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**Lala Hansraj Puthela College of Law Sirsa**

**Relevance of UNO in 21st century**

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**Abstract:** This research paper related to relevance UNO in 21<sup>st</sup> Century. The United Nations is currently engaged in a reform process that is more urgent than any previous one. The urgency stems from a pervasive lack of political and financial support from its members. Last year’s fiftieth anniversary celebration prompted several private studies on the future of the United Nations. The General Assembly also created a series of working groups charged with developing proposals for reform of the General Assembly, the Security Council, and UN finances, and for implementation of the secretary-general’s agendas for peace and development. A separate working group on the UN system as a whole is to report to the General Assembly with a summary of the other working groups.

**Keywords:** UNO, working groups, General Assembly, development, UN system.

**Introduction:** Since its entry into the United Nations in 1956, Japan has actively participated and cooperated in the activities of the UN in the areas of disarmament, maintenance of international peace and security, and economic and social development. Since the end of the Cold War, the expectations of the Japanese with respect to the UN and their level of enthusiasm for participation in its activities have increased. In fact, Japan now participates actively in the UN’s peacekeeping operations. As the seriousness of such global issues as terrorism, the proliferation of weapons of mass destruction (WMD), poverty, infectious diseases, and international organized crime has come to be further recognized, expectations concerning the role of the UN have grown all the more, and the desire to strengthen its effectiveness and legitimacy has also intensified. At the same time, regarding the use of force in Iraq, which is an issue of vital importance for international peace and security, the UN Security Council was divided and unable to take effective measures. In addition, in the face of a new kind of threat, embodied by the September 11 terrorist attacks against the United States, whose scale had not been anticipated by the international community, Japan was unable to participate directly in the decision-making process at the Security Council. As a result, concerns about the UN’s role and effectiveness are spreading among the Japanese people. Although the nature and shape of such concerns may differ, they are shared by many countries. The UN, which is the only universal and comprehensive organization within the international community, must address both expectations and concerns. The High-Level Panel established by UN Secretary-General Kofi Annan is an important step in that direction. Under such circumstances, the Government of Japan should recognize that reform of the UN is an urgent issue for the international community as a whole, including Japan, and it should give the matter diplomatic priority from the standpoint of giving weight to and utilizing the UN. In this part of world, there exists the ASEAN Regional Forum (ARF) as a dialogue mechanism for political and military affairs, but there is no regional institutional mechanism addressing security in the region, similar to those in Europe and Africa, and it will not be easy to establish such a mechanism in the future. In the Northeast Asia region, where Japan is situated, traditional threats continue to be a concern alongside the new threats. From this point of view as well, the UN, and in particular the Security Council, has the potential to fulfill a significant role in the security of this region. We believe that reforming the UN, with Japan’s more active role in the organization, would heighten the UN’s effectiveness in the region and would also lead to strengthening of the framework of the Japan-US Security Treaty, which is the basis of Japan’s peace and security as well of that of the Asia Pacific region as a whole.

**Security Council Reform:** In order for concerted action to be taken effectively under UN auspices to address terrorism, the proliferation of WMD, failed states, and other new threats to the international community, we must further increase the effectiveness of the Security Council, which has primary responsibility for the maintenance of international peace and security. In addition, since the Security Council’s decisions are legally binding on Member States, the reality of the international community of the 21st century, rather than that of 1945, needs to be reflected in its membership, in order to enhance its effectiveness and legitimacy.

- To that end as well, reforms should be realized, giving due consideration to the points that follow. It is necessary to add a limited number of countries that are willing and able to assume global responsibility for the maintenance of international peace and security as permanent members of the Security Council. In particular, it is necessary to add non-nuclear states in order to enhance the UN’s legitimacy.
- Regarding the specific method of selecting permanent members of the Security Council, various options may be envisioned. One possibility is to select the permanent members through election, choosing candidates capable of making “contributions to international peace and security,” in terms of human resources and financial contributions to the UN, through cooperation with UN peacekeeping operations (PKOs), resettlement of refugees and internally-displaced persons, and efforts toward conflict prevention and “consolidation of peace.” We believe the democratic



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selection of new permanent members of the Security Council by vote in the General Assembly, following revision of the UN Charter to specify the number of seats on the expanded Security Council and the criteria for new permanent members, is desirable from the standpoint of legitimacy. Expansion of the number of non-permanent member seats should be kept to a minimum while bearing in mind equitable geographical distribution. Another idea to ensure that the Security Council continues to be a body that reflects changes in the political and economic conditions of the international community would be to consider a mechanism that provides for periodic review of the overall composition of the Security Council.

- Regarding the veto, different treatment for old and new permanent members of the Security Council is not desirable, as this would unnecessarily complicate the system.
- Since the end of the Cold War and especially in the aftermath of the September 11 terrorist attacks, the Security Council has been conducting activities not only in traditional security areas but also in the realm of humanitarian and development assistance. It is necessary for Japan to demonstrate to the international community by means of both words and deeds that it is playing an important role in this broad range of areas. Specifically, we propose the following four points.
- Since the attacks of September 11, securing peace and security has become a precondition for development. The importance of measures based on the concept of “human security,” the idea of protecting individuals from a variety of threats, is now widely recognized. The concepts of “consolidation of peace” and “human security,” the pillars of Japan’s diplomacy, should therefore be promoted more actively. Regarding efforts for consolidation of peace, Japan is already carrying out initiatives for advancement of the political process, assistance in maintaining law and order, and humanitarian and reconstruction assistance in post-conflict nations such as Afghanistan, East Timor, and Sri Lanka. These initiatives must be continued. With regard to the goal of ensuring human security, it is important to continue to work to elaborate the concept and disseminate the idea throughout the international community, while striving to implement human security by making more effective use of the Trust Fund for Human Security that Japan established at the UN as well as bilateral assistance namely, grassroots Human Security Grant Aid. We must appeal to the countries of Asia and the world at large for their active cooperation in promoting human security. In this context, it is of the utmost importance that Japan continue to take a lead as one of the largest donors of ODA.
- International peace cooperation through active participation in UN PKOs should continue. In addition, it is important to develop domestic legislation to allow greater flexibility in the implementation of international peace cooperation, to strengthen the mechanisms for the promotion of international peace cooperation through human resources development, and, in that connection, to actively dispatch civilian experts and civilian police to participate in peace cooperation activities.
- Japan’s active engagement in providing assistance to developing countries for their economic and social development primarily through ODA continues to be important from the viewpoint of both consolidation of peace and human security. Japan should maintain such efforts actively, responding to the issues and needs facing the international community, with an eye toward achieving the Millennium Development Goals (MDGs), which the international community hopes to have fulfilled by 2015.
- To enhance the legitimacy of the UN, it is necessary to strengthen its involvement with African issues, where development has lagged behind the rest of the world. It is thus essential that Japan to work more intensively to strengthen diplomacy toward Africa, through the Tokyo International Conference on African Development (TICAD) process and other initiatives.

**Enemy State Clauses:** The enemy state clauses are now commonly regarded as being obsolete. This was reaffirmed by General Assembly resolution in 1995. The Government of Japan should actively call for the deletion of the enemy state clauses at the earliest possible date, whenever revision of the UN Charter is discussed at the UN.

**Assessed Contributions to the UN:** Japan’s financial contributions to the UN through payment of assessed contributions are deemed duly proportionate to Japan’s economic strength. Such contributions are highly valued by the international community as supporting UN activities to cope with threats confronting the international community and also serve to generate high expectations with regard to Japan. At the same time, payment of assessed contributions is an obligation of Member States pursuant to the UN Charter. As such, arrears of assessed contributions should be regarded as unacceptable, and Japan should take care not to fall behind in its own payments. We believe that it is imperative for Japan to become more vocal, in proportion to the level of its financial contributions, while further strengthening its contributions to the international community through the UN. The current method for calculating the UN scales of assessment, aside from the ceiling and discounts for developing countries. etc is generally based on GNI. However, the current difference of roughly two percentage points between the assessment rate of the US (22%) and that of Japan (19.468%), due to the existence of the 22% ceiling, is not acceptable as it really stands. In addition, in calculating the



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assessment rates of permanent members of the Security Council, including the countries that will become new permanent members, a balance between their rights, which are not enjoyed by other UN Member States, and corresponding responsibilities, particularly financial contributions, should be taken into account. Japan's assessed contributions to the UN for 2003, including those for PKOs, amounted to approximately US\$5.81 per capita. The Government of Japan should make efforts at the upcoming negotiations in 2006 to help to formulate a fair rate of assessment for every Member State, bearing 5 fully in mind that some Japan citizens regard Japan's assessed contributions as excessive.

**Increasing the Number of Japanese Staff:** For the UN to continue to function as a universal organization that plays an important role as a venue for the forging of international consensus regarding global issues such as conflicts, development, refugees, and the environment, it is necessary for diverse human resources from various countries and regions to come together to solve the problems. Participation in UN activities by an appropriate number of Japanese nationals with a desire to contribute actively to the international community should provide precious input toward resolving many of the issues to which the international community is devoting its efforts through the UN. At the same time, increasing the number of Japanese staff in international organizations working on such issues, in particular those taking a proactive part by working as senior-level officials and heads of international organizations, will further deepen the Japanese people's understanding of and interest in the UN and these global issues, and will be beneficial in terms of expanding opportunities for contribution. The number of Japanese staff at the UN agencies has been steadily increasing since 2000, due to concerted efforts by the Government of Japan and the agencies, and young Japanese are becoming increasingly more interested in global society. However, compared with the size of Japan's financial contributions, the number of Japanese staff, and senior-level officials in particular, remains markedly low. In Japan, it is not common to study specialized fields in English or the other official languages of the UN. In addition, master's and doctoral degrees in the humanities and social sciences are not always highly valued for recruiting purposes in Japan. It is therefore regrettably true that there is a scarcity of human resources from Japan deemed to have strong qualifications for employment by the UN agencies. Against such a backdrop, in order to improve Japanese representation, it will be necessary to make further efforts domestically, such as enriching education in Japan to foster human resources with the necessary qualifications in international fields, including the awarding of undergraduate and graduate credit for on-site practical training and internship experience, and the introduction of flexible administration into the personnel systems of Japan's government agencies, the private sector, universities, research institutes, and other organizations. The role of the Japanese private sector in increasing the number of Japanese staff at the UN will be significant. The Japanese private sector should step up personnel exchanges with the UN, through initiatives such as advance guarantees of placement on return to Japan for employees dispatched to the UN and appointment of Japanese staff who have served at the UN as executives in private enterprises. Such personnel exchange efforts should also be reinforced between the UN and universities, research institutes, non-governmental organizations (NGOs), and local governments. In addition, in accordance with the Ministry of Foreign Affairs' priority diplomatic policy aimed at increasing the number of Japanese staff by 10% over the next five years, the Government of Japan needs to carry out the following measures regarding the career plans of Japanese staff, in cooperation with various other quarters.

**Revitalizing the General Assembly and Reviewing the Role of the Economic and Social Council:** Discussion on UN reform is centered on the reform of the Security Council, however, for the purpose of strengthening the UN, we must not neglect to promote increased efficiency and streamlining of the UN system as a whole. From that standpoint, in the economic and social areas, discussion should be initiated on reviewing the role of the Economic and Social Council (ECOSOC), wherein redundancy with bodies such as UNCTAD and the Second Committee of the General Assembly can be seen. In addition, it is time to launch a serious discussion on the relationship between the UN system and the Bretton Woods System (World Bank, IMF, etc.). It is also essential that we work to revitalize the General Assembly, the main body in which all Member States have representation. For that purpose, we should study ways to strengthen the leadership of the President of the General Assembly, by strengthening the Office of the President and reinforcing cooperation between the President and the representatives of major bodies such as the major committees, the Security Council, ECOSOC, the Secretary-General, and regional groups.

**Strengthening Cooperation and Partnerships with NGOs and Private Corporations:** In UN activities, the UN and the NGOs have begun to take on complementary roles. In addition, in recent years, cooperation between private enterprises and the UN has been increasingly more important. Bearing this in mind, in addition to further expanding opportunities for exchange of views and information between the Government and these parties, the Government should also promote enhanced cooperation and partnership with NGOs by (i) accepting NGO members as participants in government delegations to international conferences where substantial opportunities for dialogue and cooperation with NGOs are foreseen, (ii) paying more attention to the opinions of NGOs in the field, and (iii) utilizing Japanese NGOs as implementing partners in extending assistance.



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**Active Effort to Promote a National Movement:** Given the desire among individual Japanese to realize a more secure and peaceful society in every corner of the globe, it is necessary to advance persistently the effort to create a national movement, characterized by the shared sense that this is precisely why the UN exists. For this purpose, we believe the following ideas are worthy of consideration: (i) inviting top UN officials, including the heads of international organizations and permanent representatives of various countries to the UN, to hold model General Assembly, Security Council, and ECOSOC meetings, as well as symposia; (ii) hosting Security Council and ECOSOC meetings in Japan; and (iii) strengthening cooperative relationships with the UN Association of Japan, United Nations University, Japan Association for the United Nations Studies, and universities (through lectures by the Minister for Foreign Affairs outside Tokyo).

**Conclusion:** Cooperation between the United Nations and regional organizations must essentially be carried out in an ad hoc and flexible manner. The extent and nature of such cooperation will depend on the nature of the situation being addressed, the capacities and experience of the regional organization involved, as well as the approach to the problem adopted by the Security Council.

I have described some of the difficulties faced by regional organizations in cooperating in an effective manner with the United Nations. Some of these can be characterized as "teething" problems. It is clear that regional organizations will be more active in the peacemaking and peacekeeping fields in the future. What are some of the issues that need to be addressed in the future?

One of the main issues to be addressed is the problem of coordination and coherence: how to avoid duplication, working at cross purposes, "forum shopping" and similar phenomena. The principles put forward by the Secretary-General seek to address these. Another question which will loom large in the future is that of the equitable sharing of resources. There are two kinds of regional organizations, those with money and those without. If indeed the international community finds it desirable to involve a range of regional organizations in peacemaking and peacekeeping in a more consistent and systematic manner, then some attention has to be devoted to the resource issue.

The resource issue is of course only one aspect of the larger problem of upgrading the capacities of regional organizations to enable them to be better prepared to engage in peacemaking and peacekeeping in their regions. In a recent report (UN Doc. A/50/711) the Secretary-General has suggested some specific steps to strengthen the capabilities of the OAU. New and innovative measures of this kind must be developed if the full potential of regional organizations is to be realized.

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5. I served, with Paul Kennedy, as co-director of the secretariat of the Working Group. For that reason I avoid commenting at all on the particulars of other reports. A Kantian vision certainly underlay my contributions, and whereas I believe Professor Kennedy and most - perhaps all - of the members of the Working Group implicitly shared that vision in some degree, neither they nor the Ford Foundation, which funded the effort, are responsible for any of the remarks in this article. Nor would I pretend that all of the balances proposed here were ever considered overtly or consciously; they are, however, relevant both to *post hoc* evaluation and to any effort to synthesize recommendations from the various studies and reports.
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