



## **European Parliament Resolution on the Reform of the United Nations**

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**Reform of the UN**

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*The European Parliament,*

- having regard to its resolution on EU-UN relations of 29 January 2004<sup>1</sup>,
  - having regard to the report ‘A more secure world: our shared responsibility’ by the High-level Panel on Threats, Challenges and Change of 1 December 2004,
  - having regard to the report ‘Investing in development: a practical plan to achieve the Millennium Development Goals’ by the UN Millennium Project of 17 January 2005,
  - having regard to the report ‘In larger freedom: towards development, security and human rights for all’ by the Secretary-General of the UN of 21 March 2005,
  - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the Report of the High-level Panel (hereafter RHP) makes more than a hundred recommendations on change and the need to reform the UN in order to address challenges and threats ranging from poverty, infectious diseases, environmental damage and civil violence to terrorism, weapons of mass destruction and nuclear non-proliferation; whereas the Report by the Secretary-General (hereafter RSG) emphasises and endorses most of these recommendations,

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<sup>1</sup> OJ C 96 E, 21.4.2004, p. 79.

- B. whereas the RHP puts forward a new vision of collective security and addresses all of the major threats to international peace and security felt around the world,
- C. whereas in the Secretary-General's view, following the RHP's recommendations, it is urgent that the policies and institutions of the United Nations be reviewed in order to rise to the challenge of meeting new threats and to avoid its erosion in the face of increased discord between States and unilateral action by them,
- D. whereas the RHP clearly states that the use of force, whenever necessary, should be deployed as a last resort, to be reiterated in a resolution of the Security Council on the principles relating to the use of force, and clearly endorses the 'emerging norm' that there is a collective international responsibility to protect in the event of genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law, which sovereign governments have proved powerless or unwilling to prevent,
- E. whereas genuine multilateralism is the most appropriate tool for solving the problems and threats faced by the international community, provided it is based on well-adapted institutions and efficient decision and enforcement processes,
- F. whereas the RSG stresses the need for action and immediate reform, and presents a set of achievable concrete measures to be adopted by Heads of State and Government by September 2005,
- G. whereas EU Member States must be at the forefront of efforts to secure universal participation in multilateral conventions,

***Collective security in the 21<sup>st</sup> century: prevention, awareness and shared responsibility***

1. Warmly welcomes the RSG following on from the RHP and strongly supports the underlying determination to achieve a consistent and thorough reform of the United Nations in order to adapt the organisation to new world realities and make it more efficient, equitable, geared to the long term and accountable in providing collective security in the 21st century; particularly welcomes the realistic approach of both reports, which, unlike previous reform proposals, adequately combine vision with concrete and practice-oriented measures for action;
2. Calls on the Council fully to endorse the reform report presented by Kofi Annan and calls on the Luxembourg Presidency to engage in achieving a Council decision on a common EU position towards concrete UN reforms;
3. Clearly endorses the view that progress in the areas of development, security and human rights must go hand in hand and that the reform of the United Nations should not be viewed as an end in itself, but rather as the ineluctable consequence of an in-depth analysis of the political and security parameters and factors at stake in a new and uncertain world environment; thus recommends strengthening the United Nations system and institutions, since they constitute the most appropriate and only global

institutions potentially able to foster and ensure collective security in a manner which is both legitimate and efficient;

4. Approves the strict limitation of the notion of self-defence and the use of force and responsibility to protect civilian populations defined by the High-level Panel in accordance with the spirit and wording of the UN Charter, and agrees that such a definition should not prevent the Security Council from acting preventively – and even in a more proactive manner than in the past – since it is the only legitimate body for such action; recalls that there can only be effective crisis protection if the UN has the means to monitor and to observe on a full-time basis the ethnic, linguistic or religious tensions likely to degenerate into a crisis;
5. Reiterates that when considering the use of force the Security Council should always take into account the five criteria of legitimacy: seriousness of threat, proper purpose, last resort, proportional means and allowance for the consequences; agrees that the principles relating to the use of force and its authorisation should be laid down in a resolution of the Security Council; suggests that the Security Council be permitted, on a case-by-case basis for the purpose of dealing with a clearly defined situation over a limited period of time, to delegate its powers under Chapter VII of the UN Charter to a recognised regional organisation;
6. Supports the High-level Panel's call, as confirmed in the RSG, to grant to the International Atomic Energy Agency (IAEA) an increased role and reinforced means, including the strengthening of its verification authority, in the fight against nuclear proliferation and in preventing the use of atomic, biological and chemical (ABC) weapons; strongly supports the call for States to pledge full compliance with all articles of the Treaty on Non-Proliferation of Nuclear Weapons, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention in order further to strengthen the multilateral framework for non-proliferation and disarmament, as well as the specific proposals in this area;
7. Supports the guaranteeing of the supply of fuel necessary to develop peaceful uses, such as an arrangement in which the IAEA would act as a guarantor for the supply of fissile material to civilian nuclear users at market rates for States who voluntarily forego the development of domestic uranium enrichment and plutonium separation facilities;
8. Supports the forging by the United Nations of a strategy of counter-terrorism which is respectful of human rights and the rule of law, which involves civil society and which is based on the five pillars of dissuading from resort to terrorism or support thereof, denying terrorists access to funds and material resources, deterring States from supporting terrorism, developing State capacity to combat terrorism and defending human rights;
9. Stresses in this context the need to continue to build on the past work of the Counter-Terrorism Committee (CTC), and to support the Counter-Terrorism Committee Executive Directorate (CTED) in its task of guaranteeing compliance with the obligations of UN Security Council Resolution 1373 (2001);

10. Looks forward to the conclusion by the General Assembly of the United Nations of a comprehensive convention on terrorism, based on a clear and agreed definition, respecting human rights and democratic freedoms, containing a reference inter alia to the definitions in the 1999 Convention for the Suppression of the Financing of Terrorism and in UN Security Council Resolution 1566 (2004), and reiterating that actions covered by the twelve earlier anti-terrorism Conventions constitute terrorism, together with a statement that they also constitute a crime under international law; also encourages more effective cooperation in other priority areas such as confronting organised crime and the illicit trade in small and light arms, and working to eliminate landmines completely;
11. Fully subscribes to the need for developed States to engage more actively in peacekeeping operations around the world, and therefore calls for greater efforts by the EU Member States with a view to transforming armies into units suitable for deployment to peace operations, and to placing contingents on stand-by for UN purposes; states its commitment to the serious reinvigorating of both conflict prevention and post-conflict peace-building by providing peacekeepers with the right mandates, sufficient capacity and appropriate training in order to perform the assigned tasks and to avoid civil and humanitarian crises; agrees with the proposal that peacekeeping operations carried out by regional organisations should be authorised by the Security Council;

***Freedom from want: a shared and balanced vision of a renewed UN development policy***

12. Takes this opportunity to call upon all those involved actors to do their utmost to achieve the Millennium Development Goals (MDGs); emphasises that development reforms and aims as mentioned in the MDGs have to be achieved in accordance with reform efforts in the areas of collective security and institutional reforms; is convinced that only a thorough and balanced reform of the UN system as a whole will achieve a better north-south balance within the UN that in turn will increase acceptance of the UN and its legitimacy in the eyes of its members;
13. Recalls that previous pledges from donor countries for the financing of development should be implemented – especially to achieve progress in the fight against HIV/AIDS, malaria and tuberculosis; notes in this regard that the UN Country Teams should be strengthened, and that their staff should be properly trained and funded and should work closely with the international financial institutions to achieve the MDGs;
14. Emphasises the need further to support scientific research and development so as to ensure environmental sustainability, address climate change and react to the special needs of developing countries in the fields of agriculture, natural resources and environmental management;
15. Recalls that a successful partnership must be based on a two-way process in which developing countries must strengthen governance, combat corruption and maximise domestic resources to fund national development strategies, while developed countries must support these efforts through a more effective allocation of development assistance, better access to their markets and debt relief;

16. Endorses the view that economic and social development and security and respect for human rights and safeguarding the environment are intricately interdependent; emphasises that risk prevention through development can significantly reduce political, military or terrorist threats which derive from actual or perceived social inequalities, economic injustices and environmental degradations; welcomes the conclusion by the High-level Panel that there is no hierarchy of threats, and that threats of different natures cannot be isolated from one another; restates therefore that security issues are intimately linked to the achievement and consolidation of the MDGs;
17. Fully endorses the specific calls made by the Secretary-General in this area, including those on establishing a clear timetable for developed countries to achieve the target of 0.7% of GNI for official development assistance, on recognising the special needs of Africa, and on launching a series of quick-win initiatives so as to realise major immediate progress towards the MDGs, including the elimination of user fees for basic health and education;
18. Endorses the RSG's recommendation to strengthen the contribution of non-state actors to the goals of the UN, including new mechanisms to ensure accountability of civil society, the private sector and international institutions;
19. Welcomes the RSG's recommendation for agreement for an international framework to tackle climate change beyond 2012, with broader participation by all major emitters, and to support time-bound environmental targets for all EU Member States;
20. Affirms that UN decision-making bodies should have the competence – and the responsibility – both to define common public interests and to establish norms to safeguard and adopt regulations in order to preserve and defend these public interests, including the definition of international rules aimed at clarifying the relationship between trade and the environment with a view to ensuring the safeguarding of Multilateral Environmental Agreements against trade rules;

***Reformed institutions for greater representativeness and efficiency***

21. Insists that the necessary reform of the United Nations as a whole must by no means be limited or overshadowed by the reform of the Security Council and other institutional questions, although a rethinking of structures and working methods with a view to better representation and credibility is of the utmost importance; calls on UN member states to make every effort to avoid a situation in which potential difficulties in reaching an agreement on the new composition of the Security Council jeopardise the reform as a whole;
22. Is convinced that the central elements guiding the reform of the Security Council must be the strengthening of its authority, the truly representative nature of all geographic areas, legitimacy, effectiveness and its primary role in the maintenance of international peace and security; is convinced of the need to change the composition of the Security Council in a way that takes into account the changed state of the international system as well as current geopolitical realities, by increasing the number of developing countries in the Council, by ensuring that its members are willing and able to act when action is needed, and by employing more effective and transparent working methods; considers that the two proposals (Models A and B) by the High-level Panel adequately reflect

such better representation, although other reform proposals are also possible, and emphasises that an EU seat in the UN Security Council remains the aim for the EU as soon as the political, constitutional and legal conditions for such a seat are met;

23. Takes note of the proposal to extend the composition of the UN Security Council by adding new seats for each regional group, including 'Europe'; expresses the view that in this context the appropriate solution that would be coherent with the European Constitutional Treaty, which creates a legal personality for the Union and a European Minister for Foreign Affairs, would be to allocate an additional permanent seat to the EU; calls on the Member States seriously to consider this proposal in order to enhance Europe's influence in the world through a coherent and efficient Common Foreign and Security Policy (CFSP);
24. Considers, however, that in any case, irrespective of the procedure for reform chosen, some of the additional seats for 'Europe' should be allocated to the EU as such; in this context, calls on the EU Council to establish the appropriate mechanism to designate the EU Member States who will carry out their mandate as EU representatives in close coordination with the other EU Member States, the High Representative for the CFSP or the future Minister for Foreign Affairs, the Commission and the European Parliament until the conditions for an EU seat are met;
25. Fully supports the proposal of the RHP to introduce a mechanism of indicative voting in the Security Council, whereby members could call for a public indication of positions on a proposed action, 'no' votes not having a veto effect, nor the final vote having any legal force, but increasing the accountability of the veto function;
26. Strongly supports the strengthening of human rights protection and promotion in the UN system, which to date, unfortunately, has not always achieved the desired effectiveness in terms of results, and calls for significantly increased financial support from all member states for the Office of the High Commissioner for Human Rights, as well as the active involvement of the High Commissioner in the work and deliberations of the Security Council; supports, in this connection, the proposal for an annual report of the High Commissioner for Human Rights which presents added value in terms of the visibility of the UN recommendations made and at the same time permits an evaluation of the degree of cooperation of a state with the UN mechanisms;
27. Supports the replacement of the UN Commission on Human Rights (UNCHR) with a reduced standing Human Rights Council (HRC) directly elected by the General Assembly – which, when electing members to serve in that body, should choose countries that respect human rights most scrupulously – with a strengthened majority, which will give it greater democratic legitimacy and political authority; supports the incorporation into the working methods of the UNCHR of a 'peer review' mechanism which would allow for each country to be subject, on a regular basis, to a human rights assessment; supports the idea of linking accession to the HRC to the obligation for a member state to issue a standing invitation allowing for the implementation of the UN mechanisms and procedures; considers that it is of the utmost importance to reinforce the role of independent NGOs within the HRC and that their participation requires a reform of the Committee of NGOs;

28. Restates its full support for the work of the International Criminal Court and encourages all UN member states to cooperate with it; welcomes the establishment of a special rapporteur on the compatibility of counter-terrorism measures with international human rights law; recognises the important role of the International Court of Justice and supports the consideration of means to strengthen the work of the Court;
29. Fully supports the High-level Panel's view that the role, the margin of manoeuvre and the accountability of the Secretary-General should be increased in the field of peace and security; in this respect, underlines the need to give the Secretary-General the appropriate freedom, discretion and resources to organise the structure and modalities of his working environment in such a way as to ensure that the UN administration matches the priorities of the reform;
30. Is alarmed at the accusations that UN peacekeeping forces used sexual and physical violence in, inter alia, the Democratic Republic of the Congo, Bosnia and Kosovo; condemns the fact that those who are guilty of sexual violence and rape during current conflicts have neither been charged nor punished and calls on the UN to tackle the problems in order to ensure that the organisation continues in its role as the leading champion of human rights in the world;
31. Welcomes the proposal to create a Peacebuilding Commission as well as a Peacebuilding Support Office within the UN Secretariat and with the participation of international financial institutions, in order to enhance the ability of the organisation to sustain efforts in post-conflict peacebuilding and to restore order in, and rebuild, devastated nations where the state has ceased to exist; calls for the establishment of a civilian peace corps ('white helmets') capable of performing functions that are non-military in nature; strongly endorses the need to ensure greater protection for humanitarian actors and their safe and unimpeded access to vulnerable populations; underlines the need for additional resources for the Secretary-General for his mediation capacities ('good offices') and supports the creation of a Rule of Law Assistance Unit and a Democracy Fund to assist national efforts to re-establish the rule of law and democracy;
32. Insists on the need to revitalise the General Assembly by implementing a better conceptualisation and shortening of its agenda in order to speedily and efficiently address the major substantive issues affecting the world today, by reducing the number of members of its committees and by focusing their activities in order to improve the resolutions and the credibility of the body as a whole; calls for the establishment of mechanisms within the General Assembly in order to systematically engage with civil society;
33. Calls for the upgrading of the Economic and Social Council (ECOSOC), a drastic reduction in the number of its members and reinforcement of its decision-making powers in order to transform this body into the equivalent of the Security Council in areas dealing with economic matters, finance, development, biotechnology, communication systems, ethics, and threats to the climate and the biotope; calls for the establishment of a close and permanent consultation mechanism between a reformed ECOSOC and the Bretton Woods Institutions as well as the World Trade Organisation (WTO), enabling ECOSOC effectively to assess progress on the UN development agenda and to serve as a high-level development cooperation forum; calls for a better

coordination mechanism between the various United Nations agencies operating under the aegis of ECOSOC; supports the proposed biennial high-level Development Cooperation Forum and the establishment of an ECOSOC Executive Committee;

34. Considers, however, that the reform proposals put forward by the RSG in the socio-economic field remain largely below actual needs for a body that brings together the key developed and developing countries to address the critical interlinkages between trade, finance, the environment and economic and social development; fully supports as a first step the RHP proposal to transform the G20 group, of which the European Union is an institutional member and the International Monetary Fund and the World Bank are ex-officio members, into a leaders' group with regular attendance by the WTO, the UN Secretary-General, the President of ECOSOC and the High Commissioner for Human Rights;
35. Suggests that the existing but dormant and obsolete Trusteeship Council be transformed into a Council for Failed States, which would be responsible, on behalf of the United Nations, for coordinating international cooperation in the case of failed States, and more widely for conflict prevention in failing States; suggests that this Council for Failed States be mandated by the Security Council to administer on a temporary basis peoples and territories where official state structures have collapsed or are about to disappear;
36. Calls for the strengthening of international environmental governance through the upgrading of the United Nations Environment Program (UNEP) into a United Nations specialised agency for the environment, equipped with sufficient financial, material and human resources, with universal membership, entitled to ensure compliance with legally binding multilateral environmental agreements (MEAs) by governments, international economic institutions and transnational corporations, and serving as a reference body for scientific, technical and legal expertise on the environment; calls for cohesive new action to ensure environmental sustainability, including addressing climate change as well as the issues of desertification, biodiversity and environmental refugees; calls for clarification of the jurisdictional relationship, including the dispute settlement mechanisms, between the WTO and MEAs within the UN system;
37. Draws attention to the fact that in November 2004, UNEP and United National Development Programme signed a Memorandum of Understanding which provides for UNEP to assist countries, at their request, in building capacity for compliance with environmental obligations, as one of the key pillars of sustainable development; supports this position and strongly endorses the need to ensure that sufficient resources are made available for both programmes to cooperate effectively;
38. Emphasises that the United Nations Educational, Scientific and Cultural Organization (UNESCO) is one of the key agencies in the United Nations system, with global responsibility for education, science (including water) and culture (including communications and media); calls upon member countries to provide UNESCO with enhanced budgetary resources in order to fulfil its important mandate; invites the UN Secretary-General to draw systematically on UNESCO contributions especially in poverty reduction and education policies, as well as in the safeguarding of cultural diversity;



39. Calls for the establishment of a United Nations Parliamentary Assembly (UNPA) within the UN system, which would increase the democratic profile and internal democratic process of the organisation and allow world civil society to be directly associated in the decision-making process; states that the Parliamentary Assembly should be vested with genuine rights of information, participation and control, and should be able to adopt recommendations directed at the UN General Assembly;
40. Suggests as a first step the holding of a parliamentary event before the gathering of Heads of States and Government in September 2005, which would be complementary to the Second World Conference of Speakers of Parliament scheduled for 7-9 September 2005 in New York; states its preparedness to send a delegation to these parliamentary events; fully supports the creation of a Democracy Fund aimed at encouraging, establishing and strengthening democracy worldwide, as called for in the RSG;
41. Calls on Member States to support and strengthen the 'UN Democracy Caucus' that promotes democracy among the member states of the UN and helps to establish democratic structures within the UN system by serving as a role model for emerging democracies while at the same time preventing non-democratic authoritarian states from chairing important UN bodies and thus endangering UN credibility;
41. Welcomes the initiative by the Secretary-General to organise the 'Treaty event, an invitation to universal participation Focus 2005: responding to global challenges'; calls on Member States to support this initiative by signing, ratifying or acceding to those treaties featured in Focus 2005 to which they are not parties already; calls also on the Council and the Commission, in their relations with third countries, to promote this initiative and to assist those countries in their efforts with a view to signing, ratifying or acceding to those treaties by September 2005;
43. Recalls the successful co-operation between the United Nations and the European Union concerning the rescue operations and relief work delivered in the aftermath of the Tsunami disaster; welcomes the recommendation by the Secretary-General asking the United Nations to build on the successes of regional organisations, in particular by developing strong norms to ensure political stability and to protect the rights of minorities, indigenous peoples and internally displaced persons; welcomes the recommendation to give increased support to Africa and to the African Union; calls for an increased partnership between the United Nations and the European Union, given that the latter is best suited to coordinate with other countries or regional entities the effective implementation of global policies, including those concerning the International Criminal Court, the Kyoto Protocol and the International Ban on Landmines;
44. Restates its opinion that, in the light of the EU Constitution, streamlining the EU's diplomatic representation to the UN is of the utmost importance for improving relations between them and for the influence of the EU on the international stage; therefore encourages the Council and the Commission actively to pursue the merging of their liaison offices and delegations into a common external EU delegation in each one of the following UN headquarters: New York, Geneva, Vienna and Nairobi;

45. Strongly calls on the EU Member States to support without delay the proposals for reform outlined by the RSG following on from the RHP, to make all possible efforts to implement these reforms in the appropriate areas and to provide the necessary means for that purpose in collaboration with EU institutions;
46. Calls on its Bureau to commission a group of experts to draw up an initial blueprint detailing how the overall reform of the UN system might operate from the point of view both of the UN Charter and of the EU institutions;
47. Decides to launch a series of awareness-raising campaigns to inform the public at large, within and outside Europe, about the historic implications of UN reform and its impact on the European institutional system;

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48. Instructs its President to forward this resolution to the Council and the Commission, the Governments and Parliaments of the EU Member States, the Secretary-General of the UN, the President of the UN Security Council, the President of the UN General Assembly, the President of the UN ECOSOC and the Members of the High-level Panel for UN reform, as well as to the US Congress, the Inter-Parliamentary Union and the Parliamentary Assembly of the Council of Europe.