

**The Australian Institute of International Affairs – Canberra Branch**

**How can UN reform help UNHCR and Member States to protect and find solutions for the World's displaced?**

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I am grateful to the Australian Institute of International Affairs' Canberra Branch for giving me this opportunity to provide a personal perspective, sometimes light-hearted and sometimes heavy-hearted, based on my own experiences and opinions, on how UN reform could help UNHCR and UN Member States to protect and find solutions for the World's displaced.

Let me start with a few stories from the UN Summit that may or may not have made the news:

- At the Summit, among the representatives of the 191 UN member states, there were 122 Heads of State, 50 Heads of Government, 4 Vice-Presidents, 3 Deputy Prime Ministers and 11 Foreign Ministers were present for the high level meeting;
- One of the unknown challenges was trying to get all the contractors and businesses working on the Summit simultaneously with the demands of New York Fashion Week;
- Another was finding enough hotel rooms and restaurants – the Millennium Hotel, the Grand Hyatt, the Waldorf Astoria, the Hotel Intercontinental, the Madison Hotel and the Helmsley hotel have been fully booked throughout;
- An average of eight receptions serving over 1,000 people each and every day between 13 and 23 September are being hosted by member states.
- It is hard to even imagine the need for interpreters for all the formal and informal meetings, especially given that all the General Assembly meetings have to be translated into the six UN official languages – Arabic, Chinese, English, French, Russian and Spanish.
- Finally, some 2,500 journalists from over 170 countries covered the Summit – requiring the hiring of graduate students from Columbia, Harvard, New York, and Yale Universities to act as media liaison escorts.

The World Summit concluded yesterday with the final session of statements by Heads of State and Government, and the four Chairs of the Round Tables presenting their summaries. A draft resolution presenting the text of the “2005 World Summit Outcome” should have been submitted by one of the Co-Chairs in the past few hours, and should be available at the UN web site later today. On Saturday, NY time, the General Debate of the UN General Assembly will open. That session will run through to 28 September.

By now, you may all have become tired of hearing about UN reform on the news – all the debate about the “watershed opportunity to reform the UN”, and the countless reports on whether the results represent “half a loaf being better than no loaf at all”. But what do the people of the world, who are after all the UN’s constituency, want the UN to be in the future? Here in Australia, I am always impressed by the extent of public knowledge and debate. This is not the case in many other countries I have worked in.

I wonder how many views of people around the world have really been heard. Will their, and your, security be increased by combating terrorism more effectively? by tighter immigration controls? by better addressing the principle causes of tensions in society or of conflict? or by greater respect for individual human rights?

A few months ago, as I read SG Annan’s report “In Larger Freedom”, it was not about re-writing the UN Charter, but about improving its structures, and enabling the UN to do better. It sought to build upon ongoing initiatives, such as the struggle against global terrorism; such as making more progress on achieving the objectives set in 2000 in the Millennium Development Goals – to reduce poverty, combat the spread of HIV and AIDS; such as improving protection of individual human rights; such as encouraging good governance; and such as addressing other challenges like environmental degradation and trafficking in human beings.

It reiterated one important fact: that no one State, no matter how powerful, can deal with these challenges alone. Like it or not, a supra-national organisation is needed. Not an organisation that dictates to States, but one that provides standard-setting and peer-review mechanisms to promote greater freedom for the world’s people.

Sovereign integrity and effective social welfare systems are all parts of your personal security as Australians, but in my experience, real security on the territory of one nation state is impossible without contributing to more effective regional and international security systems.

But what if a State persecutes or abuses the rights of its own citizens? What if a Non-State actor or terrorist organisation persecutes them and is so powerful that the State is unable to prevent it? What do we do when genocide takes place on our television screens, as it did in Rwanda in 1994?

The Summit’s unqualified condemnation by all Governments, for the first time, of “terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes”, and to push for a comprehensive convention against terrorism within the next year, forms the basis of a new strategy to fight terrorism in a way that makes the international community stronger and terrorists weaker.

One of the key elements of the text of the SG’s counter-terrorism strategy was the reminder to all states that “**counter-terrorism measures should be in compliance with states’ obligations under international human rights, refugee and humanitarian law**”.

As a UNHCR staff member, I have seen my fair share of the inhumanity. I have frequently had to deal with people who have fled persecution - often by their own Government, and to deal with stateless persons - who like refugees need other States to provide them with protection, with asylum, with a place of safety, with recognition of their identity and their worth, and with solutions that offer hope of a return to normal life.

The UN Summit also dealt with **development issues**. I have also witnessed far too often both the vacuum in commitment to address the causes of conflict and displacement, and to sustain the response. Eastern Zaire (as it was in 1994 and 1995 was one vivid example. In my experience, there is often a willingness to provide a humanitarian band aid when the CNN cameras are focused, but when the media spotlight shifts to another part of the world, the resources for building upon the initial humanitarian response too often dry up.

Population displacement has been all too frequent in the past 15 years, and the vulnerability of the displaced all too evident. I truly believe that it is possible to target development funding in a way that reduces social tension and prevents conflict in refugee countries of origin; and that it is possible to target it in countries of origin and countries of asylum in a way that creates an environment conducive to return, reintegration into society, and rehabilitation not only a possibility but a lasting solution.

I welcome the commitment at the UN Summit to strengthening the international community's ability to "establish lasting peace in societies emerging from conflict", thus prevent return to conflict, and I hope that the creation of the **UN Peacebuilding Commission** and a **Peacebuilding Support Office in the UN Secretariat** by the end of 2005 will help to address this existing shortcoming. I also welcome the renewed commitment at the Summit to achieve by 2015 the Millennium Development Goals of halving extreme poverty, halting the spread of HIV and AIDS, and to providing universal primary education.

While I am still reflecting on security issues covered at the Summit, I should mention the commitment to implement the UN Plan of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons, and the Anti-personnel Landmine Ban Convention. Studies have shown that women and children comprise most of the victims of small arms fire during conflicts, and that most rapes take place under gun point. Refugee women and children are also too often the victims of landmines, particularly while they collect water or firewood in locations with which they are not familiar.

To better balance security concerns with human rights, I have long seen a need for strengthening the international responsibility to protect civilians, and to improve the UN's human rights capacity. The annual six week sessions of the Human Rights Commission do seek to name and shame those who abuse the basic rights of others, but many States fail to take corrective action as a result. The commitments to create a Geneva-based, standing **Human Rights Council** before the end of the 60<sup>th</sup> session of the GA, and to double the resources for the Office of the UN High Commissioner for Human Rights in the next five years are very important. The Human Rights Council's size and

voting methodology remain contentious issues needing resolution. UNHCR has strongly supported the strengthening of OHCHR, encouraging it to target in particular post conflict situations with its additional resources. Being able to collaborate more often in the future with colleagues with international human rights skills during field operations and in UN Country Teams will, I believe, make a real difference.

In a seemingly contradictory move, the language on **Internally Displaced Persons** has been weakened. The existing UN Guiding Principles on Internal Displacement have been reduced from being “a basic international norm” to being “a minimum international standard”. States also changed the wording so that they no longer “commit to reflect the Guiding Principles in national legislation”, but will “strive to promote the implementation of the Guiding Principles”.

What about **reform of the Secretariat and UN management**? The General Assembly will in future be the chief deliberative body and will focus more on substantive issues such as international migration, concluding a convention on terrorism, and establishing mechanisms to engage more fully with civil society. ECOSOC will be refocused to serve as a high level development cooperation forum, and its Peace and Development role will in future encompass post-conflict management and enhanced inter-agency coordination. The strengthening of oversight systems, driven by the recent food for oil scandal, will lead to enhanced scrutiny of audit and internal control measures. Proposals on Security Council reform remain far from reaching agreement

Will the commitments that were made at the Summit turn into reality? Only time will tell. The Summit pledge of an additional US\$ 50 billion a year to fight poverty and to address the special needs of Africa can make a difference. The more recent pledge of US\$ 150 million for the UN humanitarian emergency fund will certainly enhance the international community's response capacity. More parochially, Australian Prime Minister John Howard made two pledges – to increase overseas development aid expenditure from A\$ 2.5 billion, or 0.28% of GDP, this year, to A\$ 4 billion by 2010, (against a target for developed countries of 0.5% by 2010 and 0.7% by 2015); and to increase Australia's funding of the Office of the High Commissioner for Human Rights from A\$ 270,000 to A\$ 650,000 this financial year.

Ultimately for me, then, the true worth of the Summit lies in the hope it has raised to enable UN members states to collectively act to reduce the root causes of suffering, by living up to the commitments made to ensure peace, prosperity and freedom flourish in the future. Some old multilateral commitments have been reaffirmed and some new ones made. This certainly represents “half a loaf”. It's not a perfect world, but if the commitments made become realities, the outcome of the UN Summit will help UNHCR and UN Member States to better protect and find solutions for the World's displaced

Thank you for your attention.

*NB: The views expressed are those of the author, and do not necessarily represent the views of UNHCR*