COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

JOINT COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Private Briefing: Secretary-General of the United Nations, Mr Kofi Annan

MONDAY, 21 FEBRUARY 2000

CANBERRA

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JOINT COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Monday, 21 February 2000

Members: Senator Ferguson *(Chair)*, Senators Bourne, Brownhill, Calvert, Chapman, Cook, Gibbs, Harradine, O'Brien, Payne, Quirke and Schacht and Fran Bailey, Mr Baird, Mr Brereton, Mrs Crosio, Mr Ferguson, Mr Hawker, Mr Hollis, Mr Jull, Mrs Kelly, Mr Lieberman, Mr Martin, Mrs Moylan, Mr Nugent, Mr O'Keefe, Mr Price, Mr Prosser, Mr Pyne, Mr Snowdon, Dr Southcott and Mr Thomson

Senators and members in attendance: Senators Bourne, Ferguson and Gibbs and Fran Bailey, Mr Baird, Mrs Crosio, Mr Hollis, Mr Jull, Mr Nugent, Mr Price, Mr Pyne, Mr Snowdon and Dr Southcott

Terms of reference for the inquiry:

Private briefing: Secretary-General of the United Nations, Mr Kofi Annan.

WITNESSES

Committee met at 4.38 p.m.

ANNAN, His Excellency Mr Kofi, Secretary-General, United Nations

CHAIR—Your Excellency, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade I am pleased to welcome you to Parliament House, together with the other members of your delegation. Might I firstly express how appreciative we are of the time that you have taken to meet with us this afternoon.

Ours is the largest committee in the Australian parliament, with 32 members representing all major political parties. The committee's four permanent subcommittees – those of foreign affairs, defence, human rights and trade – undertake a busy program of inquiries and meetings throughout the year. For us your visit is particularly timely as it provides us with a unique opportunity to hold discussions with you as a precursor to a public inquiry that we are having into Australia's relations with the United Nations in the post-Cold War environment. Our inquiry will cover such matters as the increasing demand for peacekeeping operations, the protection of human rights, the concept of national sovereignty, possible arrangements for a standing army for the United Nations, the continuing reform of the United Nations bureaucracy and the possible creation of the International Criminal Court. As far as we are aware, it is the broadest inquiry of its type yet undertaken by a parliamentary committee. We have sought submissions from government and non-government organisations, academics and heads of diplomatic missions. We have also received many submissions from regional Australia that reflect a more critical attitude towards the United Nations.

At this stage, Mr Secretary-General, I would invite you to address us and then, if it is okay with you, we would open the meeting for a general discussion.

Mr Annan—Let me first of all thank you and the members for coming to meet with me this afternoon and also, through you, thank the Australian people for the support they have given to the United Nations more recently in East Timor. I think you have heard my public pronouncements that without that support – without the leadership of Australia – the story of East Timor would have been quite different. I am very happy to hear that you are organising this inquiry to look into the role of the United Nations and Australia's relationship with the world body in the post-Cold War environment. I think it is a very timely study and we at the United Nations are doing a similar thing.

You would recall that last year I issued two important reports: one on the UN operations in Srebrenica, Bosnia, and another one on Rwanda. The purpose of those reports was to learn – to look back and see why we failed or what we could have done better and what we need to change to be more effective in the future. In the course of the year, I will be giving the General Assembly and the Security Council another report on how we can improve these operations and on what will be required of each actor – from the secretariat bureaucracy to the member states, the Security Council and the General Assembly that approves the budget – and perhaps offer some food for thought to see how collectively we can take steps to improve how we mount these operations.

I believe we should always start with the right mandate that is clear and achievable, and the member states must always give us the resources commensurate with the task that they assign us. I think it is important that we get into these operations with the right intelligence and the right political analysis to be able, to the fullest extent possible, anticipate how things will develop and go into the theatre with the right force structure to be able to deal with all contingencies. The Security Council must be prepared to modify the mandates if required and to add to the resources, if need be, for us to succeed. We should never walk into a situation and say, 'This is what we have come to do,' and stick with it, without adjusting or adapting as the situation demands.

I think we would all agree that, since the end of the Cold War, peacekeeping operations have become more complex, much more difficult. We have moved from situations of interstate war to intrastate conflicts. In interstate wars, you were often dealing with governments and organised structures who have signed an agreement so that the peacekeepers can go in and rely on their cooperation. We can work with them to implement an agreement they have signed or to create space for them to continue their political and diplomatic dialogue. In today's conflicts, when we go into these internal situations we are often dealing with warlords, as we saw in Somalia, who have no concept of international pressures and the international community. How do you tell a warlord, 'If you don't do this there will be sanctions'? You cannot talk in those terms with them. It doesn't mean anything to them. What sort of pressure points do you need to get them to behave; what steps should we take? A whole range of issues are posed. Of course, for the military, the men and women who go in there and manage in a very ambiguous and fluid situation, it is a real challenge.

You also talked about human rights. In today's conflicts, the systematic abuse of human rights, the deliberate targeting of civilians and the use of rape as a weapon has become common place. This is one of the reasons why some of the efforts we are making in the area of human rights to bring people to trial when these gross atrocities have taken place are essential.

Last September during the General Assembly I raised the issue of how we deal with the two sovereignties – national sovereignty and sovereignty of the individual. How do we as a society shift away from the emphasis on state security and state sovereignty to the protection of the individual within the state, particularly if we all accept that the role of state is to protect its citizens? I raised this issue in the General Assembly even though when we go back to our own charter and say, 'Yes, we are an association of member states,' the charter is written in the name of 'We, the peoples'. Yes, the charter says that we should not intervene in the internal affairs of member states – article 2.7 – but the same charter enjoins us to protect future generations from the scourge of war. When you get into those situations where rights of individuals are being trampled on and where governments are telling you, 'Wait a moment, it is our sovereign right,' is that acceptable? If it is not acceptable, what do we do? The charter encourages us to act in the name of the common interest. But what is that common interest? Who defines it; who defends it; under whose authority and with what means?

I think it is important that we discuss these issues and develop some common consensus that will permit the Security Council to take fairly quick decisions in those situations of gross and systematic abuse of human rights of whole groups of people. Obviously, this is a debate that is now raging. I knew that we were not going to get answers overnight, but what is important is that the Security Council and the General Assembly are discussing it . I have a task force within the secretariat looking at this issue and I have challenged many universities and research centres also to look at it. Hopefully, in the foreseeable future we will come up with enough ideas for us to see how we should react.

The other issue you have referred to is the question of UN reform. We have achieved quite a lot in organisational terms in restructuring the secretariat and getting the leadership to work more cohesively. I meet once a week with all the senior members of the UN: from heads of departments to the heads of UNICEF, the UN Development Program, the UN Population Fund, the UN Environment Program in Nairobi, human rights in Geneva and the High Commissioner for Refugees. The head of overseas programs participate through teleconferencing, so we are coordinating our efforts both on policy issues and on major managerial issues.

Where we have run into difficulties are in areas outside my direct authority where the member states have to take decisions. For example, the reform of the Security Council has been dragging for quite a long time, even though every member state agrees that the Security Council as it is now is a bit anachronistic as it reflects the geopolitical realities of 1945 and that it is time for us to reform it and bring it in line with today's realities. Beyond that agreement, there is little that the member states agree on.

Several suggestions have been made that the council should be expanded to 20 or to a maximum of 26. There are suggestions that there should be five additional permanencies – three for the developing nations and two for the developed – but the members have not agreed on the numbers. The arguments have ranged between those who believe that the council should be kept small for it to be effective and those who believe that the council should be expanded and be made more democratic and more representative to gain greater legitimacy. I think it ought to be possible to reform the council to make it democratic and keep it effective. I would hope that the member states will find a way of moving forward, because it is a problem that is not going to go away.

The issue came up when I was in Japan last November – it will be raised by the Japanese each time because they are paying about 20 per cent of the budget. They are the second largest contributor. The four other permanent members besides the US pay 14 per cent. Now there is a discussion that the US would want to reduce its contribution from 25 per cent to 22 per cent on the regular budget and from 31 per cent to 25 per cent on the peacekeeping budget. If that happens then others have to pick up the slack and pay more. The Japanese are saying, 'If you have to pay more, what are you going to do about the Security Council?' Your able ambassador in the UN (Penelope Wensley) is now chairing the fifth committee, the budgetary committee. So this is going to be part of her headache, negotiating with the US, Holbrooke and others, to see whether there can be a consensus on this issue.

The other area where the member states have not done as much as I believe they could do is cleaning up their own agenda in the General Assembly. There are lots of items. I suggested we should have a sunset clause where they would review any program that has been on the books for five years or more to determine if it is needed, if it has outlived its usefulness and if we have achieved our objectives so that we can switch the funds to other more urgent issues. They are still reviewing that. The other proposal was results based budgeting, which you have here, and we are trying to get the UN to move in that direction.

On the question of the International Criminal Court, I was in Rome when the statutes were adopted. It was an important achievement because we are introducing the missing link in international criminal law.

Once we have that in place we do not have to set up ad hoc tribunals, such as we have done for Rwanda and Bosnia, because often those you put in the dock believe that it is the victor's justice and, if they had won, they

would perhaps not be in the dock. Now with the International Criminal Court we should be able to bring people before the court. Of course, we do not have it yet. It will require ratification by member states but I hope we will have enough ratifications to bring the court in by the end of this year. If not, I hope by the end of next year that we should have the court. I think it will be a powerful deterrent and send a message out to everyone that you will be made accountable. It will also remove the anomaly which exists today that a man is more likely to get prosecuted if he kills one person than if he kills 100,000 or 10,000. We have seen it with Cambodia and other places.

On the question of human rights, since I took office I have tried to make it a cross cutting issue. Whatever we do, we try to consider that because, as human beings, that is at the centre of all we do: whether we are trying to improve their political rights, economic wellbeing, education and health, the rights of the individual are essential. Of course, in today's interdependent world and with information technology, people are becoming much more conscious of their rights. I have been encouraged by the response we have had generally from the public and from civil society as a whole. I am not implying that we are in a perfect situation but we are making some progress.

The last point you raised which I will touch on is the question of a standing UN army. This issue has been on the table for a long time and Bernard Miyet, who is head of peacekeeping operations, may add a word after I have said this. There have been lots of proposals about establishing an UN army. The way we operate today is almost like telling the mayor of Canberra, 'Yes, we know you need a fire house but we will build one for you when the crisis breaks,' because it is only when the crisis has broken and the council has taken it that we go around to member states begging for troops. Sometimes they offer them; sometimes they do not. Sometimes they come equipped and trained; other times they are not. But you take what you get, which can create serious complications for you on the ground. A group of member states have established a high readiness brigade, which they call shirbrig (standing high readiness brigade), where governments will train men and women ready for peacekeeping operations. In times of need, if they decide to participate, they will make headquarters elements available within 48 hours and then deploy the main body within a month. There is also the existing stand-by arrangements. I better pause here. I think I have spoken enough.

CHAIR—We said that the genesis of our inquiry was the post-Cold War environment and the prevalence of intrastate conflicts rather than interstate conflicts and the fact that, in many cases, human tragedies had occurred prior to the United Nations being able to intervene. What needs to take place by way of charter or any other means to allow the United Nations to intervene at a much earlier stage prior to the tragedies taking place? What changes need to be made?

Mr Annan—I think there are a couple of things we need to do. First of all, education – education of the public at large and education of leaders. There is also a need for deterrence, a need to send the message out to those who often create the slaughter and terror that they will be brought to account. Today most of them get away scot-free. For each one that you bring to trial, about 100 or 1,000 get away.

The other difficulty I see is collective pressure. We need to bring collective pressure on those responsible to bend and allow intervention earlier. Often the country in conflict or the people in conflict believe they can handle it and that they do not need outsiders. They bring you in when it is almost hopeless. It is like a family quarrel. The couple always think they can solve it – 'Leave us alone' – and you are told not to get involved. When it is hopeless, then they want everybody to do anything. But I think if there is collective pressure – and today we cannot claim ignorance that we do not know – and if we begin to pile on the pressure early, it will work.

In a way, we saw a bit of that with Indonesia. Indonesia allowed us to go in, although the violence did take place. Without that collective international pressure all around, they never would have invited us to go in. Where is that pressure in other situations? Why is it present in some and not in others? How do we orchestrate to bring the fullest pressure to bear to get them to bend?

Mr HOLLIS—Thank you, Secretary-General, for that excellent overview. The United Nations is inevitably an expensive organisation. Are there many states now that are behind in their contributions, or are all of the states up to date on their contributions?

Mr Annan—We have 188 member states; in fact, we are just about to add one and have 189. As of last week, 50 of them had paid their dues in full for this year. Under the charter they should pay by the end of January; they have 31 days to pay for it. They have no penalty if they do not pay. They have to accumulate two years of debt before they lose their vote. When I was director of the budget some years ago, I suggested that, if they run up a two-year debt, they should pay the totality or last half before getting their vote back. I suggested that we should let the late-payers pay interest on what they owe. They do not pay any interest. We have to find a way of putting pressure on them.

Mr NUGENT—Your Excellency, you have mentioned restructuring of the Security Council in terms of size but what about in terms of the veto? It seems to me that the use of the veto has been the single largest

impediment to the United Nations being able to take effective action in a whole range of areas for 50 years. I would also be interested in your views on nuclear situation, particularly vis-a-vis Pakistan and India.

Mr Annan—I think on the question of the veto, it is very clear that the permanent members who have the veto are not going to give up that privilege easily. This is why there were discussions about proscribing the veto, removing it. People have suggested there should be therefore additional vetoes for others, additional permanent seats. These permanent seats are being fought over very hard.

On India and Pakistan, obviously nuclear proliferation is a concern for all of us and one would want to see it minimised. But, of course, we are not going to be able to succeed, unless the nuclear powers set the lead in taking disarmament seriously.

So I think we should really push disarmament a bit more. I have a feeling that the public is beginning to be aware of the disarmament issue again now. They are starting to talk about small arms and the killing that is going on around the world with small arms. I think that we will move on to disarmament and, with public pressure and public awareness, governments will have to act. We have the NPT conference this year, and that will give us a chance to talk a lot about disarmament and what is being done or not being done to do this. I hope that will put it under the spotlight again.

Mr SNOWDON—The other issue which seems to be raising its head, which I would appreciate a comment on, is frustration with the UN administration and the failure or apparent failure to get resources onto the ground, particularly in terms of food and shelter.

Mr Annan—On the question of resources, I think you are right – that, even though in Tokyo we got pledges of up to $500 million, the funds are only now beginning to flow. It takes a while to convert pledges into cash. Today we have Jim Wolfensohn, the Head of the World Bank, in Dili. We have been working very closely with the bank. I think beginning next month these funds will begin to flow and we will see reconstruction of infrastructure – schools, job creation. I hope that, with the beginning of this kind of activity, private investors will also come in. But the funds are beginning to flow. I think within the next six months to a year we will see a major impact of these activities. Once again, I am grateful for the contribution that Australia made at that pledging conference and the role that you have played. So I am grateful to you for that. But you have to understand that I am using the word 'gratitude' here in the sense of Dr Boswell, in the sense of 'expectations yet to come'.

Mr SNOWDON—One point I would like to ask about is whether or not the United Nations administration have experts in public administration and public policy. One of the issues which appears to be coming through is the failure of any public policy initiatives.

Mr Annan—Where we do not have experts on our staff, we bring them in. We hire consultants, we borrow them from governments. One of the governments that we hope will assist us is your own government. We know when we do not know, and we know when to look for help.

Mrs BAILEY—Your Excellency, you have commented on a number of the challenges, whether it be from getting resources in or from getting member states to pay their fees, and you have outlined some of the reform process that you have put in place. Do you believe that this entire reform process could be put in jeopardy, unless the Security Council is reformed both in its membership and the power of veto and therefore, not only the reform process but also the actual viability of the whole organisation could be at risk?

Mr Annan—It is an interesting question. Let me try and answer it. I think Security Council reform is essential, but I do not think it can place the organisation in jeopardy. It can disrupt our activities. I think what is really essential over and above the Security Council reform is to get governments and politicians and leaders to understand that, in today's world, no leader, no politician can think in purely local terms and that what happens externally has an impact on our society, and also the decisions we take have an impact on the external world so that we need to think in much broader terms than narrow national interest. If we were to get that kind of a mind-set, the UN's work and the deliberations of the council would also be easier. I think in a way that is more important than reform of the Security Council. We live in such a global and interdependent world, and in today's world, in most of the problems we are dealing with, the collective interest is the national interest. But how do we get governments to work collectively to tackle some of these issues? This is really the crux of the matter rather than Security Council reform.

Mr PRICE—In the context of your standing army, Secretary-General, are you satisfied at the current progress of regional dialogue organisations? Isn't there perhaps a greater potential for regions to have greater dialogue, greater cooperation and, in fact, be able to move regionally with more speed than perhaps the United Nations?

Mr Annan—Absolutely; I agree with you. In fact, when you look back on each of the major peacekeeping operations we have undertaken in the last decade, there is a major regional component in Cambodia. The brunt was borne by the Asian countries. And we have seen it again in East Timor. Also in Bosnia, Kosovo – it was European countries that came together.

The problem then arises: what happens when you send them into a region without capacity? The UN is a universal organisation with responsibility for peace and security. How do we help those regions? The regional aspect of it requires us to encourage governments at the regional level to develop their capacity. Some governments have been working with us to help train African peacekeepers so that they could play a role, supported by the international community. We should not forget those who do not have capacity.

Dr SOUTHCOTT—You talked in your opening remarks about intrastate conflict, and I think since the end of the Cold War we have seen a great expansion of peacekeeping. I would venture that the United Nations has learnt from some of the examples where peacekeeping was used and where perhaps peace enforcement may have been better. Do you expect in the future in an example of a collapsed state that we are more likely to see chapter 7 enforcement rather than chapter 6? Do you also think that, rather than a United Nations standing army, we are more likely perhaps to see coalitions of the willing who are able to act immediately – for example, like INTERFET, NATO or OSCE – with the United Nations coming in later?

Mr Annan—I think the question of chapter 6 or 7 – that is, regular peacekeeping or enforcement – is something that the council has become very sensitive about. It is best to make the distinction early and send in the right type of force. It also implies that you have the will on behalf of the member states to participate and to make the resources available to you. If the will is not there, it is irrelevant whether it is chapter 7 or chapter 6. In some situations, the will has not been there and we have not succeeded.

Mr PYNE—I would like to pursue this question of the veto very quickly. The countries that have a veto obviously are the countries that were the perceived victors in the Second World War. I wonder whether it concerned you that more than 50 years on from the Second World War if the people on the Security Council are locked into this paradigm of the post Second World War victory countries doesn't cut at the relevance and currency of the United Nations going into the 21st century? I think many countries would like to see the veto abolished for simply that reason because countries like Germany and Japan that supposedly lost the Second World War in fact are countries of greater power than some of the countries that actually had a veto.

Mr Annan—It is anachronistic – I started by saying that. Some people were thinking of coming up with a procedure where the veto can be overridden so the veto will not be absolute. We have a procedure of going to the General Assembly if you cannot get an agreement in the council called 'uniting for peace' where the entire membership can then take a decision on this, which this has been used very rarely.

Mr JULL—Could I go back to the reform program. Are you doing any work or any reviews of some of the UN agencies and, in actual fact, haven't some of those agencies outlived their purpose? I suppose you could look at things like UNCTAD whether or not its role is finished in the light of what the World Trade Organisation is doing now. Secondly, you have been quite fulsome recently in your praise of NGOs. How do you see their role developing within the UN context? Do you think there is some formal arrangement that could be made with the NGOs to have a say?

Mr Annan—I think on the question of the UN agencies, the issue came up very much during the reform process. Each of these agencies have their own governing bodies. The health ministers go to WHO, Agriculture goes to FAO, and all that – each of them have the constituencies at the national level. In New York there are the foreign ministers who come. So there is often a bit of competition between these agencies and the various supporters and constituents as to who does what. I would hope during the millennium summit that this issue will be touched upon. What we have tried to do in the absence of major changes is to try to ensure that we are more effectively coordinated. All the UN agencies, including the World Bank and the IMF, meet at the head of agency level twice a year under my chairmanship to discuss global issues and how we can pool our resources to have greater impact. We have had a couple of retreats to discuss this and to try to work much more closely together. They themselves are undergoing some reform to bring the organisations up to date and reposition themselves for the 21st century. But the kind of overhaul you are talking about, we are a bit far away from that.

On the question of NGOs, it is a tricky problem. Some agencies do better than others. UNESCO and others work very effectively with NGOs. The UN is starting to work better with them. The member states are very jealous of their prerogatives and their own organisation of governments and that NGOs should not be allowed even to come and address them during this year. During the first year of my reform, I made a proposal that we have a trusteeship council that worked for the independents of all the countries who have joined the UN now and their work is almost complete. The member states do not want to close down the trusteeship council because they say it is a charter body. I suggested it should be reconstituted and made a forum for discussion of the global commerce where NGOs and others will come in and have a say and let us know their views. It was not approved, but I have a feeling it is something that will come soon.

During the millennium summit in May, NGOs from around the world will have a conference at the UN in New York to give us their views of the UN in the 21st century. Speakers and presidents of parliaments will also meet in August in New York also to give us their input and then, of course, the heads of state will come in September to crown this effort. But I think in time we will find a better way of interacting with the NGOs. They are essential partners. Some of them are troublesome but, on the whole, they are very effective partners and we should work with them better. I think we are out of time, Mr Chairman.

CHAIR—In closing, I thank you very much for appearing before the committee today. There are many issues that have been raised which I am sure will help us in our future inquiry. This is a private meeting. However, I am wondering whether or not, in light of the subjects that have been discussed and the fact that we have this inquiry where many of the things that you have said will be quite pertinent and I do not think anything has been raised of a supremely confidential nature, you would allow us to use the transcript of this as part of our inquiry. Is that a problem at all?

Mr Annan—No problem. I look forward to seeing the results of your own effort to help me too.

CHAIR—Thank you very much.

Committee adjourned at 5.25 p.m.