S-0044-0001-023-00043

Expanded Number **S-0044-0001-023-00043**

External ID

Title

Item-in-KAA: DGACM - 2005

Date Created	*Date Registered*	*Date Closed*
20/12/2006 at 10:20 AM	**21/12/2006**	

Primary Contact

Home Location **S-0044-0001-023 (In Container)**

Assignee **In Container 'S-0044-0001-023 (Souleymane Soukouna)' since 27/12/2006 at**

Priority

Local-container

Owner Location **Archives and Records Management Section**

Record Type **Archival Item**

Date Published

Document Details

Container **S-0044-0001: DGACM - General**

Notes

Record has no document attached.

Print Name of Person Submit Image

Signature of Person Submit

MMB fyi.

Mim

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS: United Nations S-2963A, New York NY 10017 USA TEL:(212) 963 8362 FAX:(212) 963 8196

RECEIVED
FEB - 3 2005
25-01554
EXECUTIVE OFFICE OF THE SECRETARY

The Under-Secretary-General for General Assembly and Conference Management

2 February 2005

To: Mr. Mark Malloch Brown
Chef de Cabinet, Executive Office of the Secretary-General

From: Chen Jian

Subject: **Informal plenary meetings on the recommendations contained in the report of the High-level Panel on Threats, Challenges and Change**

Attached please find DGACM's analytical summary by issue of the major positions expressed by Member States in the informal plenary meetings on the recommendations contained in the report of the High-level Panel on Threats, Challenges and Change, 27-31 January 2005.

Ccl:
DSG
RO
SS
EM
GMG members

RECEIVED
FEB 24 2005
EOSG / CENTRAL

DGACM SYNOPSIS

by major issue of the
Informal Plenary meetings on the recommendations contained in the report of the High-level Panel on Threats, Challenges and Change, 27-31 January 2005

In the course of the 6 plenary meetings devoted to this issue over 3 days, a total of 97 delegations took the floor to express a broad – and surprisingly divergent – array of views on the report in question, its recommendations, and the way forward from here. Though the alignment of both delegations and regional groups along the north-south/security-development axis was obviously foreseen, the degree of entrenchment frequently indicated and the polarization of views expressed were both somewhat surprising. Delegations on both sides of the divide clearly felt compelled to use these meetings to leverage points and positions with a view to influencing the upcoming March report by the Secretary-General, which they seemed to anticipate as both a synthesis of the HLP and Sachs Report processes and as a watershed in its own right. Beyond it, the September summit clearly loomed equally large on their horizon as well.

Morocco succinctly circumscribed two set of issues, both fractious, that dominated the discussion: institutional and normative.

INSTITUTIONAL ISSUES

Security Council

Among **institutional issues**, the question of the **expansion of Security Council membership** clearly predominated. Delegations were divided on the two models (A and B) proposed by the report. While each model attracted scattered support from individual Member States, several speakers expressed the view that a combination of the two models could be pursued, while others stated that their delegations would not agree to either due to disadvantages their region would face should either of the two models, as presented in the report, be adopted. China underlined that 'the two formulas for expansion of the Security Council, ...in our view, are mainly general ideas that need to be fleshed out in detail: discussion by Member States of this question should not be confined to these two formulas; the concerns raised and other possible proposals voiced by various parties all deserve to be studied and considered carefully'. Croatia was among a number of countries that were at pains to underline neither model was 'ideal for Eastern European participation'. Slovakia also thought that the 'two options must be seen as indicative, not exclusive'. The United States 'remain[ed] open to considering recommendations of the [HLP] on Security Council reform, ...[but] believ[ed] that broad consensus – both within the organization as a whole and in regional groups – will be needed to advance any structural reform of the Security Council'. While the EU offered no common position on the question, the United Kingdom 'recall[ed] [its] longstanding position...in favour of reform of the Security Council, ...welcome[d] the impulsion the Report gives to this debate, hope[d] it could be satisfactorily resolved, ...[and]

support[ed] expanding both the permanent and non-permanent categories. France held a similar view and position. Germany (in supporting model A), argued that '[i]n our view, reform of the Council must aim at creating a more effective Council, a more representative Council, a more legitimate Council, and a Council more willing to adapt its working methods to take the views of non-Council members on board and better cooperate with other UN organs'.

Singapore, however, was but one of many members that insisted that 'what is more important than the issue of Security Council enlargement is the reform of its **working methods**. Small countries, which are the majority of the UN members, tend not to have aspirations to permanent membership of the Security Council. What matters to us therefore are the Security Council's effectiveness, transparency and its involvement of non-members when issues of direct interest to the latter are being considered.' Thailand also emphasized that 'the enlargement of the Security Council must be undertaken together with the improvement in its working methods so as to enable the Security Council to work in a more transparent, accountable and representative manner. To this end, it might be worth considering the engagement of concerned parties in the decision-making process of the Security Council right from the start.' Guinea(Africa Group) remained favourably disposed to Security Council reform as it pertained to improving function, working methods, decision making, and greater transparency and democratization. Croatia was 'also of the view that working methods of the Security Council should be improved by being more transparent, efficient and accountable, including more consultations with other UN bodies, UN member states, regional organizations as well as with civil society including non-governmental organizations. Additionally, we support a proposal of the High Level Panel that United Nations peacekeeping budget should be amended to give United Nations the option, on case-by-case basis, to finance regional operations authorized by the Security Council.'

Regional Groups

On the question of the role of **regional organizations and groups,** Kenya suggested that 'as regional and sub-regional organizations assume greater responsibility in resolving conflicts, the Security Council should utilize them more than has been the case'. Romania agreed that '[a]s regional and sub-regional actors emerge and grow, rethinking and adapting their relationship with the global Organization is of key importance. The UN should work at further modeling this relationship – while maintaining the centrality of its role – so that overall action for security and stability is improved in the interest of all. ...There are several areas in which there is clear need for ampler and systematic outreach to regional organizations, with a view to better carrying out the UN's mandate – conflict prevention, frozen conflicts, the relationship between security and development. ...We have to look into ways to increase feed-back, transparency and accountability of the regional conflict management in front of the United Nations.' New Zealand was 'pleased that the report acknowledges the contribution of regional organizations to promote peace and security, [noting that] the Panel recommends that authorization from the Security Council should be sought for regional peace operations. While Security Council support for regional peace efforts is welcome, and expanded cooperation

between the UN and regional organizations should be encouraged, we are comfortable with the existing provisions of Chapter VIII of the Charter and see no need to change the Charter basis for interaction between regional organizations and the UN. Ghana cautioned 'however, [that] some of the proposals on regional organizations call for closer examination and sober reflection. It may be necessary to differentiate between categories of regional organizations and find out which ones can be used to support UN activities without violating the charter. The Panel's report also seems to give regional organizations a broader mandate than envisaged in the Charter.' Sweden posed another and perhaps even more pivotal caveat: 'regional organizations should be able to take greater responsibility for security on their parts of the world. However the primary responsibility for maintenance of peace and security should remain with the United Nations.

General Assembly

In the midst of this discussion, however, Malaysia(NAM) dryly 'observ[ed] the tendency of the Report to equate reform of the Organization with empowerment of the Security Council' and was the first to caution that '**reform** must be pursued in a holistic, comprehensive, balanced and effective manner. It should include strengthening and revitalization of the principal organs, namely the General Assembly and ECOSOC, and **other relevant UN bodies**, as well as reform of the Security Council. NAM maintains the view that any reform process should lead to the strengthening of the **General Assembly** as the highest deliberative organ of the United Nations, and restore and enhance its role, including in the maintenance of international peace and security as provided for in the Charter, through the strengthening of its relationship and coordination with other organs, in particular the Security Council'. Costa Rica also found it strange that 'while the Panel recognized that what we need are collective strategies, collective institutions, and a sense of collective responsibility, it chose paradoxically to empower the Security Council, an organ of the most limited composition, which is not, by any stretch of imagination, the best representative of our collective will, without suggesting any meaningful reform to its agenda, working methods and decision-making process.' Uruguay stated its position even more flatly, explaining that 'among institutional issues, ...revitalization of the General Assembly is, in our view, the most important. We are convinced that it is more necessary and urgent to revitalize the Assembly ...than to increase the number of members of the Security Council. ...The three recommendations that concern the General Assembly seem, in our view, to be a very modest response by the Panel to the crisis of that organ. Of the three, only the second contains a suggestion that, if adopted, might contribute to restoring [its] lost authority. ... Uruguay will not be in a position to support any reform that grants the Security Council legislative and regulatory powers to the detriment of the competence of the General Assembly.' Many delegations concurred that while the report mentions a need to reform other UN organs, it gave but scant attention and consideration to this issue and did not make adequate recommendations to achieve this end. Sweden felt that 'the recommendations of the HLP report with regard to reform of the General Assembly are few and rather general. We should fill this gap in the report by being imaginative in our thinking about how to revitalize this important and basic body'. Ethiopia agreed that 'the recommendations

regarding the General Assembly are not up to standard' and expressed its 'hope of seeing the role of that body restored'. Luxembourg(EU), placed a slightly different emphasis on the issue. Noting the 'laudable results ...achieved during the 58th session of the General Assembly', it stated that it 'would welcome a more resolute effort by the membership to revitalize our legislative body'. Looking back a bit further, Guinea(Africa Group) recalled and 'firmly supported the consensus that emerged from the Millennium Summit in favour of reinforcing the power and authority of the General Assembly... and [stated that it] would make every effort to see that it was brought to fruition'.

ECOSOC

Regarding **ECOSOC**, Jamaica(G77) expressed the view, frequently echoed by its members and others, that while the 'Panel Report concludes that existing global economic and social governance structures are woefully inadequate for the challenges ahead, ...no recommendations were made to address the issue. No serious attention was given to the role of the ECOSOC. We are disappointed with this approach, for the Group of 77 & China attaches importance to ECOSOC fulfilling its role in accordance with its mandate under the Charter. We are therefore concerned about any attempt to weaken the ECOSOC and its critical role in giving prominence to economic and social issues within the UN. The role of ECOSOC, as envisaged in the Charter, should be strengthened, not reduced to one of coordination.'

Peacebuilding Commission

More encouragingly, Sweden found 'the most innovative recommendation in the HLP report [to be] the proposal to establish a **Peacebuilding Commission**', but cautioned that 'to be successful, peacebuilding activities should be planned, coordinated, and implemented in an integrated manner with peacekeeping. The Peacebuilding Commission should thus be linked to the Security Council. But there is also an obvious need to find a way of linking peacebuilding activities to a reformed [ECOSOC].' Liechtenstein concurred that 'whether or not the Commission should be placed under the authority of the Security Council, the role of ECOSOC and the decision-making capacity of the new Commission are central points that require further discussion'. 'The Panel's recommendation to create a Peacebuilding Commission resonate[d] strongly with the European Union's determination to address the institutional gap identified on so many occasions between the end of armed violence and the return to development activities in a secure environment.' Mexico also saw the Peacebuilding Commission as 'imaginative' and suggested that 'the General Assembly should play a key role in defining' its role, mandate, and membership. Croatia cautioned that the Peacebuilding Commission would 'need a clear mandate and composition', and India suggested that the Assembly was the right and logical place to address such issues as peace-building and the Peace-building Commission. The Republic of Korea also 'welcome[d] the Peacebuilding Commission', but nonetheless felt that the proposal required 'further clarification'. China also felt that though '[t]his is an innovative idea that is conducive to promoting States in giving priority attention and input to post-conflict peace-building and thus enhancing inter-agency communications and coordination in this regard, details of this

proposal still need to be carefully worked out to ensure that it is genuinely feasible and generally acceptable to all'. Guinea(Africa Group) felt that 'the creation of a peacebuilding commission, as a new intergovernmental organ, generates real interest among the African Group. In effect, as the Brahimi Report underlined, we need to elaborate more complete and integrated strategies if we are truly to consolidate peace'. Afghanistan also 'strongly support[ed] the proposal. ...Based on our own experience, in order to facilitate the provision of international assistance and to manage properly the resources allocated for rehabilitation and reconstruction of a post-conflict country, it is necessary to have such a Commission supporting national efforts.'

Secretariat

Among institutional issues, the **reform of the Secretariat** also figured importantly. Cuba emphasized 'the necessity of having a more efficient and professional Secretariat. To this end, we consider that the proposals of reform adopted, after intense negotiations, by the General Assembly on the human resources issue, are to be implemented. Likewise, we understand that the Secretary General has enough flexibility to administer his personnel.' The Republic of Korea 'also support[ed] the strengthening of the Secretariat so that it can better serve the interests of the Member States, [noting that] efficiency and effectiveness should be the guidelines [and that] the establishment of new posts should be considered on this basis'. 'The Philippines call[ed] for a more effective Secretariat, not only through a one-time review, but through regular management audit of its current workforce as well as proposed additional personnel.'

NORMATIVE ISSUES

Use of Force

Among **normative issues**, the most fractious and evident was without doubt the **use of force.** Bangladesh commented that '[o]ne of the most controversial issues dealt with in the Report, perhaps, is the **interpretation of Article 51**, [noting that the] Panel, while asserting that Article 51 needed neither extension nor restriction of its long understood scope, in fact went beyond the scope of Article 51 by prescribing for pre-emptive use of force in the event of so-called "imminent" or "proximate" threat to national security of a Member State.' South Africa was among a large number of delegations agreed with the report's findings that it does not favor rewriting or reinterpretation of Article 51. 'The Russian delegation share[d] the conclusion that the UN Charter in this part does not require a revision or new interpretation', and Luxembourg assured those present that 'the European Union share[d] the view that existing UN Charter language (Art. 51) provides the legitimacy for the use of force in cases of self-defense'. The United States went further than this, though, stating that '[w]e agree with the Panel's affirmation that Article 51 includes the right of anticipatory self-defense, and that Article 51 should not be rewritten. **Anticipatory action** is an element of the inherent right of self-defense that predates and remains lawful under the UN Charter. We would emphasize that the right of self-defence must today be understood and applied in the context of new threats posed by

global terrorism and proliferation of weapons of mass destruction and their means of delivery. ... The United States opposes any reinterpretation of the UN Charter that would require Security Council approval as a precondition to a state using force in self-defence.' The Republic of Korea, however, cautioned that '[p]reventive military action raises more complex issues. Ideally, any preventive action should have the backing of the Security Council.' Similarly, Guinea(Africa Group) 'on the use of force, appreciated that the recommendations proposed were founded on the principles of the Charter and the application of the rules of international law'.

Equally as divergent were the opinions on the **criteria** or guidelines proposed by the Panel to guide the Security Council in **endorsing military action**. While some delegations commended the HLP for not shying away from the issue, others cautioned that such criteria could be restrictive and may not cover all situations. China was among the countries that felt that 'as for the basic criteria of legitimacy listed in the report for the authorization of force by the Council, we believe that in view of the differences in the causes of crises and their circumstances, it would not be easy, in theory or actual operations, to form criteria that are universally applicable to all situations', while Russia, '[o]n the whole ... support[ed] the five criteria proposed by the High-Level Panel regarding the legitimacy of preventive use of force against a state posing an external threat'. Pakistan, however, found '[t]he five criteria proposed by the Panel for the use of collective enforcement action ... unworkable, [arguing that] any proposed criteria will always be subjectively interpreted, selectively invoked, and frequently abused'. While finding 'the criteria for action put forward by the Panel ...interesting and useful, the European Union acknowledge[d] them in their political nature, more than as legal criteria'. The view that such guidelines might not be as effective because of their openness to interpretation was balanced by the perception that such guidelines could contribute to making the Security Council more accountable and transparent. Many speakers, however, expressed the view that the Security Council should address situations concerning the use of force on a case-by-case basis, without the limitation of set criteria.

Responsibility to Protect

While '[t]he European Union welcome[d] the concept of the **"responsibility to protect"** as an emerging international norm', Malaysia(NAM) 'reiterate[d] its rejection of the "right" of humanitarian intervention, which has no basis either in the UN Charter or in international law'. Admitting that 'the treatment that the ...Panel has given to the issue of the responsibility to protect has disappointed us', Uruguay argued that, as regards 'the "humanitarian dilemma" [in which a disaster occurs and the Security Council fails to act], the Panel should have gone ahead and suggested a way forward, such as...proposing the mandatory intervention of the General Assembly on the basis of its resolution 377 of 1950 (Uniting for Peace), giving the Assembly the power to override the veto, or regulating the use of the veto so that in cases of humanitarian disaster, the negative vote of a permanent member is not considered a veto'. China, however, crystallized the views of a large number of developing countries when it insisted that 'sovereign States have the primary responsibility to protect their own citizens. ...It is also necessary to realize that in view of the often complex causes of internal conflicts, it is ill-advised to make hasty

judgment that the State concerned is unable or unwilling to protect its own citizens and rush to intervene. The basic principles of sovereign equality and non-interference in internal affairs of other States as stated in the Charter have to be strictly respected.' Russia thought that '[s]ituations involving large-scale violation of human rights may be a reason for an interference of the world community, but only when authorized by the Security Council and in cases when governmental authorities commit mass and gross violations of the universally recognized norms of international humanitarian law or when they are unable to prevent crimes against humanity, genocide and war crimes. Such UN Security Council decisions must be based upon thoroughly checked and impartial information, also taking into account the position of the relevant regional organizations.' Sweden was among those who 'emphasize[d] that the responsibility to protect must be coupled with the **responsibility to prevent**'. Rwanda[1] strongly supported Sweden on this point, warmly welcomed the concept of the responsibility to protect, and suggested that, 'in the Rwandan genocide, had it been applied, tens or hundreds of thousands of lives could have been saved'. Guinea(African Group) agreed as well, noting that the United Nations must make a priority of its efforts to develop capacity to act preventively: 'the recommendation relating to the collective obligation to protect, in case of genocide and other mass killings, of ethnic cleansing or [other] grave violations of international humanitarian law has our agreement. The recommendation on the non-use of the veto in similar cases is also a positive step in the right direction.'

Broadening out from this issue, Jamaica(G-77) noted that it 'would have welcomed concrete recommendations, including on **desertification and natural disasters**, especially since recent events have dramatically demonstrated the threat and destabilising effect of natural disasters', regretting as well that '[o]n **environment issues**, the approach is selective and should be made consistent with the comprehensive nature of the recommendations approved in Agenda 21 and the Johannesburg Programme of Implementation (JPOI)'. Luxembourg(EU) concurred that '[g]iven the recognition of environmental degradation as a significant security issue and the fact that progress in environmental protection underpins progress on all MDGs, the European Union would like to stress the need for stronger attention for the environmental dimension'. While a number of delegations highlighted issues of poverty, infectious diseases and environmental degradation, and the state of the environment in general, as correctly recognized threats to security and development, other delegations highlighted the need to further examine issues such as foreign occupation and oppression.

Terrorism

Egypt asserted that 'we must not address **terrorism and violence** in isolation of feelings of frustration and despair caused by several factors, most notable among which is **foreign occupation**, deprivation of the right to self determination, oppression, identity obliteration, poverty, hunger, disease and other phenomena prevailing mostly in developing countries'. Iran, continuing that line of thought, expressed frustration that '[t]he Panel has not addressed the increasing threat of **clash of civilizations and cultures** which is today serving as a breeding ground for extremism and terrorism'. Kenya

[1] in oral remarks that followed the conclusion of the text it printed and circulated.

further averred that '[t]he struggle against terrorism should include promotion of social and political rights, rule of law, and democratic reform, addressing conditions of poverty and employment that are responsible for creating the seeds of terrorism. Above all, the fight against terrorism should focus on winning over the hearts and minds of those in deprived societies.' However, Afghanistan countered that '[t]he Report rightly states that "Terrorism attacks the values that lie at the heart of the United Nations Charter". A concerted effort is required by the international community in order to overcome the menace of terrorism in all its forms and manifestations'. 'The United States strongly agree[d] with the Panel's emphasis on the need for a more effective international response to threats posed by terrorism, proliferation of weapons of mass destruction and their means of delivery, and failed states.' Importantly, in the eyes of Luxembourg (EU), '[t]he HLP Report emphasizes the need to develop a comprehensive UN strategy to fight against terrorism. In this regard, the EU shares the belief of the HLP that achieving consensus in the framework of the GA on an overall definition of terrorism would be highly valuable.' Costa Rica went further, 'believ[ing] that the United Nations can make a more effective use of its comparative advantage, capacities, resources, and mandates for combating terrorism through the **establishment of a United Nations High Commissioner on Terrorism**'.

Proliferation

A further threat, **proliferation**, was underscored most notably by Japan, who insisted that '[t]he proliferation of weapons of mass destruction constitutes one of the most serious security threats facing the international community, and we hold strong expectations that the UN will play a constructive role in addressing this issue. ...As the sole country in the world to have experienced nuclear devastation, my government has taken various initiatives ...to realize an early entry into force of the CTBT.' Malaysia(NAM) expressed grave concern that '[t]he Panel appears to be giving more emphasis towards threats seen as emanating from the proliferation of WMD rather than the very fact that those weapons are in existence and pose a threat themselves. NAM maintains the importance of achieving the total elimination of all weapons of mass destruction globally, in particular nuclear weapons. NAM further maintains the need for all Member States to fulfill their obligations in relation to arms control and disarmament and to prevent the proliferation in all its aspects of WMD. NAM also reaffirms that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament.' Several delegations expressed concern on the proliferation of nuclear weapons and WMD due to non-compliance and withdrawal from treaties. This point was best crystallized by New Zealand when it 'endorse[d] the clear warning sounded by the report that the cornerstone of nuclear non-proliferation and disarmament, the NPT, is at risk because of non-compliance, withdrawals and the spread of technology. We agree with the report that the world is approaching a point at which the erosion of the Treaty could become irreversible and result in a cascade of nuclear weapons being built. We support the call for more stringent inspections, a time-limited moratorium on construction of enrichment or processing facilities, and for the [IAEA] to control supplies of nuclear materials. The emphasis needs to be on both the non-proliferation of nuclear weapons and the reduction leading to the elimination of existing arsenals.' Though acknowledging the importance

of international treaties such as the NPT and CTBT, several delegations noted with concern the very inadequate attention paid by the report to the **scourge of small arms and light weapons** and the threat they pose to security around the world. Ghana 'regret[red] that the issue of conventional weapons, particularly small arms and light weapons does not attract serious consideration in the report', and Malawi ' point[ed] out that in my region and in my country the problem of proliferation of small arms and light weapons is so acute that it must be addressed now in a concerted manner'.

Human Rights

Another point of serious concern was **human rights**. Among the most pivotal and controversial aspects of this issue was the report's recommendation to **universalize CHR membership**. To Malaysia(NAM), 'the idea advanced by the High-level Panel the membership of the CHR should be universalized, while appearing to be consistent with the view supported by NAM on the principle of equal participation of all Member States as advocated in the UN Charter, will give rise to some serious systemic problems, including in the relationship between the CHR, a functional commission, and ECOSOC, its parent body. ...NAM believes that such questions would require careful consideration by Member States.' New Zealand insisted that 'the key to the CHR issue is what it does, not what its membership is'. Elaborating on these points, the United States noted that '[a]s a body working to protect and promote human rights around the world, the [CHR] faces a variety of challenges if it is better to meet its mandate. The rigidity of regional groupings, bloc voting on resolutions, and the presence of egregious human rights violators on the Commission are, among other things, undercutting the Commission's ability to promote and protect human rights. The attack on country-specific resolutions, the Commission's primary tool in calling attention to specific human rights situations, is troubling. ... The United States believes that universalization of the Commission, as recommended by the [Panel], may not be the best way to enhance the effectiveness of the [CHR] in carrying out its mandate. Instead, the United States believes we need to look at a mix of structural and procedural reforms aimed at improving the Commission's membership and its ability to implement its vital mandate more effectively.' Though concerns were raised by some delegations that the measure proposed could lead to a **potential duplication by the CHR of the work of the Third Committee**, Lithuania felt that 'universal membership supports consideration' while also encouraging consideration of the **Advisory Panel of Independent Experts**. 'The European Union support[ed] in principle the suggestion of **annual reports of the situation of human rights worldwide**, to be prepared by the OHCHR.' 'From the vantage point of Australia's just-concluded Presidency of the Commission on Human Rights, we believe it is appropriate to look at how the Commission – as the premier multilateral human rights institution- can better fulfill the purposes for which it was created. The panel's recommendation that the Commission's membership be universalized could be one way of achieving this. However, such a change would need to be part of a wider reform process so as to avoid duplication within the UN human rights machinery.'

Rule of Law

Relatedly, Liechtenstein was among those that gave strong focus and emphasis to '**the issue of the rule of law** at the national and international level. While recent years have seen considerable developments in the area of international law – most notably the establishment of the International Criminal Court – respect for international law standards has eroded. ...States must recommit themselves to respect their obligations under international law and respect the rule of law at the national and international level.' Luxembourg(EU) agreed that '[u]nwavering attention should also be given to the rule of law in every aspect of international life, as well as within our regional and national communities. For the European Union, respect for the rule of law will be a major concern in our preparation for the September summit.'

CONCLUSION

Beyond the institutional and normative issues they covered, delegations did, in fact, devote a great deal of attention to the September summit, the March report of the Secretary-General, and the issues and processes that would feed into both.

A number of speakers flagged **issues that the Panel had omitted or treated scantly** that would need to be addressed in these upcoming contexts. Beyond the issue of small arms and light weapons already mentioned, two others received repeated mention. Luxembourg(EU) noted that '[t]he HLP makes no mention of **migration**, an issue that we will have to look into more broadly in the near future. Migration is another area demonstrating the link between development and security.' Mexico [also] consider[ed] that one of the items that most clearly shows the link between security and development and which is not mentioned in the Report, is migration [and agreed that] this issue demands further reflection and urgent proposals by the international community'. A second and separate point was raised by Costa Rica, who noted that '[u]nfortunately, one issue that was not addressed by the Panel, and that goes to the heart of the credibility of the United Nations, are the failures in the **internal oversight** and addressing problems squarely and promptly. We urge the Secretary General to make, in his March report, concrete recommendations to improve the oversight system and to ensure the accountability of the UN and associated personnel for any criminal activity.' Further, Jamaica(G77), '[b]y way of general observations, ...noted that the **report does not address many issues of concern to the South** including the systemic inequities which prohibit the participation of developing countries in trade, monetary and financial institutions. It lacks specific institutional prescriptions and does not envisage a role for the UN in global decision-making in economic areas. As the Fair Globalisation Report has addressed some of these systemic inequities in a rather comprehensive manner, we would urge the Secretary General to take these recommendations into account in the preparation of his report for the High Level Plenary Meeting.' Jamaica(G77), however, also raised a more pervasive issue, commenting that 'the **recommendations do not**

prescribe specific actions and timeframes for meaningful action,... which will not suffice.'

Looking forward, precisely on the question of timeframes, Germany was foremost, but far from alone, in urging 'let us not lose sight of our common objective: achieving results of strategic importance within the next half year. This is the window within which we have to operate! ...Let us, therefore ...use the next six months with a view to taking strategic and bold decisions. Substantive negotiations have to start not later than March, results have to be locked in before September. Let's not allow one issue to block another: no hostage taking. [And yet, let's] strive for progress across the board in all clusters of issues in parallel.'

Regarding the **March issuance of the Secretary-General's report**, 'NAM expect[ed] a rigorous process of consideration and decision-making by the General Assembly on the Secretary-General's recommendations on the report of the High-level Panel. Therefore, we consider this present exercise, while extremely beneficial and important, to be part of the process which would allow Member States and their grouping to provide their views and comments on the Report of the [HLP] with a view to facilitating the preparation by the Secretary-General of his comprehensive report due in March.'

'[NAM also] consider[ed] the report of the [HLP] as one input for the consideration of Member States in the process leading up to the **High-level Plenary Meeting of the General Assembly in September 2005**. NAM stresses that any new measures concerning the UN and its reform shall be decided by UN Member States.' Similarly, the United States commented that '[d]eliberations on UN reform should not be limited to the recommendations of the Panel's report, ...any recommendations that require funding should be offset by reducing obsolete...programmes, we should not rush to judgment on those reforms on which we are unlikely to achieve consensus, and we should avoid a "package deal" that would link reforms achieved by consensus with those that remain contentious. Finally, we believe that those reforms that can be agreed by consensus should be adopted and implemented immediately. We should not delay the implementation of reforms for the sake of having a reform package for the High-level Event in September.' Romania agreed that '[o]ur political leaders and our people have to know well in advance of September 2005 whether this year, at the conjunction of many landmark anniversaries for the United Nations, it will be possible to achieve a major overhaul of the works of our venerable World Organization, or we are rather to settle for an acknowledgment of the many merits it has proven thus far and live by it.' 'Poland strongly believe[d] that the Summit of 2005 should become a turning point in the history of the UN. We should make everything possible to seize this unique opportunity created by the recommendations of the High Level Panel, debate these recommendations and the Summit meeting. This unique chance to adapt the UN to new conditions and new challenges should not be missed. The credibility of this Organization and its future depends very much on this.'

DGACM/GAESCAD/OD
2 February 05

file: nt.mtgs.hlp.2ii05.fin.doc