



A Speech by

**The Minister for Foreign Affairs
The Hon Alexander Downer MP**

To the
Lowy Institute and International Peace Academy conference
“Asian Approaches to Peace and Security and the Role of the
United Nations”

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Introduction

Thank you [MC]

Distinguished guests, ladies and gentlemen

Let me congratulate the Lowy Institute, with the International Peace Academy, on its first international conference...

...and for drawing together such a distinguished and experienced range of participants.

I must admit to being intrigued by the conference theme of “Asian approaches to peace and security and the role of the UN”.

The fundamental focus of Australia’s foreign policy is on achieving outcomes that enhance our security and prosperity.

Thus the Government’s foreign policy has been overwhelmingly pragmatic, relying variously on bilateral, regional and multilateral approaches to the outcomes we have sought.

And we have delivered in Iraq, East Timor and Solomon Islands.

As individual nations and members of the international community I think we all want outcomes that address effectively the serious security and prosperity challenges of our times.

And there is no doubt that these challenges are very different to those at the conception and birth of the United Nations.

Today, our security is shaped by the terrorist threat that struck in the September 11 and Bali attacks; our prosperity by the march of globalisation.

In this environment, where so many interactions and relationships are transnational in nature – whether security or economic – we cannot afford to limit our thinking on how we can best build security.

We cannot allow threats or problems to fester.

More than ever we need results-oriented practical responses and cooperation.

Above all process can be no substitute for effective outcomes.

The UN and International Action

The international legal system – at its core the UN and international laws – retains a unique and important role in international efforts to build security and prosperity.

We all acknowledge, however, that the UN system needs reform if it is to deal effectively with 21st century realities.

We know that the UN system can achieve important results – East Timor was very much an Australian and UN success story.

We also know that too often it has failed to deliver, bogged down in its own internal processes and wrangling – sometimes with disastrous consequences.

I would argue that it is this inaction of the many, as we saw over Rwanda, rather than the actions of a few, as in Iraq, that poses the greatest threat to the credibility of the multilateral system.

Australia has long advocated the need for a more focused and efficient UN system

- poor or slow international action offers comfort and opportunity to terrorists and those who flout international laws or commit gross abuses.

As Secretary General Kofi Annan told the 58th General Assembly last year, the UN has come to a fork in the road

- a wide-ranging reform agenda must be pursued if the UN system is to serve international peace and security and the needs of its members in the 21st century.

The Government shares this view: the UN and international laws and institutions must change and evolve if they are to remain relevant.

We recognise the complexity and sensitivity of many of the questions at hand.

For instance, threats from non-state actors and conflicts within states are more regular than wars or conflicts between states.

We must face the reality that notions of security and conflict are no longer simply definable as issues between states

- and that states need to think differently about their security and international cooperation.

Similarly, traditional concepts of sovereignty as absolute and inviolable cannot go unexamined.

Let me assure you that I am a strong believer in the central importance of sovereignty

- and that Australia, as a modern and democratic nation, places a very high value on sovereignty and has enormous respect for the sovereignty of others.

But the idea that what occurs within a state's borders remains absolutely beyond the reach of outside intervention is problematic and ultimately unsustainable.

In the face of genocide or human rights abuses on a horrendous scale the nations of the world must act

- perpetrators cannot be simply left free to act, whether they do so inside their own border or internationally.

We must develop better strategies and understanding of the bases for responding to such challenges.

It is important to distinguish between an “intervention to achieve humanitarian goals” and what has been dubbed as “humanitarian intervention” within international legal circles.

Humanitarian intervention is an evolving principle, mooted as a legal basis for intervening to achieve humanitarian goals

- and is just one of the possible legal bases for such intervention.

Other legal bases can include UN Security Council Resolutions or formal invitations by States.

Concepts of humanitarian intervention are not new – and can be traced back to the seventeenth century.

Since 1945 the UN, through the Security Council, has had the capacity to authorise the use of force to maintain or restore international peace and security

- which as we know too well today can be threatened by widespread human rights violations.

The Cold War period limited the usefulness of this mechanism but with its passing we now see a substantial change in the concept of humanitarian intervention and its practice.

While not yet an established norm in customary international law, the principle of humanitarian intervention has clearly

emerged as an influential factor in determining the responses of members of the international community in situations where inaction would result in massive human rights violations.

We should support international efforts to address issues surrounding humanitarian intervention productively...

...to ensure we get a sensible result which is workable and flexible...

...but which also proscribes self-interested and unjustifiable interventions.

Like the work of the Canadian-backed International Commission on Intervention and State Sovereignty...

...headed by my predecessor Gareth Evans and Kofi Annan's Special Adviser Mohamed Sahnoun.

Its report – “Responsibility to Protect” – provides a useful intellectual framework for developing further international dialogue on the issue of our response to humanitarian crises.

It also helpfully reflects the practical realities we face in addressing situations of concern.

Ladies and gentlemen

Against this background of a changing and evolving environment, the international community must develop better strategies and understanding of the appropriate legal bases for responding to such challenges.

And we must strengthen the capacities of our international institutions to respond quickly and effectively to our needs.

In this regard, structural reform, and especially reform of the conduct and composition of the UN Security Council, will be fundamental to improving the relevance of the UN.

In our view, the Security Council must be reformed to make its composition more compatible with current geopolitical realities.

For example, Australia has advocated expanding the permanent membership of the Security Council with the addition of Japan, India, Brazil, Indonesia and an African nation.

Similarly, UN electoral group structures need to be updated to reflect changes in the international system – such as the enlargement of the EU.

As I noted during the General Assembly last year, Australia could become part of an East Asia and Pacific grouping.

And the old divide between East and West Europe could be adapted to reflect the new, converging European reality.

In addition to these areas, Australia has long been an advocate of reform of the human rights treaty body system.

The sceptics among you might think reform in this area borders on the impossible.

I can tell you it is not. But it takes a smart approach, hard work and determination.

The Government proved this point with our 2000 initiative to reform the human rights treaty body system.

Our initiative was greeted with scepticism, particularly by some human rights NGOs, who suggested we were trying to weaken the UN system, not strengthen it.

But we, and others, persisted with our initiative until the need for reform of these bodies was widely recognised within the UN system – from the Secretary-General down.

Now the treaty bodies themselves are implementing efficiencies in the way they work, in the recognition that this will ultimately benefit the lives of ordinary people throughout the world.

We are encouraged by the success thus far of our initiative.

But more work needs to be done. Some of the treaty bodies still exceed their mandates and duplication remains.

A broader challenge remains to ensure the momentum for reform is maintained and capitalised upon.

In this regard, Australia is pleased that these issues are central to the work of the Secretary-General's High Level Panel on Threats, Challenges and Change.

We applauded the establishment of the Panel last year and continue to give it strong support

- providing \$100,000 to fund its work and other resources.

Our mission in New York has contributed actively to the panel's work, including by co-convening the Greentree seminars on UN reform.

We encourage the Panel, in its remaining deliberations, to continue to work towards ambitious recommendations

- on all its work program – including Security Council reform, addressing threats from WMD and terrorism, humanitarian intervention and other questions about effective collective action.

Australia: Achieving Outcomes

Ladies and gentlemen

A reformed and more efficient UN system and evolving international laws with effective implementation strategies will be a boon for global peace and security.

But other activities and cooperation can – and must – play a role in establishing a safer and more stable world.

Reality demands this approach.

And yet some would have us believe that regional or bilateral or even coalition action somehow undermines multilateral efforts.

This is simply not so.

The reality of the contemporary environment is that we must be focused and active at all levels – and through a complementary range of activities.

Indeed, practical action can strengthen international security by delivering outcomes where the multilateral system is failing its members.

Iraq was such a case.

Some argue that military action in Iraq undermined the UN.

But we must not forget that it was Saddam Hussein who was undermining the international system over a period of 12 years

- refusing to comply with the wishes of the international community through 17 mandatory UN Security Council resolutions to verifiably terminate his weapons of mass destruction and long-range missile programs.

His refusal to do so justified the action to remove his threat to peace and security

- one should think of the consequences for the authority of the UN Security Council had it not enforced its resolutions, including the unanimously adopted 1441.

Today, thanks to the actions of the Coalition of the Willing, Iraqis are free of the brutal regime of Saddam Hussein.

And with that they are working hard to establish a democratic Iraq and move beyond the human suffering, oppression and war-mongering of Saddam's cruel dictatorship.

But Iraq is not the only example of practical action working to support the multilateral system.

Australia – and some 60 other countries – has very much welcomed the Proliferation Security Initiative.

It is an initiative which, operating within international and national laws, promotes practical measures to impede and interdict illicit flow of WMD related-materials and technology

Australia sees the PSI as important for the Asia Pacific

- it will help stop cheating on international rules and control regimes throughout the vast and complex waterways and transport routes distinctive to our region.

Ladies and gentlemen

Australia is pursuing other practical initiatives in our region which support our goal of a strong and effective global regime for counter-proliferation and WMD control.

One initiative we are taking to address the threat of nuclear terrorism is to host a regional ministerial-level meeting on nuclear safeguards and security in Sydney on 8 and 9 November.

We are facing up to the clear threats posed by North Korea's stance and taking responsible action

Including strongly supporting the Six Party Talks process including through our direct links to North Korea's leaders.

As you may know, I visited North Korea recently.

I urged North Korea's leaders to respond positively to the proposals tabled at Six Party Talks in Beijing in June

- and to grasp this opportunity to dismantle fully its nuclear programs, with all the benefits of international political and economic engagement this would bring.

On terrorism, Australia has fully supported the work of the UN

- ensuring Jema'ah Islamiyah was listed as a terrorist organisation in 2002 and promoting compliance with the UN's terrorist asset freezing regime in the region.

But we have not been content to rest there.

Australia has committed considerable energy and resources to build wide-ranging counter-terrorism cooperation in our region

We are committed to building understanding and taking action as part of a comprehensive approach.

Indeed, we underline this commitment in the key messages we convey to our partners in the region and to Australians, namely:

- that our efforts to stop a minority of Muslim terrorists is not a war on Islam

- that Muslims are as much the victims of terrorist attacks and must defend themselves
- and that we must demonstrate to the world and our citizens the unwavering commitment of Muslims and non-Muslims alike to defeat terrorism together.

The actions we have taken and measures we have promoted have drawn on strong cooperation across the region, including

- under our bilateral counter-terrorism arrangements
- through regional counter terrorism ministerial meeting Australia and Indonesian co-hosted earlier this year
- and our efforts in setting up with Indonesia the Jakarta Centre for Law Enforcement Cooperation

Regional law enforcement cooperation has achieved results – helping to detain over 300 people linked to Jema'ah Islamiyah.

These mechanisms and initiatives are complemented by good use of the regional architecture already at our disposal

- including the Five Power Defence Arrangements, APEC and the ASEAN Regional Forum.

Conclusion

Ladies and gentlemen

Issues of UN reform and illustrations of Australia's action to achieve better security are all part of a larger question facing us

- that is, how do we best achieve security and prosperity for our nations, our regions and as an international community?

We look to the UN reform process to provide opportunity and direction to strengthen this key international institution

- and in doing so realise that it is our ambition and contributions as individual member states of the UN which must help drive that process forward.

We also look to our actions and approaches to building peace and security as nations and collectively a region

- and realise that our cooperation with one another will always be most effective where we focus on achieving outcomes rather than processes

Ultimately the benchmark by which we must measure our achievements are the outcomes we secure

- whether through the UN system or through collective or individual action
- foreign relations should not be about the abstract but about making real and positive improvements in the security and prosperity of our peoples.

The program for this conference ensures you have the opportunity to discuss these key issues.

I trust that you have already done so with vigour, rigour and imagination today

- and will continue to do so tomorrow.

The ideas, momentum and ambition generated by conferences such as this are vital.

Such discussion and initiative must continue and grow throughout 59th General Assembly

- as the High Level Panel continues its work
- and throughout the UN Heads of Government summit in New York a year from now.

We hope the High Level Panel will come forward with specific, ambitious proposals for reform on humanitarian intervention, conflict prevention and institutional reform.

My congratulations again to the Lowy Institute making its first international conference such a timely and relevant one.

And for the invitation to speak to this distinguished audience this evening on issues of enormous personal and professional interest to me

- and which remain at the heart of our future security and prosperity – as individual nations and as partners in the region.

Thank you.