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## Annual Review of United Nations Affairs, 2011-2012



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# Annual Review of United Nations Affairs

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**2011/2012**

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VOLUME I

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Edited by  
Joachim Müller  
and  
Karl P. Sauvant

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## Foreword

### Global Solutions for Global Problems

Providing for a fairer and more inclusive world and a decent life for all should be the political issue of our times.<sup>1</sup> The challenges and solutions to achieve these objectives are increasingly global. This is most apparent when tackling inequality and poverty. As demonstrated in the past, aid is not sufficient, and market-led globalization that lacks rules and favors the strong is unsustainable and unable to embrace global responsibility. There is a need for an inclusive global economic policy covering finance and economics, trade, migration, and environmental management. This also involves stopping the unsustainable consumption of finite natural resources such as energy or water. Indeed, this includes not only global sharing arrangements, but also a globally orchestrated process of managing down consumption. Global solutions for achieving economic well-being need to be embedded in global responses for keeping peace and protecting citizens when addressing terrorism and criminal international trade involving narcotics, people-smuggling, and money-laundering.

A real commitment to global integration and international action should reinforce the current network of private activism and cautious governmental engagement. To be acceptable, this can only be realized while protecting and enhancing accountability and personal control. Today, global institutions are weak and fragmented, and global negotiating forums on climate and economic policy lack policy commitments. This is why a global contract is needed, to provide the anchor by which new and strengthened international institutions are attached to a global purpose that makes sense to people.

Global visions are rarely achieved in dramatic shifts but rather in an incremental and progressive fashion. Clearly, there are opportunities that need to be captured and realized. How did the United Nations year 2011/2012 unfold in this regard?

The United Nations Conference on Sustainable Development (Rio+20), held in June 2012, carried the hopes of many to meet the environmental and development challenges of our time. Whereas the Executive Director of Greenpeace International characterized the conference as “a failure of epic proportions” and its final report as “the longest suicide note in history,”<sup>2</sup> some progress was achieved. The urgent need for governance reform in the environmental field was partially addressed by establishing universal membership in the Governing Council of the United Nations Environment Programme (UNEP) rather than transforming UNEP into a United Nations Environmental Organization. This was opposed by the United States, Canada, Japan, and others.

The United Nations Framework Convention on Climate Change (UNFCCC)—which met in Durban, South Africa, in November/December 2011—adopted the management framework for the Green Climate Fund with a resource volume of USD100 billion per year by 2020. This is an ambitious commitment by the international community, with the potential of making a real difference. The Fund promotes a paradigm shift toward low-emission and

<sup>1</sup> For an in-depth discussion, see my *The Unfinished Global Revolution: The Pursuit of a New International Politics* (New York: The Penguin Press, 2011).

<sup>2</sup> Mark McDonald, “U.N. Report from Rio on Environment a ‘Suicide Note,’” *International Herald Tribune*, June 24, 2012.

climate-resilient development pathways by providing support to developing countries to limit or reduce their greenhouse gas emissions and to adapt to the impact of climate change.

Secretary-General Ban Ki-moon appointed the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda<sup>3</sup> in July 2012, which was the target date for the Millennium Development Goals (MDGs). As one of the drafters of the MDGs, I acknowledge that they were deliberately modest and a half-step: the vision was limited, the means to achieve the goals were not laid out so as to avoid divisive ideological disputes, and no democratic accountability mechanism was established. Indeed, the commitment to provide assistance to poor countries went largely unmet. Nevertheless, the MDGs were a start, and the new process will have to address those shortcomings when developing the Sustainable Development Goals.

Feedback on the major reform initiative of “Delivering as One” became available in mid-2012.<sup>4</sup> This effort seeks to enhance coordination at the country level among the development efforts of over 30 United Nations organizations, with UNDP as central facilitator, to improve efficiency and effectiveness. Rather than establishing new ways of doing business, the initiative highlights the systemic shortcomings of an excessively decentralized system. Fundamental United Nations system-wide structural reforms need to be introduced.

In other areas, progress stalled, opportunities were missed or initiatives were not taken. Despite the dramatic increase in the number of refugees globally, the funding arrangement for United Nations relief efforts remains precarious and ad hoc. Crises in Syria, Libya, and Sudan and the expansion of peacekeeping operations point to the urgent need for an overhaul of the Security Council—but despite 20 years of discussions, no agreement is in sight. In other areas, the United Nations has been marginalized and initiatives have shifted to others, such as the Group of 20 or the Global Fund to Fight AIDS, Tuberculosis and Malaria.

In the past, a major source for developing a vision for reform was the United Nations Secretary-General and associated collaborators. The current emphasis on administrative improvements<sup>5</sup> is necessary, but it is not sufficient. The Five-Year Action Agenda introduced by Secretary-General Ban Ki-moon in January 2012 constitutes a platform on whose basis more daring ideas could be developed.<sup>6</sup> The international community is surely ready for this.

London, October 2012

Lord Mark Malloch Brown KCMG  
Former UK Minister for Africa, Asia, and the UN  
Former United Nations Deputy Secretary-General and Administrator of UNDP

<sup>3</sup> The three co-chairs are President Susilo Bambang Yudhoyono of Indonesia; President Ellen Johnson Sirleaf of Liberia; and Prime Minister David Cameron of the United Kingdom.

<sup>4</sup> “Independent Evaluation of Lessons Learned from ‘Delivering as One,’” Note by the Secretary-General, A/66/859, June 26, 2012.

<sup>5</sup> “The Change Plan: Proposals by the Change Management Team to the Secretary-General” (New York: United Nations, December 2011), mimeo., available at <http://www.un.org/sg/pdf/the-change-plan.pdf>.

<sup>6</sup> “The Secretary-General’s Five-Year Action Agenda” (New York: United Nations, January 25, 2012), mimeo; available at [http://www.un.org/sg/priorities/sg\\_agenda\\_2012.pdf](http://www.un.org/sg/priorities/sg_agenda_2012.pdf).

## Preface

### *The Annual Review of United Nations 2011/2012*

by

*Joachim Müller and Karl P. Sauvant<sup>1</sup>*

The *Annual Review of United Nations* (ARUNA) is one of the longest established annual publications on United Nations affairs. It offers in-depth commentaries and analysis by a group of distinguished experts<sup>2</sup> as well as comprehensive documentation of the work of the United Nations. This is done for the “United Nations year”: the annual session of the General Assembly of the United Nations, beginning in September and lasting 12 months. This edition covers the 66th session of the General Assembly, from September 13, 2011 to September 12, 2012.

In accordance with its comprehensive mandate, the United Nations is concerned with peace and security, development, social affairs, and human rights. *ARUNA* offers complete coverage of the outcome of the work of the key organs of the United Nations: the General Assembly, the Security Council, the Economic and Social Council (ECOSOC), the International Court of Justice, and the United Nations Secretariat.<sup>3</sup> In addition, selected reports of intergovernmental bodies and expert groups, as well as other materials, are included. Solely official United Nations documentation is used. *ARUNA* thus occupies a special place in the publications on the work of the United Nations—it provides readers with commentaries on the principal developments in its key organs during the time period covered, complemented by extensive documentation. This makes this work an important reference source for policy-makers, academic researchers and anyone interested in this Organization.

This edition of ARUNA features a Foreword by Lord Mark Malloch Brown, former Minister for Africa, Asia, and the United Nations and former United Nations Deputy Secretary-General and Administrator of UNDP. Reflecting on the year in review, Lord Malloch Brown observes that global institutions are weak and fragmented, and global negotiating forums on climate and economic policy lack policy commitments. He highlights the need for a real commitment to global integration and international action to reinforce the current network of private activism and cautious governmental engagement. To be acceptable, this is seen to require the protection and enhancement of accountability and personal control. Indeed, Lord Malloch Brown calls for a global contract to provide the anchor by which new and strengthened international institutions are attached to a global purpose that makes sense to people. He considers that the Five-Year Action Agenda introduced by Secretary-General Ban Ki-moon in January 2012 constitutes a platform on whose basis more daring ideas could be developed.

<sup>1</sup> The views expressed here do not necessarily reflect those of the institutions with which the authors are affiliated.

<sup>2</sup> Details on the experts are shown below under *Contributors and Co-editors*.

<sup>3</sup> Due to its inactive nature, the Trusteeship Council is not included. The section below contains the *Calendar of Conferences and Meeting of the United Nations, 13 September 2011 to 17 September 2012*.

The 2011/2012 edition of ARUNA comprises six chapters, each introduced by an extensive Commentary highlighting the principal developments during the year under review.

*Chapter 1* covers the 66th session of the General Assembly. Professor John R. Mathiason provides the Commentary. The documentation includes the opening statement of the President of the session, which outlines the main topics of the United Nations year under review. This is followed by the agenda of the annual session and the complete set of its resolutions. Professor Mathiason notes that the 66th session of the General Assembly continued addressing global problems, usually in an incremental way, building on previous resolutions and adding new dimensions to reflect political and economic changes. While the time for the regular session is fixed at three months, the number of issues on the agenda and the resolutions emerging from them continued to grow. Professor Mathiason argues that probably the most important advance was the endorsement of the outcome document of the United Nations Conference on Sustainable Development (Rio+20). The document, entitled *The Future We Want*, provides the basis for intense discussions of future (post-2015) goals for the Organization that will take place over the next Assemblies.

*Chapter 2* deals with the work of the Security Council. Dr. Tapio Kanninen provides the Commentary. The documentation contains the report of the Security Council, which gives a detailed account of the various issues discussed, the documentation considered, and the decisions taken by the Security Council during the year under review; this is followed by the resolutions of the Security Council and the Presidential Statements. Dr. Kanninen observes that divisions in the Security Council among the permanent five intensified during 2011/2012. Disagreement started on the ways the Council dealt with the Libya case and the authorization of force by the Council; it deepened when Syria became the most contentious issue. Irrespective of divisions, the Council was also able to work constructively on a number of conflicts, peacekeeping operations, and political missions. Dr. Kanninen argues that the unanimity of the Council on Yemen was, for instance, remarkable and helpful in facilitating positive outcomes in crisis management, mediation, and peace-building. The Council's thematic debate on new threats to peace and security broke new ground addressing the rapidly changing security environment. Some members, however, believe that the Council should continue to be devoted to its traditional agenda and activities only. This kind of tension is expected to continue as the Council faces new and more complex challenges and threats to the maintenance of peace and security in the world.

*Chapter 3* discusses the work of ECOSOC. Dr. Johan Schölvínck provides the Commentary. The documentation contains the Report of the Economic and Social Council for 2012. The chapter also reproduces the agenda of ECOSOC and the Council's resolutions and Ministerial Declarations. Dr. Schölvínck points out that the ECOSOC has been reconstituted, reformed, revitalized, and restructured almost continuously. Despite those efforts, the value added by ECOSOC remains unclear. In 2011/2012, he argues, ECOSOC spent three essentially fruitless weeks on matters of general interest. The outcome had little bearing on the United Nations system. Whereas ECOSOC is asked to bring about greater coherence within the United Nations system, the exchanges between ECOSOC's Member States and the Heads of the Funds and Programmes are seen to be not much more than courtesy calls. The coordination function between subsidiary bodies is considered to be the main reason for ECOSOC's existence. Dr. Schölvínck observes that ECOSOC is asked to understand, digest, and dispose of a vast quantity of materials that its subsidiary bodies bring to the table. In this function, the Council has merely become a post office that requests action

by the General Assembly. Dr. Schölvinc argues that ECOSOC should eliminate its high-level coordination, operational activities, and humanitarian segments and instead spend 3–4 weeks focusing entirely and relentlessly on the work of its subsidiary bodies and thereby reassert the powers invested in it by the Charter. Failing this, ECOSOC is seen ultimately to wither.

*Chapter 4* presents the work of the International Court of Justice (ICJ). Professor Alexander K. A. Greenawalt provides the Commentary. The documentation contains the report of the International Court and gives details of its jurisdiction, its composition, and the work undertaken. Professor Greenawalt underlines that, during 2011/2012, two themes stand out. One is a focus on the rights of individuals, with international criminal tribunals charged with the prosecution of persons accused of international offenses against other individuals. In this context, the ICJ's work over the past year saw this forum for inter-state disputes focus predominantly on claims relating to violations of international criminal law and international human rights. The Special Court for Sierra Leone convicted for the first time a Head of State. A second theme was the importance of State sovereignty as a check on the ability and willingness of international courts to vindicate individual rights. The ICJ's ruling affirmed that States enjoy absolute immunity from lawsuits in foreign courts alleging international humanitarian law violations; more broadly, it rejected the view that violations of peremptory norms provided an exception to that immunity. Meanwhile, the Special Tribunal for Lebanon and the Extraordinary Chambers in the Courts of Cambodia are both finding their efforts to ensure individual accountability frustrated by the non-cooperation of the States on which their work focuses. These loose ends are ones that international court watchers will look to with great interest in the coming year.

*Chapter 5* describes the work of the Secretariat. Dr. Khalil A. Hamdani provides the Commentary. The documentation starts with the Annual Report of the Secretary-General for the 66th session of the General Assembly. This is followed by a number of annual reports of various entities of the United Nations. Although the United Nations achieved progress in many areas in 2011/2012, Dr. Hamdani argues that the year will be remembered for the singular failure to uphold human rights in the tragic and ongoing conflict in Syria. The Secretary-General and the United Nations entities had to respond to a major humanitarian crisis without the unconditional backing of the Security Council that only a year before had been forthcoming for Libya. In other areas as well, the Secretariat pressed for consensus despite weakening resolve on all sides: arms trade, the sustainable development agenda, and funding. Nevertheless, Secretary-General Ban Ki-moon has continued to champion the primacy of the Millennium Development Goals and climate change, and the United Nations entities are bravely pushing ahead, working more closely together and with partners in the field, on global issues and through joint resource mobilization. Dr. Hamdani concludes that the next two years, in the lead-up to 2015, will be undeniably difficult.

Finally, *Chapter 6* presents progress reports for selected peacekeeping, peace-building and political missions. James Arbuckle provides the Commentary. He argues that, throughout the reporting period 2011/2012, there was a widespread tendency for local and national crises to become regional and international in their scope and impact. These crises were most commonly spread by refugee movements that place great burdens on the receiving countries, often themselves poor and fraught with their own problems. Another recurrent problem was the prevalence of criminality riding on the back of these crises: theft of



resources, illicit production and distribution of drugs, the uncontrolled spread of weapons, and human trafficking. In these crises, Mr. Arbuckle argues, the United Nations does what it can, which is never enough, but is far better than doing nothing. And on many occasions, the United Nations is the only agency with the will, the authority, and the capacity to act at all. The peace the United Nations and its affiliates and supporters keep is often exceedingly fragile, and its endurance may never be assumed.

We trust that this publication is of use to all those interested in the work of the United Nations.

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### Contributors and Co-editors

**James Arbuckle**, a Canadian citizen, retired from the army in 1995 after 36 years. He served 12 years with Canada's NATO Brigade in Germany, including two postings with the Bundeswehr. As a peacekeeper, he served three tours with the UN Forces in Cyprus (UNFICYP), and with UNPROFOR in Bosnia, Yugoslavia and Croatia in 1992. He was a member of the Faculty of the Lester B. Pearson Canadian International Peacekeeping Training Centre in Nova Scotia from 1995 to 1999. From 1999 to 2003, he was a member of the Capacity Building and Training Section of the OSCE in Vienna. His book, *The Level Killing Fields of Yugoslavia: An Observer Returns*, was published by the Pearson Press in 1999. He was the English copy editor for the *Concise Encyclopedia of the United Nations*, published by Kluwer Law International in 2002. His book on the military role in humanitarian operations, entitled *Military Forces in Twenty-first Century Peace Operations: No Job for a Soldier?*, was published by Routledge/Taylor and Francis in 2006. In 2010 he and his wife, Dr. Ingrid Lehmann, founded their blog, *Peacehawks*, to explore the issue of a more robust enforcement of international peace and security (<http://www.peacehawks.blogspot.com>). Mr Arbuckle lives in the Salzkammergut in Austria.

**Alexander K.A. Greenawalt** is Associate Professor of Law at the Pace University School of Law, where he teaches courses in International Law, International Criminal Law, and United States Foreign Relations Law. Professor Greenawalt has also taught at the Columbia University School of Law and has published widely in the field of international law, with a particular focus on international criminal law. Professor Greenawalt joined the Pace faculty from the firm of Debevoise & Plimpton LLP. He previously served as a law clerk for The Honorable Stephen F. Williams of the United States Court of Appeals for the District of Columbia Circuit. Professor Greenawalt has also worked for the Office of the Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, and for the Legal Adviser's Office of the United States Department of State. Professor Greenawalt is a graduate of the Columbia University School of Law, where he was a James Kent Scholar and Articles Editor of *The Columbia Law Review*. He received an M.A. in History from Yale University and an A.B. in Religion from Princeton University.

**Khalil A. Hamdani** is Visiting Professor at the Pakistan Institute of Development Economics, Islamabad, and adviser to several multilateral organizations. He is a Board Member of the CUTS International Research Centre in Geneva. He served 29 years with the UN Secretariat, retiring in 2007 as Director of the Division on Investment, Technology and Enterprise Development. Within the Secretariat, he has served with DESA, UNCTC and UNCTAD. He has also been consultant, staff or adviser to UNICEF, UNDP, UNFPA, UNITAR, UNIDO and the OECD. He has prepared many UN reports. He received his Ph.D. in economics from Georgetown University in 1975.

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secretary and research focal point of the high-level drafting group of Boutros Boutros-Ghali's *An Agenda for Peace* and convener of the interdepartmental task force to implement its recommendations; secretary of General Assembly Working Groups on An Agenda for Peace; of Strengthening of the UN System; and of Security Council reform. Earlier in Finland he worked at its Statistical Agency and Academy of Science and was in charge of the preparations for the country's first social indicator publication *Living Conditions in Finland 1950–1975*. He has an M.A. in economics from the University of Helsinki and a Ph.D. in political science from the Graduate Center of the City University of New York. His Ph.D. dissertation was based on his work in Javier Pérez de Cuéllar's Office on the UN financial crisis and reform and published as *Leadership and Reform* (1995). He is also the author of *Crisis of Global Sustainability* (2012).

**John R. Mathiason** is Visiting Lecturer at the Cornell Institute of Public Affairs at Cornell University. From 1999 to 2012 he was Professor of International Relations at the Maxwell School of Citizenship and Public Affairs of Syracuse University. From 1966 to 1997 he was a career staff member of the UN Secretariat, completing his career as Deputy Director of the Division for the Advancement of Women. Since then, in addition to teaching management of the international public sector, he has provided advice and training to many organizations of the UN system in results-based management. In his research, he has examined the role of the international public sector in addressing issues of weapons of mass destruction, internet governance and the management of climate change. He is the author of *Invisible Governance: International Secretariats in Global Politics* (2007). He has a Ph.D. in political science from the Massachusetts Institute of Technology.

**Joachim Müller**, a national of Germany, has been with the UN system for over 25 years and is currently Director for Resource Management at the World Meteorological Organization. He was previously Controller at the World Intellectual Property Organization (WIPO), and worked in the financial and budgetary area of the UN Secretariat, New York, and the UN Office of Drugs and Crime (UNODC), Vienna. He also has been a UN election observer in Namibia and Angola. Mr Müller has written extensively on UN reform and management, including *The Challenge of Working Together* (2010), *The Struggle for Legitimacy and Effectiveness* (2006), *The Quiet Revolution* (2001) and *New Initiatives and Past Efforts* (1997). For more details see [www.un-reform.net](http://www.un-reform.net). He has a doctorate (D.Phil.) in Economics and Management Studies from Oxford University, Nuffield College, and can be reached at [joachimwm@gmail.com](mailto:joachimwm@gmail.com).

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**Johan Schölvén** retired from the UN in 2008 as the Director of the Division for Social Policy and Development after some 28 years of service. His penultimate position was that

of Chief of Branch in the Division for ECOSOC Support and Coordination where he also served as the Secretary of the Executive Committee on Economic and Social Affairs. During his career at the UN he worked in UNCTAD, the Office for Emergency Operations in Africa (OEOA) and the Department for Economic and Social Affairs (DESA) in its various incarnations. He has been a consultant to DESA. He received his Ph.D. in Resource Economics from Cornell University.