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The EU and the UN: implementing effective multilateralism

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The purpose of this seminar was to analyse the contribution that the European Union and its member states can make to the reform of the United Nations, which will be discussed at the 60th UN General Assembly from September 2005. The same day that the seminar took place Kofi Annan presented the report that will probably constitute the basis of the reform.

Most participants in the seminar agreed on a number of issues concerning the political context of UN reform.

- The EU potentially has a strong position within the United Nations: its member states contribute almost 40 per cent to the UN's regular budget and 40 per cent to the UN peacekeeping budget; the EU is cooperating actively with the UN in many fields, such as development and human rights; the EU has a whole range of instruments for international action; and many other countries frequently associate themselves with EU members' policies. The moment has come to transform this privileged position into real influence at the time when UN reform is being debated.
- Differences between EU member states on the reform of the UN should not be exaggerated. The EU members may disagree on some specific issues, such as the enlargement of the UN Security Council, but they are agreed on many other aspects.
- Nevertheless, disagreement on UNSC reform amongst EU members might be perceived as a failure of both the EU's foreign policy and the newly proclaimed principle of effective multilateralism. Therefore, EU member states should make efforts to reach agreement on that issue before the September summit.
- Judging by its previous declarations and deeds, the US administration is not one of the biggest supporters of the United Nations. Bearing in mind US positions on the UN, reform can only take place on a "lowest common denominator" agreeable to the US government.
- The view that the UN could be used as an instrument to exclude and punish "troublemaker states" is opposite to the view that the UN could be the "meeting point" of international society where all states can put forward their arguments and international action can be used to persuade "troublemakers" to change. The first is closer to the view of the US government and the second to that of the majority of Europeans.

- The debate during the seminar showed that, irrespective of many good ideas for EU action, the current reform process will most probably be inspired by a minimalist approach (as the report of the UN Secretary has confirmed), for any reform must receive the support of two-thirds of UN membership including that of the five UNSC permanent members

The first session examined the broader EU-UN partnership. One speaker suggested that UN reform should be inspired by positive rather than negative objectives. The EU should promote the idea of “global public goods” (education, health, democracy, etc.) as positive goals that the international community must pursue, as much as security against common threats. The EU has an added value in development assistance and should increase this value by gradually attaining the 0.7 per cent target and reviewing its commercial policies. Another speaker pointed out that while multilateral instruments to reinforce respect for human rights were created in the 1980s and 1990s, the current focus on the fight against terrorism (or the fight for liberty) has pushed human rights issues into the background. One of the main contributions that the EU and its member states could make in this respect, in addition to continuing support to the ICC and other similar initiatives, would be to insist on an assessment of human rights implementation, commenting and criticising reports that UN members are obliged to submit. On the other hand, given the variety of international instruments and bodies dealing with the protection of the environment, the EU should work out mechanisms for streamlining those efforts. One EU official said that the European Union is already working actively with the UN in many areas, but in order to reinforce this cooperation the EU should be allowed to upgrade its current “observer” status to full participant status in various UN bodies. If the European constitution is eventually ratified this development will be more than justified.

The second session dealt with EU-UN cooperation in peacekeeping and peace-building. Speakers underlined the rapid historical evolution of the EU-UN relationship, from that of mere “subcontractor”, to active cooperation, to the establishment of a strategic partnership. The fact that the EU can utilise a wide range of instruments, including financial, civilian, police and military, is highly appreciated at the UN. One participant explained the development of “integrated missions”, which would be present on the ground from the crisis phase until the post-conflict reconstruction phase, and the important role that the EU can play in such missions. Other participants suggested that, bearing in mind that political mediation amongst warring parties is done simultaneously by both the EU and the UN, better coordination could produce better results in many cases. All participants agreed that current EU-UN collaboration for peacekeeping purposes should be continued and intensified. Also, the triangular relationship between the EU, the UN and the African Union and other African regional organisations must be a priority.

However, there was no agreement on a number of questions. Firstly, while the EU is ready to act militarily under a UN mandate, conditions of the utilisation of the EU force, as well as its political direction, will always lie in the EU’s hands. This leaves many issues unresolved. Secondly, some participants were in favour of deletion of Article 47 of the UN Charter, on the UN Military Staff Committee, whereas other participants proposed a change in its membership and strengthening of this body. Thirdly, although many participants advocated a unified representation of the EU in the Peacebuilding Commission proposed by the High-Level Panel report, it is not clear whether this body will be created and whether such a representation is acceptable to all EU member states. Finally, some participants proposed the redrafting of Chapter VIII of the Charter so as to take into account the growing importance of regional arrangements, but this idea did not gather consensus.

The reform of the UN Security Council was the focal point of the third session. The cases for and against UNSC reform were put forward. Some suggested that the time was not ripe for enlargement of UNSC membership. The United States, for instance, has on some occasions decided to act unilaterally or through ad hoc coalitions, instead of trying to “update” membership of the Security Council. Others maintained that the fact that UNSC membership was expanded in the 1960s from the original eleven members to fifteen as a result of increased UN membership (from 50 to 100 member states) justified enlargement today (the organisation now has 191 members). UNSC enlargement is needed, it was also argued, for there is a link between enlargement and perceived legitimacy.

The possible creation of new permanent seats at the council is obviously the most contentious issue. Some candidates for permanent membership suggest that their presence will ensure a better functioning of the Security Council. However, as a matter of fact, clashes of national interest have led to an emotional - and so far unproductive - debate on this issue. Even if there is an agreement by autumn 2005, it will be generally seen as a temporary arrangement that will have to be reviewed in the medium term, say 2020, when the possibility of a single seat for the EU could be reconsidered.

As far as the criteria for electing non-permanent members are concerned, the proposal that respect for human rights should be included amongst those criteria, however laudable, was not unanimously endorsed at the seminar. One participant suggested that the frequency of participation of non-permanent members in the council was the key issue. Bearing in mind the various degrees of contributions to the UN purposes and principles, member states should be present at the Security Council with varying frequency. Therefore, agreement on the adequate graduation of frequency, based on Article 23 of the UN Charter, would help to resolve the problem.

In addition to membership enlargement, the UNSC can also improve its working methods and the EU member states can make an important contribution in this respect. No reform of the UN Charter is needed to do that. During the seminar, the need to make the UNSC more effective when reviewing evidence of “imminent” attacks and WMD proliferation was mentioned.

Finally, the concluding session confirmed that many issues remain to be dealt with before the September summit in New York:

- How can the full potential of the EU as a multifunctional actor be utilised in the context of UN reform?
- To what extent can the Europeans contribute to a reinforcement of the UN Secretariat-General? Can the Europeans help to simplify the UN budgetary procedures? Is voluntary funding, allocated by donors to specific projects, the solution?
- Is the EU a regional arrangement in the sense of Chapter VIII of the UN Charter? If it is not, because the EU is rather a *sui generis* global actor, how is the EU's participation in the UN to be defined?
- Should regional groups for election purposes be modified with the aim of creating a single European group with the EU at its centre?

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