

MULTILATERALISM IN XXI CENTURY. STRENGTHENING AND DEMOCRATISATION OF UNITED NATIONS

SEMINARS HELD IN MADRID AND BARCELONA ON 4 MAY 2005 AND 14 JUNE 2005

GENERAL CONCLUSIONS

The seminars, held in Madrid on 4 May 2005 and in Barcelona on 14 June 2005, were based on three main lines of inquiry: “United Nations Today: general assessment and prospects for the XXI Century”, “Freedom to live without fear: Threats to International Peace and Security” and “The options for a new institutional architecture of United Nations”. As a follow up to the active and intense participation of those attending, the Association for the United Nations in Spain has issued as its own the following general conclusions. They will be presented to the unofficial interactive audiences convened by the United Nations General Assembly.

Strengthening and democratisation of United Nations

1. First and from the point of view of the most absolute political realism, we partly agree with the perception according to which UN has let down many people’s initial hopes, it has progressively lost credibility and efficacy and has not been able to achieve the great objectives proclaimed in 1945, which are still in force. That is to say, UN has not been able to avoid disasters and wars of various types and has been incapable to work decisively towards a fairer, safer and better off world for the whole of human beings peopling this planet. In this sense and in general terms, we are witnesses to a wider gap between political discourse and its practical application. Despite all that, our vision of United Nations is still positive: this organisation is still needed and valid. If it did not exist, it would have to be invented.
2. All the unfulfilled hopes can be understood as a reflection of the realities of international society, of which UN is its accurate image. These realities are based on the interstate nature of international society and the sovereign nature of states. Although in theory all states are equal, as a matter of fact, they are not. United Nations has been built on the idea of State sovereignty. The image reflected by this reality interferes with the fulfilling of aspirations of all the peoples and international civil society and prevents the consideration of United Nations as an authentic world government. United Nations are what the states want it to be and the realities of power will be an obstacle to any real and substantive process of reform.
3. However important these limitations are, we are convinced United Nations is still a key piece in the international system and the most important source of international legitimacy and legality. Its political discourse and the values it proclaims have a universal and timeless reach and they should have practical application in the benefit of the whole humankind. Furthermore, United



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Nations constitutes a privileged framework of dialogue and participation that may contribute to the solution of international problems of all kinds. The task of drafting international standards with regard human rights or development is absolutely central and decisive. Equally, the coordinated task carried out by some of its organs or agencies is exemplary and a model to follow. United Nations should play, therefore, a central role and have a leading function in the international system.

4. The current international political context and the perspectives opened by the high level meeting next September constitute a unique opportunity which should be maximised for the strengthening and renewal of United Nations. This strengthening and renewal form part of a constant and continuous process which is an answer both to the logic of the evolution of the organisation and the needs of international society, on one hand, and the force correlations and factual realities of the international political stage, on the other. In our opinion, the general consensus on the mutual interdependency between security, development and human rights has been fully reached and it has already been part of the Charter itself. So, security cannot be understood without respect for human rights and development. In this sense, 11-S has not changed the objective conditions with regard security issues but, only, and in a biased manner, its perceptions. So, we oppose the Machiavellian political equation whereby security is only seen in police terms and as a struggle against terrorism.
5. In the current stadium of evolution of international society, and even having present the consequences of 11-S, we believe that security and freedom cannot and should not be separated and that the main threat to security are the world inequalities and unbalances, of which extreme poverty or hunger are their main exponents. Only from the integrating perspective of the triangle security-development-human rights, positive results for all human beings will be achieved. As the Report of the High level panel on Threats, Challenges and Change indicates, security should be our common duty because it is a responsibility we share. In this context, the universal nature, comparative advantages, experience and the capacities of United Nations make this organisations an unquestionable and indispensable referent.
6. Perhaps the moment has come to reform United Nations and adapt it to the realities and necessities of XXI Century. After all, the world has changed a great deal since the adoption of the Charter and even more since the end of the Cold War o even since the terrorist attacks of 11-S or the war and ensuing occupation of Iraq. If there is political will, it will be possible to address the necessary changes. However, we believe that the universal and timeless nature of the purposes and principles of United Nations and its own dynamics have given the Organisation the possibilities and strength to adapt itself to the changes and necessities, even without modifying the Charter. But for that, it is also necessary the consensus and political will of member states.
7. The debate over the use of force in international relations should be returned to the established international legality parameters, although the core of debate



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and confronted positions are precisely about them. In our opinion, it is open to discussion the position –maintained by the Secretary General in its recent report “In Larger Freedom: Towards development, security and human rights for all”- whereby the UN Charter permits the use of force to respond to imminent attacks. This position lacks the general consensus of all the Member States and can open the door to unilateral acts of all kinds. In our opinion, article 51 of the Charter should not be subjected to modifications and new interpretations. In this sense, the Secretary General report, despite its optimistic vision and future projection, may have certain regressive impact. It is worrying that the Security Council has put forward the adoption of new principles and criteria about the use of force.

8. With regard the proposals about the reform of the Security Council to increase the number of its members and make it more representative, there is the danger that this issue –however important- may shadow other important issues about the strengthening and renewal of United Nations. Although we would prefer the current mechanism of decision making to change, we are aware that the right to veto of the current permanent members is, in practical terms, here to stay. That is, however, the core of the problem and of the shortages with regard international legitimacy, and the limits and conditions, implicit or expressed, in the Charter itself.
9. Moreover, the UN is not only the Security Council. In our view, one of the biggest problems of the Organisation is the lack of credibility of its main organs, being the General Assembly perhaps the most significant example. The consensus building in the Assembly is completely obsolete, as it responds to a Cold War logic. The General Assembly could never be a political Forum that represents all the 191 nations that compose it without making up the current reality of the world.
10. We firmly believe that ECOSOC should be reformed to be an effective organism responsible for controlling the currently illegitimate institutions, the so called G-8 and the WTO, that nowadays marginalise the ECOSOC. The ECOSOC should be the synthesis of Davos and Porto Alegre, because it is the only UN organism with competence and capacity to coordinate these issues. Also, civil society has a function to perform within the ECOSOC, where NGOs have consultive status and they can effectively express their opinions.
11. We are concerned about the proposals formulated with regard the reform of the Human Rights Commission and its replacement by a Human Rights Council. At present, there are too many unanswered questions with regard the composition of this organ and the eligibility criteria. On the other hand, we believe that in any case, the important experience accumulated so far and the existing progresses and developments should be taken into account –even including civil society- and focus on the problems of the working of the human rights systems and its lack of credibility due to the political nature of the action and composition of the Human Rights Commission. In this sense, we believe that human rights mechanisms should be reinforced, in particular, the bodies in charge of treaty surveillance, to guarantee greater exigency and



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- the effective compliance by member states of its international commitments and obligations in the field of human rights.
12. In what regards the competency and capacity of the United Nations Secretariat, we cannot but state a certain degree of disquiet. It seems that the situation will remain unchanged no matter how long the proposals for improvement of the administrative working of the organisation have been on the table. In our opinion, a completely new approach is needed, addressing the improvement of the quality of the Secretariat and overcoming the qualms both by the member states and the administrative dynamics themselves. In this sense, the use of public and competitive methods to recruit for important positions in the Organisation should be generally extended. Coherence of the whole system should also be reinforced, likewise the coherence of the member states participating in the various meetings at United Nations.
 13. The current debate on the United Nations reform clearly shows that its relevance is still intact, and that there is a high demand to transform the UN in a real decisive actor in international politics and the fundamental player in the World's good governance. But this ideal could only be achieved if there were a real change in the international system. This is a change that overpasses the UN system, as it affects the international and the governments structure, and power and economic relations. It requires the commitment and the will of all the actors in the international system.
 14. Real commitment and will is also needed to achieve the Millennium Development Goals. We are in an uncertain moment where we must focus on what specific steps we have to adopt to achieve the goals. The opportunities offered by these goals have to be seized to transform the "rules of the game".
 15. Last, we consider highly relevant the use of the processes of reform to increase participation of civil society in the various organs of United Nations. It is important that civil society becomes a fundamental engine in the demand of reforms and that this be translated into a greater public opinion awareness and greater pressure exercised on the state governments. But the task of knowing and spreading the activities of United Nations is also important. That is to say, we conceive the role and the relationship of civil society with United Nations in a double sense: on one hand, towards United Nations, helping to lead the progress trends and towards the attainment of the great universal aspirations of peace, justice and development. On the other hand, from United Nations towards citizens, with the projection and spreading of its activities to benefit all citizens and addressed to all of them.



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