Challenges to the World and the Role of Japan in a New United Nations

By Akashi Yasushi

THERE is a lively debate in the world about the role the United Nations (UN) should play for peace and stability in the light of the growing number of conflicts, particularly those in developing countries in Asia, Africa, the Middle East, Central Asia and in some Caribbean and Latin American states. The great majority of these conflicts are internal rather than international. This is a big difference from the situation which prevailed in the decades after 1945, when the UN came into being. A cursory reading of the UN Charter makes it clear that the Organization was mainly created to deal with wars and conflicts between sovereign states or governments. In the first four decades of its existence, the Organization had to face the Cold War situation, in which the two principal protagonists were the United States and the Soviet Union, who confronted each other, not only directly but even in regard to many peripheral issues and areas. This pervasive worldwide conflict made it impossible for the UN to fulfill its original promises, or to achieve its high ideals. The UN General Assembly tended to become an arena of violent verbal exchanges between two Cold War camps, and debate there was often characterized by an excessive dose of ideology and deep mutual suspicions.

Nevertheless, we should not minimize what the UN accomplished even during the height of tension during the Cold War. It is simply not true that the Organization was utterly immobilized during this period. For example, the Security Council was instrumental in bringing peace and eventually independence for Indonesia after its colonial struggle against the Netherlands. It brought a supervised ceasefire in Kashmir between India and Pakistan as well as in the Middle East between Israel and the Arab states. The Security Council dealt effectively with some of the armed conflicts, including the 1956 Suez War in Egypt, arising from the invasion by Israeli, British and French forces. This resulted in the creation of the first Emergency Peace Force by the Organization under the overall command of its Secretary-General.

In addition, the UN became an indispensable midwife in the birth of many new states and their UN membership after sometimes bitter colonial struggles. On the basis of the Universal Declaration of Human Rights, adopted by the General Assembly in 1948, the UN has persisted in promoting fundamental freedoms and basic human rights, and has managed to adopt numerous treaties and conventions in this area. The UN also became a center, often a stormy one, of controversies on North-South issues. Even though these controversies often led to sterile confrontations between the developing and developed groups of states rather than concrete agreements, the UN contributed to adding North-South issues to the agenda – one might say even to the conscience – of the international community.

It must be admitted, however, that particularly in the political and security domains, the Cold War suspicions permeated debates and negotiations at the UN, and the resolutions adopted were high-sounding but often lacking in substance. But in the economic, social, cultural and humanitarian domains, the UN and its many associated bodies, programs and agencies pushed forward with pioneering work in international legislative efforts and produced some tangible improvements in the lives of people in the developing world.

The end of the Cold War and the breakdown of the Communist camp produced shining hopes for a better, more active and stronger UN. These hopes are reflected in a declaration adopted by the Security Council summit held in January 1992 as well as in "An Agenda for Peace" presented to the Council by former UN Secretary-General Boutros Boutros-Ghali in the middle of that year. In those years, the UN brought to birth comprehensive and multi-dimensional peacekeeping operations in Namibia, Cambodia and Mozambique, which did not just have a military component, but also refugee settlement, human rights, police, rehabilitation, electoral, political and other components, and were largely successful. However, soon afterwards, the UN began to face mounting difficulties in resolving messy conflicts, mostly ethnic in nature, for which there was no precedent nor previous experience to follow in the international community. The UN efforts in Somalia, in the former Yugoslavia and Rwanda were instances of deep frustrations for the UN, although these feelings were the result of insufficient political commitment on the part of the major powers, which happened to be identical to the permanent members of the Security Council. The discrepancy between the actual capability of the UN and the public expectations aroused by sensational media coverage became glaring and increasingly disturbing. The UN became a "political whipping" boy of the member governments. The Secretary-General and the Secretariat were often made the "scapegoats" for the unwillingness of the member governments to resolutely decide to resolve conflicts and suffering and their tendency to indulge in colorful rhetoric.

In recent years, soul-searching has been conducted, in and around the UN, as can be seen in the publication of the Brahimi Report in 2000, which candidly pointed out the serious structural defects of the Security Council as well as the less than satisfactory relationship between the Council and the Secretary-General and the Secretariat. Classical peacekeeping operations had made sig-

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The UN peacekeeping operations in Cambodia were largely successful

nificant contributions to solving or at least freezing a number of conflicts and disputes since 1948, but they were not suitable for dealing with the widespread ethnic, tribal and other types of violent conflicts of the 1990s. Clearly there is today a crying need for better equipped, better trained and better commanded peacekeeping troops. The Security Council itself needs to adopt clearer, more realistic and less ambiguous mandates and to provide sufficient resources to carry out these mandates. However, the UN is above all an intergovernmental political organization. There is no guarantee therefore that either the Security Council or the General Assembly will heed Brahimi recommendations in all instances, although some of the recommendations have been put into practice.

It is not only the emergence of a large number of ethnic and civil conflicts which challenge the international community. The new threat of terrorism, involving invisible groups of fanatics who are disenchanted with the current order of things was graphically presented on television after the dramatic attacks of Sept. 11, 2001 in New York and Washington D.C. A parallel threat today is the proliferation of weapons of mass destruction (WMD), including nuclear, chemical and biological weapons and their delivery systems. A horrible nightmare scenario is that these WMD may find their way into the hands of terrorists who can penetrate national borders with great ease.

In these circumstances, the UN faces the need to take a thorough look at its existing structures and premises. Established in 1945, the UN is based on two basic premises: the sovereign equality of states and the concert of powers. The UN General Assembly is the embodiment of the first principle, and the Security Council that of the second principle. The sovereign equality of states is increasingly under challenge from national borders made permeable by globalization, WMD proliferation and terrorism. Security Council permanent membership, based on the concert of the major powers, is under assault from the shifting balance in economic strengths and the revolution in military technology. There is now a clear necessity to revamp both the General Assembly and the Security Council, with the aim of making the UN more relevant and effective. At the same time, there should be no illusion that the UN could become a supranational organization, rather than the present inter-governmental organization, in the foreseeable future. Nevertheless, we must try to enlarge areas of common action and create a greater role for the Organization with the consensus of member governments.

It is often said that the designation of the Permanent Five reflected the political reality of 1945, but this is only partially true. France was made a permanent member thanks to the United Kingdom, which did not want to see

Germany as the sole major power in continental Europe. Franklin D. Roosevelt insisted on China's permanent membership despite European reticence about war-torn China in order to balance the future resurgence of Japan in Asia.

The qualifications for UN membership are described in Article 4 of the UN Charter, namely, (a) statehood, (b) love of peace, (c) acceptance of the Charter obligations, (d) ability and (e) willingness to carry out these obligations. The Security Council used to have a committee on membership, which reviewed membership qualifications. The committee's disuse has led to the free entry of micro-states in the Organization and a decade-old practice of their paying only 0.001% of the assessed budget. We should now search for ways to tighten membership and invite new micro-states to opt for associate, rather than regular membership, without onerous obligations, with a view to making the Assembly more efficient and taking weightier decisions. Thought should be given to resuscitating the Interim Committee of the General Assembly created in 1947.

A limited expansion of the Security Council is essential for its credibility, representativeness and greater effectiveness. Along the line of the Razali proposal, the Council should be expanded to 25 members, consisting of 10 permanent and 15 non-permanent members. Of the additional five permanent members, two should be from Asia, that is, Japan and India. The remaining three should be assigned to Africa, Latin America and Europe, which should have the freedom of selecting one state or two or three in rotation or a relevant regional organization from each region concerned. In the event the regions have difficulty in selecting a permanent member, the UN should proceed with the selection of two Asian permanent members in the first phase of a two-stage operation.

As for the 15 non-permanent members, there should be room for smaller states to be elected, for it is they who are in greatest need of the universal Organization, and are its most enthusiastic supporters. It is recalled, however, that Article 23 refers to "due regard being specially paid" in the first instance to the contribution of Members to the "maintenance of international peace and security and to the other purposes of the Organization," and to "equitable geographical distribution." The implication was that mid-sized powers, rather than smaller powers, should constitute the core of non-permanent membership. The record of the San Francisco Conference in this regard, particularly statements by France, Canada, Netherlands, India and Australia, bears this out.

For the time being, it is only realistic to accept the veto of the permanent members, but efforts should be made to restrict it to Chapter VII on enforcement to avoid its abuse in the pursuit of narrow national interest. It is hoped that the veto should in time consist of at least three negative votes of permanent members. At the same time, let us not forget the unfortunate experience of the League of Nations, which lost the membership of powerful states, which either opted out or were expelled from membership.

In view of the shifting balance of power in the world, the composition of the Council, including its permanent membership, should be reviewed every 20 years. It is obvious that the veto should not apply in this matter in order to avoid the self-perpetuation of an undeserving major power.

The constant penury of the UN compels the speaker to suggest direct taxation of international air and shipping transport to cover up to one half of the assessed UN budget, without distortion of policy or program priority, decided by the legislative bodies of the Organization. The other half of the budget should, as at present, be based on the assessment of member states in proportion to their "capacity to pay," it being understood that the permanent members will each be assessed an additional premium, as former Secretary-General Perez de Cuellar suggested.

In view of the growing importance of civil society bodies, including the business community, a consultative assembly to the Assembly should be created whose decisions will be only advisory.

Renewed efforts should be made to define terrorism. It is clear, however, that surgical removal of terrorism is insufficient. Accelerated efforts are needed to deal with the root causes of conflicts by a more resolute attainment of the goals defined in the Millennium Declaration, such as poverty reduction, eradication of glaring inequalities and serious human rights violations. All developed countries should also comply by allocating 0.7% of their GDP to official development assistance (ODA). At present, only Nordic countries and the Netherlands meet this criterion.

The composition of the Group of Eight (G8) is more reflective of the global distribution of economic power than the Security Council. Therefore, a more frequent dialogue between the G8 and the Council is recommended. The G8 played a positive role in resolving the Kosovo conflict.

The Trusteeship Council has been dormant, having accomplished its original tasks. It should be transformed into a council to consider long-term issues such as the far-reaching ramifications of globalization upon the environment, and cultural and national identities in relation to peace and security. The Economic and Social Council has to become a genuinely preparatory body for the Second and Third Committees of the General Assembly.

A nonproliferation treaty (NPT) with 189 members has been a vital instrument for nuclear non-proliferation, but in the light of the recent situation, which has exposed some of its serious weaknesses, the non-proliferation regime must be strengthened with better verification, and export and import controls, going beyond the present cartels of willing states. The overall regime has to include chemical and biological weapons and their delivery

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systems. Renewed efforts should be made to secure U.S. ratification of the Biological Weapons Convention (BWC) verification protocol. Discussions should also commence on a possible revival of the Baruch Plan on universal control of nuclear development, although the historic plan may seem over-ambitious and too idealistic in today's world.

India and Pakistan are urged to make their nuclear weapons deployment more stable, predictable and open to confidence-building measures. Here India's leadership in reducing the arms race in the sub-continent is awaited as well as its signing of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Encouraging news has come from Libya and to some extent from Iran with regard to their nuclear development. The Democratic People's Republic of Korea, however, presents a serious threat in Northeast Asia, where the six-power framework (including the two Koreas, the United States, Japan, China and Russia) may prove extremely useful. In the Middle East, the denuclearization of Israel has to be resolved in the context of a more stable region.

In conclusion, a global system of security must be based on an interlocking regime of universal collective security focused on the UN, supplemented by effective regional, sub-regional and ad hoc regimes. The "coalition of the willing" is a useful device to meet ad hoc situations at best. International peace and security will be better served if the international community can find better methods than à la carte treatment. A more comprehensive and predictable security arrangement, with greater legitimacy, physical muscle and effective post-conflict peacebuilding resources, is needed, going beyond classical peacekeeping operations. The salience of unilateral self-defense action based on Article 51 is controversial and destabilizing, even though it may have been understandable in the aftermath of Sept. 11. The resort to unilateral actions based on a liberal interpretation of Article 51 weakens the universal system based on Chapter VI and VII as well as the regional cooperation founded on Chapter VIII. A broader-based coalition than the coalition existing in the aftermath of the Iraq War, a more robust peacekeeping force than those established in the past and a more comprehensive approach to peacemaking and peacebuilding relating to conflict-torn societies, are among the steps to be taken to fill the gaping void increasingly observable in the world since the 1990s.

At the same time, it is necessary not to indulge in wishful thinking or to have national attention in Japan diverted to secondary questions, such as immediate reductions of Japan's assessed contribution to the UN, and the elimination of the "enemy state" clause in the UN Charter. After all, the financial contributions of member states are based on their "capacity to pay." In the foreseeable future, Japan's contribution will at any rate go down from the present 19.6% to approximately 15%, roughly corresponding to Japan's actual share of the world's GDP. Present irritations over UN practice observable in Japan are understandable, but the debate should be characterized by reason and calm analysis rather than emotion.

The "enemy state" clause is certainly an eyesore particularly for internationally minded Japanese, but this is not the only "dead" phrase in the Charter. It should be remembered that no other member states than Japan, including Germany, pay particular attention to this phrase. In fact, being admitted to the UN as a full-fledged member in 1956 in accordance with Article 4 of the Charter, and being elected to a non-permanent seat of the Security Council more often than any other members, testify to the incontestably high reputation and standing of Japan in the Organization. Furthermore, the General Assembly adopted in 1995 a resolution, declaring the "enemy state" phrase to be obsolete. Therefore, little doubt can be entertained that this clause is destined to complete oblivion. The author feels that undue attention to this matter is a misuse of Japan's precious resources. There are many other issues to which Japan is well-advised to pay greater attention in the interest of the country as well as the broader interest of the international community. **JS**

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