1. Reform of the Security Council

Brazil considers that the UN Security Council reforms process reached a dynamism and maturation level never seen before, as demonstrated the accounts on this subject in the current General Assembly. Recent debates on the strengthening and revitalizing of the United Nations, generally, and specifically the UNSC reform showed that it is prevailing nowadays the feeling according to whom it is already time to correct the lack of representativity, legitimacy and effectiveness of this body, with the entrance of new permanent and non-permanent members. As reminded by the Secretary-General Kofi Annan, we are nowadays in a historical crossroad, not less decisive than that of 1945.

This idea, reflected by the abstract of the debates on this issue written by the 49th UN General Assembly President – Minister Jean Ping of Gabon – converges to the position adopted by Brazil, and by many of our partners, as to the existence of a historical opportunity that can not be missed by the international community. Brazil is acting with determination and senses of urgency, aware that we must assume our responsibilities to this effort for the reform.

Our positions and acting procedures on the subject are informed by the following basic elements:

i) the schedule for the submitting of the UN and UNSC reform questions can not be set by any country alone. This question transcends the nations’ agendas, and gathered momentum because of recent facts, like the increasing of the danger related to the international terrorism and the intervention in Iraq, which was decided without consulting the UNSC and even confronting this body’s authority. In our opinion, the decision of Kofi Annan on assuming the leadership role in a new effort to the
strengthening of the collective security system of the United Nations is due to that facts;

ii) as shown by the name attributed to the “High Level Commission” established by the UN Secretary-General, the international community is facing new and old threats and has before it the challenge of changing, without whom it will be weakened in following the goals of the San Francisco Agreement. The binding to the view that inspired the writers of the UN Charter imposes the updating of the structures related to international agreement on peace and security;

iii) face to the increasing complexity of issues under the range of the UNSC and the intensifying of its activities, the lack of permanent members from the underdeveloped world is an expressive deficiency;

iv) therefore, Brasil is acting for a reform which provides the necessary presence of Latin America and Africa among the permanent members of an amplified Security Council;

v) the showing up of the asymmetry and limitations of the decisional structures of the UNSC is not a new event. This structure still reflects the circumstances of the immediate post-Second World War period, with its number of members altered from eleven to fifteen more than forty years ago (1961). Since then, it has not experimented any changing, although the number of UN members has been increased from 51 to 191 states;

vi) the modern status of the Security Council shows a serious and increasing absurd. The expansion of the body’s attributions without treating the representativity unbalance only tends to make worse the arguing about it, as well as compromises the effectiveness of its actions;

vii) the boundaries of the UNSC reform have been discussed for more than a decade. However, this is a new moment, which
favors a larger agreement on this issue. On this process, Brazil wishes to contribute to a new agreement onto ideas that are able to avoid additional – and possibly unrepairable – damages to the collective security system;

viii) the creation of the “Group of Four” (G-4) happens in the context of this acceleration of the United Nations reform process and of important conceptual progress. Fortunately the G-4 shows that the prejudicial theories against countries of the developing world, which would only make stronger the exclusion of Latin America, Caribe and Africa countries of the condition of permanent member, were overcome. It’s important to point out that the G-4 has already adopted the position for the presence of an African country among the new permanent members;

ix) Brazil considers that the conceptions as the creation of a semi-permanent members category represent a conceptual and practical withdrawal. This formula doesn’t allow us to get over the fundamental unbalance, of sound and influence, that exists in the Security Council today, due to the representative deficit of the developing world on the category of permanent members. A creation of a category of semipermanent members would do the unbalances of the UNSC even more notorious, jeopardizing the current reform process. The mere non permanent chairs increase will as well not contribute to do the Security Council more representative and legitimate, as it will perpetuate the African and Latin/Caribbean developing countries’ exclusion from the permanent member category.

x) Brazil shares the urges of many other countries for a greater democratization of the United Nations Security Council. Ideally a more democratic Security Council would be one that all the members were equal. Nevertheless, we should recognize that, in the current circumstances, this is a real impossibility, due to the permanent members’ present resistances. Face to this fact, Brazil defends the enlargement of the permanent members’ numbers, contributing to a greater democratization of the
Council’s process of decision other than the perpetuation of the prevalent situation or only an enlargement in the non-permanent category.

xi) Brazil is committed to a decision process which is more transparent and represents the diversity of the countries that join the international community, whose numerous majority is constituted by developing countries.

xii) Besides the desirable and necessary change in the UNSC structure, the inclusion of new permanent members and the expansion of the non-permanent members number would increase the chances of a better rotating in this last rank, with evident benefits for a larger democratization of the Council.

Based on the above mentioned elements, Brazil has stated his demand for a permanent place in a reformed Security Council. Besides the requirements related to demographic, territorial and economic aspects of the possible new permanent members, Brazil has as one of its characteristics a diplomatic action which is ruled by the principles and goals that inspired the creation of the United Nations: the peaceful solution of controversies, the peoples self-determination, the respect to the international law, the cooperation for the social and economical development. We live in peace with our neighbour countries for more than a hundred years. We have promoted the

If it’s true that the condition of permanent member may bring projection, it also implies a series of burdens. When disposing to assume the responsibilities that are inherent to the permanent member condition, Brazil wants to work with its regional partners for the improvement of an effective international cooperation, able to set us free from war dangers and promote the safety and the social and economic development of the nations.

As President Luiz Inácio Lula da Silva has asserted “the proper name of peace is social justice”. Brazil’s actions on the international context, in cooperation and partnership with other countries, reflects our perception that the boundaries of a prevalent military vison con-
cerning peace and security maintenance’s process in the world are clear. It explains our efforts on fighting hunger and poverty, our commitment to an UN reform which includes the Security Council’s enlargement in its two categories, the General Assembly’s revitalization, and the ECOSOC’s strengthening. In the brazilian point of view, ECOSOC must act in straight coordination with the UNSC in order to take an outstanding role in the post-conflict reconstruction, and, overall, in the conflicts’ avoidance. As Secretary-General Kofi Annan has said on his announcement in the 59th UNGA “there will be no peace nor safety, not even for the more privileged among us, in a world that is still divided between the extremes of poverty and wealth”.

2. General Assembly

The report of the High Level Panel has relevant comments concerning to the unique attributes of the General Assembly and the importance of rationalizing its agenda and of better focusing the efforts of its Commissions to restore its preeminency in the debates and deliberations of the international issues that are brought to its care.

Brazil considers that the UNGA must be politically strengthened. The UNGA must guide the efforts of the United Nations as a whole and assume its role as the major forum which turns real and loud the principles of the UN Charter.

By summoning a series of global conferences on social, environmental and development themes, and by adopting the Millennium Statement, the General Assembly has showed its unequal skill of forjar consensos on important subjects of global interest. It has also had a significant role to the development of the International Law, remarkably on guiding the International Crime Court creation process. This fact shows that an UNGA effective action is as necessary as possible.

Brazil considers that the General Assembly’s works must be better focused on the contemporaneous international issues that are more relevant. Its agenda could be reorganized in order to avoid the annual repetition with less impact and visibility. Improvements on the work procedures, however, cannot replace a political decision by the State members of using the General Assembly’s full potential
for the international peace and security maintenance and for international cooperation.

Some sensitive issues mentioned by the High Level Panel’s report, such as the use of the “protecting responsibility” concept as a base for the use of strength and the creation of a terrorism definition which would receive generalized support, could be more seriously considered by the General Assembly, in order to reach common understandings concerning its goal and application.

3. Economic and Social Council

Brazil considers that the reform of the United Nations must strengthen the Organization’s security and development dimensions. There is a constant risk that emphasis on security – detected before everything like threats which affect more influent countries – sets aside the effort to coordinate global actions to end poverty and hunger, according to the United Nations Millenium Development Goals (MDG). Even if we recognize the connection between security and development, there is also a risk that the security aspects of an issue could overcome the development side. As the High Level Panel correctly asserts, power, wealth, and geography differences determine what we realize as the biggest threats to our survival and welfare. We agree that there must be a mutual threat recognition between North and South, and we also agree with the UN Millenium Project about the need of a new way to mobilize additional resources for the MDG’s achieving.

There is yet a lack of a strategic vision of the globalization process that identifies the risks and that creates opportunities to the excluded groups and societies. Without a common understanding on the challenges of globalization, it will be difficult to forge a new agreement between North and South. A good beginning on this effort was done by the World Commission on the Social Dimension of Globalization report in 2004.

The UN, particularly the ECOSOC, unites peculiarly favorable conditions to develop a common globalization understanding, combining both dimensions of security and development, task that is often left to restrict groups, such as the G7/G8, and to the civil
society through meetings like the forum of Porto Alegre and Davos. The United Nations have three big trump cards on this area that cannot be found anywhere else: its integrating capacity to peace, security and development; its summoning power for discussions about big themes, such as demonstrated in Monterrey and Johannesburg; and its moral authority and capacity to mobilize bases’ support. We could add a fourth trump card: its legitimacy derived from universal participation.

The ECOSOC revitalization could create an universal and intergovernmental counterpart to the process of Porto Alegre and Davos, and to the G7/G8. We must reject scepticism with respect to the UN as well as on economical and social themes and on ECOSOC potential. Many proposals that were originally published by the regional economic commissions or in the General Assembly have won the battle of ideas against what is called “Washington Consensus”. There were many improvements on the ECOSOC work methods on the last decade. The high level segment, with a thematic focus, and the dialogue with the Bretton Woods intitutions and the WTO are real advancements. The Ad Hoc Groups for Burundi, Guine-Bissau and Haiti represent also a progress, used as inspiration for the proposal of the creation of a Peace-Building Commission by the High Level Panel.

Brazil considers that:

a. The post-conflict reconstruction and the conflicts’ prevention must be integral parts of the ECOSOC mandate, refering to the “ad hoc” consultive groups experiences in the establishment of the Peace-Building Commission context;

b. A voluntary mechanism could be establish through which countries could require to ECOSOC its progress avaliation concerning the MDG (and, when appropriate, concerning to the “Brussels Program” on less developed countries and other internationally agreed goals) and a strategic concept which allows the country to reach them. The NEPAD’s Peer Review Mechanism experience could be an inspiration resource.

c. The article 66 (3) could be used to end the duplication between
the UNGA and the ECOSOC. Through a resolution the UNGA could delegate to ECOSOC the task of evaluating the results from the global conferences about social and economical issues, including Monterrey, Johannesburg, and the accomplishing of the Millenium Development Goals. It would allow the General Assembly to concentrate in political issues that are priority (and in legal and budget questions) instead of execution questions.

4. Peace-Building Commission

The UNSG recommends the Security Council to establish a Peace-Building Commission (PBC) after consulting the ECOSOC. Brazil supports the creation of this Comission, and agrees with the need of a body which is institutionally in charge of considering the emerging conflict countries’ situation or countries that approaches dangerously to cases which can represent threats to international peace and security.

However, we are not convinced of the wisdom of establishing such a body only under the range of the Security Council. Despite the construction of peace be a complex task, with many aspects that relates it to the Security Council, our point of view is that peace is built through an economically and socially-centered approaching and not through coercion.

This Comission must respect the sovereignty of those countries where it should be in charge of building peace. Concerning the Comission representation, it must be remembered that the participation only of the donating countries is no garantee of success, when the recepable country’s commitment and the regional countries as well as the international financial institutions’ participation can be the most important factors on this subject.

In recent cases, such as Haiti, East Timor, Guiné-Bissau and Burundi, the ECOSOC has been for a long period of time closely envolved with the searching of a sustainable solution, contributing, therefore, to assure that the conditions that led to a crisis will not reappear again.

Many important aspects of the constitution proposal of the Peace-Building Commission require more preparation as well as
its composition, the roles, and the participation ways of other intergovernmental institutions and its deciding process.

5. Human Rights Council

The General Secretary’s recommendations in his report “In Larger Freedom”, on the human rights subject, have been taken with interest and attention by the Brazilian government as well as the recommendations about the object issued by the High Level Panel on Threats, Challenges and Changes. It constitutes an important contribution to a reflection about the reinforcement of the human rights’ international protecting system, which Brazil considers necessary, and to whom intends to participate in an active way.

The Brazilian support to the improvement of international human rights’ system coincides with the foreign affairs policies which have been developed by Brazil on this subject since the end of the military dictatorship. Brazil is signatory of all the main international means of human rights, adopts an international cooperational attitude, and disposes itself to receive the HRC thematic reporters through “permanent invitation”. The Brazilian commitment to the human rights’ cause is reinforced by the participation of Brazil in the HRC, almost uninterrupted since 1978.

Global Report on Human Rights

In order to improve the system, Brazil has been proposing the elaboration, by the High Commissioner (HCHR), of a global report which would offer a wide and objective survey about the human rights’ situation all over the world. We are convinced that a global report with independence and legitimacy attributes which would be assigned by its creation by High Commissioner would contribute a lot to reduce the politicization and discerning rate that is found nowadays in the Human Rights Commission’s works.

The High Level Panel offered relevant observations on the credibility of the Human Rights Commission towards the perceptions
that “double standards” are adopted in the treatment of human rights’ issues. Brazil considers that it is essential to guarantee the effectiveness and credibility of the UN human rights’ system that the High Commissioner, as recommended by the High Level Panel, prepares an annual report about the human rights situation all over the world.

Since 1998, during the 56th Human Rights Commission Section, Brazil defends a preparation of a global report about the situation of human rights all over the world. This report preparation by an independent and impartial international organization, to the Brazilian government, is shown as a fundamental attitude to the effectiveness of universality and non-selectivity principles of human rights concerning to their accountability.

This global report will also reinforce the multilateralism on the subject treatment, due to the existence of reports that are unilaterally prepared by certain countries about the human rights’ situation in all the others.

Brazil understands that the Global Report on Human Rights, besides including all the globe, must include all rights, from civil and political rights to economic, social and cultural ones. In order to garantee more effectiveness it must content the human rights progress and problems in each country, and, concerning the observed problems, point out dialogue and cooperation possibilities.

Brazil considers that a progressive and consensual focus must be searched, in order to adopt the Global Report, and also that the States, the High Commissioner, and the non-governmental human rights organizations must join a constructive discussion about its viability, and about its possible structure.

**Human Rights Council**

Brazil recognizes on the human rights’ promotion and protection one of the grounds of UN construction, beside peace, security and development. The proposal of the Human Rights Council creation, which would set priority to this theme in compatibility with the current reality, beside the evolution of the international human rights’ system in the last years, deserves attentive consideration.
A more profound reflection on this issue must include more specific questions, such as nature, composition, and powers of such a Council, as well as its interacting with the rest of the UN organizations. It will be important to define in such structure the High Commissioner role and duties.

Un High Commissioner to Human Rights Strengthening

The UN Secretary-General report “In Larger Freedom”, and the High Level Panel report about “Threats, Challenges and Changes” coincides on identifying the clear contradiction between the obligation to promote and protect the human rights of the UN Charter, and the allocation of only 2% of the regular budget of the Commission for the Office of the UN High Commissioner for Human Rights (OHCHR).

Brazil shares the idea that is necessary to strengthen the funding of OHCHR to the adequate performance of its duties, which must be accomplished, primarily, through an increase of the regular budget of the OHCHR, as well as for not conditioned voluntary contributions.

The High Commissioner strengthening must occur not only on its observing duties but also those related to technical cooperation to promote and protect human rights in the countries.

As important as the funding strengthening of the OHCHR is the question of its staff’s strengthening, including the idea that the Office count on enough human resources for an appropriate performance of its duties at the headquarters and regional offices, and that the OHCHR staff count on appropriate geographic and regional representativity.

HCHR Relationship with the UNSC

The Secretary-General also recommends that the Security Council encompass more actively the High Commissioner in its deliberations, including the directives of peace operations, and situations in specific countries, becoming this dialogue a general rule. Brazil considers that an eventual intensifying of the relationship
between the Security Council and the High Commissioner must be an object of careful consideration, with the special concern of avoiding problems between the two organizations’ mandates.

It must be considered, on one side, that the cooperation concerning the human rights’ issues is the most important duty of the High Commissioner, as well as, on the other side, that the Security Council’s action must be restrict to situations that reveal threats or violations to peace and to international security.

On this perspective, the most intense relationship of HCHR with the Security Council must occur only in those cases in which the situations of threat or rupture of peace and international security are associate to human rights questions.
聯合國改革-高級戰爭學院(Escola Superior de Guerra-ESG)予中國國際戰略學會代表
(Aquiles Zaluar)

DNU, 25/5/2005

1. 安理會改革

經過本次大會建議，巴西自許聯合國安理會改革過程已達到前所未有的活力和熱潮。近來關於多國和法屬聯合國地位的討論，尤其是安理會改革，證明國際社會感受到可由新加入常任和非常任理事國共同進行聯合國代表，為非，效率及效率的機制。安南(Kofi Annan)祕書長提醒我們，目前的改革已經比過去任何時候均加快。在1945年

這顯示對第59任聯合國大會總理加蓬國代表的演講，有關於此問題的討論，聯合

巴西和許多伙伴評估後，國際社會一致認定不能浪費這麼長時間。我們認為我們能立即採取改革，

巴西有明確清晰的行動。我們的方針和實體行動有下列觀點為基礎:

i) 聯合國改革引言之基礎，尤其安理會改革，不是由任何某一國家主導。由於近年重大事件，譬如國際恐怖分子組織和伊拉克戰爭，使聯合國遇到嚴重的考驗。安理會改革已達

ii) 聯合國秘書長設立的最終報告人小組指出: 國際社會應接著推動聯合國改革以確保

連理會在北約組織和組織更新或和調整，以在創建聯合國改革之後的宗旨，

iii) 在安理會管理項目中，包括維和及安理會改革項目，發展中國家當任理事國的缺

iv) 因此，巴西歡迎安理會改革擴大常任理事國，確保拉丁美洲及非洲的席位。

v) 安理會決定擴大的不對稱權和有限延長席次。此結果為第二次大戰後的廢除，

vi) 1961年從十個席位到十五個席位。從此之後，雖然會員國數量增加四倍，從五十

vii) 現實安理會顯現出嚴重及越來越不平等之決定結案，包括組織擴編的審核它代表性不

viii) 安理會改革輪演討論在60年代，但現今仍是必要。這過程中，巴西將對其有

ix) 由國聯G-4)所根據發生在擴張聯合國改革的網絡－所謂G-4已表明它有發展中國家

x) 巴西認為聯合國在解決許多問題方面的角色擁有許多國家，如安理會代表當任理事

xi) 巴西支持使決策過程透明，讓國際社會更多國家的代表參與安理會的可行性

xii) 除此之外，常任理事國的加入與非常任理事席位的擴大將會增加瞭望及平衡的機

基於上述觀點，巴西公開請求改革後安理會當任理事國－個位。除基本概念的影響，領

長對未來新成立理事國的需求。巴西的外交政策。基礎、宗旨與創造聯合國的靈魂有共鳴；

和平解決爭端，人民自決權，尊重國際權力。合作開發社會經濟。我們與蘇聯和平共存有一百多

我們在促進後新秩序，為達到理想中的目標。那就是所有地區國家分享財富。安理會威名

於重建非常任理事國任期。我們有義務的時機實現我們的對話和平的評估。這樣

後，希望能夠扮演理事國的地區維持國際合作發展，同時維護世界和平。

巴西總統魯拉言: "和平得社會平等等"。在巴西的評估，世界和平的建設維護。大部分由
軍事行動為基礎。因此我們期望以打擊敵軍，協防為前提進行聯合國改革，包括安理會擴大和加強經社理事會和聯大會議的重要性。在巴西蘇利恩，經社理事會應該與安理會同時進行，戰略重建的角色由經社理事會擔任。巴西大陸於第50聯合大會上說，“非凝規模，貧富懸殊引爭端。”

2. 聯大會議

經社理事會

3. 經社理事會

巴西認為聯合國改革需加強安全和組織發展。按照千年發展目標(MDM)。安全問題當超出話題限制。經社理事會要指導對中國較多的考慮。當安全與發展問題並論。安全方案需貨支付力消來負擔。財務分配，地區對民族生存的威脅。我們承認必須現存，我們也贊成千年計劃需要適當的財政調度來實現千年發展目標(MDM)。另一方面，還需作警城風險的製造和創新的機會的認識。若無無全理解，難達一個新發展的目標。一個好目標應該參見2004年全球社會尺度委員的GATT報告。

無論安全與發展，聯合國經社理事會為其達成全球性事務的標準。此任在失敗時在一一個小表達或者G7/G8，時至掌聲平汪社會組和Davos和Porto Alegre等地方討論會。聯合國有三大主持此性質會議的目標：一、改革安全，發展的動力；二、召集世界性會議如Monterey和Joanesburgo。三、右緩緩推動基層支持，再可加速第四條件；全世群參與的正確。

更新的經社理事會或應影響Davos和Porto Alegre等地方討論會。我們不該懷疑聯合國對此性質會議的承認。許多地區經社委員的提議通過聯大會議的討論與組織相聯的現實。高級階層，世貿組織和Bretton Woods機構的對話對是實際改善。其他例子有布隆迪，幾內亞比索，多哥。此三例為高級別層次小組和和平建設委員會方案之基礎。

巴西認為：

a. 戰爭後重建事務所預算的爭議將列入經社理事會範圍。並以和平建設委員會為例法例範圍。

b. 可建立一個 temporada理事會審核機構。按照千年發展目標(MDM)進展為基礎。於建立開發國家的審核，可用Brookes納或其它國際協商目標。此機構應當指出達到目標的策略。可採用NEPAD雙審核制度標準；

c. 可使用專家第66條(3)來除聯合國和經社理事會重疊。經社理事會可推薦經社理事會審核意見，並有實現千年發展目標MDM。如此聯大會議可專注於優先事件如法律、經費。
方法，使類似爭端不再複發。

和平建設委員會的結構仍需詳細討論。提議中成員、角色、範圍、決權、其它機構參與等項目有待研究議論。

5. 人權理事會

秘書長於“大自由”報告中關於人權方面的建議和高級別名人小組發表有關恐懼、挑戰、改變等項目受到巴西政府重視。這些項目對於國際人權保護有非凡意義。因此巴西政府打算積極參與。

從巴西國內政治民主化開始，巴西協助國際人權保護系統是穩固持久的。巴西是所有國際性人權保護文件簽署國，持有國際合作態度，並且接受人權理事會報告人“永久性”邀請。巴西對於人權方面的承諾和貢獻可見於 1978 年無間斷於人權理事會的參與。

全球人權報告

為了系統進步，巴西提議由高級委員製作全球性報告。我們相信一個獨立、無偏的人權報告有助於減少政治挑選的地方性質，因此行動才能有效推動世界各地人權工作。

高級別名人小組表示對雙標準人權處理關心。巴西認為高級別名人小組建議由高級委員組成年度性人權報告有助提高聯合國聲譽，實質增加效率。

從 1998 年開始，巴西於第 56 屆人權委員會編輯製作全球性人權報告，由一個獨立，不受任何政治影響的機構來制定此報告。巴西認為此乃改革全世界和不挑選性的標準。

報告還能增強事件處理之多元性。達致於由某些少數國家製造出地方性人權概況。

巴西在認全球性人權報告的許多權利如民事、政治、經濟、社會、文化、為保護效率，應該指出各國的進步與困難。對於發現困難，該法庭已提出合作解決。

巴西也建議注意力應集中於人權進步。有可能的話，達成共識制定全球性報告。參與討論單位是全體會員國、高級委員會、非政府人權機構。

人權理事會

巴西承認保護推動人權是建立聯合國的支柱之一。其它支柱有和平、安全和發展。成立人權理事會方針，有助於過去幾年來人權問題的進展。現今事實需求，獨立認真考慮。

深思熟慮後，該包括細節如理事會性質、成員、責任與其它聯合國理事會之交互、最主要部分是確定高級委員會的角色。

聯合國人權高級委員會之加強

聯合國報告“大自由”與高級別名人小組報告“恐懼、挑戰、改變”同時指出聯合國憲章與維護人權義務矛盾。只有 2% 正常經費撥給人權高級委員會。

巴西認為此經費不足以供應人權高級委員會運作，經費需提升，可討論增加正常經費百分比或由會費自願奉獻。

高級委員會之加強不限於審查，應包括關於國之間的人權保護與提升之技術合作。

除資金問題，人權高級委員會人力資源仍待加強。不論整體或區域委員會，人力資源應有適當的代表性。

人權委員會與安理會之間關係

秘書長建議安理會加入高級委員會的服務、包括國家安全狀況。巴西理解此關係應當小心考慮。特別注意勿混淆二機構的職責。

首先應該認識人權委員會的職責範圍。另一方面安理會不負責國際安全和平的維持。

如此看來，人權委員會與安理會之間關係限於當國際安全和平遭受威脅與人權問題同時發生。