

**EXTREME POVERTY,
WAR CRIMES, WEAPONS,
TERRORISM:**

What the UN Can and Cannot Do Alone

While the United Nations and its secretary-general are taking a lead on confronting climate change, there are many other crises and challenges on the world's agenda. How is the UN faring on those? In this special report, some notable experts weigh in on just what the 192-member body can and cannot do, what it does well, and what it should not even attempt. Their views are designed to spark further debate over the realities that surround the UN's ambitious goals and the heightened expectations of people around the world who greet each calamity with the question: **Where is the UN?**

Problems Without Passports

By Joy Cook

The essentials of survival come quickly: bags of food, crates of medicine and tents. Scores of rescue workers under the blue flag appear within hours wherever natural disasters strike. Clean water, safe schools, vaccinations and education campaigns to blunt the spread of AIDS give hope year-round to people struggling to live their daily lives in poor societies and danger zones. On the humanitarian front, the United Nations gets good marks, yet it was not designed for that.

In other vital areas as well, the UN has evolved and expanded. In international law, war crimes courts are breaking new ground and setting new standards, while the UN itself has



extended protection against individual human rights abuses and genocide. Paul Kennedy wrote in *The Parliament of Man* that the Universal Declaration of Human Rights was “one of the greatest political statements in world history,” surpassing even the writings of the Enlightenment.

Yet in the decades that followed the Declaration's adoption in 1948, atrocities continued to mar the global landscape, in China and Cambodia, Bosnia, Rwanda and Somalia.

The relentless bloodletting goes on from Darfur to Iraq, terror attacks lurk and the spread of nuclear weapons remains a threat. All these reveal diplomacy's fault lines, where big powers, defiant dictators and brutal armed militias go it alone and blue-helmeted peacekeepers and international arms inspectors can be sidelined. Bureaucracies and recalcitrant nations or blocs are blamed for resisting organizational reforms to improve the UN's capacity.

The harshest critics still ask: is the UN even relevant to today's challenges? American public opinion reflects this ambivalence. Two out of three Americans, according to a 2007 Gallup Poll, said they were dismayed at UN failures, yet almost the same proportion wants the UN to play a robust role in settling global problems.

—Ms. Cook is the associate editor of *The InterDependent*.



Above all, safety. An infant is rescued from dangerous floodwaters by a Brazilian UN peacekeeper in Cité-Soleil, Haiti, part of the UN Stabilization Mission team helping rescue victims after tropical storm Noel struck in October.

“Concern for the preservation and promotion of human rights and fundamental freedoms stands at the heart of the United Nations.”

Eleanor Roosevelt, former first lady and a UN pioneer

UN’s Advantage: The Soft Power of Legitimacy

By Joseph S. Nye Jr.



Power is the ability to affect others to produce the outcomes one wants. Hard power works through coercion and payments (sticks and carrots); soft power works through attraction and co-option (diplomacy). With no forces of its own and a relatively tiny budget, the UN has only as much hard power as it can borrow from its member states. But under certain circumstances, it has considerable soft power.

After the failure of the League of Nations and the horrors of World War II, the UN was designed in 1945 to have the permanent members of the Security Council act as policemen to

enforce collective security. When the great powers agreed under chapter seven, the UN had impressive hard power, as demonstrated in the Korean War when 17 countries fought under the UN flag in Korea, and in the first Gulf War, with 36 UN allies against Saddam Hussein. But those cases of collective security were exceptional. During the Cold War, the council was divided. As one expert put it, the veto was designed to be like a fuse box in an electrical system: better that the lights go out than that the house burn down.

Transforming Power

Despite its limitations, the UN has considerable soft power that arises from its ability to legitimize the actions of states, particularly regarding the use of force. Legitimacy, the belief that acts are rightful, is a soft power reality. People do not live wholly by the word, but neither do they live solely by the sword. The major efforts made by the British and American governments to gain UN resolutions authorizing the invasion of Iraq in 2003 are an example of the UN’s soft power of legitimization. The UN could not prevent the invasion, but the absence of its imprimatur greatly raised the costs to the American and British governments.

In the aftermath, some American opponents tried to de-legitimize the UN and called for an alternative new alliance of democracies. They missed the point, however, that Iraq policy divided allied democracies, and with its universal membership, the UN remained an important source of legitimacy in the eyes of most of the world.

The greatest damage to the UN’s legitimacy is self-inflicted when bloc politics among its member states produces a Human Rights Council with little interest in fair procedures or the advancement of human rights.

The job of secretary-general of the United Nations involves very little hard power. As the quip goes, it is more sec-

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retary than general, and what hard power resources of money or forces the incumbent can muster have to be begged or borrowed from the member governments of the organization.

A number of people have filled the post without great effect, but some have used their soft power resources for transformational purposes. For example, Dag Hammarskjöld seized the opportunity of the Suez Crisis created by Britain and France's invasion of Egypt in 1956 to persuade governments to create a new institution of UN peacekeeping forces, which is not mentioned in its original charter. In the wake of UN failures to prevent genocide and ethnic cleansing in Rwanda and Kosovo in the 1990s, Kofi Annan worked with others to persuade governments to recognize a new responsibility to protect endangered peoples.

But such innovations have their limits. After the 2006 Israel/Lebanon War ended with an UN-sanctioned ceasefire, states turned once again to UN peacekeepers, as had been done in the Congo and Darfur. But despite the best

efforts of the UN peacekeeping department, the hard-power states that have the resources are not providing adequate cash and personnel. While the General Assembly may have agreed to a responsibility to protect, many states agreed only in a very limited sense. The result was that in the aftermath of the government crackdowns in Myanmar (Burma), the secretary-general was able to send a representative to the country, but with powers limited to reporting and attempted mediation.

Still the UN does have impressive power—both hard and soft—when great powers agree on policies under the charter's chapter seven regarding acts of aggression or threats to the peace. The UN and Secretariat have modest but useful soft power when great powers disagree, but acquiesce in a course of action. There is very little power when the great powers strongly oppose a policy or action. In such cases, it makes no sense to blame the UN. The fault lies with the lack of consensus among member states, and that is the way it was designed to be. ■

—Dr. Nye is University Distinguished Service Professor at Harvard University and author of *Soft Power: The Means to Success in World Politics*.

Sharp salutes from two boys greet members of India's battalion in the UN mission in the Democratic Republic of the Congo on the road in North Kivu province, September 2007.



US, Russia, India, Iran: Political Priorities versus Disarmament Dividends

By Jayantha Dhanapala



Multilateral diplomacy is indispensable for the achievement of durable and universal disarmament, and the United Nation's unrivalled legitimacy and universality

have placed it from its inception at the heart of diplomacy and the center of multilateral disarmament.

The UN Charter, although sparse in its references to "disarmament," does entrust the General Assembly (article 11) and the Security Council (article 47) with specific tasks on disarmament and the regulation of armaments in the exercise of its primary responsibility to maintain international peace and security. More specifically it calls, in article 26, for "the least diversion for armaments of the world's human and economic resources"—surely an unambiguous linkage between disarmament and development that member states have yet to accept, let alone implement, in a world where military spending is at \$184 per capita and one billion people live on less than \$1 per day.

Weapons of Mass Destruction

The charter, signed in June 1945 just before the atomic bombings in Japan, contained no reference to nuclear weapons. The UN compensated for this by adopting as its very first General Assembly Resolution on January 24, 1946, a call for "the elimination from national armaments of atomic weapons and all other weapons adaptable to mass destruction." There is no doubt that the charter recognizes the need for its member states to retain some types of weapons. As a general guide, however, it is clear that UN disarmament policy involves the regulation of conventional weapons and the total elimination of all weapons of mass destruction.

And yet, beginning with the five



Disarmament, demobilization and reintegration campaigns continue in the Democratic Republic of the Congo, as UN peacekeepers from India collect ammunition and weapons in North Kivu province, November 2006.

nuclear weapon states which have permanent seats in the Security Council, these norms agreed upon by the UN are selectively disputed and ignored, making the disarmament area one of the most complex and difficult areas for the UN to work in successfully and effectively.

Nevertheless, through its deliberative machinery—Special Sessions of the General Assembly, the First Committee of the General Assembly and the Disarmament Commission—the UN has evolved concepts such as “General and Complete Disarmament,” verification and transparency, while its negotiating machinery—now the Conference on Disarmament—has produced many treaties and conventions eliminating

categories of weapons like chemical weapons, curtailing the use of certain weapons and declaring whole geographical areas as nuclear weapon-free.

But the list of serious setbacks is significant. On missiles, the United States’ withdrawal from treaties like the Anti-Ballistics Missile pact has been matched by threats from Russia to follow suit in respect to the conventional armed forces in Europe and intermediate-range nuclear forces treaties. The US and others have failed to ratify and bring into force agreements like the Comprehensive Nuclear-Test-Ban Treaty and the US delegation vetoed seven years of work on a verification protocol of the Biological Weapons Convention. Existing pacts like the Non-Proliferation Treaty have been undermined for more immediate alliances such as the proposed US-India nuclear cooperation deal. All five nuclear weapon states in the non-proliferation treaty have failed to fulfill their disarmament commitment under article six. And, finally, the obstruction of consensus on many other agreements by key countries have all seriously impaired the effectiveness of multilateral disarmament. Non-proliferation of nuclear weapons and even small arms and light weapons has been attempted through treaty and programs of action with limited success. Disarmament studies and research through expert groups and the UN Institute for

Disarmament Research and training programs such as the very successful Disarmament Fellowship Program are other aspects of UN activity towards disarmament. Yet implementing existing standards and building new disarmament norms will remain contentious as long as force continues to be a feature of realpolitik. ■

—Dr. Dhanapala is a former UN under-secretary-general for disarmament, who served as president of the 1995 Nuclear Non-Proliferation Treaty Review and Extension, and is now president of the Pugwash Conferences on Science and World Affairs.

Fighting Terrorists, Targeting the Roots of Contemporary Terrorism

By Eric Rosand



United States policy-makers and counter-terrorism experts often underestimate the contributions that the United Nations system can make to combating terrorism. They tend to focus on

its continuing inability to define terrorism and on what the UN cannot do, such as serve as a mechanism for intelligence-sharing and facilitating operational cooperation, rather than on what it has accomplished and what it can do to address the multi-dimensional threat of terrorism.

At the global level, the UN and its specialized agencies have an important role to play in support of US and worldwide efforts to prevent terrorism. They can and have used their norm-setting authority, with the result that there are some 16 international treaties that criminalize nearly every imaginable terrorist offense and facilitate the law enforcement cooperation that is essential to bring terrorists to justice. In addition, UN functional organizations have developed international standards or best practices in aviation, maritime and port security, and travel documents. A number of these bodies, working closely with the US and other donors,

States with Nuclear Weapons

Original: United States, United Kingdom, Russia, China, France

Newest: India, Pakistan, North Korea

Unacknowledged: Israel

To Consider

have technical assistance programs to help member states join the legal framework or implement those guidelines toward creating a seamless global counterterrorism web. Further, through its capacity building and training programs, including those of the UN Office on Drugs and Crime in Vienna, the UN has not only helped to identify vulnerabilities but to address them as well.

Perhaps most importantly, however, as the G8 industrialized nations agreed at their 2007 summit in Germany, the UN can play a unique role in managing the threats posed by contemporary terrorism, because its global membership offers a unique basis for normative legitimacy and effective action.

The central question is not whether the UN has a role in combating terrorism, but rather how it can do so more effectively. Currently some 24 different organs, bodies, entities, programs and offices operate under distinct and sometimes overlapping mandates. The Security Council and its subsidiaries, which dominate the UN's responses since the September 2001 attacks, have focused primarily on preventive security measures; they also lack necessary legitimacy and have a poor track record in engaging stakeholders.

Attacking Terrorism's Roots

A significant achievement has been the unanimous adoption of the UN global counter-terrorism strategy by the General Assembly in September, 2006. Although it does not add anything beyond previous UN counterterrorism resolutions, norms and measures, this pulls them into a single, coherent framework. It includes the need to address conditions that are conducive to the spread of terrorism, such as poverty and lack of good governance in member states, in addition to security-related issues, which gives it broader appeal than the Security Council program.

The task is daunting, given the number of different actors that must be engaged at the global, regional and national levels and the issues to be addressed; it is essential to have effective coordination, efficiency and greater cooperation among stakeholders. The task force is doing important work in

trying to move from a declaration into action, but it lacks the mandate or resources to support changes over the long-term.

Nonetheless, the UN has an indispensable role to play in combating terrorism. With a broad-based, consensus framework finally in place, the counterterrorism architecture needs to be streamlined and reformed, with a new inter-governmental body dedicated to implementing the new approach. It should be structured to represent the views from all regions and allow the key counterterrorism actors from the North and South to work together in promoting this common agenda to address the global threat. ■

—Mr. Rosand, a senior fellow at the Center on Global Counter-Terrorism Cooperation, was chief of multilateral affairs in the State Department's counterterrorism division and US representative to UN counterterrorism programs. He is the author of Global Terrorism: Multilateral Responses to an Extraordinary Threat.

Human Rights: After Reforms, Do Offenders Still Get a Free Pass?

By Joshua Muravchik



The United Nations has disappointed in many ways since its founding, but few disappointments have been sharper than in the area of human rights. Arguably, the failure of the Security

Council to assemble the kind of international military force to defend the peace that is envisioned in the charter's chapter seven is a more consequential disappointment. However, the reasons for this failure are easier to understand. Perhaps the founders should have known that states would be reluctant to send their citizens to fight and die on behalf of the international community. But why should they have anticipated that governments would be averse simply to acknowledging certain facts about the abuse of human beings?



The Commission on Human Rights, created under the leadership of Eleanor Roosevelt and on the design of a committee of outstanding international jurists, chalked up such an abysmal record as to make itself, in the words of former Secretary-General Kofi Annan, a stain upon the UN system. Accordingly, Annan proposed that the commission be abolished in favor of a new body, the Human Rights Council, which was given birth at the UN summit meeting of 2005.

That council was the creature of a powerful coalition. The American invasion of Iraq in 2003 had severely strained relations between Washington and the UN Secretariat. But the issue of human rights brought these two forces together. Although the secretary-general's power is only derivative, he still wields much influence in UN deliberations; so does the US, however unpopular its policies of the moment. Both of these partners hoped to create a body that would do honor to the cause of human rights and to the UN. And, although there were many compromises in the design of the council, both thought they had succeeded.

Worse than Ever?

Shockingly, the council has so far amassed a worse record than the discredited commission that it replaced. It is true that the composition of the council has improved. If you examine the human rights performance of its

Food for life, seeds for a future are air-dropped by the World Food Program to people in southern Sudan, November 2007.



individual members, the average is somewhat better than had been the case with the membership of the commission. (The numerical annual freedom scores issued by Freedom House, called *Freedom in the World*, make it possible to measure such things with a degree of rigor.)

Nonetheless, the new council has gone farther than its predecessor in giving the world's most repressive and abusive governments a free pass. Until the recent crisis in Myanmar, the only state in the world to come in for scolding from the council has been Israel. Not even Sudan, despite the ongoing horrors in Darfur, has had its wrist slapped. And the hounding of Israel has been so relentless that even this has had more the spirit of an act of persecution than defense of the persecuted.

What makes this all the harder to explain is that the large majority of UN members are now democracies. This is a very recent change, and the UN's poor record on human rights was easier to understand when most member states were authoritarian. The painful lesson in this is that most governments—even democratic governments—are unwilling to so much as speak up for human rights if the price is to invite diplomatic friction with abusive regimes. There is no sense in blaming the UN for this, but it is sad that the UN has not generated a culture that would help to change it. ■

—Dr. Muravchik is a resident scholar at the American Enterprise Institute and the author of *The Future of the United Nations: Understanding the Past to Charter a Way Forward*.

Global Prosperity: The Powerful and Poor Need a Workable Compact

By Nancy Soderberg



The United Nations is only as good as the sum of its parts. When those member states are divided, the UN cannot accomplish much. Although the polarizing days of the

Cold War are over, the United Nations is far from united on how best to meet the challenges of the 21st century.

Its chief ideological rivalry is between the developing world and the United States. Both sides are pursuing wrong-headed ideological agendas which hurt the UN's effectiveness and the cause of global prosperity.

For its part, the developing world remains stuck in the 1960s, arguing for the legitimacy of terrorism in liberation struggles, undermining the urgent need for UN management reform, and unable to agree on how to expand the Security Council. It blocks strong action in

humanitarian crises such as Darfur over a concern of infringement on the 1648 Westphalian concept of sovereignty.

For its part, the United States pushes an ideological agenda that also blocks progress. It is fighting for its own ideological hot buttons, such as opposing the Kyoto Protocol on climate change, the International Criminal Court, specific levels of development aid, disarmament and non-proliferation, and abortion rights. In doing so, Washington loses the support of much of the world in pushing a stronger United Nations agenda after seven years of open disdain.

Making the UN effective will require a new compact between the developed and developing world—with the United States in the lead. Both sides must recognize the others' vulnerabilities and act positively on them. Until both sides are ready to take up that challenge, the United Nations will be limited in what it can accomplish. ■

—Ambassador Soderberg is a former US envoy to the UN and currently a Distinguished Visiting Scholar at the University of North Florida. Her second book, *Prosperity*, will be out in mid-2008.

Advancing Law Beyond the Charter, With War Crimes Tribunals, Peacekeepers and Pledges of Protection

By Thomas M. Franck



International law is central to the existence and the operations of the United Nations. But the charter is no ordinary treaty. It is not just that it is binding on all member states,

article 103 stakes the unique claim of priority over all other treaty commitments the members have made or may make. From the intensely personal, such as adoption of children, to human trafficking, the law of the seas and culpability for war crimes, the UN Charter and the treaties it generates are

designed to prevail.

The International Court of Justice is the UN's "principal judicial organ," given jurisdiction to hear disputes between the member states and to advise the Security Council and General Assembly on legal issues before those political bodies. The World Court, as it is widely known, has brought peaceful resolution to such diverse questions as title to disputed territory and the right to use force in self-defense. The court also has ruled on the UN's own rights, such as pursuing claims against a member state and the scope of the legal obligation to pay UN dues even for programs with which the member may disagree.

Article 13 provides that the General Assembly initiate studies and make recommendations to promote international cooperation in the political field and encourage the progressive development of international law and its codification." The International Law Commission, made up of independent, elected, international legal experts, has become the principal vehicle for initiating and drafting multilateral treaties, with support from the UN under secretary-general for legal affairs and a Secretariat codification division. Since 1945, many of the world's significant treaties, on the law of the sea, the rights of women and children and the protections of diplomatic immunity have originated in this UN process. UN subsidiary organs and agencies also have facilitated negotiations of common codes of state conduct in matters from corporate responsibility to the cross-border adoption of children.

Global Lawmakers

The Security Council, in recent years, has taken on some of the aspirations of a global legislative body. It created the criminal tribunals in which individuals have been tried for genocide and war crimes committed in the Former Yugoslavia and Rwanda. Exercising its wide powers under the charter's chapter seven, the council has ordered states to take steps to seize funds used by terrorists, impede their movement and activities and supervised compliance. Using its mandatory powers under article 25, the council even has ordered states to

The UN at Work

Here is a snapshot of some UN-led projects for aiding the victims of disaster, hunger, poverty, disease and conflict.

Humanitarian Aid 2006

Refugees

- 19.2 million currently helped
- 50 million rescued since 1945

Food

- 87.8 million people fed (59 million children)
- 78 countries
- 400 million metric tons distributed

Health

- AIDS :1 million people on antiretroviral therapy by 2005, from 400,000 in 2003
- Smallpox: natural occurrence eradicated
- Polio: 5 million people vaccinated against paralysis
- Tuberculosis: 87% of children immunized at birth, up from 16% in 1980
- Malaria, TB, AIDS: Global Fund pledges \$9.9 billion in 136 countries

Peacekeeping

- More than 60 field missions since 1945
- 172 peaceful settlements negotiated to end regional conflicts
- Free elections in more than 45 countries
- Budget \$5.5 billion annually (fiscal year ending July 2007) versus global military spending: \$1 trillion-plus (2005)

Source: United Nations

impound the assets of named persons and corporations thought to be involved in assisting terrorism.

The UN's human rights system, headed by a commissioner, is charged with implementing human rights law. An elected body of human rights experts supervises compliance with the Covenant on Civil and Political Rights,

scrutinizing states' requisite periodic reports and hearing complaints from individuals.

Because each organ of the UN has authority to interpret charter provisions that establish its tasks and jurisdiction, those day-to-day activities have legal and practical implications. The now generally-accepted legal idea that sovereignty cannot prevent international action to alleviate genocide or massive crimes against humanity originates in Security Council action with respect to humanitarian disasters in Somalia, Haiti and Bosnia.

One of the most prevalent activities of the UN has been in peacekeeping, which has no charter authority but has been firmly established in the Security Council and Secretariat practices. In such field operations, the UN frequently has had to re-establish a strife-torn nation's rule of law, negotiate a new constitution and establish courts and codes of law. ■

—Dr. Franck, of the Institute for International Law and Justice at New York University School of Law, has been director of the research program at the United Nations Institute for Training and Research and a judge ad hoc on the International Court of Justice.

Poverty Goals: The Possible, the Probable, the Unlikely

By Roger Coate



The centerpiece of the UN system's anti-poverty work is the Millennium Development Goals process. It provides a grand strategy for mobilizing support for achieving the eight goals and their respective targets. It also serves as a mechanism to coordinate the UN system's various development efforts for poverty eradication. Over the past 18 months, *The InterDependent* has published a special series of "mid-term reports" on the MDGs, which assess the state of play of each goal and what UN agencies are



Aftershock—food and word of families are essentials for survivors of a catastrophic earthquake in Pakistan at Thori camp, operated by the UN High Commissioner for Refugees, November 2005.

doing, not doing and need to do to achieve them. Looking back over these reports is sobering. The world is not on target for achieving the MDGs and the situation for the world's very poorest peoples remains dismal. So, how should we assess the role of the United Nations?

“Given the malaise of poverty and illness that affects so much of the world’s population... a global mechanism like the UN would have to be invented if it didn’t already exist.”

Entertainer/humanitarian Bono to the BBC

The past helps us to understand the constraints and possibilities for the future. By original design, the organization was given only a limited role in promoting development. The main UN arms, including the General Assembly and the Economic and Social Council, were not seen as having major operational roles, but rather as legitimizing and coordinating mechanisms for development activities within the larger, highly-decentralized UN system. Over the years, the creation of operational programs, special funds, sub-groups, development decades, and conference after conference focusing on development gave form and substance to debate. By the turn of the millennium, a global agenda was formalized into the goals and the process. Consensus was more or less in place, but organizational capacity lagged far behind and demonstrable member-state commitment was even further behind.

The UN and associated agencies possess only the capacity that member states allow and provide. In the context of the intergovernmental and public and private-sector worlds, UN agencies are relatively quite small and lack autonomous capacity to operate independently and effectively—by design, not happenstance. They are empowered only to the degree that member states, especially major member states (and

most especially, the United States), have the will and demonstrated commitment to empower them.

In this context, Goal 8—a global partnership for development—is the most critical, because it is the instrument for achieving the other seven. Eradicating poverty requires a global social contract between developing and developed countries. Yet with only eight years remaining until the target date of 2015, both parties to that contract are failing. In regard to developing countries, the 2005 Millennium Development Project report identified four main reasons why the goals were not on track: governance failures, poverty traps, pockets of poverty and policy neglect. As far as developed countries are concerned, too little in way of resources and concrete actions is flowing too slowly, too late to meet the targets. Is this the organizational failure of the United Nations or the failure of the member states which it embodies and serves? The answer is obvious.

Those who lament that the world is not on track for achieving the goals are missing the larger picture. Such myopic perspectives fail to recognize the main contribution—as an invaluable international focusing mechanism and a concrete action guide. It forces governments, rich and poor alike, to come face-to-face with insufficient capacity and with development needs and priorities. It keeps long-term issues on both developing and developed country governments’ agendas. The important question is not whether the world is on target for achieving these goals, but whether there is sufficient real commitment and will in both the developed and developing country member states to make and then carry through the major commitments and policy initiatives that are essential if we are to eradicate poverty and make development a reality for all peoples. ■

—Dr. Coate is a professor of international relations at the University of South Carolina and coauthor of the recent book, United Nations Politics: International Organization in a Divided World. (For more on Dr. Coate’s analysis on MDG 8, see page 32.)