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Dr Michael Fullilove  
Program Director  
Global Issues  
Tel. +61 2 8238 9040  
mfullilove@lowyinstitute.org

# ANGELS AND DRAGONS: ASIA, THE UN, REFORM, AND THE NEXT SECRETARY-GENERAL

## EXECUTIVE SUMMARY

*The relationship between the UN and Asia can seem unfamiliar and distant. Most of New York's energy is consumed by the Middle East and Africa rather than Northeast, South and Southeast Asia; the international organisation can seem Atlanticist in orientation. On the other side of the Pacific Ocean the strict view of state sovereignty adopted by many Asian capitals leads them to keep the UN at arm's length. As always, however, the story is more complex: we need to differentiate between the UN's work in Asia on the one hand, and Asian behaviour at the UN on the other. Since 1945, the UN has contributed to the Asian security order but only at the margins, its security role circumscribed by power politics and Asian approaches to security. By contrast, Asian states have always been keen to exercise their prerogatives in New York, viewing their UN activities as a marker of sovereignty and a source of prestige. The Brief reviews this history and sets out the current stances of the three major regional powers — China, India, and Japan — towards the UN.*

*The next eighteen months will be an important period in UN-Asia relations. A reform process is underway in which Asian states are playing an influential role, and Kofi Annan's successor as Secretary-General is expected to be an Asian. It is argued here that the historical tension in the relationship is evident in contemporary reform discussions, with Asian states more focused on Security Council reform than on those reforms that might conceivably involve the UN more deeply in Asian security issues. Not all capitals are behaving in predictable ways, however. This Issues Brief previews the September World Summit on UN reform and examines the prospects for an Asian Secretary-General, which could thicken Asia's interactions with the UN.*

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#### Introduction

The locus of international power is moving towards Asia, as the world's most populous region also becomes its most dynamic. The two Asian mega-states, China and India, with nearly two and a half billion people between them, have been among the fastest growing economies over the past decade; at current growth rates China will have the world's largest economy, and India the third largest, in less than twenty years.<sup>1</sup> Equally impressive growth curves could be charted to measure the increasing confidence, diplomatic dexterity and hard power possessed by several Asian states, notably China. Asian capitals have nearly nine million active duty service personnel under their command — not to mention the foreign personnel stationed in the region.<sup>2</sup> India and Japan are currently lobbying for membership of the globe's most exclusive club — the permanent membership of the Security Council — and the expectation is that the next Secretary-General of the United Nations will be an Asian.

Nevertheless, the historical distance that has existed between the region and the international organisation persists. Observers estimate that about seventy per cent of the Council's time is spent on the Middle East and Africa; the situation in East Timor is about the only Asian issue that comes before it with any regularity. None of Asia's major security challenges — on the Korean peninsula, across the Taiwan Strait and on the subcontinent — are likely to appear on the Council's agenda sheet. On this side of the Pacific, the strict view of state sovereignty adopted in most Asian capitals and the emphasis placed on the norm of non-interference, keeps the UN at arm's length. Veteran Singaporean diplomat Kishore Mahbubani has, for example, bemoaned the 'loud silence from Asia' on

the reform of international institutions. Of the limited attention given to multilateralism in Asia, almost all is reserved for regional organisations such as the Association of Southeast Asian Nations (ASEAN) Regional Forum and the East Asian Summit. (Even these institutions are relatively weak: compared to the 'alphabet soup' of regional organisations in Europe, Asia only serves 'thin gruel'.)<sup>3</sup>

A conceptual distinction should be made, however, between the UN's work in Asia, and Asian behaviour at the UN. Since 1945 the UN has contributed to the Asian security order but only at the margins, its security role circumscribed by power politics and Asian approaches to security. By contrast Asian states have always been keen to exercise their prerogatives in New York, viewing their UN activities as a marker of sovereignty and a source of prestige and finance. Two statistics tell this story: despite the scale of the regional security challenges, in June 2005 only two-tenths of 1% of UN military and civilian police personnel were deployed in Asia; however, the top four contributors of such personnel to UN operations were all Asian states.<sup>4</sup>

After reviewing the relevant history this paper analyses three aspects of contemporary UN-Asia relations. First, it reviews the approaches to the UN pursued by the three major Asian powers — Japan, India and, in particular, China. Second, it provides a progress report on the current reform process, due to come to a head in September, in which Asian states are playing influential roles. The historical tension in the relationship between the region and the international organisation is also evident in these discussions, with Asian states more focused on Security Council reform than they are on those reforms that might involve the UN more deeply in Asian security issues — however, not all capitals are

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behaving in predictable ways. Finally, it previews the contest for Annan's successor as Secretary-General — most likely an Asian — which will have implications for the character of Asia's interactions with the UN.

Two points should be made before proceeding. On definitions: 'Asia' does not refer here to all members of the Asian electoral grouping at the UN but rather to the twenty-five or so states in Northeast, South and Southeast Asia.<sup>5</sup> Even within this smaller set of states there is significant diversity of history, ethnicity, culture, development, and policies. On sources: in addition to the published documents listed in the bibliography, the paper draws on off-the-record interviews carried out in New York, Geneva, and Asian capitals with permanent representatives and other diplomats, current and former Secretariat officials and peacekeepers, and UN observers.

#### The UN and Asia in history

The history of the UN's activities in Asia has had peaks and troughs since the organisation's establishment in 1945. As Rosemary Foot has written, the height of its involvement was probably during the early years of the Cold War, when the UN helped to manage the consequences of Japan's defeat in the Second World War as well as the question of decolonisation, a process which has transformed the face of the world. Through the provisions of its Charter and the General Assembly's adoption in 1960 of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the UN has played a role in quickening decolonisation's pace. Asia was the site of the UN's first Chapter VII enforcement action in 1950–1953, when the Security Council decided (in the Soviet Union's absence) that a breach of the peace had occurred on

the Korean peninsula and authorised a United States-led military force to aid the South Koreans. From 1961 to 1971, the UN had an Asian Secretary-General, U Thant of Burma. In the 1970s and 1980s, the UN and its specialist agencies, especially the Office of the United Nations High Commissioner for Refugees, took the lead in helping to resettle the three million or so refugees fleeing Indo-China. Lower visibility UN activities in the region over the period included: small-scale peace operations, including the world's longest running observer-peacekeeping mission in Jammu and Kashmir; election monitoring in Korea, among other locations; good offices missions by Secretaries-General and their special representatives; the provision of humanitarian aid; and the negotiation of various arms control treaties which found a measure of support in the region.<sup>6</sup>

The end of the Cold War broke the superpower deadlock in the Council, conjured up new confidence about the organisation's place in international relations, and led to a global surge in UN activity. The shift was, perhaps, less obvious in Asia than in Europe, nevertheless, it was significant, leading to two of the UN's largest and most complex peace operations, both multi-billion dollar affairs. The United Nations Transitional Authority in Cambodia (UNTAC), established in 1992 to implement the Paris Peace Accords, was responsible primarily for supervising the various activities of the four Cambodian factions and creating the conditions for free and fair elections. The United Nations Transitional Administration in East Timor (UNTAET) was an even more ambitious enterprise, exercising full sovereign authority over the former Portuguese colony and Indonesian province for the interregnum between its independence plebiscite in 1999 and its assumption of independence three years later. In both cases, the UN's

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role was only enabled by shifting relations between states. The Cambodian mission was made possible by Sino–Soviet rapprochement and Japanese generosity (as well as some sharp diplomacy on the part of Australia). The conditions leading to the creation of UNTAET constituted a perfect storm, probably never to be repeated: an incorporation by Indonesia that always lacked broad international acceptance; the normative power of East Timor’s status as a long-overdue candidate for decolonisation; a decline in superpower rivalry which devalued Indonesia’s strategic currency in Washington; an interim leader in Jakarta who could be pushed into granting a popular consultation; and a proximate developed country, Australia, that was prepared to risk lives and treasure to restore security in East Timor after the vote.<sup>7</sup>

The emergence of new and interconnected security threats in the region – including infectious diseases (in particular bird flu, SARS and AIDS), resource scarcity, environmental catastrophes, trafficking in drugs and people, and state failure — have increased the salience of the UN’s operations in the region. Asian capitals have traditionally been more open to international cooperation in these areas than in the realm of hard security, and as these threats increase so will the work of the UN and its specialised agencies. The Boxing Day tsunami in December 2004, which killed more than two hundred thousand Asians, prompted a massive UN relief effort, the emergency assistance component of which at least is regarded as having been highly successful. The World Food Program fed seven hundred thousand people per day; UNICEF provided drinking water to one million per day and distributed half a million educational kits to displaced children; the World Health Organisation vaccinated more than a million children against measles. As former

President Bill Clinton, the UN Special Envoy for Tsunami Recovery, wrote: the UN’s ‘rapid response yielded substantial dividends. Widespread starvation was avoided. There were no epidemics.’ As usual, the reconstruction effort is proving more complex; nevertheless, the UN has clearly saved many lives and assisted greatly in the region’s recovery.<sup>8</sup>

The UN has made a number of contributions, then, to the Asian security order. However, it has only occasionally been a central player. The same condition applies today: the most significant contemporary regional security tensions — including those between North and South Korea, China and Taiwan, and India and Pakistan — are unlikely to be litigated or resolved in New York, for two reasons. The first reason for the UN’s marginal status is power politics: regional powers clutch their prerogatives close to their chests and choose to pursue their interests outside the UN framework. The United States resisted U Thant’s efforts to mediate in the Vietnam War; China brooks no discussion of its existential conflict with Taiwan and (usually) defends the interests of its North Korean ally; New Delhi does not want the UN meddling in its affairs. More than any other factor, it is US power — in the form of the GIs deployed in South Korea and Japan and the US Navy’s Pacific Fleet — that keeps the peace and maintains order in the region. Of course power politics operates to limit the UN’s role everywhere: what is unique about Asia is the cast-iron attachment of Asian capitals to the Westphalian view of state sovereignty and the norm of non-interference. The colonial history of many Asian states has left behind a strong residual belief in the norms of respect for territorial integrity, political independence and national sovereignty, a lack of fealty toward international institutions (which was magnified by the performance of the international financial

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institutions in the 1997 financial crisis), and a clear preference for the bilateral resolution of disputes.<sup>9</sup>

The activities of Asian states at the UN are a different question. Asian governments have always been keen to exercise their perquisites in New York, viewing UN membership and activism as a marker of sovereignty, an arena for diplomacy, and a source of prestige and funds. For example, the UN was used as a bully pulpit by Indonesians to persuade the Dutch to cede independence in the late 1940s, and by ASEAN states to pressure the Vietnamese after the 1978 invasion of Cambodia. The best example of the premium put on the legitimating force of UN membership is the decades-long struggle between Beijing and Taipei for the China seat in New York. The adoption of General Assembly Resolution 2758 in 1971, recognising Beijing's delegates as 'the only lawful representatives of China to the United Nations', was a stunning diplomatic victory for the People's Republic of China (PRC); it also had sizeable ramifications for the UN as it started China down a path towards positive engagement with the organisation.<sup>10</sup>

In recent times Asian states have accelerated their peacekeeping efforts, with several emerging as significant actors in the field. As of June 2005 the four biggest contributors of UN peacekeepers were all from South Asia: Pakistan, Bangladesh, India, and Nepal. Southeast Asian states are increasing their activities: once Jakarta had given its consent to international involvement in East Timor in 1999, the Thais provided a deputy commander and the second-largest military component of the International Force in East Timor (INTERFET); the Thais and Filipinos provided force commanders for UNTAET's military contingent; and most ASEAN member states have deployed military

and police personnel to the various missions in East Timor. Northeast Asian states are also ramping up — not only South Korea and Japan, but China, which deployed engineering troops and military observers to Cambodia and civilian police to East Timor. Finally, there is no doubt that for Asian states (as for most of the world), decisions of the Security Council can confer legitimacy on the use of force, or deny it — which in turn affects the risks and costs of an operation. The experience in Iraq is a recent case in point; back in the region, one may ask how an Australian-led force might have fared in East Timor in 1999 without the cover of a Security Council resolution.<sup>11</sup>

#### Regional powers and the UN

How are the three key Asian states — China, Japan and India — currently positioned in relation to the UN? Of these, China — the only Asian government with permanent membership of the Council — is the most interesting. After settling into the China seat, the PRC steadily warmed to the international organisation: Samuel Kim has charted the progression of its approaches, from 'system-transforming' prior to 1971 to 'system-reforming' in the 1980s to 'system-maintaining' in the 1990s. By that time, much of Beijing's lingering distrust of the UN dating from the Korean War and Taiwan's occupation of the China seat had been overcome, and it steadily joined specialist organs and acceded to treaties and regimes. From the mid-1990s to the present, a further shift occurred, reflecting a larger trend in Chinese foreign policy, as the country shed the garb of historical victim and began to assume its new identity as a great power. Beijing's new diplomatic posture is less oriented toward sovereignty issues and more toward international perceptions. We are now seeing China's

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increasing involvement with institutions and the other activities of good global citizenship, including, for example, the donation of moneys to tsunami relief. Another striking sight was that of China challenging the US's request in May 2004 for renewal of the immunity of its troops from prosecution by the International Criminal Court.<sup>12</sup>

The new style can be discerned in at least three aspects of China's relations with the UN — in the Security Council, peacekeeping operations, and personnel. Historically China was a passive, even defensive, actor in the Council. It did not seek to shape the agenda, privileging consensus over decisiveness and rarely drafting resolutions. (Drafting is a critical component of influence at the UN, which helps to account for the success of British diplomacy in New York.) China used its veto significantly less than any other permanent member (casting only four vetoes between 1971 and 2002, for example, compared to the United States' seventy-five); it generally abstained unless the issue touched on sovereignty questions, in particular Taiwan and Tibet. Votes on other issues were usually preceded by a *pro forma* statement that no precedent was thereby established. In the past decade, however, China's representatives have behaved more confidently in the Council chamber and more volubly before the media. One permanent representative noted that China now displays 'maximum flexibility' in the Council and is far more willing to take the lead on issues, behaving more like a normal great power — and being perceived as such by other Council members.<sup>13</sup>

This flexibility is also apparent in peacekeeping. Prior to 1971, Beijing commonly characterised peace missions as US imperialist endeavours; today, it deploys more military and civilian personnel to UN

peacekeeping operations than any other member of the P5 and is the fifteenth largest supplier overall, with personnel operating in twelve missions. The size and type of operations Beijing is prepared to support in the Council has increased (though it remains very chary of humanitarian intervention) and it has established the largest UN civilian police training facility in Asia. These developments should not be overstated, as they have limits: China regards host-country support as non-negotiable, for example, and has repeatedly sought to block peacekeeping operations in countries maintaining diplomatic relations with Taipei. Nevertheless, they are noteworthy.<sup>14</sup>

Finally, the quality of the people China sends to New York, both as diplomats and officials, has improved noticeably. One observer described the old approach this way: 'They come. They smile. They leave.' No longer is that the case. According to one UN insider interviewed for this paper, 'Beijing's representatives used to be woefully unqualified, faceless apparatchiks. Now they are very sharp. China used to take a prophylactic approach to placing people in the UN, asking "how can we protect our people from outside influence?" Now they want to spread their influence.' There are a number of senior and well-respected Chinese officials in the Secretariat; both the current permanent representative Wang Guangya, and his predecessor Wang Yingfan, are regarded highly.<sup>15</sup>

There is plenty of debate among China-watchers as to the significance of these changes — and the other developments in Chinese foreign policy of which the UN aspect is illustrative. There is no doubt that Beijing is developing its diplomatic deltoids and saving up its soft power, but to what end? Some commentators see the beginnings of a newly aggressive grand strategy;

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others see a defensive ploy by China to defy America's containment strategy in a forum Washington does not dominate; yet others see a sincere attempt to engage with the world while its economy develops. Regardless of Beijing's true end, however, deeper engagement with the UN will plainly be one of its means.

Japan and India are both currently aspirants for permanent membership of the Security Council. The case for Japan, currently serving its ninth term as an elected member, is particularly strong. Since the Second World War, the UN has been one of the three pillars of Japanese foreign policy (albeit a less important pillar than Tokyo's alliance with the US and its relations with Asia). It is a huge financial contributor to the organisation, pitching in about US\$350 million to the regular budget and \$US230 million to the peacekeeping budget. These sums represent nearly 20% of the total — only slightly less than the US contribution, and greater than the contributions of the other four permanent Council members combined. Tokyo has always been a leading aid donor and at the recent Group of Eight summit in Gleneagles, Prime Minister Junichiro Koizumi announced the government would increase overseas development assistance by US\$2bn per year over the next five years. The final aspect of Tokyo's case is the country's recent conversion to the cause of UN peacekeeping. Once constrained by its pacifist tradition, Japan deployed, over the course of the 1990s, Self Defense Force personnel in significant numbers to UN operations in Cambodia, Mozambique, the Middle East, and East Timor, and civilians to other peace operations. Placed alongside other initiatives, such as the current commitment of 600 troops to southern Iraq, the developments in peacekeeping mark the evolution of the country's foreign policy toward a more hard-headed, security-focused, 'normal' stance — and as an

increasingly normal country, one Japanese diplomat told this author, Japan thinks it 'deserves a say'.<sup>16</sup>

India has also undergone an important shift since the 1960s, shedding much of its Non-Aligned Movement rhetoric about resisting western domination and focusing more intently on furthering its national interest. New Delhi's stance towards the UN has changed less than other elements of its foreign policy, however. One interviewee noted that India remains firmly multilateralist abroad and unilateralist at home. The country is a long-term and substantial peacekeeping contributor, currently the third largest in the world, with more than six thousand troops deployed across nine UN missions. However, it is also powerfully opposed to the 'internationalisation' of any of its own disputes and tensions, in particular in Kashmir, but also with Nepal and Sri Lanka. This view is partly influenced by a long-standing belief that the UN is biased in favour of Pakistan — a critical western ally in struggles against, progressively, communism and terrorism — and was probably strengthened by the unanimous passage of Security Council Resolution 1172 condemning both India's and Pakistan's nuclear tests in May 1998. Overwhelmingly, though, India simply takes the view that it is better off resolving its security issues itself, and rests its case for permanent membership of the Council — which it has prosecuted for some time — mainly on its billion people and its status as the world's largest democracy.<sup>17</sup>

#### UN reform and Asia

A broad-based discussion of UN reform is currently underway in New York in which Asian states, in particular China, Japan, and India, are playing important roles. Reform of the UN is the hardy



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perennial of international relations, always leafy but rarely flowering. However, on this occasion the stakes are particularly high. The organisation was badly shaken by the devastating one-two punch it took over Iraq in 2002–2003, with the US decision to sideline the Security Council followed by the murderous attack on its Baghdad headquarters. In a speech to the General Assembly in September 2003 Kofi Annan argued the world had come to ‘a fork in the road’ and had to decide how to revise the institutions and rules of global order established at the close of the Second World War.<sup>18</sup> Two months later he appointed a High-level Panel on Threats, Challenges and Change and charged it with identifying key threats to international peace and security and recommending changes to ensure collective action against them. The Panel was chaired by Anand Panyarachun of Thailand and included heavy hitters such as former Australian and Chinese foreign ministers Gareth Evans and Qian Qichen, British diplomat Lord David Hannay, former UN High Commissioner for Refugees Sadaka Ogata of Japan, former US national security adviser Brent Scowcroft, former Russian prime minister Yevgeny Primakov, and former prime minister of Norway and Director-General of the World Health Organisation, Gro Harlem Brundtland.

The Panel’s report was delivered in December 2004 and was widely regarded as an impressive attempt to grapple with the threats facing the world. It contained elements that were disturbing to both strong states and weak states, and supporters and critics of the UN. Several months later, after the publication of the report on development by the Millennium Project, the Secretary-General issued his response, which picked up nearly all of the major recommendations of both reports. Informal negotiations in New York proceeded

on these ideas, against the background of important summit meetings in Sirte and Gleneagles, and using as a basis for discussion a draft outcomes statement prepared by the President of the General Assembly Jean Ping of Gabon. Permanent representatives are currently wrestling with draft texts of a communiqué to be issued at the World Summit in September, due to be the largest gathering of heads of government in history. The discussions occurring now in meeting rooms in New York and key capitals will determine whether that final document is, as one interviewee put it, ‘typical UN boilerplate’, or instead makes significant improvements to the operation of the world body. The reform process is multi-faceted but six policy areas have attracted particular attention: Security Council reform, responsibility to protect, criteria for the use of force, institutional reform, development, and terrorism.<sup>19</sup>

#### *Security Council reform*

Reform of the Security Council is often regarded as the alpha and omega of UN reform. Much of the world believes that the current composition of the Council — with the victors of 1945 (China, France, the Russian Federation, the United Kingdom, and the United States) preserved in amber as the permanent five (P5), and another ten states elected for two year terms by the General Assembly — is wholly unrepresentative and possibly unsustainable. In order to resolve, or at least clarify, a debate that has absorbed significant energy over recent decades, the High-level Panel proposed two models for increasing the legitimacy of the Council. Both contemplated an expanded Council of twenty-four members: Model A was a two-tier structure with six additional permanent seats and three additional elected positions; Model B involved no new

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permanent members but rather a new middle tier of eight semi-permanent (four-year, renewable-term) positions and one additional elected member. Both options would make the Council more representative and would alter the mathematics of Council politics. The more important issue of the impact on the body's effectiveness, however, is harder to gauge: a larger Council might well have less capacity and willingness to contribute to international peace and security. Edward Luck makes the point that given 'the trend towards unipolarity in military capacity, claims that enlarging the Council was needed to reflect the new realities looked to many like a thinly veiled effort to deny those realities instead.'<sup>20</sup>

Furthermore, it was not clear at the outset how any proposal to amend the Council's membership would find its way through the jungle of competing national interests to win agreement. Early on, the so-called 'Group of Four' (G4) aspirant states — Japan, Germany, Brazil and India — made common cause and lobbied hard for permanent membership. The G4 proposed an amended version of the Panel's Model A, with a Council of twenty-five including six new permanent members, albeit with their veto suspended for fifteen years. Altering the Council's membership is a difficult row to hoe, however. For each serious candidate for permanent membership there are others which feel their prerogatives and prestige would be diminished by their rival's promotion, or have other reasons for opposing a particular state: India has Pakistan; Germany has Italy; Brazil has Argentina and Mexico; Japan has China and other Asian states. A dozen or so states are working together under the banner of 'Uniting for Consensus' to counter the G4 and push an alternative model that expands the number of elected seats. By late July it appeared that the G4

and the fifty-odd African states would join forces to support a joint resolution based on a third variant of Model A. The hurdle for Charter amendment is high — a two-thirds majority of the Assembly and ratification by two-thirds of UN members, including all permanent members of the Council — and at the time of writing it was impossible to say whether a G4–African Union partnership (or any other coalition) would be able to clear it.

A critical aspect of the debate as it relates to Asia has been the tenor of the discussion about Japan's candidature. Luck argues that for the Japanese, the seat itself is the thing rather than any particular issues to which they are attached: it would be 'durable testament to the fact that they have at last arrived as accepted and respected world leaders.' However, recent months have revealed no such regional acceptance: criticisms have been voiced in South Korea, Vietnam, Indonesia, Malaysia and, above all, China, where anti-Japan sentiment has been expressed in the form of demonstrations and internet petitions comprising many millions of signatures. The official explanation for the protests was the ongoing issue of Japanese history textbooks, a topic on which there is continuing and not unjustified anger. But turn the page and the real issue is China's strategic rivalry with Japan and its alliance partner the US, and Council membership is one of the ways in which that competition manifests.<sup>21</sup>

If Council reform succeeds it will provide a significant fillip for Kofi Annan and his colleagues. If it fails, the two Asian candidates for permanent membership, Tokyo and New Delhi, would both take it hard, as they have focused on the question with laser-like precision over many years. Some Japanese observers have suggested that failure would strengthen opposition in the Diet to

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the country's financial contributions to the UN and lead Tokyo to step back from the organisation. This seems a little exaggerated, especially if consolation prizes are awarded in September, for example, an in-principle resolution on expansion at some point, an ongoing process, or — most importantly for the Japanese, given their success in winning election to the Council over the years — a relaxation of the restriction on elected members winning immediate re-election. From the broader regional perspective, the contretemps has exposed the lack of comity and cohesion within Asia — a development with ramifications for the election of the next Secretary-General.

#### *Responsibility to protect*

Council membership is not, of course, the be-all and end-all of UN reform: there are many other pieces to the puzzle. Drawing on an earlier, highly influential, report by the International Commission on Intervention and State Sovereignty (ICISS) (which was co-chaired by Gareth Evans), the High-level Panel argued for the existence of an emerging norm, after Somalia, Bosnia-Herzegovina, Rwanda, and Kosovo, that a collective international responsibility to protect individuals exists in cases of genocide, ethnic cleansing, and widespread violations of human rights. States retain the primary responsibility for protecting their citizens, of course, but in the event that states are unwilling or unable to protect their people, then sovereignty must yield to the international responsibility to protect. The endorsement of this norm by a Panel on which senior figures from the US, China and Russia sat placed it squarely on the reform agenda. The Panel suggested that in the event that five principles, derived from just war theory, are satisfied — seriousness of threat, proper purpose, last resort, proportional means, and balance

of consequences — the international community should employ measures to protect the civilians in question — including, only as a last resort, military intervention. The responsibility to protect — or its rap version 'R2P' — offered a new way of conceptualising humanitarian intervention that slides past the linguistic and theoretical obstacles that previously have blocked international action.<sup>22</sup>

R2P has the potential to do violence to the concept of state sovereignty, and objections are sometimes raised it could be invoked either too much, or too little. The former concern is that the concept would be a fig leaf for great power intervention, to which its defenders reply that the world has to choose if it wants to protect weak states or vulnerable human beings. The latter concern is that it would not be exercised to protect minorities in strong states such as Russia, India, or China — that a lack of consistency in its application would drain it of credibility and strength. Again, defenders reply that the perfect should not be the enemy of the good; the world is rarely a perfect or consistent place, but we should not allow double standards to prevent us from raising general standards.

The concept found early support in Washington, Europe, South America and Africa; given Asia's historic impermeability to internationalist impulses, however, it is not surprising that it initially raised hackles in the region. India and China — which took a hard line against Annan's argument in favour of humanitarian intervention in 1999 — were sceptical, as was Pakistan, and most ASEAN states were lukewarm at best. However, by late July it appeared that resistance from Beijing and New Delhi had cooled and the language for September was developing well. According to one official, one country that has shifted

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ground over the course of discussions is Indonesia. Apparently Jakarta's position has softened over recent months, partly due to the work of former foreign minister Ali Alatas, who was appointed a special envoy of the Secretary-General for UN reform, and partly because President Susilo Bambang Yudhoyono has been more open to the concepts than have elements of his foreign ministry.<sup>23</sup>

#### *Use of force*

One of the innovations in the Panel's report was the extension of the five criteria of legitimacy, set out above, from instances of humanitarian intervention (to which it had been confined in the ICISS report) to cases of the use of force more generally. In other words the Panel recommended that whenever the Security Council deliberates on whether force should be used, as opposed to whether it can be used legally, it should consider: the seriousness of the threat; the propriety of the purpose; whether the use of force was the last resort; the proportionality of the means; and the balance of the action's consequences. The guidelines have a tension at their heart as they would, if consistently applied, both enable and restrict the use of force. The Panel's aim was not to produce 'agreed conclusions with push-button predictability' or to 'guarantee that the objectively best outcome will always prevail', but rather to bring additional rigour, transparency, and credibility to Council decision-making. However, at the time of writing, this creative suggestion had few champions in national capitals, and many opponents (in Asia as everywhere), so it seems unlikely to succeed in September. The Secretary-General proposed in *In Larger Freedom* that the Council express its intention to be guided by these principles when considering the use of force, but so far no political will to do so has surfaced.<sup>24</sup>

#### *Institutional reform*

There has been more support for two institutional reforms, the refurbishment of the UN's human rights mechanisms and the creation of a new Peacebuilding Commission. The perversity of representation on the Commission on Human Rights has clearly undermined its credibility and diminished the UN's ability to exercise moral leadership on human rights issues, one of its Charter responsibilities. As the Panel noted, 'in recent years states have sought membership of the Commission not to strengthen human rights but to protect themselves against criticism or to criticize others.' Its recommendations included the expansion of the Commission's membership to universal membership and the creation of an independent panel of experts to inform the Commission's work. The former suggestion attracted criticism that there already exists a UN talking-shop with universal membership: the General Assembly. Wisely, the Secretary-General instead proposed that the Commission be replaced with a smaller standing Human Rights Council comprising a membership of states that undertake to abide by the highest human rights standards. Discussions on this organ have been relatively productive and it seems likely that a commitment to a Council will be made in September — although questions remain over exactly how rights-abusing states will be excluded from its membership, and whether it will be a subsidiary body of the Assembly or a principal organ of the UN, as is the Security Council and the Economic and Social Council.<sup>25</sup>

The Panel recommendation which has probably received the most international support has been the suggestion of a new intergovernmental Peacebuilding

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Commission and a Peacebuilding Support Office to help deal with a key 21st century security challenge, the phenomenon of state failure. As noted in *A More Secure World*, these bodies would fill a key institutional gap: currently ‘there is no place in the United Nations system explicitly designed to avoid state collapse and the slide to war or to assist countries in their transition to peace.’ The Commission’s focus was limited somewhat in the Secretary-General’s report, which argues against giving it an early warning or monitoring function. Nonetheless, it has found very widespread approval, including in Asian capitals, and it looks like being one of the lasting fruits of the reform process.<sup>26</sup>

#### *Development*

The September communiqué is likely to contain substantial material on development, an issue on which there is now more agreement than security questions. The Millennium Project, a UN advisory group led by Professor Jeffrey Sachs, has worked hard to develop a practical plan for achieving progress against the Millennium Development Goals (MDGs) set at the Millennium Summit in New York five years ago. The Goals, which are cascaded into precise targets, include the halving of extreme poverty and hunger, achievement of universal primary education, promotion of gender equality, reduction of child mortality, improvement of maternal health, combating of HIV/AIDS, malaria, and other diseases, and development of environmental sustainability — all to be achieved by 2015. There is a long history, of course, of brave development targets which are spectacularly unmet. However, the MDGs have been endorsed by practically everyone in the international system, including the US, and impressive intellectual resources have been devoted to identifying action

plans to meet them. Their real advantage is that they make development more transparent and measurable, enabling the world to hold its leaders’ feet to the fire.

A series of decisions by wealthy states meeting in conference in recent months have directed substantial new resources to the fight against extreme poverty and will make the September document’s section on the MDGs considerably more hopeful than it might otherwise have been. (This will be welcomed by Asian capitals, which not surprisingly put a heavy emphasis on the development aspect of UN reform.) In May EU countries committed to increasing their aid to poor countries to 0.7% of gross national income by 2015; then the Group of Eight (G8) finance ministers agreed to cancel all debts owed to the IMF, World Bank, and African Development Bank by heavily indebted poor nations; finally, at Gleneagles, G8 heads of government consolidated their commitments to double aid for Africa by 2010, and to increase overall aid by \$50 billion per year by the same year. The wish list of UN officials close to the drafting process for the September document includes national strategies bold enough to achieve the Goals and strengthened commitment on the part of developed states to the internationally reaffirmed target for official development assistance of 0.7% of gross national income.<sup>27</sup>

Dollars are rarely decided in New York; they are decided in Washington and elsewhere. Nevertheless, the UN has played a useful role in this process, in three ways. First, it has established targets and norms, helping to identify ends, even though only wealthy states possess the means to achieve them. Second, through the various reform reports it has helped demonstrate the conceptual link — grasped intuitively by some leaders such as Prime Minister Tony Blair

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of the United Kingdom — between development and security. Raising the poorest people on the planet out of desperate poverty gives them a stake in their societies and gives their governments a stake in the orderly operation of international relations. It doesn't prevent terrorism but it helps to drain it of its appeal. Finally, it has given the cause a political push along. The reports of the High-level Panel, the Millennium Project, and the Secretary-General all proposed that reaching the 0.7% target should be an important criterion of contribution for developed countries aspiring to permanent membership of the Council. Officials argue that this institutional link helped to motivate Germany to announce a timetable for reaching 0.7%, which in turn contributed to the critical EU decision. In other words, the security agenda helped to drive the development agenda.<sup>28</sup>

#### *Terrorism*

A final area to watch concerns the UN's role in fighting terrorism. The Panel noted that the inability of member states to agree on an anti-terrorism convention, including a clear definition of terrorism, 'prevents the United Nations from exerting its moral authority and from sending an unequivocal message that terrorism is never an acceptable tactic, even for the most defensible of causes.' Terrorism is antithetical to the values of the Charter. The UN, as well as many of its member states, has suffered at the hands of terrorists. But for too long UN discourse, particularly in the General Assembly, has failed to differentiate between the wolves and the sheep. Consensus on the question during UN reform discussions has, as usual, proved difficult to achieve. However, the indications out of New York in late July were that the Panel's strong approach would probably prevail.<sup>29</sup>

#### **The next Secretary-General**

Unless he decides to step down early, Kofi Annan's decade as Secretary-General will end on 31 December 2006. The campaign for succession, which began for some candidates many months ago, is likely to come to a head in the second half of next year. The Charter provides that Annan's replacement will be appointed by the General Assembly but, critically, this appointment takes place on the recommendation of the Security Council. The key decision-makers are the P5 countries, which tend to regard the Secretary-Generalship as being within their gift and which have proved willing in the past to veto candidates who are not to their liking. According to the rotation principle, the next Secretary-General should be an Asian: Annan has divined this to be the 'general sense' in New York, and Beijing and other Asian capitals are insistent on the point. However, not all states agree. Some have disputed that it's 'Asia's turn' or even put forward the heresy that taking turns is not the way to decide such a weighty appointment. Eastern Europeans in particular have made the case that their region has never sent anyone to the big office on the 38th floor of UN headquarters. Former Czech president Vaclav Havel's name was mentioned, but not seriously; a stronger candidate is the Polish president Aleksander Kwaśniewski, who is a particular favourite of Washington's.<sup>30</sup>

Asia's ability to fend off these challenges depends in part on the region's preparedness to produce, and then rally behind, a high-quality candidate; 'assuming the Asians can get their act together', says one highly-placed official, 'it's still theirs to lose'. That's not to say that the Council will let Asia choose its own candidate: it may very well reach down and select its own Asian for the position. However, it seems likely that any such

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candidate would still need to have regional support outside of his or her own country.

Assembling a list of names is highly speculative, given that historically speaking most Secretaries-General were not favoured when the selection process began. Nevertheless, a number of individuals, both former political leaders and international civil servants, have been mentioned in dispatches. The front runner is Thai foreign minister Surakiart Sathirathai, a Harvard-educated lawyer who has received ASEAN's endorsement and China's compliments. Bangkok is working hard on Surakiart's behalf, and the minister has reportedly spent his own money engaging an American academic to develop proposals for him on UN reform. However, Surakiart is by no means a sure thing. Momentum has not yet coalesced behind his candidacy and some observers believe he nominated too early. The appointment of his countryman Supachai Panitchpakdi to head the UN Conference on Trade and Development (UNCTAD) does not help him, as opponents may argue that Thailand is already represented in the *Serie A* of international jobs. Some have suggested that ASEAN's endorsement was less for Surakiart in particular than for a Southeast Asian in general. The Thai's candidacy could also be damaged should Prime Minister Thaksin Shinawatra use excessive force against Muslim insurgents in the south of the country.<sup>31</sup>

Apart from Surakiart many names have been mentioned. Colombo has endorsed the candidacy of Jayantha Dhanapala, formerly Under-Secretary-General for Disarmament Affairs and currently Secretary-General of the Secretariat for Coordination of the Peace Process in Sri Lanka. The former Thai foreign minister Surin Pitsuwan, a charismatic

American-educated Muslim, would have been a stronger candidate if his Democratic Party were still in power. East Timorese Foreign Minister José Ramos Horta is a Nobel Laureate but the nature and extent of the UN peace operations in his country over the past five years is not in his favour. Others who have been suggested include: the well-regarded Indian Under-Secretary-General for Communications and Public Information, Shashi Tharoor; the former president of the General Assembly, Razali Ismail, currently serving as the Secretary-General's Special Envoy for Myanmar; and, if Surakiart was to withdraw at some point, the former prime minister of Singapore Goh Chok Tong.

Some of these people are not realistic candidates for the Secretary-Generalship but they are the topics of discussion in New York, as will be many others over the next year or so. If history is a guide the successful applicant will not be a national of a major power (and certainly not a permanent Security Council member) or a country located in a conflict zone or governed by an unattractive regime. Most participants at a recent gathering of Asian diplomats and UN officials agreed that 'any internationally acceptable candidate from Asia would have to demonstrate strong support for universal values and could hardly have been a proponent of the "Asian values" argument.' Finally, in the aftermath of the oil-for-food imbroglio, the view of many in Washington and many other capitals that the organisation needs a strong and competent manager may lead to the appointment of someone with significant managerial expertise, either as Secretary-General or Deputy Secretary-General.<sup>32</sup>

Finally, what implications would an Asian Secretary-General have for the region and the world? Does the person's nationality really matter? Some say it

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does not; the alternative view is that such an election may influence relations between the region and the international organisation, in both directions. An Asian Secretary-General may well be more alert to Asian issues that have not always had the profile in New York they deserve. U Thant's memoirs indicate that his impulse to mediate the Vietnam conflict (unsuccessfully, as it happened) was prompted in part by his knowledge of and background in the region; Kofi Annan's strong focus on development has surely been informed by the poverty of his continent of origin. Furthermore, one can imagine that, notwithstanding the Asian aversion to internationalist notions, an Asian Secretary-General could increase the profile and the standing of the organisation across the region.<sup>33</sup>

#### **Conclusion**

The connexion between Asia and the UN is at an interesting historical point. The three major Asian states, including a future superpower, are increasingly engaged; processes are underway to reform the organisation and elect a new Secretary-General that will have important ramifications for Asia. The region's security order will continue to be defined by decisions taken in Washington, Beijing, Tokyo and New Delhi — but events in New York will also be important.

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- <sup>5</sup> The states included in this definition are: Bangladesh, Bhutan, Brunei, Cambodia, China, East Timor, India, Indonesia, Japan, Laos, Malaysia, Maldives, Mongolia, Myanmar, Nepal, North Korea, Pakistan, The Philippines, Singapore, South Korea, Sri Lanka, Thailand, Vietnam. Taiwan is not represented at the UN but for obvious reasons it is a critical part of the equation.
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## ABOUT THE AUTHOR

Dr Michael Fullilove is the program director, global issues at the Lowy Institute for International Policy.

Previously he has worked as a lawyer, a volunteer in the United Nations Transitional Administration in East Timor, and an adviser to Prime Minister Paul Keating. He was a consultant to Frank Lowy AC on the establishment of the Lowy Institute. Michael graduated in international relations and law from the Universities of Sydney and New South Wales, with dual university medals. He also studied as a Rhodes Scholar at the University of Oxford, where he took a master's degree in international relations and wrote his doctorate on Franklin D. Roosevelt's foreign policy.

Michael recently published an article on special diplomatic envoys in *Foreign Affairs*. His first book, a collection of great Australian speeches, will be published by Random House in 2005.

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