security Council, the G-8, or the full General Assembly to provoke action down the line.

- **Obtain buy-in from key constituencies outside New York.** The panel will be meeting in a series of regional forums and consultations around the world. Moving beyond New York City early will allow the panel to sell its recommendations down the line. If the report lays out linkages between threats, follow-up meetings and conversations will be needed after its release. Foundations, academia, and think tanks can also have a key role in promoting dialogue and discussion.

- **The panel is not starting from scratch, nor is it alone.** There may be areas where the panel will find it useful to simply adopt large portions of existing work or delegate follow-up work to other institutions. For example, a division of labor with the Blix Commission on weapons of mass destruction might be helpful. Similarly, the panel could endorse studies that expand upon poverty as a threat to international security or examine the links between state failure and terrorism.

Conclusion

The road to retooling the United Nations to handle the 21st century's threats to international peace and security is fraught with political landmines. Change will be slow, rather than sweeping. In this context, the panel's work must be seen as only one step in a long process. One participant declared, "This is a campaign of a thousand skirmishes rather than one decisive battle." Thus the goal may not be to get something the United Nations can act on immediately, but rather to get something the United Nations can build on. An essential part of this is to replace the outdated Cold War notions of security still held by many individuals. After many past efforts, UN reform commissions aren't taken very seriously anymore. The panel's charge has the potential to change this. But it can do so only with serious engagement and commitment from the United Nations and its member states.

Participant List

Chair
Richard H. Stanley, President, The Stanley Foundation

Rapporteur
Michael Pan, Senior Policy Analyst for National Security and International Policy, Center for American Progress

Participants
Lee A. Feinstein, Senior Fellow, Council on Foreign Relations, Washington Office

Schuyler Foerster, National Vice Chairman, World Affairs Councils of America; President, World Affairs Council of Pittsburgh

Paul S. Foldi, Republican Professional Staff Member, Senate Committee on Foreign Relations

Steve Hirsch, Editor in Chief, U.N. Wire and Global Security Newswire, National Journal Group

Victoria K. Holt, Senior Associate, The Henry L. Stimson Center

Karl Kaiser, Visiting Scholar, Weatherhead Center for International Affairs, Harvard University

Jeffrey Laurenti, Senior Adviser, United Nations Foundation

Thomas J. Leney, Director of Programs, United Nations Foundation

William H. Luers, President, United Nations Association of the United States of America

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Jean-Pierre Olof Schori, Permanent Representative of Sweden to the United Nations

David Shorr, Program Officer, The Stanley Foundation

Nancy Soderberg, Vice President for Multilateral Affairs, International Crisis Group

Stephen J. Stedman, Research Director, UN Secretary-General's High-level Panel on Threats, Challenges, and Change

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Thomas G. Weiss, Presidential Professor of Political Science, Codirector, UN Intellectual History Project, and Director, Ralph Bunche Institute for International Studies, The Graduate Center, The City University of New York

* Member of the Secretary-General's High-level Panel on Threats, Challenges, and Change

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Susan Myers, Legislative Director, Better World Fund, United Nations Foundation

The Stanley Foundation Staff
Cliff Brockman, Associate Producer, *Common Ground*
Alice Chasan, Editor, *World Press Review*
Loren Keller, Writer/Editor
Susan R. Moore, Conference Management Associate

Affiliations are listed for identification purposes only. Participants attended as individuals rather than as representatives of their governments or organizations.

Appendix

Membership and Terms of Reference of the High-Level Panel

Secretary-General Names High-Level Panel to Study Global Security Threats, and Recommend Necessary Changes [Press Release]

Secretary-General Kofi Annan today named Anand Panyarachun, former Prime Minister of Thailand, to chair the High-level Panel on global security threats and reform of the international system, which he had announced in his speech to the General Assembly on 23 September.

Mr. Annan announced the membership of the 16-member Panel on Threats, Challenges and Change in a letter dated 3 November addressed to the President of the General Assembly, Julian Robert Hunte (Saint Lucia). He recalled that the Panel is "tasked with examining the major threats and challenges the world faces in the broad field of peace and security, including economic and social issues insofar as they relate to peace and security, and making recommendations for the elements of a collective response."

The other 15 members of the Panel are:

Robert Badinter (France), Member of the French Senate and former Minister of Justice of France

João Clemente Baena Soares (Brazil), former Secretary-General of the Organization of American States

Gro Harlem Brundtland (Norway), former Prime Minister of Norway and former Director-General of the World Health Organization

Mary Chinery-Hesse (Ghana), Vice-Chairman, National Development Planning Commission of Ghana and former Deputy Director-General, International Labour Organization

Gareth Evans (Australia), President of the International Crisis Group and former Minister for Foreign Affairs of Australia

David Hannay (United Kingdom), former Permanent Representative of the United Kingdom to the United Nations and United Kingdom Special Envoy to Cyprus

Enrique Iglesias (Uruguay), President of the Inter-American Development Bank

Amre Moussa (Egypt), Secretary-General of the League of Arab States

Satish Nambiar (India), former Lt. General in the Indian Army and Force Commander of UNPROFOR

Sadako Ogata (Japan), former United Nations High Commissioner for Refugees

Yevgeny Primakov (Russia), former Prime Minister of the Russian Federation

Qian Qichen (China), former Vice Prime Minister and Minister for Foreign Affairs of the People's Republic of China

Nafis Sadik (Pakistan), former Executive Director of the United Nations Population Fund

Salim Ahmed Salim (United Republic of Tanzania), former Secretary-General of the Organization of African Unity

Brent Scowcroft (United States), former Lt. General in the United States Air Force and United States National Security Adviser

Terms of Reference of High-Level Panel

The past year has shaken the foundations of collective security and undermined confidence in the possibility of collective responses to our common problems and challenges. It has also brought to the fore deep divergences of opinion on the range and nature of the challenges we face, and are likely to face in the future.

The aim of the High-level Panel is to recommend clear and practical measures for ensuring effective collective action, based upon a rigorous analysis of future threats to peace and security, an appraisal of the contribution collective action can make, and a thorough assessment of existing approaches, instruments and mechanisms, including the principal organs of the United Nations.

The Panel is not being asked to formulate policies on specific issues, nor on the UN's role in specific places. Rather, it is being asked to provide a new assessment of the challenges ahead, and to recommend the changes which will be required if these challenges are to be met effectively through collective action.

Specifically, the Panel will:

a) Examine today's global threats and provide an analysis of future challenges to international peace and security. Whilst there may continue to exist a diversity of perception on the relative importance of the various threats facing particular Member States on an individual basis, it is important to find an appropriate balance at a global level. It is also important to understand the connections between different threats.

b) Identify clearly the contribution that collective action can make in addressing these challenges.

c) Recommend the changes necessary to ensure effective collective action, including but not limited to a review of the principal organs of the United Nations.

The Panel's work is confined to the field of peace and security, broadly interpreted. That is, it should extend its analysis and recommendations to other issues and institutions, including economic and social, to the extent that they have a direct bearing on future threats to peace and security.

The Stanley Foundation

The Stanley Foundation, a nonpartisan, private operating foundation, is focused on promoting and building support for principled multilateralism in addressing international issues. The foundation is attracted to the role that international collaboration and cooperation, reliance on the rule of law, international organizations, cooperative and collective security, and responsible global citizenship can play in creating a more peaceful and secure world.

Consistent with its vision of a secure peace with freedom and justice, the foundation encourages public understanding, constructive dialogue, and cooperative action on critical international issues. Its work recognizes the essential roles of both the policy community and the broader public in building sustainable peace.

The foundation works with a number of partners around the world, including public policy institutions, nongovernmental organizations, schools, media organizations, and others.

The foundation does not make grants.

Most Stanley Foundation reports, publications, programs, and a wealth of other information are instantly available on our Web site: *www.stanleyfoundation.org*.

In 2004 the Stanley Foundation, in association with KQED San Francisco, produced a special, one-hour public radio documentary titled "UNder Fire: The United Nations' Battle for Relevance," hosted by David Brancaccio.

To listen, visit *underfire.org*.

"The threat of terrorism, the war in Iraq and its aftermath, and other recent events have raised wide-ranging questions about the nature of the security challenges we face, and about the ability of the multilateral system to deal with them. The meetings of the Stanley Foundation have made an important contribution to this debate and to the work of the Secretary-General's High-level Panel on Threats, Challenges, and Change."

Louise Fréchette
Deputy Secretary-General of the United Nations

"The Secretary-General's High-level Panel represents a key opportunity for the UN to ensure it is ready to play a critical role in peace and security in the new century. In keeping with its long tradition, the Stanley Foundation has brought together many of the best and brightest and generated some very innovative ideas for solutions."

Thomas R. Pickering
Former Ambassador of the United States to the United Nations (1989-92)