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The United Nations, soon fifty years old, is facing the 21st century with manifold global challenges both old and new. The cold war left behind, the Organization has now unprecedented opportunities to take a true leading role in many fields of international cooperation. The same spirit and determination which gave birth to the United Nations decades ago, must now be invoked to set off a revitalized United Nations - an organization worthy of the trust of nations worldwide and capable of controlling the problems of mankind in advance, instead of reacting to developments already out of control.

Much is asked from the members of the UN. The capabilities of the Organization depend on their ability to formulate the future of mankind and see beyond short-term national interests.

With this paper, the Liberal International wishes to participate in the current discussion on a renewed United Nations. The paper deals with five main topics: maintenance of peace and security; economic, social and environmental issues; democracy and human rights, international law and financing of the United Nations.

Maintenance of peace and security

The global tension of cold war has been replaced by other sources of insecurity. Regional conflicts continue to emerge, often with combined national and international implications. The world is passing through a turbulent period, during which the services of the UN in favour of improved security are badly needed. Whenever feasible, the efforts of the UN should be combined to those of regional organizations.

It is the understanding of the Liberal International that the UN activities for international peace and security can be effectively developed on the basis of the existing Charter provisions and by strengthening the current practices and methods. Much has to be done, though. The LI pays special tribute to the excellent report issued by the Secretary-General of the UN under the title An Agenda for Peace.

Two main sectors where the activities of the United Nations have to be strongly developed are the prevention of conflicts and enforcement of peace. Conflict prevention, the best method to deal with conflicts, should be given high priority. The UN should be transformed into a focal point of information gathering on emerging tensions. It should be given the capacity to launch a variety of preventive measures, including deployment of preventive peace-keeping operations.

At the same time, the United Nations must be in a position to enforce peace, if all else fails. Effective enforcement capacity

also carries a preventive function: the decisions of the Organization will be taken much more seriously if the UN has necessary tools to implement them. The implementation of economic sanctions should now be evaluated in the light of the experiences gathered so far. The capacity of the United Nations to enforce peace by use of force - a dangerous tool of last resort - has to be developed on the basis of the relevant Charter provisions, modified to respond to collective security needs of a modern world. The existence of such forces under the control of the Security Council is an important element in enhancing the general respect of international law worldwide.

Several detailed proposals are made in this paper on enhancing the effectiveness of the work of the Security Council and General Assembly in the field of peace and security. An important element towards increased security is also the control of arms proliferation. There the UN could play a central role by increasing transparency and focusing preventive attention to dangerous concentrations of weapons.

Economic, social and environmental issues

The drafters of the UN Charter could hardly imagine the magnitude of today's global problems, such as wide-spread poverty, rapid population growth and degradation of environment. These, however, are fields where a global international organization, the United Nations, should play a leading role, anticipating rather than reacting to developments. The Charter has become somewhat outdated in these fields, and modifications are called for.

First and foremost, the structures of the United Nations have to be renovated so as to guarantee the Organization an adequate priority-setting and decision-making capacity. The General Assembly and its committee formed by merging the Second and Third Committees, should draw strategies and policies under a compact agenda comprising economic, social and environmental questions. The Economic and Social Council of the UN should be replaced by a new council on economic, social and environmental questions. This council should be relatively small in size, with some form of permanent membership reflecting today's world situation. It would be an efficient operative body responsible for transforming overall strategies into practice, reacting to acute situations with urgency and monitoring the implementation of commitments made by member states. It should offer effective coordination over the entire UN system and over the activities of other organisations and institutions dealing with the promotion of sustainable development.

Under the Council a Commission on Sustainable Development would focus on promotion of sustainable development on the basis of UNCED decisions. The governing bodies of different programmes, funds and agencies, streamlined into more compact and operative organs, would provide necessary operational guidance for the respective heads of these organs.

Promotion of democracy and human rights

Democracy and human rights are fields where completely new perspectives have opened up for the UN to act. As many countries turn to the UN for assistance in establishing democratic systems, the UN should be equipped to respond

accordingly by offering advice, expertise and, when necessary, concrete machineries to run transition processes. The capability of the UN to provide experts, election monitors etc. has to be further strengthened, and some concrete proposals are made to this effect. Here regional and other organizations could combine their resources with those of the UN. The Liberal International, for its part, is prepared to consider possibilities for concrete cooperation.

Special emphasis should be paid to the implementation of human rights world-wide. The record of the UN membership is still deplorable. Human rights should no more be considered as a matter of sovereign jurisdiction of member states: a resolution should be adopted on the main policy lines for possible UN involvement. Also the establishment of a Human Rights Court should be put under preparation.

Validity of international law

The development and observance of international law depend on the will of the member states to behave as constructive members of the international community. The United Nations, however, can do much to speed up the general observance of international law. In the field of peace and security, the Organization can develop capabilities to enforce international law, whereas elsewhere the improvements have to be built entirely on increased codification, monitoring, diplomacy and persuasion.

The Liberal International has no illusions on the magnitude of the problems ahead or the difficulties in tackling them

through a multilateral organization. In the final analysis, the members of the United Nations have such an Organization they deserve: they, together, are the United Nations.

No change for the better will be reached without a productive combination of creative idealism and tough realism and without combining advancement of national interests into the interests of others. In the interdependent world of the 21's century, either all will ultimately win - or loose. For the first time in its history, the United Nations now stands truly in a position to act as the guardian of the common interests of mankind.

I. Introduction

Recent years have witnessed a process of profound change in international life. The end of the bipolar division of the world has decreased significantly both military and political tension worldwide. This development has had a direct impact on the work of the United Nations. What used to be a politically frozen organization, is now turning into a forum for active political dialogue, concrete decision-making and effective action. The United Nations has been able to begin to fulfil its original principal purpose, maintenance of international peace and security.

Even if the international life has taken a turn in the right direction, threats to international peace and security are by no means over. Longstanding conflicts still persist in some

parts of the world. The Middle East conflict awaits its settlement, and the new South Africa remains to be created. The collapse of the totalitarian system in the former Soviet Union and Eastern Europe has led to emerging democracies, but also unleashed ethnic and national conflicts, which have their roots in history. While the services of the United Nations in the field of peace and security have become possible, they also remain badly needed: the international community will pass through turbulent times in the years to come.

In addition to tasks related to international peace and security, the United Nations has other equally important tasks. According to the UN Charter, one of the purposes of the Organization is to arrange international cooperation in solving international problems of an economic, social, cultural or humanitarian character and to promote human rights and fundamental freedoms. These tasks remain crucial as the United Nations proceeds towards its fiftieth anniversary.

Everything was not anticipated by the drafters of the Charter, however. Environmental problems have grown to serious dimensions since the establishment of the United Nations, and the economic hardships of many countries undoubtedly exceed the imagination of the drafters of the Charter. These problems form some of the biggest challenges for the United Nations in the coming decades. The United Nations of the 1990's and beyond should be equipped to tackle these issues together with its task of maintaining international peace.

Several improvements aiming at a more effective and

streamlined United Nations are already under way. Meanwhile, a lively and wide-spread discussion - both within and outside the UN - continues on how the Organization should be developed to match its challenges.

The purpose of this paper is to participate in this discussion and offer some ideas for the development of the United Nations in the near future. Some thoughts presented here are purely practical ones, while others are more far-reaching and require changes in the Charter - and in the attitudes of the member states, too. In the view of the Liberal International the capability of the UN to promote international peace and security should be strengthened on the basis of Charter provisions and by further developing and elaborating existing working methods and practices. The ability of the UN to react efficiently to economic, social and environmental problems, however, seems to require far-reaching reform and respective changes in the UN Charter. It is important that the reforms in the United Nations be carried out under a coherent strategy, planned as well in advance as possible within a multilateral organisation.

It is the understanding of the Liberal International that a truly effective United Nations is for the benefit of all of its members and the whole international community. Such a United Nations needs active support from its members as well as the authority and integrity to advance its noble cause.

2. Maintenance of international peace and security

2.1. General observations

The disappearance of the global tension of cold war years has contributed to improved security in many parts of the world. Meanwhile, conflicts of more local character continue to emerge, especially in connection with disintegration process of former totalitarian empires. Several conflicts carry elements affecting both national and international security, and cause severe distress to the civilian population in the affected area. The principal task of the United Nations remains as acute today as it was in the early days of the Organization. In this chapter, some general observations are first made on the role of the UN organs in advancement of peace and security. Thereafter emphasis will be put to the prevention of conflicts, peace-making and peace-keeping, enforcement measures as well as disarmament and arms control.

According to the Charter, it is the parties who first and foremost bear the responsibility for seeking a peaceful settlement to their dispute. Within the United Nations, the main responsibility for the maintenance of international peace and security is entrusted to the Security Council. As a relatively small organ consisting of five permanent members and ten rotating members and with far-reaching authority under the Charter, it is no doubt the most efficient UN body to react rapidly to threats to international peace and security.

Until now the work of the Council has been focused on ~~reacting to acute situations on a case by case basis.~~ The summit meeting held on January 31, 1992 was a fresh and welcome innovation.

In the future, it might be useful to have regular Council meetings at a high political level to review the world situation as a whole and to address the most difficult issues specifically.

Here the Council could pay special attention to the prevention of conflicts rather than only react to existing ones. In order to avoid mere declaratory meetings, profound preparatory work would be needed.

The Council could also deepen its contact with the Secretary-General by having regular informal exchanges of views with him. Such discussions could be held in closed door consultations, and cover all current issues on the peace and security agenda of the UN.

Different opinions have been expressed on the need to modify the composition of the Security Council. It is obvious that in order to remain as effective as possible, the total number of Council members should not be increased. On the other hand, increasing the number of permanent members would create many difficulties. Not only could the share of the rotating members be reduced, but the decision-making capacity of the Council could be undermined with more members with veto powers.

The needs of the changing world situation have so far been taken into account by allowing some large countries to hold a rotating seat more often than smaller UN members. This might provide the right avenue for the future as well. But it is important to remember that the right of all UN member states, including medium-sized and small ones, to hold a rotating seat in the Council represents an important democratic element in the UN security system. The representation of economically strong countries in the economic decision-making of the UN will be discussed later in this paper.

The role of the UN General Assembly is more of a deliberative character than that of the Security Council. But the General Assembly, too, can promote the goal of increased world-wide security by drawing wider perspectives and guidelines for the peaceful solution of disputes and conflicts. Its deliberations give the member states a once-a-year opportunity to voice their concerns, exchange views and look for constructive approaches to political problems.

The work of the General Assembly could be rationalized to a considerable degree, however, so as to increase its political weight and authority. Its wide agenda should be under constant critical scrutiny, and its committee structure could be streamlined by merging some committees and further focusing their work. Any duplication of debates and resolutions should be resisted.

As a long term goal, consideration should be given to the establishment of a Second Chamber of the Assembly or a "World Parliament", whose members would be directly elected by peoples of the member states. It could serve as a discussion forum not only in the field of peace and security

but in other fields as well. It would also bring a democratic ingredient into both the UN itself and - through the elections - the lives of people worldwide.

The role of the Secretary-General is vital in many ways. He can act on his own and promote peaceful settlement through his good offices and negotiation. He is also given the option to draw the attention of the Security Council to any threatening situation. Hopefully the Secretary-General will fully utilize his powers in good coordination with the actions taken by the Security Council.

It is important to bear in mind, however, that the United Nations is not an independent organ, but a collection of a large number of member states. The will of two of its principal organs, the Security Council and the General Assembly, is no more than the will of their respective members. In addition, a basic requirement for the ability of the United Nations to act in the cause of peace and security is the willingness of parties to disputes or conflicts to give the organization a role in the process. Even if the option to enforce peace has to be strengthened, it still remains a limited choice. Moreover, the capability of the UN to act remains completely dependent on the will of member states to contribute to its efforts both politically and by providing resources. Much attention should be therefore paid to the strengthening of the trust, authority and integrity of the United Nations among its membership.

In the field of peace and security, the United Nations should by no means hold an exclusive world monopoly. As envisioned in Chapter VIII of the UN Charter, regional organizations and agencies should get actively involved

whenever their contribution is available and fits the circumstances. ~~They represent special expertise and interest to find a peaceful settlement in their respective regions, and could also give some valuable alleviation to the heavy burden of the United Nations in terms of resources and financing.~~ In some instances, combined efforts of the UN and regional organizations become necessary. The role of the UN, the CSCE and the EC in the former Yugoslavia is an example of this. Following the initiative taken by the head of state meeting of the Security Council on January 31, 1992, a report called "An Agenda for Peace" was issued by the Secretary-General in June 1992. This report contains a set of concrete ideas for strengthening the capacity of the UN to promote peace. A special emphasis is given to the prevention of conflicts, an area which has until recently gathered far too little attention.

The report presented by the Secretary-General deserves full support by all, and the ideas included in it will hopefully be widely implemented also by the Security Council in its future work.

2.2. Prevention of conflicts

The prevention of conflicts is an area which should be efficiently and energetically developed within the United Nations. The costs of open hostilities are immense. In addition to human loss, conflicts ruin economies and environments and set back the development of those involved. The best way to deal with conflicts is no doubt their prevention.

A necessary prerequisite for the prevention of conflicts is the

ability to anticipate mounting tension. Therefore, an efficient system of information collection is needed. The Security Council, consisting of fifteen member states, receives most of its information through the foreign services of its members and other member states. The same applies to the General Assembly. The Secretary-General, however, is to a high degree dependent on the Secretariat and its ability to follow world developments closely. This is an area where the United Nations Secretariat should be significantly strengthened. The Secretary-General should have adequate staff both in the headquarters and in the field, so as to enable him to fulfil the function specified in Article 99 of the Charter or act in any other way for the prevention of hostilities.

It would be vitally important to enable the Secretary General to send regionally based field staff to monitor developments and collect basic information in areas where there is reason for special alertness of the UN. To reduce costs, such field staff could operate - if possible - in connection with other UN field offices or even get assistance from representatives of member states. The material produced by such field personnel could be made available not only to the Secretary General but also to the Security Council.

The prevention of conflicts could take many forms, depending on the case. Sometimes the mere quiet intervention of the Secretary-General or the President of the Security Council could help slow down an escalating dispute. Any early demonstration of international interest - without publicity, if necessary - could be a worthy attempt.

In some cases stronger methods are called for. A fact-finding unit dispatched either by the Secretary-General or the

Security Council could serve the purpose of both information gathering and demonstration of the attention and interest of the international community. If the danger of escalation is imminent, both the Security Council and the Secretary-General should be ready to act.

Several methods are readily available for the Council and the Secretary-General. If necessary, the concrete presence of the United Nations should be established at an early stage of a crisis. To accomplish this, the deployment of observers or peace-keeping troops should be routinely considered. At the same time, assistance could be actively offered to the parties for regulating tension and looking for applicable confidence-building measures.

The parties could be approached by a number of actors, including the Secretary-General, the Security Council and its individual members, regional organizations, prominent institutions and individuals etc. in an attempt to convince the parties that their future actions carry a special weight in the eyes of the international community. Such an attention could help create a certain culture, "a pressure of public opinion", in favour of calm thinking and serious striving to settle disputes by negotiation.

2.3. Peace-making and peace-keeping

Some of the best achievements of the United Nations have been reached in the field of peace-making and especially peace-keeping. Instead of celebrating the results, the organization is - quite correctly - focusing on new challenges.

The success of UN peace-making is dependent both on the action of the Organization and the cooperation offered by the parties to a dispute. It has to be reemphasized that the Charter of the UN contains an obligation of Member States to seek a peaceful settlement to their disputes. Parties to a dispute should therefore actively utilize the mechanisms offered by the UN or regional organizations for such purposes. In his report "An Agenda for Peace", the Secretary-General lays down the real problems standing in the way of effective peace-making: lack of political will by the parties, lack of leverage at the disposal of a third party, and the indifference of the international community to a problem.

Peace-making is highly dependent on the political culture prevailing in international relations as well as the level of respect for international law. In the historical perspective, the trend in this regard has been to the better. But the trend must continue to be strengthened by the United Nations.

There are already several documents and manuals available to states on methods of peaceful settlement. The good offices exercised by the UN Secretary-Generals throughout the four decades are known world-wide. In addition, the UN could be a more active in offering expertise and assistance. Not only the Secretary-General but also the Security Council could send high level representatives or teams to meet with the leadership of contending parties. In order to give parties an idea of what immediate steps might be taken to achieve increased confidence and peace-making, the Secretariat could prepare a special register or manual on applicable confidence-building measures, some of which have already been successfully tested in other parts of the world.

It might also be useful to develop those activities of the Security Council, which represent a middle way between not reacting at all on one hand, and having public debates and adopting resolutions, on the other. The Council could for instance summon the parties to its informal consultations behind closed doors or send its representatives to the area of conflict. In some cases it could also form a task force type of working group to follow closely developments in a particular area, to exchange information and views on it and consider options at hand. This kind of task force could have either a preventive or peace-making function.

A proposal on frequent high level meetings has been made earlier in this paper. Such meetings could have a dual purpose of both prevention and peace-making.

The peace-keeping activities have proved a real success for the United Nations. In its letter sent to the UN Secretary-General in June, 1992 on peace-keeping, the Liberal International has welcomed the increased resort to UN peace-keeping as a method to promote peaceful settlements of conflicts, and urged the UN to expand the operations into new areas where needs may arise.

Recent peace-keeping operations already have a wide scope, and they often consist of different activities of both military and civilian character. The trend to incorporate such civic activities as election monitoring, police services and humanitarian assistance into the operations together with traditional military peace-keeping merits full support.

The most difficult problem which the UN has to tackle in

this field is that of resources, more specifically financial resources. Financing of UN activities is discussed separately in part 6 of this paper. As to the human and material resources, the UN Secretariat should have at its disposal an adequate stand-by arrangement, set up either by interested member states or other entities, such as regional organizations. The Secretariat could have stockpiles of compatible equipment and materiel available on the basis of contributions from different sources. Some form of institutionalized cooperation between regional organizations and the UN in peace-keeping could be considered here.

There could also be peace-keeping operations run by regional arrangements or agencies, such as the CSCE. Such operations would supplement the attainment of the objectives of the UN in accordance with Chapter VIII of the Charter. In some cases a shared responsibility might prove useful, especially when international presence, free of any regional connections, is warranted to strengthen a regional approach.

Military presence is needed not only for observation and monitoring of cease-fire arrangements, but also for other military tasks such as the implementation of different military confidence-building measures, mine-removal, or securing basically civilian activities such as the distribution of humanitarian assistance. The Secretary-General raises an interesting option in his report "An Agenda for Peace": a strengthened mandate for peace-keepers to use a heavier hand than mere self-defence for the fulfilment of specifically defined tasks, such as the maintenance of cease-fires. Depending upon the situation, resort to this option might be needed even though it would require a more vigorous use of force, with greater risk and greater cost, than traditional peace-keeping. The mandate of such an operation should be carefully and clearly

defined by the Security Council in the resolution establishing the operation.

2.4. Enforcement measures: collective security based on the UN Charter

For the United Nations, one of the most drastic changes resulting from the end of the cold war has to do with peace enforcement. One of the principal ideas shared by the founders of the Organization was to enable the United Nations to enforce peace when all else fails. The mechanism created in Chapter VII of the Charter is surprisingly straightforward: if attempts to restore peace through peaceful means do not bear fruit, the Security Council could resort to economic and some other measures to pressure a party to accept peace. If such means also fail, the Security Council can resort to military action to restore peace.

The historic background for such a system of collective security is well known. The end of cold war has recently brought enforcement back to the active repertoire of the United Nations, and created an interesting discussion on the applicability and methods of enforcement. No doubt, the option to enforce peace gives the Organization additional leverage for the restoration of international peace and security.

Economic sanctions have been used several times in the recent past. They have varied in scope. Their implementation has been monitored by a committee established by the Security Council for each case. There are currently five ad

hoc committees of the Council to oversee the implementation of sanctions targeted at South Africa, Iraq, Yugoslavia, Libya and Somalia.

Several problems have emerged, however. Economic sanctions have not brought about early results. Even though economic sanctions may be effective in affecting the economy of the targeted party, they may lack political effectiveness: they do not necessarily induce the desired change in the policy of the targeted government within short period of time. Even severe economic hardships have not lead to the desired political conclusions among the leaders of a targeted party, as the examples of Iraq or former Yugoslavia show. Moreover, the less democratic a state, the more can its political leadership afford in terms of economic difficulties and public discontent.

Meanwhile, economic sanctions may cause hardships to innocent parties as well, such as the neighbours to the targeted country whose foreign trade can be greatly affected. Their plight should be taken seriously: the effective implementation of sanctions depends largely on the willingness of the surrounding countries to comply.

The relevant UN organizations and agencies should be actively involved in assisting innocent third parties in accordance with Article 50 of the Charter.

The capability of the UN to monitor sanctions is limited, and should be strengthened as a matter of urgency. For effective implementation of economic sanctions, the UN Security Council and the committees monitoring the sanctions should

have adequate professional expertise available at the Secretariat for both information gathering and evaluation. When possible, also field staff could be dispatched to the areas concerned.

Now that the UN already has gathered some experience on economic sanctions, it would be time to carry out a thorough evaluation on the implementation of the sanctions. Several questions would need to be addressed: the effectiveness of economic sanctions and the possibilities for their effective monitoring, the usefulness of establishing a sanctions regime with a timeframe containing a phased application of sanctions, the need to enhance the UN machinery involved in implementation of sanctions, and so on. In this connection some kind of policy lines should be drawn in order to facilitate the determination on when economic sanctions could be deemed inadequate and stronger means should come into consideration.

A special Security Council committee could be set up to study these matters together with members of the Secretariat and economists, or the Council could delegate the task to an independent expert group reporting back to the Council.

Whatever the problems involved, the political significance of economic pressure has to be recognized. With enough time, full economic sanctions can work. When applied with care and consideration, they give the Security Council a much needed tool to respond to breaches of peace. Besides, they are always a better solution than resort to stronger means, and should always be tried first. Going further and deploying troops should always be the last option, limited to cases where the cost of giving more time to economic sanctions

becomes too high.

Military sanctions serve best as a deterrent, when they never have to be implemented. They give the United Nations heavy leverage for influencing exceptionally resistant parties. Even if carried out in some form before, the Kuwait crisis in 1990-91 brought military sanctions to the arsenal of the Organization. Military measures should always be resorted to as a last option, after other methods have been completely exhausted. On the other hand, the Security Council should not be too shy to resort to them, especially in clearly defined missions such as enforcing a cease-fire for humanitarian assistance. It remains a difficult task of the Security Council and its members to determine, among other things, at which stage the human price paid by civilians in a conflict area outweighs the risks involved in a military operation.

In case of military action during the Kuwait crisis as well as in connection with the situation in Bosnia-Herzegovina, the Security Council has chosen to authorize a group of member countries to act on its behalf. Although the Council has remained active in the aftermath of the Gulf war, the control during the military operation itself was completely left to the member states concerned. The specific mechanisms envisioned in Chapter VII for this kind of action were never activated partly because of lack of interest among the Council members and because of lack of experience in the use of those mechanisms. Much should be learned from the Iraq-Kuwait experience, however.

In the case of the Gulf war, the military operation was based on the willingness of one country to bear the main responsibility, supported by a group of other countries with

~~more limited contributions. In principle, the ability of the United Nations to react to the most flagrant violations of international law should not be dependent on the interest of one major power or another to take care of an operation.~~

Even if the political concurrence of the five permanent members of the Security Council is necessary, the UN should have a stand-by capacity of its own for the purpose of enforcement.

This would enable the Organization to react even on short notice. Such a capacity would also fulfil a preventive function by giving added seriousness to the positions taken by the Security Council. As proposed by the Secretary-General in his report "An Agenda for Peace", the forces could be set up by agreements mentioned in Article 43 of Chapter VII of the Charter. The Council and the Secretary-General could approach members to clarify whether some of them would be willing to enter into such agreements. The agreements could also contain provision of air force contingents as stipulated in Article 45 of the Charter.

The command system established in the Chapter VII of the Charter appears somewhat impractical, however. It is difficult to figure out how the Security Council, assisted by a Military Staff Committee, both consisting of delegates representing a number of governments, could be responsible for strategic direction of an armed operation, as stipulated in Article 47 of the Charter.

While maintaining the overall control of an operation - issues like initiation and conclusion of the operation - the Council

could consider various options for the actual command. The Secretary-General could have the operation under his command through a field commander, much in the same way peace-keeping operations are carried out, or the command could in some cases be delegated to a member state. If a regional organization would be involved, it might be willing to take care of the operation with the support of the UN. In any case, it is vital that it is the Security Council which maintains overall control of all peace enforcement operations. The link between the Council and the operation should be spelled out in detail in a resolution establishing the operation.

2.5. Disarmament and prevention of arms proliferation

The process of disarmament and arms control has been significantly accelerated by the end of the cold war.

Many countries are reconsidering the wisdom of burdening their national economies with heavy military expenditure, and consequently are beginning to adjust their military budgets to their real defence needs. Several important agreements have been reached through direct negotiations between countries concerned, either major nuclear powers or others.

In the field of disarmament and arms control, the role of the United Nations has long remained deliberative and supportive. However, the role of the United Nations in collection of information, general exchange of views and promotion of regional arrangements should not be underestimated.

First of all the UN is a suitable forum for general policy-setting deliberations. Duplication of debates and resolutions could be avoided by merging all the UN disarmament forums into one, for instance into a renovated First Committee of the General Assembly. Reporting to it, there could even be a special council focusing on UN's operative tasks in arms control and disarmament.

Secondly, global action is often the only viable alternative. The United Nations is especially well suited to act as a clearing-house of information on arms trade and proliferation, and should be strongly developed in this field.

A special UN register of arms transfer will be operative in April 30, 1993, and it would cover transit of certain categories of conventional weapons. The register could be extended wider, however. It could cover transit of all weapon categories, and list not only transits, but also arms sales, including respective financial flows. Moreover, in order to increase transparency even further, the register could also cover production of weapons and national weapon procurements as well as stockpiles. Providing information to the register should be mandatory rather than voluntary. All this would enable the UN to monitor excessive concentrations of arms in any part of the world and, when necessary, track routes used for arms sales. The register would also provide information to the Security Council and the Secretary-General on developments which could endanger peace and security and thus offer necessary basis for preventive action.

The United Nations could also consider how it can contribute to the strengthening of the regime established under the Nuclear Non-Proliferation Treaty as well as to the improved

coordination among different arms control and disarmament verification regimes. Also there, the United Nations as a global organisation could play a role. The United Nations could also initiate the development of national and international law which would prohibit arms sales to countries acting in breach of international law.

Moreover, the UN activity to identify and destroy arms of mass destruction in Iraq is a good example of the concrete implementation capabilities of the Organisation. The experience gained there gives the UN a good basis for disarmament action in connection with both peace enforcement and the possible prevention of conflicts.

3. Economic, social and environmental issues

3.1. General

While world developments have in many other respects taken a positive turn, the division between poor and rich nations remains deep. Much attention is and must be paid to support of the new democracies in their difficult transition toward a market economy and improved living conditions. At the same time, however, the complex economic and social problems of the third world have to be addressed, too. The economic prospects of the least developed countries remain as meager as ever and are aggravated by other problems such as rapid population growth, depletion of natural resources and degradation of the environment.

However, in the 1990's all nations are compelled to face acute global problems, such as destruction of the environment, widening drug abuse and spread of contagious diseases. Moreover, local conflicts, natural disasters or chronic economic hardships send their waves rapidly beyond their areas of origin through refugees and migration.

In a more and more integrated world only effective international cooperation enables the members of the world community to solve many of their gravest problems. Pressing economic difficulties together with wide-spread environmental damage have compelled the international community to give priority to sustainable development, which takes into account all aspects of development, including the adverse ones.

Development cannot be defined in narrow terms in a complex and interdependent world. Instead, it appears as a process consisting of several factors such as economic growth, better education and health care, population control and environment, increased international and national security, opportunity to participate in national policy-making, and so on.

Different factors influence each other, and the process as a whole can result in positive or - as too often is the case - even negative development.

3.2. Global aims for sustainable development

After decades of development efforts, economic disparity between wealthy and poor nations remains strikingly wide. One factor behind this is the global markets: free market

conditions would be an important factor in getting the developing countries on the path of real economic development.

Another important factor is national policy-making. It cannot be substituted by any foreign assistance program however effective or comprehensive. National policies affect both the economic well-being of the country concerned and the distribution of wealth and well-being within the country. More attention has in recent years been quite correctly paid to such national responsibilities.

Notwithstanding the importance of global markets and national policies, development assistance remains a central method to create development in poor countries. The 0,7% share of GNP for official development assistance is a target which should be put into reality as soon as possible. In order to initiate the right kind of development the level of assistance must definitely not decrease: instead, the assistance should be allocated effectively and in coordination with other inputs from different sources.

No economic growth can improve the living conditions in developing countries if population control is not among the priorities of national policies and international cooperation.

Some countries have gained remarkable achievements in this field, while in others rapidly growing population nullifies any economic prospects. The improvement of the status of women is closely linked to this global concern.

While it is true that an improving economy usually leads to

slower population growth, it has to be recognized that it is impossible to create a healthy modern economy without reasonable population control. The issue also affects the environment, and rapidly growing population together with a poor economy and depletion of natural resources and environment may create a dangerous vicious cycle leading from a bad to a worse situation.

At the same time the international community is facing a choice which will affect future generations. Although adaptive, the nature and environment have sent us signals that the present system is not sustainable. Signs of vast damage, regional and global, are obvious. The damage is aggravated by other factors like economic difficulties, depletion of natural resources, and overpopulation. Now these problems have to be tackled with determination. A change in attitude is called for, and such a change should affect all parts of the world. The developed countries bear a special responsibility for reconsidering such production and consumption patterns, which stand in the way of sustainable development.

An important step was taken when environmental issues were made an item on the high level international agenda at the head of state meeting of UNCED in Rio de Janeiro in June 1992.

The summit reached some important achievements, although many expectations went unanswered. As numerous environmental problems await urgent and effective international cooperation, the summit should be seen first and foremost as the beginning of a process, launching serious and active work for years to come.

opened for signature in Rio de Janeiro, are important steps towards a global legal network on sustainable development.

Alongside with these fields, the international community must continue to respond to the needs of refugees and growing migration. They are closely intertwined with conflicts, national insecurity, economic distress and catastrophes.

Refugee problems reflect the general situation in different parts of the world. As a first priority, assistance should be targeted to help people in their areas of origin so as to remove the reasons for migration. When this is not possible, adequate resources have to be allocated for assistance to them as refugees. In most serious cases, and especially when the security of refugees is involved, peace-keeping efforts may be needed.

Humanitarian assistance is one of the oldest forms of international cooperation. Today it is being taken care of by countries, active individuals and numerous international and non-governmental organizations operating worldwide. The capabilities of the United Nations have been improved in this field by the new function of a special coordinator for humanitarian assistance. In the future, the expeditious provision of humanitarian assistance should be further developed and strengthened especially in most difficult situations such as conflicts and natural catastrophes. The presence of international military personnel may sometimes be warranted, and the UN should therefore have personnel available for such tasks urgently on call. The UN should maximise the cooperation with other organisations operating in the field of humanitarian assistance, including non-

governmental organisations.

3.3. The UN as a forum for coordination

As a global organization the United Nations stands in a unique position to tackle a variety of economic, social and environmental problems and to approach the issue of development in a comprehensive and coordinated way. It should therefore be given the necessary structures and tools so as to enable it to develop strategies and set priorities for sustainable economic and social development as well as for protection of the environment and natural resources. It should have adequate means to see that refugee problems and acute emergency situations are urgently responded to. Whether or not the actual tasks are carried out by a UN organ, specialized agency or regional or international organs outside the UN system, the United Nations as a global organization should constitute an effective policy-making and coordination function for all economic, social and environmental issues. The UN should make special efforts to guarantee that the mutual dependency between development and population control as well as between development and environment is taken into consideration in all relevant plans and concrete programmes.

The need for effective coordination extends beyond the United Nations itself into the activities of the whole UN system, including the specialized agencies. For optimal results and for the maximum use of scarce resources, the priorities and strategies as well as the concrete programs and financing provided by the UN system should be under constant, effective coordination.

A key to the success of any development is financing. Sustainable development is a major global challenge, and ~~therefore its financing should be guaranteed~~ irrespective of passing economic and political fluctuations in the developed world. The idea presented by the Secretary General on the convening of an international conference on development financing deserves all support.

3.4. Streamlining the UN organization

At present economic and social questions are dealt with on various levels within the UN. As the UN Charter did not design a particularly far-reaching system for cooperation in this field, the system grew out of necessity, step by step over the decades. No doubt remarkable achievements can be listed for the UN in the promotion of economic and social development. On the other hand, new global challenges, such as environmental problems and drug trafficking, compete for world attention and burden international agendas in addition to other long-standing problems. To make the UN capable for exercising leadership in dealing with global problems, its respective structures and mechanisms need to be made much more efficient and streamlined. Closer cooperation and coordination among international institutions and agencies must be urgently put into effect.

First of all, the UN should serve as a forum for general policy-setting deliberations for economic, social and environmental questions. The United Nations General Assembly, representing the whole membership, is best suited for such deliberations.

Its task is to design the objectives and the main directions of development strategies. For better coordination, the Second and Third Committees of the General Assembly, dealing with economic and social questions respectively, could be merged into one committee for economic, social and environmental questions. The agenda of such a committee should be kept in manageable dimensions, enabling the committee to focus its work first and foremost on most acute priority issues and reach concrete results on them.

The United Nations should also have an organ capable of transforming the overall strategies into practice within the UN system itself, to react to specific situations with urgency and to monitor the implementation of commitments made by member states i.e. in environmental control. Neither the General Assembly and its committees nor the Economic and Social Council at present efficiently fulfil such functions.

Rather, there has been duplication of work between those two organs, and the ECOSOC has already been subjected to some organizational streamlining. What would be needed, however, is its transformation into an effective council for economic, social and environmental issues, limited in membership, and - to some extent like the Security Council in the field of peace and security - given some specifically defined powers within its scope of functions.

The council could be responsible for coordinating the UN policies and operational activities in the fields of economic and social development, humanitarian assistance and environmental control, within the framework given by the General Assembly.

It could cover the activities within the UN itself, including its ~~different programmes and funds, and its specialized agencies.~~ Effective coordination among them all should be given high priority at the UN. The new council and the Secretary General could combine their efforts in this work. No more than the achievement of good results of development efforts and the efficient use of scarce resources are at stake here. The new council could also take care of the necessary coordination with the Bretton Woods institutions, which serve as a channel of extensive development financing and technical assistance world-wide.

A corresponding unit within the Secretariat would provide the council with the necessary assistance and secretarial services, and operate a field coordination network. The precise status of the council vis-a-vis the UN General Assembly should be carefully considered. It is clear, however, that the council should be entrusted with adequate powers to act on its own within the general policy guidance of the General Assembly. This is true especially in urgent emergency situations, as the General Assembly has only one main session in a year. For effective decision-making, the membership should be limited, with rotation among member states.

Some kind of permanent membership, resembling that of the Security Council, might give the council an increased status. The composition of the council could, unlike that of the Security Council, reflect the changing world: among the permanent members there could be countries with special economic weight, internationally or regionally.

The UN organs reporting to the new council would include the Commission on Sustainable Development, the establish-

ment of which is based on the Agenda 21 adopted by UNGED Conference in Rio de Janeiro. While the council on economic, social and environmental issues would retain important leadership functions on sustainable development, the Commission could act as an active expert organ in that field and prepare concrete initiatives both for the council and General Assembly.

Finally, the governing bodies of different programmes, funds and agencies would provide the necessary operational guidance and advice for the respective heads of UN organs. These governing bodies should be streamlined into compact and effective organs, and the representation and interests of different member states should be guaranteed with adequate rotation.

4. Promotion of democracy and human rights

There is no need to explain the importance of democracy in advancing peace, security as well as economic and social development. Democracy has proven to be the best method of national decision-making to pave the way toward security and well-being.

Even in the field of promotion of democracy, the United Nations is now in a better position than ever to work for tangible results. Several member states take their first steps toward the establishment of democratic institutions and practices. These countries are facing a long and difficult

process. Most of them lack previous experience and expertise on the legal and practical aspects of a democratic system and the establishment of a multi-party system - not to mention the political culture necessary for a healthy democratic society.

Together with some regional organizations and private institutions, the United Nations is a place where several states have turned to for assistance. Tens of member states have already done so. For its part, the United Nations has gained some valuable experience while promoting peaceful change through election monitoring i.a. in Namibia and Central America. In Cambodia the UN is launching a complex new operation which incorporates the establishment of all main functions of a democratic society.

The advancement of democracy is therefore a field where the United Nations must have substantial capabilities. A good beginning is the establishment of a special unit within the Secretariat, pursuant to General Assembly resolution 46/137. This unit is responsible for assisting interested member states in organizing elections or otherwise supporting them in the establishment of democratic institutions and practices. The unit should have a sizable permanent staff, which would in turn recruit additional experts or election monitors as required in each case. The activities could be financed as far as possible by the requesting states, although additional assessed and voluntary financing would no doubt be needed as well.

The promotion of democratic development should be included as an important factor into decision-making in all fields of UN activities. It is important to make sure that financial and material assistance provided to member states by the UN

system does actually reach those in need, instead of serving to prolong the plight of undemocratically governed nations.

The establishment of democracy and advancement of human rights and the rights of minorities go hand in hand, reinforcing one another. Human rights have been subject to extensive codification both within the United Nations and regionally.

Some of this codification, most notably the Universal Declaration of Human Rights, still remains in the form of a recommendatory document. Serious consideration should finally be given to reconfirmation of such human rights provisions in the form of binding intergovernmental agreements.

However, the content of obligations of governments is, in general, well known. The problem is implementation. Serious breaches of most fundamental human rights are constantly reported from all parts of the world. Therefore, an improved system of implementation is called for. The current human rights mechanisms should be supplemented by the establishment of a special United Nations Human Rights Court. It could operate with principles similar to those of the European Human Rights Court, and thus concretise the obligations undertaken so far by UN member states. It would be important to guarantee the access of individuals to such a UN court.

A vigorous attempt should also be made to develop standards on the basis of which the United Nations and its competent organs could challenge the sovereignty of member states.

There should be a formal recognition, for instance in the form of a resolution, to the fact that grave violations of human rights cannot be considered as a matter belonging to domestic jurisdiction of member states.

The World Conference on Human Rights, to be convened in 1993, will offer an excellent opportunity to scrutinize the implementation of human rights in the post cold war world. In the 1990's it is time to recognize that human rights carry always an international dimension as well.

During a time of historical changes, special attention should be paid to the rights of ethnic, religious and other minorities. Especially the disintegration process under way in the former Soviet Union and Eastern Europe has unleashed violent conflicts and persistent tension among different nationalities and religious groups. Everything possible should be done to avoid the repetition of the mistakes of the past, and to promote tolerance and a sense of mutual interdependence. The mere codification of minority rights is not enough. During all UN activities, and especially those for the promotion of democracy, special attention should be paid to the rights of minorities.

The UN could consider establishing a special register or manual, which would be made available to member states in transition and which would compile information about existing minority regimes around the world. This kind of information could give accessible models and might facilitate often difficult negotiations on rights of minorities.

It is also time for the United Nations to appoint a special

human rights and minorities commissioner, with wide powers to act in advancing human and minority rights, especially in potential conflict areas. His activities could also fulfil an effective preventive function. The UN commissioner would act in close cooperation with regional commissioners or arrangements in promotion of human and minority rights.

To support the United Nations in its crucial task of promoting democracy and human rights, the Liberal International is ready to consider making available experts and other type of assistance through its member organizations. Some of them are already actively contributing in international efforts for advancement of democracy and human rights. To widen the UN capabilities to act in this field, joint programmes could perhaps be operated under the coordination of the UN.

5. Validity of international law

The major difference between international and national law is enforcement. While provisions of national written or uncodified law are regularly enforced through national enforcement system with police forces, courts etc., there is little to serve the same function for the implementation of international law. The observance of international law has remained a matter of the prevailing culture of international relations.

Countries deliberately opposing the norms of international law have had to offset the advantages gained by doing so against such disadvantages as negative attention directed to them and economic or other consequences following from it.

It is now time for the UN to renew its efforts to influence the situation. For instance, the mandate of the Security Council ~~gives possibilities for this.~~ Though it is a highly political organ, the Security Council is well positioned to advance the general observance of international law by reacting, within its mandate, to breaches of those norms of international law which have to do with peace and security.

During the current UN Decade of International Law, special efforts should be directed to strengthen the status of the International Court of Justice. The Secretary-General of the UN could perhaps approach all member states through an emissary in order to draw attention to the cause and to persuade them to accept the compulsory jurisdiction of the Court without reservations. The task is by no means a simple one.

The member states should also be encouraged to support a special Trust Fund established to assist poorer countries to finance their proceedings in the Court. In addition, the General Assembly and the Secretary-General could draw the attention of member states to the availability of other types of arrangements for settlement of legal disputes, such as arbitration mechanisms. In the final analysis, what the General Assembly or the Secretary-General should do is to educate member states on observance of international law. For this purpose, the UN could, among other things, consider publishing an annual report on the general observance of international law.

Towards the end of the current Decade of International Law, the observance of international law should be put under effective scrutiny within the United Nations. The

ways and means to improve the situation should be evaluated in detail.

6. Financing of the United Nations

The United Nations has faced serious financial difficulties during the past years. These difficulties have been due to the fact that a number of member states have not paid their assessed contributions for the regular budget and for peace-keeping operations of the United Nations.

At the same time, the Organization has been given several new or expanded tasks in various fields. New peace-keeping operations have been launched, including large ones such as the operations in Cambodia and the former Yugoslavia.

The start-up phasis of the operations has proved to be particularly vulnerable. The United Nations Secretariat has also been running other complex tasks to restore peace in many regions, including comprehensive sanction regimes.

In addition, the Organization faces demanding challenges in the fields of economic development, humanitarian assistance, promotion of democracy, drug control and follow-up to the agreements reached in the UN Conference on Environment and Development in June 1992.

and Development in June 1992.

The financial problems of the United Nations are in essence political ones. While the member states take decisions on extensive new tasks in the Security Council or General Assembly, the same member states may keep withholding their financial contributions to the United Nations. The reasons vary from national financial difficulties to deliberate action to press the Organization for changes. Some reforms have been and are made, while the obligations of the UN grow, and the finances remain a persistent problem.

There does not seem to be an easy solution to the matter. But it should not be forgotten that the member states have a legal obligation to pay their assessed contributions fully and on time. Unfortunately the UN does not possess adequate means to compel member states to do so. Serious consideration should therefore be given to strengthen the means available for the United Nations to collect assessed contributions. Non-payment of assessed contributions is a grave problem undermining the real achievements of the UN.

Even though the Secretary-General has suggested various alternatives to avoid a most acute cash shortage, they have not so far been accepted by the membership of the Organization.

Interesting ideas to ameliorate the situation have been put forward in different contexts. It has been suggested that the peace-keeping costs could be covered through budgetary savings resulting from disarmament measures. It might be a viable alternative to draw national contributions for peace-keeping from defence instead of foreign affairs budgets. It has also been suggested that those countries maintaining the

highest defence budgets should pay more for UN peace-keeping activities. Moreover, it has been suggested that the UN should be entitled to charge interest for the contributions withheld, or that the Secretary-General would be authorized to borrow from commercial markets. While assessed contributions must remain as the back-bone of UN financing, many special activities, such as election monitoring or new peace-keeping operations, could get additional financing from those states which request or benefit from them.

The importance of efficient and cost-effective administration of the United Nations cannot be underlined enough. While it is the obligation of the member states to finance UN activities, it is the obligation of the Secretary-General to maintain a streamlined organization, which avoids all duplication of work and utilizes scarce resources in a most responsible and efficient manner. Equally, other specialized organizations operating within the UN system should also maximize the efficiency of their functions.

In order to alleviate the difficulties the UN is facing, a special conference with high level representation from all UN member states could be convened to consider the financing of the Organization. Such a conference could raise the issue to the level of political decision-makers and remind the member states of the fact that peace and development have their price. The idea to apply sanctions against members which do not pay their contribution should be taken up for discussion in the conference.

Effective international cooperation to resolve disputes and promote development is a much cheaper long term solution than simply letting serious problems get worse. It is a

deplorable paradox that now, when the United Nations is finally in a position to effectively tackle important international issues through cooperation, it has to beg for each penny in order to be able to do so.

7. Conclusions

The United Nations has arrived at a crossroads. With unprecedented opportunity to work for peace, democracy and well-being, the Organization and its member states must now grasp the momentum and choose to develop the United Nations into an effective and constructive forum, capable of concrete problem-solving. The efforts currently under way to make the World Organization stronger and more effective deserve full support. But far more remains to be done. The United Nations has to possess the capability also to anticipate events - whether it is question of developments threatening security or well-being - and arrange efficient international cooperation to control them before it is too late. Work to prevent conflicts or tackle economic and environmental problems is an example of this.

The authority of the United Nations is the central issue at stake. Ultimately, the authority of the Organization will amount to what the member states are willing to let the United Nations become. Much can be accomplished by renovating organizational structures, by limiting overlapping deliberations and work and, most importantly, by assuring that the central functions, old and new, are reprovided with adequate financial, institutional, secretarial and other resources.

The United Nations needs also the added credibility offered by the opportunity to enforce its decisions. The Organization should never give the impression of being an irrelevant discussion forum or paper mill. It is essential that the principal organs of the United Nations, the General Assembly, the Security Council, the Secretary-General and a profoundly renewed ECOSOC, have mandates, authority and practical means to take effective action in their respective fields. This will require changes in the UN Charter and, no doubt, in attitudes and practices.

In some fields, the activities can well be left to other global or regional organizations and agencies. But the United Nations must have the capability for effective coordination whenever necessary, and the capability for effective action in all of its central functions. This is the historic opportunity for the United Nations to become what it should be: a guardian of the shared interests of all nations and individuals in the interdependent world of the 21st century.