Dear Delegates,

Welcome to the 2008 Northwest Model United Nations (NWMUN) Conference as well as to the General Assembly Plenary (GA). My name is Rubai Aurora, and I will be your Vice President. I am a senior at the University of Washington studying Political Science, with a focus on International Relations and Political Theory. I am passionate about International Human Rights, as well as the effects of colonization on political stability. After I finish my studies, I hope to work in an international organization and maybe even the UN itself!  I love to travel, and I hope to visit as many countries I possibly can. This will be my third year participating in MUN, and I absolutely love it. I believe that the education and experiences you can get from MUN cannot be obtained anywhere else. While I like to focus on security and human rights issues, UN reform is a very extensive and interesting topic that is essential for the effectiveness of the UN in other areas, and I am excited to be addressing the reforms during the conference.

Your Director for the General Assembly Plenary will be Jacob Cosman. In the past, he has staffed the University of British Columbia's UBCMUN as well as Richmond MUN, Canadian High Schools MUN, and TRU MUN, but this is his first conference staffing experience south of the US-Canadian border. His areas of interest within the scope of international topics include nuclear disarmament and the Middle East peace process. Currently he is finishing up a math and physics degree at the University of British Columbia and spending most of his time volunteering for the Canadian federal elections in October. Additionally, Nicholas Carlson and Nicole Wilsey aided in the substantive development of this committee pre-conference, so we would like to acknowledge their help here as well.

The topics for this year's General Assembly Plenary are:

1. Strengthening International Legal Frameworks Regarding Non-State Actors And Conflict
2. Delivering As One: Developing a More Integrated UN Approach to Achieve Common Goals Within State and Regional Borders
3. Security Council Reform

Every participating delegation is required to submit a position paper prior to attending the conference. NWMUN will accept position papers for the General Assembly via e-mail until **Friday, November 7th**. (Please note that all other committees have a different date for position paper submittal.) Please refer to the Delegate Preparation Guide and sample position paper on the NWMUN website for paper requirements and restrictions. Delegates' adherence to these guidelines is crucial to ensure a well-prepared committee and open information on the policy and views of member States.

We wish you the best as you prepare for this conference and committee. We urge you to move beyond the background guide as you learn more about both your State and our topics. Please do not hesitate to direct any questions or concerns toward your Director. We look forward to meeting you at the conference!

Sincerely,

Jacob Cosman                                      Rubai Aurora
President, General Assembly                        Vice President, General Assembly
Northwest Model United Nations 2008                Northwest Model United Nations 2008

# <u>Committee History</u>

The General Assembly of the United Nations is the primary organization for decision making at the United Nations. In the Charter of the United Nations, it is named as one of the six "principal organs" of the UN, and accorded several responsibilities, including the promotion of international cooperation on political, economic, social, economic, cultural, and health issues, and the apportionment of the United Nations budget. Frequently, these issues are addressed by the creation of a new agency or committee, or referral of the issue to an existing body.

The responsibilities of the GA are divided between six main committees, each of which deals with a broadly defined topic. As well, any issue under the purview of the General Assembly may be addressed by its plenary session, which like the main committees is composed of representatives of all member States of the United Nations. Unlike the main committees, however, the Plenary is able to discuss any issue under the mandate of the General Assembly.

Since its inception, the United Nations has grown almost fourfold, and the GA Plenary Committee has expanded accordingly. In 1945 the United Nations was founded by 51 States; now, there are 192 member States. Only a few entities recognized as sovereign by any member States now remain outside the United Nations.



The large size of the GA Plenary Committee is sometimes cited as an impediment to the passage of resolutions. With so many members, the decision-making process often involves lengthy deliberations. As well, the voting formula – wherein each State has one vote – allows small States to exercise disproportionate influence, and can present difficulties if the committee is considering an issue which only affects a few member States.
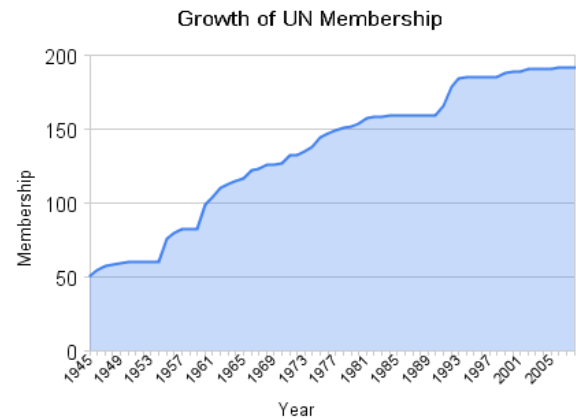
**Significant GA Plenary Accomplishments**

Establishment of WHO and UNICEF (1946)

Incorporation of IAEA into UN system (1957)

Establishment of permanent World Food Programme (1965)

Uniting for Peace during Six Days' War (1967)

Uniting for Peace during South African occupation of Namibia (1981)

Establishment of Human Rights Council (2006)

In spite of these issues, the General Assembly Plenary has achieved significant progress in several areas. In particular, it has established several agencies which have become very influential in the international community, and has also intervened in conflict situations to ensure humanitarian support to augment the work of the Security Council, as well as in times of Security Council deadlock (including through the process of Uniting for Peace, which is described in further detail below).

However, very little progress has been made on UN structural reform, which would alter composition or voting structure of the General Assembly and Security Council to ensure a more efficient or representative decision-making process. Several conflicting proposals currently under consideration would expand the Security Council or alter the veto power of the five permanent Security Council member States. In addition, some governments have proposed the formation of a UN Parliamentary Assembly, which would consist of directly elected representatives, as opposed to the current structure in which representatives are appointed by the governments of the member States. The difficulty politically in passage of reform packages through the General Assembly is compounded by the fact that most proposals to reform the United Nations would involve amendments to the UN Charter; amending the Charter would require both a vote in the Security Council, and later ratification, by each of the five

permanent members of the United Nations, a near-impossibility even when the issue does not concern the Security Council veto itself.

One particular power which the General Assembly holds is known as Uniting for Peace. If the Security Council is unable to reach an agreement on a particular issue, the Plenary Committee of the General Assembly will meet within twenty-four hours in an emergency special session to consider the issue. Such a meeting may be called by a majority of the members of the GA Plenary Committee, or by any seven members of the Security Council. Such emergency special sessions have been convened only ten times in the history of the GA Plenary Committee.

In recent years, the GA Plenary Committee has most prominently taken action on the issue of the ongoing conflict between Israel and the Palestinian Authority, and on the state of prominent UN human rights organizations. To address the former issue it has passed a number of resolutions – including several in special emergency sessions – calling for greater access to humanitarian aid for Palestinian civilians and criticizing ongoing military conflict. On the latter issue, in response to criticism that the UN Commission on Human Rights was often led by UN member States with poor human rights records, the General Assembly Plenary dissolved the Commission and established the Human Rights Council with a different structure, place in the United Nations system, and membership. This new organization has been the focus of similar controversy, though less than the Commission once had, since its inception.

*Membership of the General Assembly Plenary includes all Member States of the United Nations.*

| Afghanistan | Albania | Algeria | Andorra | Angola | Antigua & Barbuda | Argentina | Armenia |
|---|---|---|---|---|---|---|---|
| Australia | Austria | Azerbaijan | Bahamas | Bahrain | Bangladesh | Barbados | Belarus |
| Belgium | Belize | Benin | Bhutan | Bolivia | Bosnia & Herzegovina | Botswana | Brazil |
| Brunei Darussalam | Bulgaria | Burkina Faso | Burundi | Cambodia | Cameroon | Canada | Cape Verde |
| Central African Republic | Chad | Chile | China | Colombia | Comoros | Congo | Costa Rica |
| Cote d'Ivoire | Croatia | Cuba | Cyprus | Czech Republic | DPR Korea | DR Congo | Denmark |
| Djibouti | Dominica | Dominican Republic | Ecuador | Egypt | El Salvador | Equatorial Guinea | Eritrea |
| Estonia | Ethiopia | Fiji | Finland | France | Gabon | Gambia | Georgia |
| Germany | Ghana | Greece | Grenada | Guatemala | Guinea | Guinea-Bissau | Guyana |
| Haiti | Honduras | Hungary | Iceland | India | Indonesia | Iran | Iraq |
| Ireland | Israel | Italy | Jamaica | Japan | Jordan | Kazakhstan | Kenya |
| Kiribati | Kuwait | Kyrgyzstan | Laos | Latvia | Lebanon | Lesotho | Liberia |
| Libya | Liechtenstein | Lithuania | Luxembourg | Madagascar | Malawi | Malaysia | Maldives |
| Mali | Malta | Marshall Islands | Mauritania | Mauritius | Mexico | Micronesia | Monaco |
| Mongolia | Montenegro | Morocco | Mozambique | Myanmar | Namibia | Nauru | Nepal |
| Netherlands | New Zealand | Nicaragua | Niger | Nigeria | Norway | Oman | Pakistan |
| Palau | Panama | Papua New Guinea | Paraguay | Peru | Philippines | Poland | Portugal |
| Qatar | RO Korea | Republic of Moldova | Romania | Russian Federation | Rwanda | St. Kitts & Nevis | Saint Lucia |
| St. Vincent & The Grenadines | Samoa | San Marino | Sao Tome & Principe | Saudi Arabia | Senegal | Serbia | Seychelles |
| Sierra Leone | Singapore | Slovakia | Slovenia | Solomon Islands | Somalia | South Africa | Spain |
| Sri Lanka | Sudan | Suriname | Swaziland | Sweden | Switzerland | Syria | Tajikistan |
| Thailand | FYR Macedonia | Timor-Leste | Togo | Tonga | Trinidad & Tobago | Tunisia | Turkey |
| Turkmenistan | Tuvalu | Uganda | Ukraine | United Arab Emirates | United Kingdom | United Republic of Tanzania | United States |
| Uruguay | Uzbekistan | Vanuatu | Venezuela | Viet Nam | Yemen | Zambia | Zimbabwe |

# I.     Strengthening International Legal Frameworks Regarding Non-State Actors And Conflict

### Introduction

The death and destruction that took place during the morning of September 11, 2001 not only shook the hearts and minds of people across the globe, but would illuminate the open holes in the already complex international legal system.  In the following years, it would become clear that the current international legal frameworks, which have been mostly State-centered when it comes to laws, offer little when it comes to dealing with non-State actors.  These grey areas have lead to further calls by State governments for clarification to major treaties when it comes to these areas.[1]

Attempts at dealing with the problems in the current framework are not a new topic.  In the 1990s, the understanding of the use of force in issues involving terrorism had already evolved well past the State-centered customs of previous decades.  When the United States of America bombed Libya in 1986 for involvement in terrorist activities, the world reacted with condemnation.  By 1998, US airstrikes on Afghanistan and Sudan for support of terror groups met little resistance on the grounds of legality.[2]  While it is clear that there is consensus on the need for reform, debate over proper action to these problems have delayed possible reform.  The area in the direst need of clarification is rules regarding treatment of combatants involved in conflict, specifically when it comes to the usage of the Geneva Conventions and those who were detained in non-military situations.

### The Geneva Conventions

The biggest area of controversy involves the most comprehensive source on the laws of armed conflict; the Geneva Conventions.  Originally drafted in 1864, the Geneva Conventions were greatly expanded following World War II to shipwrecked military personal, deal prisoners of war (POW) and civilians in conflict.[3]  Article 4 of the Third Geneva Convention defines Prisoners of War as members of organized State militaries and organized militias who follow several conditions, such as a clear command regime and open use of carrying arms.[4]  It is this definition that has been the source for most of the controversy revolving around the rights of combatants.

Historically, it has been accepted that there two types of combatants; lawful combatants, such as members of State armies, who are covered and protected by the Geneva Convention, and unlawful combatants, generally consisting of civilians involved in violence in non-war situations.  Countries such as the United States have regarded members of terrorist organizations as part of the latter, thus they do not have the rights given to Prisoners of War in the eyes of the US.  Controversy further flared within in the United States when the US Supreme Court ruled that the Geneva Conventions applied to terror suspects detained in places such as the Guantanamo Bay detention facility.[5]  Many have criticized the decision on the basis that vagueness of the Geneva Conventions had made law enforcement too difficult, putting lives possibly at risk.[6]  Another argument is that States uphold international laws with the expectations that other States would.  As non-State actors, groups like Al-Qaeda will not be expected to reciprocate since the laws do not apply to them.[7]  How can one give rights to a group of people who will not do the same to others?

---

[1] http://www.iht.com/articles/ap/2007/11/27/europe/EU-GEN-Geneva-Conventions-US.php
[2] http://www.michaelschmitt.org/images/4996terr.pdf p. 56
[3] http://www.cfr.org/publication/11485/
[4] http://www.icrc.org/ihl.nsf/COM/375-590007?OpenDocument
[5] http://www.cfr.org/publication/11485/
[6] *Ibid*.
[7] *Ibid*.

Further confusion is caused by the changing nature of conflicts in the new century. Traditionally, international law divided conflict into two categories; international armed conflict (use of armed force against one State from another) and non-international armed conflict (States against other non-State groups).[8] In international armed conflict, since all members are involved are State actors, they are lawful combatants and thus are covered by the Geneva Conventions. However, for those involved in non-international armed conflict, there is no combatant status and thus do not receive special protections of the Geneva Conventions and are subject to domestic law.[9] This creates a significant gap in law in conflict areas such as Afghanistan, where one State has attacked another due to activities of a non-State actor. Is the ongoing conflict between the North Atlantic Council (NAC)'s International Security Assistance Force (ISAF) and the Taliban forces an international armed conflict? Or is it a non-international armed conflict due to the non-State status of the Taliban?

**Laws for non-battlefield detainees and other issues**
Another major issue that has risen in recent years is the detainment of those connected to non-States but not involved in military conflict. A notable instance in the United States involved Jose Padilla, who was detained by the United States based on secret information that alleged he offered to build and detonate a radioactive device for Al-Qaeda; Padilla was held for over three years before being charged and indicted in civilian courts.[10] Padilla's case is notable because he was treated by the United States government as a combatant, even though he was not found on the battlefield. Instead, he was picked up at an airport for possibly having connections to high Al-Qaeda members.[11]

This is just an example of a growing issue within the realm of laws relating to non-State actors; how is a State supposed to treat non-combat supporters? The issue is even more convoluted due to the fact that non-State actors can vary tremendously from highly organized militias to more criminal organizations whose involvement in armed conflict is even more questionable. Any reform on how to deal with non-State actors must handle this problem if it wishes to properly represent the changing nature of conflict in the future.

Yet another possible issue involves the responsibility of States when activities happen within their borders. The International Court of Justice in 1986 ruled in a case involving a conflict between El Salvador and Nicaragua that attacks carried out by non-State actors with involvement by a State can be considered to be an attack by the State involved. Thus, the country being attacked has the right to attack the other State involved under the legal cover of self-defense[12]. This concept has been upheld by the international reaction and support of the US strikes against the Taliban after September 11, 2001, under the justification that they had supported Al-Qaeda and thus the US had the right to attack in self-defense. However, several issues remain unclear. Grey areas still remain over how much force is required for strikes against the State, how much warning is needed to give out, who will provide this warning and the relations between the targeted State and non-State actor involved.[13] So far, much work on this issue has been limited to interpretations of International Customary Law by courts and the Security Council, so the development of a legal understanding to this issue has been slow and on a case-by-case basis.

*Conclusion and Questions to Consider*
As the first decade of a new century draws to a close, it is clear that if security and human rights are going to be maintained by the international community, major changes in the legal frameworks of non-State

---

[8] http://www.icrc.org/web/eng/siteeng0.nsf/html/terrorism-ihl-210705
[9] *Ibid.*
[10] http://www.michaelschmitt.org/images/4996terr.pdf, p. 26.
[11] *Ibid.*
[12] *Ibid.,* p. 45.
[13] *Ibid.,* p. 47.

actors is needed.  Current international laws were written in a different era, when most armed conflicts consisted of two or more States, or clearly armed and recognizable militia groups.  The growth of asymmetric warfare in developing countries, and between States and actors based in other States, as well as the growing capabilities of terrorist groups to organize massive attacks like the attacks in the United States, in Madrid, in Bombay and in London, has shown that the nature of combat has completely changed.  If international frameworks wish to remain relevant in armed conflicts, changes are a must to adapt to the changing environment.  This topic covers many different fields of international law and security, and it will clearly take a while for needed changes to take place.  For comprehensive change is to take place, a few issues must be discussed first:

1. Do the Geneva Conventions cover members of groups like Al Qaeda?  Should they?  Furthermore, how should apply these rules to combatants who were not picked up in a combat situation?
2. The nature and definition of what a lawful combatant and unlawful combatant.  Do the traditional definitions still apply, or is there a need for changing the definitions?
3. What responsibility should states have for the activities of non-state actors within their borders on other countries?  Details on the role of states on this issue and the proper procedure before an attack on the state are still underdeveloped, and further work is needed to be done.
4. Finally, the nature and definition of armed conflict needs to be reexamined.  The current definitions apply to a world where international conflict generally consisted of nation states fighting each other.  We now have several major conflicts in the world involving nation states and non-state actors outside of their borders, thus creating further grey area when it comes to the treatment of combatants involved.

With these issues solved, then it is possible that the capabilities of dealing with non-State combatants will improve, along with the human rights standards involved in armed conflict.

## II. Delivering As One: Developing a More Integrated UN Approach to Achieve Common Goals Within State and Regional Borders

*Overview*

"Delivering As One" is an incredibly significant report issued as the outcome of a series of high-level internal United Nations discussions of how to reform the United Nations to strengthen coordination and integration of various United Nations efforts. One of the most significant issues with coordination is that operations are divided within State borders on a topical level; for example, there may be a World Food Programme (WFP) office, a United Nations Children's Fund (UNICEF) office, and a United Nations Development Program (UNDP) operation in the same State, headquartered in three different cities with three separate command structures. A key component of the "Delivering As One" ideas is "One United Nations," which would streamline command and budgetary processes.

If implemented fully, this would result in one United Nations office in each State with ongoing UN operations, which would then have sub-command structures for each topical office; for example, there would be a United Nations Office for the country which oversaw WFP as well as UNICEF and UNDP operations from a budgetary and command standpoint, as well as assisting in coordination of efforts where these offices might otherwise conduct redundant operations. Additionally, on a regional and international level, Delivering As One addresses major needs such as prioritization of United Nations efforts and when the United Nations should work directly in a State and when it should support NGOs that focus on the topical area of need within that State, as well as what type of support that NGO should receive from the United Nations. Delivering As One has proven to be a significant topic of discussion, and while implementation has understandably trailed behind the discussion, it is at the very least a set of ideas the United Nations' leadership and a large group of member States support the consideration of and at best a systemic change to improve delivery of the UN's work at all levels.

*Introduction: The Necessity of Reform*

The international community has clearly identified the importance and necessity of reform in the funds, programs and agencies of the United Nations. At the country level, reforms are needed to prevent excessive administration costs and programs restoration. In addition, the extra involvement and cost that is needed to sustain a country program discourages and limits developing countries.[14] On the regional level, UN agencies are inconsistent in their definition of regional borders. Regional agencies are also inconstant in their purpose and effectiveness; some are progressing positively while others have drifted away from their mandates. Agencies on the country and regional level are in need of review and reform to improve their efficiency and prevent waste of UN resources.[15] Furthermore, it is necessary to reform UN agencies on a global level in order to alleviate the competition for resources and management which often results in misallocated funds. The competition has lead to ineffective merges and reduction of agencies. Global agencies are unable to sustain management of environmental issues in their area and the management of human rights issues such as displaced people has not been conducted properly, resulting in unaddressed issues, and expansion of problems.[16] One of the main underlying issues is limited and unreliable funding for agencies, which hinders the ability of the United Nations to plan and manage long-term strategic programs. The allocation of money is driven by the supply, not the requirement, of funds.

In addition to the lack of efficient funding and allocation, there is inefficiency in the structure and procedures of personnel and agency management. Kofi Annan stated in a 2006 report that the United Nations has not effectively taken advantage of concepts such as outsourcing. Annan states that rule set forth by the General Assembly in resolution 55/232 limits the United Nations with unnecessary

---

[14] http://daccessdds.un.org/doc/UNDOC/GEN/N06/621/41/PDF/N0662141.pdf?OpenElement
[15] *Ibid*.
[16] *Ibid*.

regulations and requirements for outsourcing and other cost-cutting mechanisms.[17] In this era of increased international dependence the world's resources and developing countries are in greater need of management; a portion of the worlds poorest States are lacking in economic integration and are increasingly vulnerable to devastation and social disorder. Increased levels of poverty, environmental mismanagement, underdevelopment and global security are issues the United Nations has attempted to address by developing and implementing Millennium Development Goals. However, the goals may not be adequately achieved unless the United Nations is effectively able to manage aid to developing States and communities.

The High Level Panel, organized by Sec. Gen. Kofi Annan in 2006, responded to inquires and concerns brought forth during the 2005 World Summit. The Panel concluded that in order to improve coherence the United Nations must start with a few essential principles of operation. One is to approach development plan funding on an on-demand basis to provide the necessary equipment and resources. Another proposed element is "core comparative advantage", in which measures are taken to ensure that the United Nations is adaptable and can respond to the structural needs of all States. That is, UN operations should provide leadership in areas in which they are most effective, and lend support to other organizations or governmental facilities where UN operations have been less successful. In addition, to achieve the greatest effectiveness and accountability it is important that United Nations personnel and operations are given extensive guidance on their responsibilities and power, ensuring the ability to hold them accountable for job performance.[18]

### *Reform initiatives implemented within the UN System*
In 2006, after requests from leaders at the 2005 World Summit, the United Nations introduced three landmark reviews that proposed essential modifications of the functioning system. First, professionals in public administration formed a steering committee and presented the "Comprehensive Review of Governance and Oversight". The report assessed administration and management of United Nations resources, funds and operations then advised improvements for the governing structures. Judiciary experts presented a "Review of the UN Internal Justice System", concluding that the active system was unproductive and outdated. The report argues for a revolutionized system of justice that is increasingly independent and decentralized.

The third report, from the Panel on System-Wide Coherence, was called "Delivering As One." This report essentially evaluates the best abilities and modification that the United Nations can use to fulfill its commitment to support States in achieving the Millennium Development Goals. Delivering As One is the idea that the United Nations needs to implement a series of reforms and recommendations that would create further cohesiveness and stability to increase the UN's ability to aid developing nations. Delivering As One calls for a more systematic and structured approach towards country programs and the strengthening of relationships between UN Headquarters and those operations. Furthermore, the panel calls for the consolidation and better control of resource management in order to unite the programs and projects of the UN and enable them to be more effective.

During the General Assembly's 61st session of 2007 the process of implementation and actualization of the proposed recommendations began.[19] A/RES/60/1 2005 adopted ideas of "system-wide coherence" in accordance with the outcome of the 2005 World Summit, implementing policies such as better coordination and stronger relationships between governing bodies and operations. For "operational activities" the resolution implemented reforms that are directed towards efficiency, coordination, and

---

[17] http://www.un.org/reform/investinginun/chap4.shtml
[18]"Delivering As One: Report of the Secretary-General's High Level Panel" (2006)
[19] http://www.un.org/reform/index2007.shtml

adequate leadership and resources. [20]

### *"Delivering As One" at the country level*

Delivering results at country level has become a major strategic road block for numerous United Nations operations. The expense of partnerships with the United Nations has become exponentially high for both recipient and donor countries. The United Nations is not able to maintain a comparable level of involvement in development programs with the rise of better-equipped NGOs and foundations. Most importantly, UN operations are not able to even maintain a sufficient degree of involvement to combine efforts effectively with rising ventures. [21] As stated in resolution A/RES/59/250, the country-level presence of the United Nations system should be tailored to meet the specific development needs of recipient countries, as required by their country programs. In order to "deliver as one," country programs should increase cooperation and coordination with United Nations headquarters and governing bodies.[22]

Better management from the center framework of funds and program details will lead to more efficient operations in general and lend flexibility to country-specific operations. System-wide coherence is essential for an organization such as the United Nations to operate successfully and manage its responsibilities. Resolution A/RES/59/250 further recommended the launching of the One United Nations country pilot programs, aiming to standardize the approach and resource availability to country-specific development operations. The initial set up was of 8 pilot programs established in Albania, Cape Verde, Mozambique, Pakistan, Rwanda, Tanzania, Uruguay and Vietnam, with the order to expand the program to 20 countries by 2009. The Sustainable Development Board was designed to oversee the One United Nations country pilot programs. The Board is responsible for the administration of funds and evaluations of results. Most importantly, the Board is to strategically organize the functioning system to ensure consistency and productivity within the pilot countries.   To ensure system wide coherence, the Board has equal geographical representation and substantial representation of developing States from the boards of the United Nations Development Programme (UNDP), The United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP) reporting to the Economic and Social Council. In addition, the United Nations Development Group (UNDG), created in 1997 by the Secretary-General, plays a major role in the analysis process of the pilot programs and development of the Delivering As One strategy. [23]

### *One United Nations Pilot Programs*

One United Nations, at the country level, was developed with a number of key features in order to ensure successful launching and sustainability. It was especially emphasized that there should be no inconstancies or inconsistencies between programs. An essential element of the programs is that the government of each State must sign off and agree to be involved in the implementation and development of the country program. Each country program needs to have powerful leadership, organization and accountability methods. Resident coordinators should manage their program strategically and with the maximum efficiency of funds and actions according to carefully evaluated results.  The financial dealings of each program should be under a single framework, extensively monitored and completely transparent in order to best mange allocated resources and prevent mismanagement. [24]

---

[20] World Summit Outcome (A/RES/60/1)" (2005): http://www.un.org/ga/president/62/issues/resolutions/a-res-60-1.pdf124.

[21] http://daccessdds.un.org/doc/UNDOC/GEN/N06/621/41/PDF/n0662141/pdf?OpenElement

[22] http://www.undg.org/docs/4143/N0449126.pdf

[23] "Delivering As One: Report of the Secretary-General's High Level Panel" (2006): http://www.un.org/ga/president/62/issues/resolutions/a-61-583.pdf

[24] *CEB/2008/1 - CEB Spring 2008 Sum of Conclusions- 20 May*, p. 4.

Eighteen months after the launching of the pilot programs, the information and data that were collected in the government reports, as well as the UN Country Team Stocktaking reports, were evaluated by the UNDG. An important aspect emphasized in the findings of the United Nations country programs was the necessity for Country Teams to extensively interact and work with the national government in order to successfully cater to the State's needs. The implementation of the country programs with clearer definitions of mandates and responsibilities has lead to the further participation of Non-Resident Agencies, encouraging joint programming and multi-organizational endeavors. Other recommendations include that Resident Coordinator positions should also be filled with local personnel and that country programs should look to local experts, keeping in mind the importance of gender balance within the facility leadership in management and government coordination.

By implementing the lessons learned from the initial pilot programs, new country programs will be better prepared with effective methods and have the chance to become more successful.[25] In February 2008, the Delivering As One Stocktaking Exercise and Fund summarized key points that identified major obstacles, and prioritized three reforms that should be implemented in 2008. These obstacles included the slow speed of reformation and response time from headquarters, combined with limited guidance and assistance. Moreover, funding was not as readily available to country programs as those programs were made to believe, resulting in unsuccessful program planning due to lack of funds. The three goals for 2008 are to provide adequate transition funds to ensure successful implementation, to vigilantly apply the lessons learned from the pilot programs to subsequent country programs, and to increase the speed and efficiency of support to programs from headquarters by reforming financial regulations and improving technology systems. [26]

### *Humanitarian assistance and the transition from relief to development*

In order for the United Nations to transition from relief-based efforts to programs that aid in development as well, it is important for UN programs to be adept in management of funding resources, as well be able to coordinate successfully with headquarters and governing bodies. The United Nations should work towards strengthening developing countries capabilities to respond to natural and humanitarian disasters. The United Nations also needs to be able to better understand its own capabilities by keeping better account of available disaster funds, such as improving the funding and reliability of the Central Emergency Revolving Fund and its ability to rapidly respond to such emergency situations. [27] The United Nations needs strong coordination between non governmental organizations such as the International Federation of Red Cross and Red Crescent Societies, to better deliver water, food and shelter facilities.

There is also a pressing need for the allocation and implementation of a well organized and structured program for internally displaced peoples (IDPs). There has been many discussions and presentations on this issue, with much interest in taking action, but there has been very little actually established to implement relief efforts. The UNDP must play a greater role in the relief efforts once the initial disaster relief has been put into practice. There should be more investment in risk reduction, as well as innovative disaster relief strategies. It is also important to frequently evaluate and test the performance and productivity of UN agencies and NGOs in order to ensure that they are completing mandates and efficiently using their limited resources. The executive Committee for Humanitarian Affairs has enhanced coordination between the humanitarian relief-based organization of the United Nations and its partners. Funds management still remains the basis of influence of the United Nations response abilities, but there needs to be further development of the good humanitarian donorship principle and more consistency in its

---

[25] *CEB/2008/1 - CEB Spring 2008 Sum of Conclusions- 20 May,* p. 5.
[26] www.unido.org/fileadmin/import/86655_Stocktakingexericise_summaryofkeypoints.pdf
[27] *"World Summit Outcome (A/RES/60/1)"* (2005): http://www.un.org/ga/president/62/issues/resolutions/a-res-60-1.pdf

assistance.[28] In summer of 2006, the Tsunami Evaluation Coalition put out a statement saying that an effective transition from relief to development should contain political mediation and economic and social stabilization efforts. This strategic planning can be handled proficiently by the United Nations Development Programme, with proper funding and resources.

*Environmental action*
Yet another area to be strengthened is environmental management efforts from the United Nations, including enhanced coordination and advanced technological facilities. In addition, they need to work with scientific agencies and international treaties in order to create sustainable and capable environmental management programs for the international community.[29] The United Nations System-Wide Approach to Climate Change places high priority on cooperation and coordination with national governments and NGOs to ensure that actions taken in a country are applicable and possible under current positions.[30] Decision and facilitation of the five main areas of environmental management should be strengthened through existing United Nations programs such as UN-Energy, UN-Water, and UN Oceans. In addition, the United Nations should take its own action to ensure the environmental awareness within its organization, and work towards "green" United Nations facilities and headquarters.

A larger emphasis must be put on the implications of transitioning economies in developing States. Issues such as energy prices and their impact on impoverished societies and on the environment is a major aspect of management that deserves more attention from UN operations.[31] The UN, through bodies such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), should develop better educational facilities and a global network of consolidation and data collection of which industries cause the most environmental degradation, in order to develop appropriate and specific management methods. Intergovernmental consultation efforts are also essential to the further development of environmental management programs.[32]

*Cross-cutting issues with an integrated approach: Gender Mainstreaming*
Assuring gender equality and the active promotion of gender mainstreaming is an important aspect of "Delivering As One". In addition to efficient funds management and organizational developments, it is important to create a system-wide strategy on tackling internal United Nations structural inconsistencies. Gender equality in United Nations programs should be implemented in the country programs, utilizing "gender specialist resources" to encouraging better understanding of gender-related issues of development. This requires the review and enhancement of gender specialist resources and creation of specific, defined mandates for development and education programs, including increased support for the resources available from the United Nations Development Fund for Women (UNIFEM).

The equal representation of women at official levels of the United Nations in both headquarters and field activities is essential to the progressive development of the organization.[33] To promote the achievement of this goal, the Secretary-General recommended to the General Assembly the creation of a new executive position of Under-Secretary-General for Gender Equality and Empowerment of Women to lead the movement and structural reorganization of the United Nations to ensure that gender equality is a key

---

[28] *CEB/2008/1 - CEB Spring 2008 Sum of Conclusions- 20 May*, p. 5.
[29] *World Summit Outcome (A/RES/60/1) (2005)*: http://www.un.org/ga/president/62/issues/resolutions/a-res-60-1.pdf
[30] *CEB/2008/1 - CEB Spring 2008 Sum of Conclusions- 20 May*, p. 10.
[31] *Ibid.*, p. 12.
[32] *Ibid.*, p. 13.
[33] http://www.undg.org/docs/4143/N0449126.pdf A/RES/59/250

component of all One United Nations country programs.[34] In November 2006, the General Assembly implemented the Secretary-General's recommendation.[35]

*Conclusion*

One of the most pressing issues facing the General Assembly, and the entirety of the United Nations, is developing a system of support that is able to keep up with the high demand of financial and logistical aid required by UN country programs. The United Nations needs better technologies and structural readjustments to be able to respond to emerging humanitarian and environmental problems. Furthermore, gender equality and gender mainstreaming efforts, as well as environmental sustainability, should be given special priority in the reformation and the development of new United Nations operations.[36] The preliminary informal meetings of the 62nd session of the United Nations General Assembly were dominated with discussions on the progress of System-Wide Coherence recommendations were taken into consideration from a report developed by extensive intergovernmental consultations done by the President of the General Assembly with the Co-chairs of the Sustainable Development Board (the Permanent Representative of Ireland and the Permanent Representative of the United Republic of Tanzania).

The report advised that it is crucial in 2008 for the United Nations governing bodies to implement the necessary reforms and recommendations in order to ensure the success of the United Nations country programs.  In moving forward, the General Assembly will need to review the "Delivering As One" report, the ideas behind the specific recommendations and the recommendations themselves to develop a specific plan of reform for the execution of United Nations work on all levels.

*Questions to Consider*
1. What are the essential "delivery" problems associated with the United Nations, and what are the ramifications of these problems in terms of conditions on the ground for field operations, and for budgeting and oversight conditions at United Nations Headquarters?
2. Is the risk posed by One United Nations programs, of excessive bureaucracy and muddling of duties between programs in a specific State, greater than the benefits of streamlining and augmentation of topic-specific UN efforts created by the same consolidation and coordination?
3. Will implementation of certain recommendations in the "Delivering As One" report renew and expand donor trust in United Nations country programs, or erode that trust further?
4. Will State governments in program countries be more or less willing to sign off on programs within their borders as a result of the implementation of "Delivering As One"?
5. Is your State a donor country, a program country, both or neither? Given this status, what does your State believe should be consolidated and which programs, if any, should be kept separate from consolidation under a single United Nations office in a State?

---

[34] "Delivering As One: Report of the Secretary-General's High Level Panel" (2006):
    http://www.un.org/ga/president/62/issues/resolutions/a-61-583.pdf
[35] *Ibid*.
[36] http://www.un.org/ga/president/62/letters/usgswc280708.pdf

# III. Security Council Reform

*Overview*
s

*History and Initial Calls for Reform*
The Security Council is established as one of the primary organs of the United Nations under Chapter V of the *Charter of the United Nations*.[37] Its membership was originally defined as consisting of eleven members, five of which are permanent and known as the P-5; these permanent members were defined as China, France, the USSR, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.[38] The other six members constituted the non-permanent membership of the Security Council; half of this membership is elected each year by the General Assembly for two-year terms.[39] Amendments to the Charter, proposed in GA Resolution 1991 A, were finalized in 1965 that expanded the Council from eleven to fifteen members, setting the current number of members where it is today.[40] In 1971, General Assembly Resolution 2758 recognized the People's Republic of China as a successor State to the Republic of China, which had held the China seat in the United Nations since the foundation of the UN and even after its expulsion to Formosa following the Chinese Civil War.[41] Finally, in December 1991 the dissolution of the Soviet Union allowed Russia to claim its seat and request the change of name from "The Union of Soviet Socialist Republics" to the "Russian Federation."[42] After the succession of the Russian Federation to the Soviet Union's seat in the United Nations and consequently the Security Council, the structure of the Security Council seen today was established. The permanent membership, in addition to aiding in the long-term influence of the five States, also has the benefit of the veto; without the "concurrent vote" of all of the P-5, no draft resolution (or other form of substantive action) can be taken.[43]

The expansion of the Security Council's membership added four new non-permanent members in 1965; subsequent to this expansion, five non-permanent members rather than three have been elected each year by the General Assembly.[44] The non-permanent members are elected from the regional groups within the United Nations, which consist of the African States, Asian States, Eastern European States, Latin American and Caribbean States, and Western European and Other (WEOG) States.[45] The Asian and African States collectively have five seats, the Eastern European States one seat, the Latin American and Caribbean States two and the WEOG States two; subsequent to the establishment of this system in 1965, the Asian and African groups settled with Africa holding three seats and Asia two, and one Arab State represented among the five and alternating between African and Asian Arab States.[46]

Major complaints against the Security Council revolve around the membership and the veto, and their impacts. The veto has often seemed at odds with the United Nations' stated promotion of democracy and equality among States, and provoked opposition in this respect. As of August 2006, eleven United Nations Member States, and the Non-Aligned Movement (NAM) which includes dozens more, were publicly supporting the complete abolition of the veto; of course, this is nearly impossible, as the veto-

---

[37] http://www.un.org/aboutun/charter/chapter5.htm
[38] http://www.un.org/aboutun/charter/introd.htm
[39] http://www.un.org/aboutun/charter/chapter5.htm, Article 23.
[40] *Ibid.;* http://www.globalpolicy.org/security/reform/2008/032008reform.pdf, page 2.
[41] http://www.un.org/docs/journal/asp/ws.asp?m=A/Res/2758(XXVI)
[42] http://query.nytimes.com/gst/fullpage.html?res=9D0CEFDB1139F936A15751C1A967958260
[43] http://www.un.org/aboutun/charter/chapter5.htm, Article 27 (3).
[44] http://www.un.org/aboutun/charter/chapter5.htm, Article 23.
[45] http://www.unis.unvienna.org/documents/unis/Fact02engl.pdf, page 2.
[46] http://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/SC%20Election%20ARES%201991%20A%20(XVIII).pdf

holding States have the opportunity to use their veto against a Security Council resolution amending the Charter to remove their veto.[47]

The membership issue began being raised almost immediately after the beginning of meetings of the Security Council following the creation of the UN and the end of World War II.[48] Following the Gulf War, which itself had great United Nations involvement as compared to previous conflicts due to the end of the Cold War, Germany and Japan demanded permanent seats on the Security Council due to their large impact and contributions to United Nations efforts during that conflict.[49] As other major States within given regions such as Brazil, India, Egypt, South Africa, and Nigeria, each of which were large contributors to the United Nations general and peacekeeping budgets as well as regional leaders, began to demand permanent seats for themselves as well, it appeared as though the consensus for reform was building as it had throughout the 1950s and 1960s prior to the Charter amendments of 1965.[50]

However, each of the States demanding permanent seats for themselves had regional rivals with comparable regional, if less global, power that opposed their potential permanent status, sometimes quite vehemently.[51] Examples of this include Pakistan's opposition to India, Argentina's to Brazil, China's to Japan, Italy's to Germany, and the opposition of Egypt, South Africa and Nigeria to permanent status for each of their fellow African aspirants; sometimes this is for the reasons of long-standing conflict, other times out of the fear of threats to their own status, but a great deal of the time these oppositions are due to the impression that additions to permanent membership are a zero-sum game within regions, and thus a regional rival's accession to permanent membership spells the end of their neighbor's hopes for a similar inclusion to permanent Security Council membership.[52]

*Proposed Reforms to Membership*
Membership reform became a stronger option when Brazil, Germany, India and Japan agreed to back one another's bids for permanent membership and collectively propose a reform package; the four States are now labeled the Group of Four (G-4) and their proposals known as the G-4 Proposals, which are the first of three major proposals for membership reform.[53] Initially supporting veto power for themselves, the G-4 has gradually postponed that goal (for at least 15 years) and amended its proposals; the most current G-4 Proposal would add six permanent seats to the Security Council as well as four non-permanent seats.[54] The six permanent seats would be divided by region, with four assigned to the regions of the G-4 themselves and the other two assigned to Africa, and an electoral process instituted with the clear goal of installing themselves in the seats assigned to their region.[55] The fifteen-year postponement refers to a clause in their draft resolution which would call for a review of the veto question in fifteen years after the installation of the six new permanent members.[56]

The second major membership reform proposal is known as the African Union proposal and was outlined in a draft resolution submitted by Ghana, Nigeria, Senegal and South Africa.[57] The proposal would expand the Security Council from fifteen to twenty-six and is generally similar to the G-4 proposal, only

---

[47] http://reformtheun.org/index.php?module=uploads&func=download&fileId=2915; http://www.globalpolicy.org/security/reform/2005/0713theses.htm, Part 19.
[48] http://www.globalpolicy.org/security/reform/2008/032008reform.pdf, page 2.
[49] *Ibid.*
[50] *Ibid.*, pages 2-3.
[51] *Ibid.*
[52] *Ibid.*, page 3.
[53] http://www.globalpolicy.org/security/reform/2005/0713theses.htm, Part 7.
[54] http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1618, op. 1.
[55] *Ibid.*, op. 2.
[56] *Ibid.*, op. 7.
[57] http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1715

slightly more hard-line and with minor deviations.[58] In addition to the deviation of the final membership count (twenty-five in the G-4 proposal and twenty-six in the AU proposal), the proposal differs in its level of specificity, being more vague than the G-4 proposal on the timeline and methods of implementation but more specific in defining the regional blocs of the four non-permanent seats to be added to the Security Council as two for African States, one for Asian States and one for Eastern European States.[59] As with the G-4 Proposal, the AU proposal would create six new permanent seats, also with two for Africa, two for Asia, one for Latin America and the Caribbean and one for WEOG States.[60] The draft resolution is more hard-line for expansion in that it would give the new permanent members the veto explicitly; the entire document is based on the AU's Ezulwini Consensus of 2005 which included the veto for new permanent members.[61]

Finally, the "Uniting for Consensus" Group, which consists largely of the aforementioned regional rivals to G-4 and other permanent-seat aspirants (including Pakistan, the Republic of Korea, Argentina and Italy) as well as Canada, Mexico and Spain proposed an expansion without new permanent membership.[62] Their draft resolution would add ten non-permanent members to the current rotation of ten, also increasing total membership to twenty-five.[63] The seats are also defined in their draft resolution, as with the AU Proposal; the Uniting for Consensus proposal would add three African seats, three Asian seats, one Eastern European seat, two seats from Latin America and the Caribbean, and one additional seat for the WEOG States.[64] The other major change is that regional groups would be able to waive the ban on immediate re-election to the Security Council.[65] This would set up the potential for a sort of elected oligarchy of quasi-permanent members who would be elected and re-elected indefinitely barring a lack of support from their regional bloc.

It is also worth noting that much of the content of the membership reform proposed by each of these three groups influenced and were influenced by the report of Secretary-General Kofi Annan's *High-Level Panel on Threats, Challenges and Change*, which was released at the end of 2004. It proposed two options that were collectively known as the "Grand Bargain" option for reforming Security Council membership, without taking a position on the benefits of either with regards to the other; the Secretary-General also returned to this position (advocating both without choosing between them) in March 2005's *In Larger Freedom*, his follow-up report to the whole of the Panel's report and the strongest call made by the Secretary-General for reform during his tenure.[66]

The first proposal, known as Model A, would have added six permanent seats without veto and three non-permanent seats to the Security Council.[67] The second, known as Model B, would have added one non-permanent seat and created a "middle tier" of eight non-permanent seats with four-year terms; these four-year terms would be renewable but the two-year terms would remain non-renewable.[68] The similarity of the G-4's final proposal to Model A likely subverted it from being an option in its own right, but Model B still is discussed as an option by observers of the Security Council reform process. (It should also be noted that the reforms "implemented" by this conference's Secretariat to the Reformed Security Council are based off of an earlier version of the G-4 proposal.)

---

[58] *Ibid.*, op. 1 ("*Resolves* […]")
[59] *Ibid.*
[60] *Ibid.*
[61] *Ibid.*
[62] http://www.globalpolicy.org/security/reform/2008/032008reform.pdf, p. 3.
[63] http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1710, op. 1.
[64] *Ibid.*, op. 3.
[65] *Ibid.*, op. 2.
[66] http://www.globalpolicy.org/security/reform/2008/032008reform.pdf, p. 5-6.
[67] *Ibid.*, p. 4.
[68] *Ibid.*

*Proposed Reforms Related To Working Methods*
Membership plays a serious role in the discussion of the working methods of the Security Council, so even working-methods reforms will be influenced by the ongoing membership reform discussion. For example, one of the primary criticisms of the Security Council is the consolidation of power in the hands of the P-5, but it has been argued by the Global Policy Forum that the proposed solution of adding membership would lead to the creation of Executive Committees within the Security Council – an outcome likely to consolidate power in a more official capacity than before.[69] The addition of permanent membership, rotating regional veto-holding seats, or non-permanent membership will also have a substantial impact on the working-methods reform of another major Security Council problem, the lack of institutional memory among non-P-5 States.[70] There is a nascent consensus that working-methods reform is vital to the Security Council Reform discussion despite its less-prominent role in the debate, as is evidenced by the inclusion of working-methods reform in the AU Proposal (though vaguely and only in perambulatory clauses), the G-4 Proposal, the Uniting for Consensus Proposal and the reports of the High-Level Panel and the Secretary-General.

The focus of the G-4 Proposal's working-methods reform package is predominantly about transparency of SC work and inclusion of non-members in certain works of the Security Council where appropriate.[71] Troop-supplying States and States affected by sanctions, for example, would be able to take part in committee meetings dealing with the conflicts or sanctions, respectively, that they would be affected by, and to make available to all member States of the United Nations the documentation of Security Council work, including records from closed meetings, tabled draft resolutions and other draft documents.[72] Additionally, the Security Council would submit a report to the General Assembly annually, documenting that year's work.[73] The Uniting for Consensus Proposal bears striking similarities to the G-4's in terms of its stress on transparency of Security Council work, and also recommends the inclusion of non-Security Council members in the SC-level discussion of issues concerning them.[74] However, the first working-methods reform listed in the Uniting for Consensus group's draft resolution is "restraint on the use of veto."[75] Thus the priorities differ between the groups on both SC working methods and membership.

There is an additional working-methods reform proposal, which concentrates solely and in greater detail upon working methods, put forth by the S-5, which consists of Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland.[76] In addition to encompassing the recommendations regarding transparency and inclusion put forth by both the Uniting for Consensus group and the G-4, the S-5 Proposal recommends an interactive presentation, complete with a question-and-answer, of the Security Council report to the General Assembly annually; regular reports to the GA as events happen of a broad-based nature such as changes in sanction regimes or peacekeeping operations; a review of implementation mechanisms and their effectiveness; greater recourse for sanctioned States to speak to the Security Council about adverse economic effects on their populations; a public explanation of each veto cast that would be entered into the public record; and a ban on vetoing proposed action related to "genocide, crimes against humanity, and serious violations of international humanitarian law."[77] Finally, the recommendations include that the Security Council Division of the Department of Political Affairs

---

[69] http://www.globalpolicy.org/security/reform/2005/0713theses.htm, part 15.
[70] *Ibid.*, parts 2 & 18.
[71] http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1618, op. 8.
[72] *Ibid.*
[73] *Ibid.*
[74] http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1710, op. 7.
[75] *Ibid.*
[76] http://reformtheun.org/index.php/issues/1737?theme=alt4
[77] http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1686, Annex Parts 1, 2, 7, 8, 11, 13, and 14.

prepare a briefing manual for States added to Security Council membership that could ostensibly be used both for new non-permanent members beginning their two-year terms or any State added to the Security Council under the membership-reform proposals.[78]

### *Conclusion*

United Nations member States have a range of different opinions on all of the reform packages proposed and no consensus has yet to be reached.[79] However, there is a consensus in identification of a range of issues needing improvement with the Security Council in the fields of both working methods and membership. The Security Council needs to be more open and transparent, and not comply with such requests in formal session while conducting informal session outside of public scrutiny. The Council must also publish its work and its proposed ideas, and involve other States in the discussion, if not necessarily the vote, on issues those States have a stake in. Finally, the Council must resolve the membership question in a fashion that can last and can make it through the numerous roadblocks a reform package must navigate prior to implementation.

### *Questions to Consider*

1. Does your State benefit from the status quo, or does your State believe it is left out of the power discussions and the rooms where the 'real' decisions are made?
2. Does your State have a reasonable expectation under any proposal to gain access to the rooms where those decisions are made, either directly or through a regional ally?
3. Does your State have a realist view of the ideal structure of the United Nations Security Council, such as one that favors efficiency, effectiveness and competence, or a more idealistic view favoring openness, transparency and democratic processes? Can these two views be reconciled, or is reform essentially a zero-sum game where there must be a trade-off?

---

[78] *Ibid.*, Annex Part 18-19.

[79] All of the country voting information and positions can be found at the following link under "overview of member states positions": http://www.reformtheun.org/index.php/issues/93?theme=alt4