

# **The great responsibility and the long path of the Reform at the UN**

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In the year of 2005, United Nations celebrates the 60th. Anniversary of the San Francisco Conference. For the Organization, it is definitely a very important year. The reform at UN is right now the main issue in the international community. The Assembly that will be held on September will be decisive on the future of the Institution. Next I will talk about some of my personal points of view on the reform at UN:

## **1. The main content of the UN reform**

In the Secretary-General Kofi Annan's report "Larger Freedom: towards development, security and human rights for all", submitted to the General Assembly in March, it included broad proposals. (1). Enlarge the Security Council from the actual 15 state members to 24 state members. Proposal A: increase six permanent state members with no veto right, and three four years term semi-permanent state members, possible of being reelected. Proposal B: increase eight four years term semi-permanent state members, with possibility of being reelected, and increase two non-permanent state members. (2) Elevate the Commission of Human Right, actual subsidiary body from the Economic and Social Council. Create the Council of Human Right and make the Security Council, Economic and Social Council and Human Right Council the three most important organ of the institution. (3) Standardize the UN mobilization system. Define, for the first time, terrorism. The report emphasize that the success of the UN reform depends mostly on the reform of the Security Council, and urge the countries to think about the two proposals presented by the high level commissioner on the issue.

After the end of the Cold War, the reform at UN has become the main international issue, and the reform at the Security Council

is the most important reform of it all. In 1993, it had been decided in the 48<sup>th</sup> General Assembly the creation of a specialized group to attend the reform at Security Council. Assuming office in 1997, Secretary-General Kofi Annan took immediate steps to improve the functioning of the United Nations and carry forward reforms instituted by his predecessors. In a letter to the President of the General Assembly, the Secretary-General announces “track one” of his organizational reform program: it suggests to increase five permanent state members with no veto right in the Security Council (two developed countries plus one country from Asia, one from Africa and one from Latin America) and increase four non-permanent state members (one from Asia, Africa, Latin America and East Europe). On July of the same year, The Secretary-General issues his report on “Renewing the United Nations: A Program for Reform” .The principal measures were proposed to simplify the structure as well to as reduce costs and invest the saved money to promote the economy of the developing countries.

Lately, every General Assembly had put the Reform at Security Council into discussion. But since the enlargement of the Security Council with the increase of its permanent members, concerning also the matter of the veto right, touches the interest of several parts, it caused a clear division among the state members on this reform issue. A consensus is difficult to reach.

On November 2003, the Secretary-General Koffi Annan names High-level Panel on Threats, Challenges and Change. This Group was put in charge to investigate and analyse the threats and challenges to the actual international peace and security and the reform at UN. On December 2004, the Report of the High-level Panel on Threats, Challenges & Change: “A more secure world: our shared responsibility” was issued. With regard to the expansion of the Security Council, it presented two proposals. The panel suggests two options: one involving six new permanent members with no veto plus three semi-permanent members, Africa and Asia would have two seats each for permanent member. America and Europe would both have each, one seat as permanent member. The other proposal is based on eight new four-year, renewable seats that would be regionally distributed, plus one non-permanent seat. Africa, Asia,

Europe and America would have each two four-years renewable seats.

## **II. The Chinese position toward the reform at UN**

In September of this year, all the state leaders will meet in the ONU to discuss the reform of this institution. Concerning the reform of the ONU, the Chinese position is the following one: China supports the reform of the Security Council, whose main objective is to enlarge the Council to increase its capacity and effectiveness in managing the world security and peace issues, besides preserving its authority. The enlargement of the Security Council must be carried through never losing of sight the problem of the deficiency of the representation of the developing countries. All the states members must arrive at an agreement. The ONU Security Council is an agency of extreme importance in the preservation of the security and peace in the world. The enlargement of the Council touches many parts' interestes. Disputes during the reform is normal. The most important thing is to take in account the organizations of all the areas and the national interests of every country. The reform must be democratic, carry patient and mature discussions and firm development. Only a mature decision derived from long discussion will be able to add true benefits to the authority and the effectiveness of the Security Council. And only this way, it will have the wide confidence and the support of the involved countries. China supports any measure that benefits to the union and the harmony of the state-members in this process. For us, the two proposals pointed by the High Commissariat must be a reference, that means, the ONU must be more receptive and open to other proposals of reform and opinions. There is no calendar for the reform of the Security Council and, in no way, should the reform be carried out hastily. The reforms must be carried through, aiming at the long run interests of the institution. No way should immature proposals be approved by force. The reform of the Security Council is just a part of a greater reform of the institution. The other reforms do have also a great importance. China would not like to witness the disputes on the reform of the Security Council harm the further reforms in ONU, and even less, to witness division inside of

the ONU due to these disputes, which can harm the preparation and the discussion of the meeting of state leaders in the September.

### III. The difficulties of the UN reform

With sixty years of history, UN decided in this year to renew and to revitalize. One can say that the common desire of all state-members regarding the UN reform is increase its effectiveness and its adaptation to the new times. However, the 191 countries members have different opinions on the reform. There is no consensus. The UN reform is a reform in several fields, and it touches important interests of all the sides. That is why huge divergences exist among the members regarding the reform's destiny, content and focus. A consensus in a short period of time will be very difficult to reach. Annan considers that the present reform "is the most difficult reform of the history of UN". Firstly, what is the focus and the ideal form of accomplishment? There is a great division between the developed countries and the developing countries. The developed countries consider, of all, the most serious problem is the security, so, for this group, the reform must be carried through with this focus; the developing countries, in turn, consider the economic development the most important issue, then the UN reforms must be guided by the increase of the promotion on economic development.

Secondly, there is still the issue on the terms to the employment of the weapons. The report recommends the Security Council to expound the effective principles to authorize the military mobilization, and also to explain and to define threat degree, objective of the military mobilization, compatibility between the military solution and the threat, possibility of success of the military action, etc. But the report admits that there are several different opinions among the state members, for inside of these general questions is still several others inlaid: Has a country the right to carry through military actions as measure of precaution or action of self-defense against an intermittent threat? Has a country the right, for self-defense, to use the military force against potential threat? Has the country the right or the duty to use the military force for its protection and, therefore, to cause destruction to another nation or etnia and/or to commit crimes of the sort?

In the international community, consensus exists on the necessity of enlarging the Security Council, but the form of this enlargement and which countries can become members are generating big disputes. The two proposals presented in the report had not been approved by the majority of the members. According to the UN Charter, the big decisions must have the approval of the five permanent members of the Security Council and 2/3 of the members of the ONU. The report presented by Annan has certainly many interesting suggestions, however, how many of them will have the approval of the members of the ONU? We do not have answers at the moment.

Moreover, being the United States the sole world power in the present time and the country that more contributes for the funds of UN, its decision will be decisive. Although the United States accept officially the proposals of Annan, US possess its own opinions to the concrete issues of the reform. The Bush government kept, since the beginning of its mandate, a hostile attitude toward UN and just a while ago, nominated its Secretary of State to the post of American Ambassador in UN, thus putting into practice, one more time, its extreme conservative politics.

The international conjuncture is in big change. The power of the United Nations must be strengthened, in no way should it be weakened. To be in accordance with the objectives and principles written in the UN Charter, a sensible reform aiming at strengthening the role of UN leadership in the international community is a need of the present time, so it may increase its effectiveness toward the new challenges and threats. However, as the UN reforms touch the interests of several countries and the future of the international community, the reform must be carried through in a democratic way and never undervalue the ideas pointed out by the developing countries. A common decision must be reached through long discussions. It can never lose sight the complexity of the reform and the its influence in the long run. Immature measures must not be forced, nor stated periods must be imposed, thus, it will prevent bigger divisions and contradictions among the state members of the United Nations.

## 联合国改革任重道远

Wang Yi Bing

2005年是联合国成立60周年,对联合国是具有特殊意义的一年,联合国的改革是国际社会极为关注的问题,今年9月召开的联合国首脑会议将就联合国未来发展及作用做出重要决策,下面我就联合国改革的有关问题谈一下自己的观点看法:

### 联合国改革的主要内容

2005年3月21号,联合国秘书长安南向联合国大会做出了题为《<<大自由:为人人共享安全,发展和人权而奋斗>>》的报告,提出了联合国改革的一揽子方案。1 扩大联合国安理会,让安理会成员由目前的15个扩展到24个,具体方案又有两套:方案1建议增加6个没有否决得常任理事国及3个非常任理事国;方案2建议新增8个任期4年,可连任的准常任理事国席位,以及一个任期2年的非常任理事国席位。2

把属于经社理事会的人权委员会升格,成立联合国人权理事会,让安理会、经社理事会、人权理事会成为联合国三个并列的最主要的机构。3 规范联合国动武机制,第一次完整地定义恐怖主义,报告强调,联合国的改革成功与否取决于安理会的改革,并督促各国考虑联合国改革问题高级别名小组提出的有关安理会扩大的两个方案

冷战结束后,联合国的改革问题被提上日程,其中安理会的改革是联合国的重中之重,1993年,第48届联大决定成立安理会改革专门工作组,1997年1月,安南出任联合国秘书长后,开始着手对联合国进行改革,3月第51届联大主席拉扎利以安理会改革工作组主席身份提出安理会改革一揽子方案,建议安理会增加5个不享有否决权的常任理事国(2个发达国家,亚、非、拉各一席)和4个非常任理事国(亚、非、拉、东欧地区各1席),同年7月,安南就联合国改革问题向第51届联大提交了全面改革方案,方案主要包括精简结构,提高办事效率,削减财政支出和把时间省下来的资金用于发展中国家的经济建设等内容

几年来,每一届大会议都对安理会的改革问题进行讨论,但因为安理会扩大规模,增加常任理事国和否决权等问题涉及各方利益,导致各国成员对改革方案分歧很大,难以取得广泛共识

2003年11月,安南任命研究联合国改革问题高级名人小组,专门就国际和平与安全面临的挑战及联合国改革等重大问题进行研究,2004年12月,该小组提出了有关安理会扩大的两个方案,一是增加6个没有否决权的常任理事国以及3个经选举产生的非常任理事国,其中非洲和亚太地区各有2个常任理事国席位,欧洲和美洲增加1个常任理事国席位,二是增加8个任期4年,可选连任的半常任理事国和1个非常任理事国,非洲,亚太,欧洲和美洲将分别获得2个半常任理事国席位

## 二 中国对联合国改革的立场

今年9月,世界各国元首将齐聚联合国,讨论联合国改革大忌,关于联合国改革问题,中方的立场是一贯的,中国支持联合国安理会改革,改革的目的是要增强安理会维护国际和平与安全的能力,提高安理会的效率,维护安理会的权威,安理会的扩大因优先考虑发展中国家代表性不足的问题,应以全体成员达成共识为基础,安理会对维护世界和平安全负有重要责任的机构,安理会的扩大涉及各方切身利益,有争议是正常的,关键是要充分考虑到所有地区组织,国家的利益和关切,讲求民主,深入讨论,耐心磋商,稳步推进,唯有协商一致达成的方案才能真正有利于增强安理会的权威性和效性,才能赢得全体会员国的广泛信任和支持,对任何有助于弥何各方分歧,有利于维护联合国成员团结的安理会扩大方案,中国持开方态度,名人小组的两个方案都是原则设想,安理会的改革应该广开言路,有关讨论不应局限于两个方案,要集思广益,同等重视其它改革方案和想法,安理会改革没有时间表,不能急功近利,不可能一蹴而就,从维护联合国整体和长远利益出发,中方不赞成安理会改革设定时限,可不在成以强行表决的方式处理尚缺乏广泛共识的不成熟方案,安理会改革只是联合国改革的一部份,其它领域的改革也同等重要,我们不希望看到,关于安理会改革的讨论和争议冲淡甚至损害对其他问题,特别是发展问题的磋商,更不希望看到联合国因此限于重大分裂,从而影响到9月首脑会议的成被以及成果文件的起草和磋商

## 三 联合国改革所面临的困难

经历了六十年风雨的联合国,今年决心革故鼎新,重新焕发青春与活力,改革联合国,始知提高效率,与时俱进,因该说是所有会员国共同心愿,但是,在这共识下,联合国改何去何从,191个会员国却是众说纷纭,莫衷一是,联合国改革是全方位和多领域的涉及各方重大利益,因此联合国各成员在联合国改革方向,内容及重点问题一直存在着重大分歧,很难在短时间内取得一致,安南自己也认识此次改革将是“联合国史上最难的改革”,首先是对于改革的重点,发展与安全孰重孰轻?发达国家与发展中国家之间,存在着严重分歧,发达国家认为,安全是最重要的问题,改革应以如何加强安全中心展开,而发展中国家则强调,发展问题是最应关切的问题,改革的重点放在加强联合国促进发展的作用方面

共识是动用武力前提与条件,报告建议安理会通过决议,明确授权武力应遵循的原则,其中包括威胁严重性,动武目的,军事办法与威胁是否相称,军事行动成功的机会等,但报告同时承认,在下列问题上,成员国仍存在巨大分歧,这些问题包括:国家是否有全先发制人而使用军事力量,对紧迫威胁采取自由行动,;国家是否有全为预防目的而使用军事力量,对潜在威胁或非警破威胁采取自卫行动,以及国家是否有权或有义务为保护目的而使用军事力量,从而使其它国家公民免遭种族决灭或类似罪行之害等

国际社会对安理会扩容以增加代表的广泛性以形成共识,但安理会扩大的范围与谁有资格成为新常任理事国却充满激烈的争论,报告提出的两种方案目前均未得到多数成员支持,根据联合国宪章的有关规定,重要问题的决定必须得到联合国会员国2/3以上的支持,以及安理会5个常任理事国的同意才能获得通过,安南报告中虽然提出很多建议,但究竟能获得多少联合国会员国的支持,目前尚难预料

作为当今世上唯一超级大国和联合国最大的会费缴纳国,美国的态度十分关键,尽管美国对安南报告总体表示欢迎,但在一些具体问题上仍有保留,前不久,布什政府刚提名在外交强烈保守主义立场,并且一直对联合国持批评态度的助理国务卿,博尔顿为美国常驻联合国大使,也增加了联合国改革的变量

当前,国际形式正处在深刻的变化中,联合国的最用只能加强不能削弱,根据《联合国宪章》的宗旨和原则对联合国进行必要,合理的改革,以加强联合国在国际事务中的主导作用,提高其应对新威胁和新挑战的能力,这是



时代要求,但是,由于联合国改革问题涉及方方面面的利益,是观国际社会的未来,该革应该真正在全体成员国中发扬民主,并且充分照顾和解决发展中国家所关切在充分协上的基础上,争取达成广泛一致,对待联合国改革应充分估计其复杂性和长期性,不应强行推动不成熟的方案以及人为设定时限,以避免加深国际社会的分歧与矛盾.