

Updating the United Nations to Confront 21st Century Threats:

The Challenge to the High-Level Panel

**39th Conference on the
United Nations of the Next Decade**



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Executive Summary

As is often noted, the United Nations was designed in 1945 for a world that is dramatically different from our own. While there have been useful and important organizational innovations over the past six decades, the United Nations' member states have by and large preserved it without significant change.

The conceptual task of the High-Level Panel on Threats, Challenges, and Change will be to weave together diverse threat perceptions into a common understanding. The threat most clearly identified as inimical to international peace and security is armed conflict, and the threat of armed conflict has dominated Security Council deliberations over the years. But can a collective security system intended to serve the widest interests of the community of nations remain so focused on halting wars? What about the structural factors—such as grinding poverty and the weakness of governance—that impede the development of countries and their citizens and sometimes contribute to conflict? What about the devastating new technologies of war and terrorism, whose threat transcends specific conflicts? In terms of institutional structure, can the world community tackle its agenda of threats and challenges with the main political and policy action still concentrated in one council? For that matter, can the Security Council preserve its legitimacy without adjusting its membership?

As the panel answers these questions, it will outline an agenda that takes in a fuller sweep of contemporary problems and takes stock of the concerns of the entire world community. Indeed, elaborating a new paradigm of international peace and security may be one of the most important conceptual contributions of the panel.

The findings of the Stanley Foundation conference fell into three major areas: threats and challenges, institutional change, and maximizing the panel's impact, with the resulting recommendations listed below.

Threats and Challenges

Participants explored policy issues associated with four major threats and challenges to international peace and security: the use of force, states under stress, weapons of mass destruction (WMD), and terrorism. They chose not to focus on underdevelopment and poverty reduction, not for their lack of importance but because the Millennium Declaration and the Monterrey Conference were so successful in building consensus.

- **Draw up guidelines for when states may resort to military force.** The participants identified a growing enthusiasm for a clearer set of criteria that would offer parameters on the use of force and serve as useful guidelines for decisions made by the UN Security Council. Against the backdrop of recent UN Security Council debates on Iraq and current ones on intervention in the Darfur region of Sudan, the participants felt strongly that the use of force should be among the panel's priority areas of examination. Given that the resort to force is a consideration for many of today's threats—and that the UN Charter seeks to regulate its application—the use of force intersects with threats from terrorism to WMD to humanitarian crises.

- **Highlight the need for greater attention and resources to bolster states under stress.** When countries are unable to control their territory, meet the basic needs of their citizens, or establish legitimate and accountable public institutions, there are serious ramifications for the international community. The vacuum left when states are unwilling or unable to perform the most basic functions attracts transnational groups such as terrorists or drug traffickers seeking to exploit their weakness. In the worst cases, this can fuel violent conflict, result in the breakdown of society, and ultimately draw in international peacekeepers to preserve order.
- **Budgets for civilian stabilization programs should be underwritten with assessed contributions.** When the UN authorizes a new peacekeeping mission in tandem with the armed peacekeepers, there must be civilians who are expert in state-building, rule of law, employment generation, economic management, etc. Most importantly, though, all these components must receive adequate resources. While peacekeeping operations are financed through assessed contributions, the equally important peace-building functions must now rely on voluntary contributions.
- **Efforts to prevent the proliferation of weapons of mass destruction must be multipronged.** Participants outlined a comprehensive nonproliferation framework with five major components: (1) reducing demand for weapons of mass destruction, (2) reducing the supply of weapons materials, (3) adequate verification and monitoring mechanisms, (4) multilateral enforcement, and (5) defense against attacks. Most participants felt the category of WMD itself is a catchall and that important distinctions must be made among the threats posed by nuclear, radiological, chemical, and biological weapons.
- **The priority for nuclear nonproliferation is the control of fissile materials.** Participants expressed concern about eliminating and/or safeguarding the leftover Cold War nuclear stockpiles of the former Soviet Union. But this challenge goes well beyond the former states of the USSR; more than 138 sites around the world produce fissile material, most of which is inadequately guarded.
- **The United Nations should help develop a compelling counterterrorism strategy.** The United Nations is well positioned to help establish norms to guide this effort and thereby legitimize an appropriate counterterrorism strategy. As part of its broader support for stronger governance, the United Nations should develop programs to help member states strengthen their antiterrorist intelligence and law enforcement capacity. Participants lauded the efforts of the counterterrorism and Al Qaeda sanctions committees, but noted that much more is learned and accomplished when representatives from those committees actually travel to consult with capitals.

Institutional Change

Ever since the announcement of the high-level panel by Secretary-General Annan, disproportionate public attention has been given to structural reform. Participants agreed strongly that the panel should propose only those structural reforms needed to address threats

or challenges and avoid abstract tinkering with the architecture; the panel should instead define the substantive needs and then work out the institutional implications.

- **A new or repurposed forum is needed to address the economic and social agenda of the 21st century.** Today’s international economic and social agenda is an ambitious one, including the Millennium Development Goals, the fight against AIDS and other infectious diseases, trade liberalization and the phasing out of agricultural subsidies, and further coordination between the United Nations and the Bretton Woods institutions. Yet the principal organ of the United Nations tasked with managing economic and social issues is the Economic and Social Council (ECOSOC), which is perceived nearly universally as ineffective, poorly structured, and not up to the task of taking decisive action. Several participants expressed support for a recent French proposal to eliminate ECOSOC and create an “economic and security council” that is larger than the Security Council but smaller than ECOSOC. There was also interest in using the G-20 for this purpose, but with the group meeting regularly at the head-of-state level rather than its usual pattern of finance ministers.
- **Mechanisms are needed to ensure that states under stress receive needed attention.** Given that nearly every arm of the UN system is working either in or on weak states, the setting of strategic direction and supervision of international efforts concerning relief, development, reconstruction, and governance could be a special competency of the United Nations. UN councils or committees could provide much needed leadership particularly over complex relief and development operations in crisis countries. Ad hoc committees could perhaps be established to track and guide particular state-building efforts. Some participants also proposed the creation of an “international security advisor” for the secretary-general and the Security Council, who would be a second deputy secretary-general focused on potential crisis situations. Institutionalizing such a post could intensify the monitoring and sound needed alarm bells earlier and more loudly.
- **Outline the rudiments of Security Council reform without filling in the specifics.** Perhaps one of the most widely anticipated (and highly controversial) topics of the panel report is the subject of Security Council reform. Adopting a pragmatic approach would allow the panel to provide an impetus for debate without resolving all of the details. One participant suggested four pragmatic guidelines: (1) expand the Security Council to 24 members, (2) make the new seats nonpermanent but with renewable terms, (3) rationalize the regional groupings from which nonpermanent members are nominated, and (4) emphasize an oft-forgotten criteria in Article 23 of the Charter, which in effect states that Security Council members need to fulfill the obligations that go hand-in-hand with possession of seat on the Security Council.
- **The General Assembly badly needs political revitalization.** Plagued by a severe leadership deficit, the General Assembly has become dominated by “grandstanding” and “horse-trading.” One participant reminded the group that the 1982 Falklands/Malvinas Islands War (between the United Kingdom and Argentina) is still formally on the General Assembly agenda. It was suggested that the General Assembly draw up its agenda afresh each year, perhaps with a “rules committee” to set the parameters of debate. That said,

with its universal membership, the General Assembly enjoys a unique legitimacy and will remain an important forum for political debates.

Maximizing the Panel's Impact

The high-level panel will present its final report to the secretary-general in December 2004. The participants discussed the challenges facing the panel and the implementation of its findings.

- **Err on the side of boldness.** The panel should put forward ambitious recommendations that will spur the United Nations to be more effective in addressing threats to international peace and security of the 21st century. The panel's recommendations are likely to be watered down as they are discussed, debated, negotiated, and then hopefully implemented. One participant noted, "every idea whose time has come started out as an idea ahead of its time." That said, there are also certain to be ideas worth proposing that *could* be adopted without much political wrangling.
- **Mobilize the secretary-general.** There was a consensus view that in order for the panel to succeed, the secretary-general will have to "pull out all the stops" and organize and commit himself to selling the report. Participants recalled the integral role the secretary-general played in the drafting and negotiation of the Millennium Declaration—a milestone document that is often referred to as one of the most impressive achievements ever to emerge from the United Nations. He must repeat the role he played then and consider this report "to be his legacy" if it is to gain traction.
- **Develop an outreach strategy.** The participants urged the panel, its staff, and the secretary-general to begin developing an outreach strategy. Potential allies of the panel are plentiful, but they will have to be enlisted and put to work. For example, the government of Mexico is considering organizing a "Friends of Reform" group within the United Nations; this new group could be a useful source of support for the panel's report as it turns to the implementation stage. Participants also suggested that the panel actively engage national capitals and parliaments, local and national UN Associations, universities and academia, and NGOs and celebrities at an early stage.
- **Treat the release of the report as the midpoint.** If the secretary-general considers the release of the report as the climax of the process, the report will find itself on shelves or in wastebaskets. Implementation and sustained advocacy will be necessary. As one participant noted, "This is a campaign of a thousand skirmishes, rather than one decisive battle." The September 2005 General Assembly session will provide a focal point for deliberation of the panel's recommendations, but other political mechanisms such as review conferences should be sought to sustain the debate.
- **The role of the United States is critical.** Like it or not, the United States will play a critical role in determining the overall success or failure of the panel report. The panel should consider working with Congress to organize hearings on the its report and engaging the leadership of the House and Senate. In addition, the panel should actively work with President Bush and his administration to generate buy-in in advance on the key

findings of the report. Given the prominence of Iraq in the upcoming US elections, there may be unusual openness in both political parties to tackle the difficult steps of UN change.

- **The support of developing countries is a make-or-break issue.** One participant reminded the group that when the panel's terms of reference were announced, at the outset there was quite a bit of frustration on the part of many developing countries with respect to a perceived lack of emphasis on issues of greatest concern to them. While that perception has largely dissipated, the panel will have to take great care in making sure that its report appeals to the developing as well as the developed world. There will need to be a careful balance if the developing world is to feel invested in the panel's recommendations.

The High-Level Panel on Threats, Challenges, and Change offers an exceptional opportunity to take stock of this changing world and determine how best to remake the world's system of collective action. There is no silver bullet of a policy package or reform proposal that will fully and adequately address the complex and often intertwined challenges. Yet the high-level panel can use this unique opportunity to offer fresh thinking about and "win-win" solutions for the role of the United Nations, member states, and humankind. It can chart a new way forward for this millennium that will yield a greater measure of peace, justice, freedom, and security.

Participant List

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Affiliations are listed for identification purposes only. Participants attended as individuals rather than as representatives of their governments or organizations.

The rapporteur prepared this report following the conference. It contains his interpretation of the proceedings and is not merely a descriptive, chronological account. Participants neither reviewed nor approved the report. Therefore, it should not be assumed that every participant subscribes to all recommendations, observations, and conclusions

Opening Remarks

by Richard H. Stanley
President, The Stanley Foundation

Welcome to the Stanley Foundation's 39th conference on the United Nations of the Next Decade, the foundation's annual attempt to peer toward the horizon of global governance, anticipate what will be demanded of the United Nations and other multilateral institutions, and recommend initiatives to strengthen the rule of law in our strife-filled world.

We meet at a moment when many, including the secretary-general, are prodding the United Nations to undertake a critical self-examination. The US action in Iraq last year—over which the superpower and the Security Council deadlocked—constituted a crisis for the United Nations. In this case, the oft-quoted Chinese definition of crisis as a mixture of danger and opportunity seems particularly apt. The secretary-general's High-Level Panel on Threats, Challenges, and Change was created to assess the threats and challenges, discern the opportunities, and propose needed changes.

The fundamental question is whether the United Nations has or can be given the capacity to confront the threats of our contemporary world with an effective system of collective or cooperative security. Will the United Nations be able to provide solutions for the problems that beset its member states? Can a world body established to uphold high principles and rules defend its relevance in the face of critics who operate on the premise that only power really matters?

It is no wonder that, when addressing the General Assembly in September, Kofi Annan referred to this situation as “a fork in the road...no less decisive than 1945 itself.”

President Bush has described the crisis in another way. During his November 2003 visit to the United Kingdom, the president said, “America and Great Britain have done and will do all in their power to prevent the United Nations from solemnly choosing its own irrelevance and inviting the fate of the League of Nations.” We may not all view the United Nations as edging toward joining the League on the ash heap of history, but probably all of us are mindful of the hazards involved if the world body and the world's superpower continue to drift apart in mutual suspicion and mistrust. Conversely, we know that if their respective agendas can be more closely harmonized, the United Nations and the international system as a whole can be much more effective and contribute greatly to a secure peace with freedom and justice.

This brings us back to the high-level panel, whose mandate is essentially to propose how such harmony can be achieved. The secretary-general described the problem quite clearly in his General Assembly speech:

All of us know there are new threats that must be faced—or, perhaps, old threats in new and dangerous combinations: new forms of terrorism, and the proliferation of weapons of mass destruction.

But while some consider these threats as self-evidently the main challenge to world peace and security, others feel more immediately menaced by small arms employed in civil conflict, or by so-called “soft threats” such as the persistence of extreme poverty, the disparity of income between and within societies, and the spread of infectious diseases, or climate change and environmental degradation.

We don’t have to read between the lines here to understand the problem. The United States and perhaps much of the developed world consider the first list (terrorism, weapons of mass destruction) to be the most urgent threats of today—while most of the rest of the world community and particularly the less developed countries are more concerned about the “soft threats” of extreme poverty and disease. The secretary-general’s point is that to earn its keep, the United Nations must respond to all of these challenges, and he has turned to the high-level panel to tell us how to do it. A tall order indeed!

Let me pause here for a moment to observe that probably no one in this room envies the panel as it addresses this massive assignment. Fortunately, the panel is composed of exceptionally competent people of broad and diverse perspectives and experience. An able and dedicated research staff supports it. We greatly appreciate the work of the panel and particularly the presence of three panel members and its research director who have joined us here in Maine. Rather than being daunted by the enormity of its task, the panel is laboring intensively to address the issues confronting it. It plans to submit its report in December.

The panel does not labor alone. Much work has previously been done in many areas of the panel’s assignment and it may be appropriate to adapt and incorporate some of this rich resource into the panel’s findings. Many friends of the United Nations, advocates of effective global governance, and proponents of principled multilateralism in international affairs are supporting the panel in its efforts. The Stanley Foundation and a number of our colleague organizations are working to assist the panel by providing what support we can, including through this very conference. Several reports illustrating that work and offering guidance for our discussions here were sent to you in advance of this conference. Let me mention them and touch on some of their central findings.

In mid-January the Stanley Foundation convened its 35th United Nations Issues Conference at Arden House to explore ways of maximizing the prospects for success of the high-level panel. We gathered a group of friends of the United Nations and friends of the United States. Participants stressed the importance of the panel’s mandate to assess threats. As the conference report put it, “Taking the assessment step seriously will lay the basis for the recommendations and help identify the opportunities for common ground.” As Kofi Annan observed last September, the diversity of threat perceptions among member states constitutes a substantial challenge to the panel.

Participants proposed five specific guidelines to help shape a realistic approach toward the United States, including suggestions on how issues should be approached and what might encourage serious US consideration of panel recommendations. They also offered several

suggestions on how to promote positive consideration of the panel's findings. Central among these was recognition that the panel's work is not finished with the release of the report.

In March the Permanent Missions to the United Nations of Australia, Mexico, the Netherlands, Singapore, and South Africa convened, through the International Peace Academy, two conferences at the Greentree Foundation Estate to talk about the work of the high-level panel. These conversations delved into the differing perceptions of threats and challenges that arise from the asymmetric distribution of power in the world—political, economic, and military. They discussed the interconnectedness among threats as well as the need for a holistic approach. They urged a quest toward a common vision to serve a balanced global agenda.

Participants explored the varying perceptions of national sovereignty, noting that sovereignty is changing over time and becoming less absolute. They underscored the need for an effective collective/multilateral security system and suggested that institutional responses should be founded on efficiency, effectiveness, ethics, and also representation, relevance, and accountability. They identified four key institutional issues: the legitimacy and appropriate competencies of the Security Council; efforts to reach consensus to police against threats; strengthening capacities for sustained peace-building and state-building; and enhancement of the role of regional organizations in relation to the United Nations.

Working in collaboration, the Stanley Foundation and the United Nations Foundation convened four conferences in March and May on different issues before the panel. Not coincidentally, the topics closely matched concerns the secretary-general obliquely attributed to the United States and the developing world: the use of force in response to terrorists and their potential allies, humanitarian intervention, small arms and light weapons, and the relationship between extreme poverty and security.

At the use of force conference, participants recognized differences in threat perceptions. A three-tiered framework was proposed to assess the right to self-defense: (1) classical self-defense involves response to an armed attack that has been launched and requires no international sanction beyond Article 51 of the UN Charter; (2) preemptive use of force is military action in anticipation of an imminent impending attack, with the state mounting preemptive use of force bearing the burden of proof that the attack it faced was indeed real and imminent, perhaps with accountability and consequences if it proved not to be; and (3) preventive use of force for threats that are real but not imminent, such as threats from the development of weapons of mass destruction. While preventive use of force may be warranted in certain cases (the “duty to prevent” concept was discussed), it was suggested that any expansion of the circumstances justifying self-defense carries a higher burden of proof to show justification or seek authorization for the actions taken. While the Article 51 right of self-defense might be interpreted to cover preemption of imminent attacks, the imminence would have to be shown. And for threats that are further in the offing, UN authorization should be essential.

Forceful intervention in humanitarian crises is an important piece of unfinished business from the last decade. It has been ten years since the Rwandan genocide, yet it is not clear that the

response would be any different today. Indeed, the current response to the genocidal campaign against the population in the Darfur region of Western Sudan is scarcely different from 1994. The Commission on Intervention and State Sovereignty proposed the principle of “Responsibility to Protect” as well as specific guidelines regarding outside military intervention in such crises. This concept should be affirmed and validated as the norm for intervention to deal with humanitarian atrocities. Participants at the conference on intervention in humanitarian crisis also identified resource and capacity needs as well as some issues associated with reliance on regional and subregional organizations.

The traditional notion of security and so-called “soft threats” intersect at the issue of small arms and light weapons. Small arms and the rebel forces or criminal gangs—it is often difficult to distinguish between the two—that amass them usually fill the social/economic/political space left by failing states. Our conference on small arms and light weapons concluded that the United Nations’ role is central since arms embargoes are a very important tool against their proliferation in local and regional conflicts. Participants strongly endorsed the Programme of Action that resulted from the 2001 UN Conference on Small Arms and also urged that it be augmented by proposed new international protocols covering arms traffickers and the marking and tracing of weapons.

The conference on poverty and security explored these threats as the Global South confronts them. Conceptually, participants affirmed the human security perspective and highlighted that extreme poverty and ill health can reduce life expectancy in an underdeveloped country just as dramatically as war, as illustrated by HIV/AIDS. They emphasized that the United Nations has a comparative advantage to set strategic direction and supervise international relief, development, reconstruction, and governance efforts. But they also questioned how the United Nations can do this without overburdening the Security Council. The composition of the Security Council and the effectiveness of other central UN organs are also factors here.

In April the United Nations Foundation, together with the Belfer Center for Science and International Affairs at Harvard University and the Nuclear Threat Initiative, convened a conference on the United Nations’ role in nuclear nonproliferation. Recognizing that the nonproliferation regime that has been in effect for the past thirty-five years is on the brink of collapse, participants advocated international leadership to build on past successes and assure reversal and future avoidance of nuclear proliferation. They formulated recommendations to the panel to reduce threats, including “loose nukes” and unsecured weapons-grade materials, trade in nuclear materials and technologies, and production of weapons-grade materials. They urged the panel to consider appropriate roles for the various organs of the UN system, to aim for a message that resonates with the public, and to be mindful that the United States is a necessary leader in strengthening the nonproliferation regime.

This is a sampling and by no means a comprehensive listing of ongoing work in support of the panel, but it offers a sense of the importance of and the high level of interest in the panel and its assignment.

Now let me turn to our task here at Black Point Inn. It seems to me that our deliberations can be of greatest help to the panel in three critical areas.

First, we will examine the nature and characteristics of the threats and challenges of the 21st century. Our goal here is not to develop strategies to deal with individual threats and challenges, but rather to look for relationships, areas of common interest, and trade-offs. It is clear that perceptions of threats and challenges differ greatly around the world. These differences are driven by huge asymmetries—economic, political, and military—among various nations and peoples. I am convinced that the changes needed to deal with this century’s threats and challenges can be achieved only if the panel and we can find and articulate areas of common interest and convincing “win-win” bargains that deal with the threat realities of all sectors. We must recognize that the survival issues of the future—and for that matter, many of the opportunities—are global in character. In the long run, no one can be secure while others are not.

The panel can make a most important conceptual contribution in this area. An effective system of collective or cooperative security must bolster the security of all member states, with their diverse perceptions of threat. Our concepts of *security* and *threat* must be encompassing enough to cover all threat perspectives. If the panel can convincingly outline such an inclusive notion of security, it can lay the groundwork for the kind of unifying international agenda the secretary-general seeks, and we all need so desperately.

Second, we will address institutional questions of the United Nations and other international bodies. With its weak constitutional structure founded on the changing nation-state system, its dependence on member agreement and support, dated Security Council composition, tightly circumscribed authority, financial insecurity, and many other limitations, the United Nations may be like the bumblebee. Theoretically, it shouldn’t be able to fly. Yet over the years, it has proven remarkably resilient and flexible. Where member nations have agreed, it has worked. Peacekeeping was not included in the Charter, but it was developed to meet agreed needs and continues to evolve to serve new situations. The United Nations has helped to build international norms of behavior. Universal membership is a major strength. It has named and shamed egregious violators of these norms. Operational arms effectively perform necessary international functions, particularly in the relief and development fields. The list of beneficial contributions goes on and on.

But the question today is whether an organization designed for the challenges of 1945 is equal to the threats and challenges of the 21st century. Since the end of the Cold War, which froze the United Nations into a limited role, we have saddled the United Nations with new assignments and increasing expectations. Several of its central organs are obsolete or ineffectual. Security Council composition reflects the world of sixty years ago. The General Assembly has evolved into a debating forum and settled on consensus for important decisions. ECOSOC, intended as the organ to deal with world economic and social issues, is generally regarded as ineffective. The Trusteeship Council is out of business. The Military Staff Committee has never functioned. Change is needed.

Can we contemplate radical change? For some forty years I have participated in many discussions about strengthening and improving the United Nations. I dare to believe that these have contributed toward the evolution and adaptation of the organization. Often these discussions collided with Charter amendment, and the usual outcome was to shrink from that specter. Voices of caution worried that Charter change was a kind of political Bermuda

Triangle that could well destroy the organization. The United Nations was left to “muddle through” its new challenges, adjusting and adapting as it could.

Is this the time for bold thinking? We will assess which threats the United Nations is suited to handle and which UN organs and agencies are out of date or on the wrong track. We will explore the need for institutional changes and new institutions to meet 21st century threats and challenges. What needed changes can be achieved by adaptation? Do others require more fundamental revision? Are new organizations needed? If the international system truly needs significant institutional change to meet the hard challenges facing it, we should not shrink from considering such change. Charter revision should *not* be off the table.

Given this unusual opportunity and the wisdom and stature that have been assembled for the panel, anything less than a bold vision of a revitalized collective or cooperative security system that rallies political will and channels institutional resources where needed—anything less—would be a disappointment.

Finally, with this ambitious goal for the panel, we will talk about how to press for adoption of the panel’s findings—the last item on our conference agenda. In the words of the Greentree conference report, how do we make the panel’s report a “crowbar to generate momentum”? How do we put leverage behind that crowbar? The Greentree report offered suggestions, as did the UN Issues conference report. Most important, we must view the release of the report as the midpoint, not the end of the process. We should consider related world events, learn from the experience of other panels, and recognize the vital role that panel members themselves can play in pressing for report proposals. The process should engage with capitals around the world to gather political will and support. A follow-through process should be designed and institutionalized. How else can we promote and facilitate implementation?

The international community faces an unusual opportunity. The relevance of the premier international organization has been called into question. A highly competent high-level panel has been appointed to assess the threats and challenges of this new century and propose the changes needed to strengthen the rule of law.

Gathered here at Black Point Inn in support of the panel, we can help fulfill that opportunity. May we be equal to the task. I look forward to our discussions.

Conference Report

In September 2003 when UN Secretary-General Kofi Annan addressed the opening of the General Assembly in New York, the United Nations was still reeling from a divisive rift within the Security Council over Iraq. While the council's debate over a military confrontation with Saddam Hussein ended in a stalemate, the episode prompted many to begin asking serious questions about the role and efficacy of the United Nations in the 21st century. To be sure, Iraq was merely the tipping point for an urgent agenda of issues—including terrorism, transnational crime, disease, humanitarian crises, poverty, and weapons proliferation—that the United Nations and the international community more generally have struggled to address.

Recognizing that the time had come to stop and reflect on the challenges facing the world in this new century, Secretary-General Annan stated plainly last September that as an international community, “We have come to a fork in the road.” Down one path lay the status quo; down the other, a transformation of the international system of collective action to better address threats and challenges to international peace and security.

It was with this in mind that on November 4, 2003, the secretary-general announced the creation of the High-Level Panel on Threats, Challenges, and Change. The panel was charged with examining the main threats to international peace and security in the 21st century and recommending changes necessary to ensure the United Nations remains a key tool for collective action more than 50 years after its founding. The panel consists of 16 eminent international figures. According to the panel's terms of reference, the group will “examine today's global threats and provide an analysis of future challenges to international peace and security...identify clearly the contribution that collective action can make in addressing these challenges, [and]...recommend the changes necessary to ensure effective collective action.”

In June 2004 the Stanley Foundation convened a group of policy experts, ambassadors from the missions to the United Nations in New York, and several representatives of the high-level panel itself for the foundation's 39th annual conference on the United Nations of the Next Decade in Prouts Neck, Maine. Conference participants were asked for their own views of how to address the threats and challenges of our times and how the global governance system, especially the United Nations, should be updated. In addition, the group was tasked with developing concrete proposals on how the high-level panel can maximize its contribution to change.

Sizing up the Threats and Challenges

Most participants agreed on three fundamental principles in addressing these threats and challenges. First, threats to international peace and security must be defined broadly. A threat to someone living in Canada may not be considered a threat to someone living in Côte d'Ivoire and vice versa; however, if threats are defined broadly, the developed and the developing world may find it possible to agree on a common set of threats that pose a grave threat to the international system at large. Second, in addressing one threat, it is imperative that the international community does not undermine strategies for addressing another threat. For example, one participant questioned whether the current US-led “war on terrorism” was

perhaps inciting a greater degree of violent conflict—especially in the Greater Middle East—rather than reducing it. Third, the discussion must steer clear of a polarizing North vs. South debate; this is a potentially paralyzing dynamic that could sidetrack progress altogether.

One participant, anticipating the response to the panel’s report, said, “If it’s not controversial, and everyone accepts it, then the report hasn’t said anything.” But as another participant pointed out, most of the ideas in the report are bound to be unpopular with at least some member states, so each government must also be able to find items they would deem attractive so they can accept the package as a whole. Participants supported the notion of a “win-win” set of proposals that, while not tepid or uncontroversial, speaks to a broad range of concerns.

The conceptual task of the panel should be to weave together diverse threat perceptions into a common understanding. The threat most clearly identified as inimical to international peace and security is armed conflict, and indeed the threat of armed conflict (between or within nations) has dominated Security Council deliberations over the years. But can a collective security system intended to serve the widest interests of the community of nations remain so focused on halting wars? What about the structural factors—such as grinding poverty and the weakness of governance—that impede the development of countries and their citizens and sometimes contribute to conflict? What about the devastating new technologies of war and terrorism, whose threat transcends specific conflicts?

In terms of institutional structure, can the world community tackle its agenda of threats and challenges with the main political and policy action still concentrated in one council? For that matter, can the Security Council preserve its legitimacy without adjusting its membership?

As the panel answers these questions, it will outline an agenda that takes in a fuller sweep of contemporary problems and takes stock of the concerns of the entire world community. Indeed, elaborating a new paradigm of international peace and security may be one of the most important conceptual contributions of the panel. One of the conference participants outlined a potential definition:

A *threat* is anything that causes large-scale diminishment of human life chances and poses danger to the constituent elements of the international system, which are states, or to the fundamentals of the system itself, which are norms and the rule of law.

The reference to life possibilities echoes the “sovereignty of human beings” of which the secretary-general has often spoken.

Even as the panel develops such a unifying framework, it must also disaggregate the threats to identify the most urgent concerns. The group discussed the rubric of “hard” threats (e.g., terrorism and WMD) versus “soft” threats (e.g., failures of development) but concluded that the two are inextricably linked. Ultimately, the panel identified six chief types of threats: (1) threats associated with interstate conflict; (2) threats associated with intrastate conflict; (3) threats emanating from nonstate actors, such as terrorists and organized crime; (4) threats

posed by instruments of destruction, such as the proliferation of WMD; (5) the diminution of life possibilities due to extreme poverty; and (6) the degradation of the environment.¹

Several conference participants urged the panel to remember that its mandate also extends to challenges—not just threats—to the existing order. In this respect, some participants suggested the panel take a view on trade policy and recommend ways to rectify the failures of the Doha Development Round and get global trade talks back on track.

There was a significant amount of debate over whether and how the panel should seek to prioritize among threats. One participant noted that by “prioritizing everything, you effectively prioritize nothing.”

Contemporary Political Challenges

Participants’ views ranged widely on how much the panel should focus on the role of the United States in the global system. One participant favored the panel taking this issue head on and argued that the “role of the US is the determining factor in shaping the future of the international system with both positive and negative elements.” In particular, there was some concern about the impact that the Bush administration’s unilateralist tendencies would have on the effectiveness of collective security, especially given the United States’ stated doctrine of preemption.

Others argued for an approach that did not single out the United States. One participant stated that a “monomaniacal focus on the US” could be “misleading, counterproductive,” and extremely unhelpful in crafting strategies that are acceptable to the entire global community—the United States included. While Washington’s considerations should be taken into account, so should the considerations of the United Nations’ other 190 member states. The key, it was suggested, was figuring out how best the United Nations could try to channel US power.

The increasing strategic focus of the United States and much of the developed world on the Middle East and the wider Islamic world represents a fundamentally new shift that may have repercussions for the panel’s deliberations. The tense relationship between the Arab and Islamic world—home to a quarter of the world’s population—and the West presents a serious challenge that must be addressed by the United Nations if other challenges are to be considered objectively. A few participants argued for new strategies to address the “rage” felt in many parts of the Islamic world if the world is to move beyond the kind of “clash of civilizations” showdown that we are slowly, perhaps inadvertently, moving toward. The Israeli-Palestinian conflict was brought up several times during the discussions.

But one participant flatly contested the notion of a clash, instead arguing that the extremists on all sides have hijacked the conversation and that the mainstream elements both in the West and in the Islamic world need to engage in the conversation if a peaceful solution is to be found.

¹ One participant suggested a further methodology for rating the urgency of a situation or issue. This would involve assessing the consequences (number of affected people), linkages to other problems, prospects for practical success, and price of inaction. Other participants felt, though, that such comparison among threats would be counterproductive, and one participant argued that there is a de facto prioritization reflected in the apportionment of resources and political will.

Debating Threats and Challenges

Participants explored policy issues associated with four major threats and challenges to international peace and security: the use of force, states under stress, weapons of mass destruction (WMD), and terrorism. While critical issues concerning underdevelopment and poverty reduction were not directly discussed, this was not for lack of concern or priority. Rather, participants concluded that the groundbreaking achievements of the Millennium Declaration and the Monterrey Consensus should serve as the basis for continued efforts.

The Use of Force

Against the backdrop of recent UN Security Council debates on Iraq and current ones on intervention in the Darfur region of Sudan, participants felt strongly that the use of force should be among the panel's priority areas of examination. Given that the resort to force is a consideration for many of today's threats, and the UN Charter seeks to regulate its application, the use of force is an issue that cuts along threats from terrorism to WMD to humanitarian crises. Yet serious questions about when force is appropriate and what constitutes the "legitimate" use of force still abound. The participants identified a growing degree of enthusiasm for identifying criteria that would set parameters on the use of force and serve as useful guidelines that would govern decisions made by the UN Security Council.

There was broad consensus on five core principles or criteria:

- **Seriousness.** What is the magnitude of the threat to both state *and* human security?
- **Purpose.** Is the primary purpose of the proposed exercise of force to repel a threat?
- **Last resort.** Has every nonmilitary option been considered? Have all peaceful alternatives been judged ineffective or inappropriate?
- **Proportionality.** Are the scale, duration, and intensity of force the minimum necessary to meet the threat?
- **Balance of consequences.** Is there a reasonable chance of success? Will the costs of action not exceed the costs of inaction?

Several participants suggested clarifications of these criteria and raised additional questions that need further analysis. One participant sought a broad definition of the "seriousness" of the threat and argued that a country's failure to adhere to certain standards of governance should constitute a serious threat to international and human security. There was a great deal of debate on the whether the use of force should always be considered as a last resort. While Article 42 of the UN Charter spells out a series of steps that should be taken to resolve a dispute (determination, nonmilitary pressure, judicial settlement, and in the most extreme cases, the use of force) there were differing interpretations of whether force could only be used as a last resort.

One participant noted that following the progression of steps outlined in the Charter in each and every case could result in delaying timely international action and that the threat of the

use of force (or even the actual use) could be helpful early on in bringing an end to violent conflict. Another participant argued that universally relegating the use of force to a last resort was “seductive though counterproductive.” Haiti in the early 1990s was suggested as a possible example of where the early use of force, rather than relying on economic sanctions, could have achieved significant gains with substantially less long-term damage. There was a commonly held view that the proportional use of force should not be equated with the “minimum necessary force” because in certain circumstances, such as Iraq, deployment of a larger force to establish security and stability may actually prevent larger civilian casualties in the long run.

Several participants suggested the adoption of two additional criteria, namely the urgency of the threat and the importance and obligation of reporting on the results *ex post facto*. Focusing on results would avoid the “diffusion of responsibility” problem by forcing the Security Council to be accountable for its decisions.

Useful as these criteria might be, future debates on the use of force will likely encounter differences over how to calculate the gravity and urgency of a given threat. Who is in charge of assessing whether the proposed military action is proportional to the threat and who is responsible for quantifying what the costs of action versus inaction are? Is there a mechanism in place that would apply to situations where the Security Council cannot get agreement among its members?

While much of the debate over the use of force focuses around how to constrain force, oftentimes the United Nations is not trying to restrain force but rather encouraging the provision of forces for peacekeeping and peace enforcement duties. It was also noted that in the wake of Iraq there might be a critical undersupply of force from major military powers such as the United States and the United Kingdom who may consider themselves overextended. Despite obligations under the Charter, member states often ignore their responsibilities to contribute resources to peacekeeping operations. A recent surge in the number of peacekeeping operations worldwide—and the potential for more on the horizon—has created tremendous financial difficulties as well as a shortage of not only deployable personnel but also the equipment necessary to sustain them and the training needed to make them effective.

With the military resources of the major powers increasingly overstretched, regional and subregional organizations such as the African Union (AU) and the Economic Community of West African States (ECOWAS) are filling the void and playing a larger role in peacekeeping and peace enforcement. The participants lauded the growing trend toward regional approaches to keeping the peace. Yet the competence and presence of regional organizations varies significantly. In addition, there are large parts of the world where regional organizations are either nonexistent or frustratingly weak, as is the case in much of Asia.

States Under Stress

One of the most dangerous yet widely underappreciated threats to international peace and security emanates from the world’s weak, failing, and failed states—or what participants

termed *states under stress*.² A country's inability to control its territory, meet the basic needs of its citizens, and establish legitimate and accountable public institutions can have serious ramifications for the international community. The vacuum left when states are unwilling or unable to perform the most basic functions can attract transnational groups such as terrorists or drug traffickers seeking to exploit their weakness. In the worst cases, this can fuel violent conflict, result in the breakdown of society, and ultimately draw in international peacekeepers to preserve order.

Participants agreed that the high-level panel should provide a blueprint for UN action on this front—arguing that it will be one of the most critical challenges for the international community in the years to come—yet is an area in which the “UN has most dramatically underperformed.” Despite the fact that virtually all parts of the UN system are dealing with the causes or effects of state weakness in one way or another, the UN is still not up to the challenge of addressing states that are “under the radar screen.” One participant lamented the fact that the UN has little, if any, day-to-day contact with regional and subregional organizations most attuned to the emerging crises in their areas. For instance, the UN has only one person assigned to work with the African Union. The UN remains woefully unprepared for contingencies, its flexibility undercut as donors earmark more than 50 percent of projects managed by UN operational agencies.

Despite this record of poor performance, the UN has a comparative advantage in this area because many of the issues that emerge as a result of state weakness can best be handled by an institution such as the UN, which at its best can help focus political attention and human and financial resources. Participants agreed on four areas that deserve particular emphasis: early warning, prevention, intervention, and state-building.

Early Warning. Participants felt strongly that despite the presence of up to four early warning mechanisms within the Secretariat, present arrangements for early warning were inadequate. While the knowledge accumulated by these four disparate mechanisms was deemed valuable, they are not being coordinated or brought together in any coherent way, nor is the information produced getting into the hands of those who need it most: first and foremost, the UN Security Council. Several participants supported the creation of a new “international security advisor” for the secretary-general and the Security Council, who would be a second deputy secretary-general focused on potential crisis situations. Institutionalizing such a post could intensify the monitoring and sound any needed alarm bells more loudly.

While there was consensus on the inadequacy of existing early warning mechanisms, several participants felt that placing too much emphasis on early warning is a scapegoat for the real problem: a lack of political will on behalf of the member states to take proactive steps to address state weakness. One participant stressed that for those in the field, it is quite evident which countries will implode and that any investments in New York-based early warning

² The World Bank terminology for weak and failed states is “low income countries under stress” (LICUS). While definitions can be frustratingly imprecise, the bank states that LICUS countries are those states whose “policies, institutions, and governance can be defined as exceptionally weak when judged against the criterion of poverty reduction, especially with respect to the management of economic policy, delivery of social services, and efficacy of government.” See The World Bank, LICUS Initiative, www1.worldbank.org/operations/licus/.

capacity would be better spent ensuring that information collected in the field by UN agencies and nongovernmental agencies (NGOs) is used effectively to inform the political decisions of member states.

Prevention. The mantra of prevention, often echoed since the 1990s, needs to be updated and expanded to include prevention of not just state conflict—or even state failure—but state weakness. Addressing the root causes of weakness can allow the international community to nip the problem in the bud, rather than merely delay the outbreak of violent conflict down the road.

Yet in order to undertake serious preventive action, the United Nations needs to solve its own endemic structural inadequacies. How can the UN marshal sufficient resources for prevention? How can the UN work in close partnership, rather than in competition, with international financial institutions such as the World Bank and the International Monetary Fund, with much greater resources at their disposal? How can the UN work with regional organizations to build sustained and effective partnerships to deal with the challenges in their “neighborhoods”?

Intervention. One obstacle to outside intervention in a conflict situation—even of a humanitarian nature—is the overly strict, traditional interpretation of sovereignty that is espoused by “certain member states intent on constraining the specialized agencies as part of a broader agenda to defend the principle of national sovereignty.” In other words, a few self-appointed governments regularly protest actions in other countries where they do not even have a direct stake. These states employ obstructionist tactics often with “scant consideration for the practical effects on the people most directly affected by war.”³ This obstructionist agenda can delay or even deny timely intervention and places a higher premium on the supposed rights of the state rather than the rights of the distressed population.

In the most extreme cases of mass violence or displacement, proponents of military intervention for humanitarian rescue argue that states effectively surrender their sovereignty since they no longer provide fundamental protection to their citizens. In such situations, the “responsibility to protect” shifts to the community of other nations, as proposed in 2001 by the International Commission on Intervention and State Sovereignty. This raises the question of whether there should be a formal mechanism to suspend national sovereignty.

State-Building. Perhaps the greatest role for the United Nations in states under stress is in the “state-building” arena. Many of the major donor nations are clearly reluctant to make sizable ongoing commitments, as evidenced by their poor record of fulfilling pledges. The resulting shortfall has stymied recent efforts to rebuild failed states such as Afghanistan and Iraq. A truly preventive international effort at state-building would seek to reverse state weakness in countries like Bolivia, Indonesia, and Nigeria. The UN has the potential to fill this glaring gap in international capacity.

With this in mind, the UN should strategically prioritize its operational capacity to bolster state capacity and develop expertise especially in those areas that are essential for

³ The Stanley Foundation, *UN on the Ground*, October 2003, reports.stanleyfoundation.org.

stabilization, such as disarmament, demobilization, and reintegration of combatants. In this vein, the concept of “multidimensional” peacekeeping operations was endorsed. When the UN authorizes a new peacekeeping mission, peacekeepers should be deployed in concert with civilians who are expert in state-building, rule of law, employment generation, economic management, etc. Most importantly, though, all these components must receive adequate resources. While peacekeeping operations are financed through assessed contributions by the member states, the equally important peace-building functions rely on voluntary contributions—resulting in a major gap between needs and resources. As one participant noted, “the member states who provide the greatest share of assessed contributions provide the smallest share of voluntary contributions” to UN peace operations. A well-resourced peacekeeping force that lacks an adequate civilian complement to perform the critical tasks of peace-building is a recipe for disaster.

Yet the state-building challenge is so immense that participants felt that it will require a major institutional focus and commitment for the UN to be effective in the state-building arena. Participants questioned whether existing arrangements are adequate for the long-term state-building charge in seemingly “incurable” situations like Kosovo, the Democratic Republic of the Congo, or Afghanistan. Such major ongoing operational efforts need a UN council or committee through which member states can provide political direction and support. For cases where a UN-run transitional administration is needed to temporarily assume some powers, several suggested taking a closer look at the Trusteeship Council and the legal authorities that exist within the UN Charter for some form of modern-day international or regional trusteeship of countries under prolonged stress.

Weapons of Mass Destruction

On April 28, 2004, the UN Security Council showed heightened concern over the proliferation of WMD by adopting Resolution 1540—intended to restrict member states’ ability to share WMD technology with nonstate actors, defined as an “individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution.”⁴

At the same time, moves by both Iran and North Korea toward developing nuclear weapons capabilities underscore the gap between the adoption and enforcement of council resolutions. Less than two months after the Security Council action, Iran reversed its pledge to halt manufacturing equipment for its nuclear centrifuges. North Korean negotiators, meeting in Beijing, told US officials that North Korea was considering testing a nuclear device. The participants described the outlines of a comprehensive nonproliferation framework with five major components: (1) reducing demand for WMD, (2) reducing the supply of weapons materials, (3) adequate verification and monitoring mechanisms, (4) multilateral enforcement capacity, and (5) defense against attacks. Having noted this multipronged strategy, participants also stressed the importance of differentiating among the threats from and proper responses to the different types of weapons. The technology of bioterror, for instance, is potentially so readily available to terrorists that governments must prepare to respond with some kind of defense to guard the health of their citizens.

⁴ United Nations Security Council Resolution 1540, S/RES/1540 (2004), April 28, 2004.

On the nuclear side, the viability of the existing Nuclear Non-Proliferation Treaty (NPT) regime was debated. Two major threats to the existing NPT regime were cited: states pursuing nuclear programs despite being signatories to the treaty and the potential provision of nuclear technology, information, and know-how to nonstate actors such as terrorist groups. In addition to these threats, participants stressed the dilemma posed by the cases of India, Pakistan, and Israel—nuclear states that are not signatories to the NPT and thus not governed by the current nonproliferation regime. One participant questioned whether the original political bargain of the NPT is still valid; there are renewed questions about promoting access to peaceful nuclear technologies and the nuclear weapons states parties to NPT do not seem committed to reducing their own arsenals consistent with Article VI of the treaty.

Defenders of the existing treaty regime argued that there was too much “gloom and doom” about the current nonproliferation regime and that it is far from broken down. On the contrary, Libya’s recent decision to reverse course and dismantle its nuclear program is a prime example of how the NPT regime is operating quite well despite critics’ belief that “it is in its last ten minutes of life.” Others argued that the workable components of the NPT that have survived over the years need to be saved and that the outmoded components need to be drastically updated. This echoes a recommendation of an experts’ roundtable on nuclear nonproliferation (cosponsored by Harvard University’s Belfer Center for Science and International Affairs, the Nuclear Threat Initiative, and the United Nations Foundation), which found that the NPT “has served a useful purpose in slowing proliferation, but contains loopholes that must be closed” and needs to be updated.⁵ Loopholes that enable signatories to produce significant amounts of weapons-grade material just short of building a nuclear device need to be closed if the NPT regime is to survive.

There is also major concern about eliminating and/or safeguarding the leftover Cold War nuclear stockpiles of the former Soviet Union. Yet this challenge moves well beyond the former states of the USSR; more than 138 sites around the world produce fissile material, most of which is inadequately guarded. One participant suggested that the high-level panel should consider endorsing a new multilateral initiative to curb the supply of WMD materials that could be modeled after the United States’ Proliferation Security Initiative (PSI). Under the PSI, created by President George W. Bush in 2003, the United States works with PSI partner countries to “develop a broad range of legal, diplomatic, economic, military, and other tools to interdict” shipments of biological, chemical, or nuclear material.⁶

But in addition to the supply side, equal consideration must be given to reducing the global demand for weapons technology and materials and exploring regional security arrangements to curb this demand. Participants stressed the need to consider the reasons why states seek nuclear capabilities—their own threat assessments. Since some would-be proliferators feel threatened by the United States or other nuclear powers, the operative double standard was discussed at length. Several participants argued that the failure of the nuclear powers to

⁵ United Nations Foundation, “Nuclear Non-Proliferation—A United Nations Role?” Roundtable Conference cosponsored by the Belfer Center for Science and International Affairs, the Nuclear Threat Initiative, and the United Nations Foundation, April 5, 2004.

⁶ US Department of State, Bureau of Nonproliferation, Proliferation Security Initiative Frequently Asked Questions, May 24, 2004, available at www.state.gov/t/np/rls/fs/32725.htm.

implement any meaningful reduction has removed any sense of urgency for emerging nuclear powers to disarm. Many felt that there was a perception on behalf of emerging nuclear countries that the current system allows the P-5 countries to keep their nuclear weapons in perpetuity without having to make good on their commitments to disarm.⁷

With respect to biological proliferation, verification and monitoring are exceedingly difficult and constitute a major challenge for the international community. Within five years, there could be more than a thousand laboratories capable of producing deadly biological agents. Such potentially extensive proliferation makes defensive public health measures essential, steps that will be of broader benefit to public health, particularly in developing countries. On the biological front, participants endorsed an important norm-setting role for the United Nations. One participant suggested that the UN could work with biotechnology firms to delineate a universal code of conduct governing those biological technologies that have dual-use potential. But another participant expressed caution that a universal code of conduct might be met with resistance by many developing countries who fear that such codes will harm their infant industries much more than companies in the industrialized world.

Finally, there was widespread consensus that inadequate resources are being devoted to monitoring compliance. Within the United Nations, there is a gross misallocation of resources that are dedicated for enforcement of nonproliferation. Current resource flows do not accurately reflect the extent and the gravity of the problem. Both the International Atomic Energy Agency (IAEA) and the United Nations Special Commission (UNSCOM) lack the resources and support at the international level that is required for these bodies to operate effectively.

In addition to the resource gap, there is a dire communications and coordination gap among the IAEA, UNSCOM, and the UN Security Council. At present, provisions under the NPT and the Chemical Weapons Convention (CWC) require that the IAEA notify the Security Council only when there is breach of those international treaties. In order for the Security Council to play a useful role in prevention, the threshold for communication between the IAEA and the Security Council should be significantly reduced, and the IAEA needs to be able to communicate with the Security Council on a regular basis. Participants also endorsed the idea of a new special rapporteur who would report regularly to the Security Council on proliferation challenges.

Terrorism

Despite the prominence of international terrorism on the global agenda, this problem still lacks a comprehensive multilateral strategy. Many conference participants agreed that the dominant approach to combating terrorism is wrong-headed for several reasons. First, participants felt that many of the current counterterrorism strategies are actually creating more rather than fewer terrorists. An overreliance on military responses to the terror threat has fueled a great deal of resentment and ill will among many in the developing world, especially in Arab and Islamic countries. It can thus be argued that the tactics of the powerful states that are the “victims” of

⁷ Paraphrasing the words of Mohammed El-Baradei, the head of the International Atomic Energy Agency (IAEA), one participant summarized this view stating, “You cannot declare a particular type of weapon to be illegal and then have states base their national security on that very weapon.”

terrorism are harming the fight against terrorism. The Russian response to Chechnya and the US handling of the situation in Fallujah were cited as two prominent examples of how the use of overwhelming force to combat terrorism can be counterproductive.

Second, the current frame for combating terrorism is too “America-centric” despite the fact that terrorism continues to pose a threat to the entire world, not just the United States. Several participants noted that the “war on terrorism” language is extremely unhelpful both in terms of recruiting allies to take a leading role in combating terrorism and in terms of generating support from key partners in the Arab and Islamic world. In order to root out terrorist networks wherever they operate, multilateral coordination is essential. Without international cooperation, any effort to reduce terrorism is bound to be incomplete. This will require not only a change in framing and language but also a change in tactics that emphasizes the full range of tools necessary to combat terrorism: financing, law enforcement, military action, and new ways of addressing states under stress.

What is needed is a compelling multilateral counterterrorism strategy. The United Nations is well positioned to help establish norms to guide this effort and thereby legitimize an appropriate counterterrorism strategy. As part of this effort, the secretary-general could use his bully pulpit—as he did so effectively following the tragic attacks of September 11—to lend support to counterterrorism efforts and urge states to take the terrorism challenges seriously.

The challenge of shaping global norms regarding terrorism begins with the thorny definitional problem of what constitutes terrorism. While participants discussed the analytical differences among types of terrorism—political terrorism (the Tamil Tigers in Sri Lanka or the Chechen rebels), religious terrorism (Al Qaeda and its militant Islam affiliates), and criminal terrorism (Liberia and Colombia)—they felt strongly that the United Nations should define terrorism not by the aims of the terrorists but by the nature of the acts themselves. The UN could categorize what specific acts are “terrorist” acts and which ones are not. In this way, the UN could play an important normative role akin to the role it played in defining piracy. The definitional debate is in its early stages and serious questions remain unresolved concerning how attacks on occupying powers and/or government authorities should be categorized.

The United Nations should play a leading role in highlighting successful partnerships in fighting terrorism around the globe. One prominent example cited was the partnership established between the Australian and Indonesian national police after the September 11 attacks. Through close police cooperation with Australia, the Indonesian government detected, arrested, and prosecuted several terrorist cells within its borders. This example of regional cooperation has gone without any assistance from the UN but could serve as an example of how regional patterns of cooperation—perhaps facilitated by regional and subregional organizations—could help combat terrorism. The UN should also, as part of its broader support for stronger governance, develop programs to help member states strengthen their antiterrorist intelligence and law enforcement capacity.

Beyond playing a normative role, several participants felt that the UN should take a much more hands-on approach, such as providing technical assistance to states that lack resources

and technical expertise but want to strengthen their counterterrorism capacity. The UN as currently configured is not well equipped to provide counterterrorism assistance.

When countries seek help to strengthen their counterterrorism capacity, their only recourse is bilateral assistance. This is problematic for donor countries that do not have counterterrorism expertise but would like to provide financial assistance via a multilateral channel to countries lacking in capacity, and for recipient countries that would readily accept multilateral assistance (rather than bilateral aid from the United States and other major powers) if such capacity existed. Yet there is no obvious locus for developing this capacity within the UN system. Several possibilities were mentioned, including the UN Office on Drugs and Crime (UNDOC) and the UN Development Programme (UNDP).

Shortly after 9/11, the Security Council passed Resolution 1373, which established a Counter-Terrorism Committee (CTC), consisting of all 15 members of the Security Council.⁸ The CTC was mandated to monitor member states' compliance with obligations under 1373, particularly to track financial flows to terror networks. CTC is in the process of revamping its structure, an effort that includes establishing an executive secretariat to be headed by a permanent executive director. While participants praised the CTC's restructuring efforts, they urged the leadership of the CTC to reconsider its cumbersome reporting requirements for member states. Participants argued that the CTC has lost considerable support because of "excessive" and "abusive" reporting requirements, resulting in "report fatigue" on the part of member states. One participant noted how useful it can prove when representatives of these committees actually visit some of the capitals struggling with these issues.

Those worried about terrorism should be concerned about narrowing the gap between rich and poor. It is by now understood that poverty is not a "root cause" of terrorism in any simple, direct way. However, recent experience tells us that there are certain conditions that are favorable to terrorists and their cause, including a lack of economic opportunity, underemployment, and isolation. The failure of globalization to deliver broad-based benefits to large parts of the developing world contributes to the picture painted by militants of the wealthier nations as self-centered.

Institutional Issues

As is often noted, the United Nations was designed in 1945 for a world that is dramatically different from our own. While there have been useful and important organizational innovations over the past six decades, the United Nations' member states have by and large preserved it without significant change rather than updating it as a forum where political will and dynamism can be marshaled to tackle the issues of the day.

Failure to reform this outdated structure has resulted in increasing disaffection with the UN on behalf of the member states. It has also resulted in a growing sentiment that the UN Security Council is the only organ of the UN that is of any consequence, a feeling that is symptomatic of the continued atrophy of the Economic and Social Council (ECOSOC) and the General Assembly.

⁸ United Nations Security Council Resolution 1373, S/RES/1373 (2001), September 28, 2001.

Ever since the announcement of the High-Level Panel on Threats, Challenges, and Change by Secretary-General Annan, disproportionate attention has been focused on the prospect of structural reform. There was a strong consensus that the panel should propose only structural reforms that are needed to address threats or challenges and avoid abstract tinkering with the architecture. One participant noted that the panel's "test of relevance will be solved by policy change, not institutional reform": the panel should figure out the substantive needs and then work out the institutional implications. The participants also urged the panel in its final report to present an integrated package of its architectural recommendations that will contain "something for everyone" in order to assuage the concerns of various constituencies at the United Nations.

That said, the participants outlined five key items for the panel to consider in its deliberations on institutional change: (1) a more effective forum for the United Nations' economic and social organs, and the related issue of ECOSOC; (2) organizational responses to address states under stress; (3) the composition and structure of the UN Security Council; (4) the role of the General Assembly; and (5) reform of the UN Secretariat.⁹

Economic and Social Issues

Today's international economic and social agenda is an ambitious one, including the Millennium Development Goals, the fight against AIDS and other infectious diseases, trade liberalization and the phasing out of agricultural subsidies, and further coordination between the United Nations and the Bretton Woods institutions. Yet the principal organ of the United Nations tasked with managing economic and social issues is the Economic and Social Council (ECOSOC), which is perceived nearly universally as ineffective, poorly structured, and not up to the task of taking decisive action.

Several participants expressed interest in a proposal made recently by the French government to eliminate ECOSOC and create an "economic and security council" that is larger than the Security Council but smaller than ECOSOC. While many participants argued against creating new institutional structures, several participants felt that the only way to bring about serious change would be to do away with ECOSOC and start anew with a smaller body.

Finally, a number of participants suggested that the panel should endorse a recent proposal to expand the purview of the G-20 to noneconomic matters and elevate its stature to the heads-of-state level.¹⁰ The G-20 currently acts as a forum for finance ministers and central bank governors from the Group of Eight (G-8) countries and major regional powers such

⁹ The participants also enumerated, without considering in depth, another six reform items deemed worthy of additional consideration by the panel. These included the United Nations' military enforcement capacity; judicial functions performed by the International Court of Justice and the International Criminal Court; the role of the military advisor to the secretary-general; the structure and composition of the UN Commission on Human Rights; the resourcing of UN functions; and coordination among the Secretariat, the inter-governmental system, and UN agencies.

¹⁰ Canadian Prime Minister Paul Martin has advocated creating a permanent G-20 process at the heads-of-state level; the current G-20 process is restricted to finance ministers and central bank governors. According to Martin, such a group could be tasked with crafting common strategies on issues as diverse as transnational terrorism, HIV/AIDS and other global health issues, and international trade. See address by Prime Minister Paul Martin at the Woodrow Wilson Center, Washington, DC, April 29, 2004, www.news.gc.ca/cfmx/CCP/view/en/index.cfm?articleid=83929&.

as South Africa, India, and Indonesia to discuss the economic and financial issues of the day. Expanding the G-8 to include major developing country powers and empowering a G-20 to play a major decision-making role in development-security considerations—not just economic issues—would eliminate the current perceived monopoly of the Western nations.¹¹

States Under Stress

While nearly every arm of the UN system is working either in or on “weak states,” there is no major, overarching organ in the UN system tasked with addressing the challenges posed by states under stress, particularly to mobilize political will and financial resources. The participants stressed that the UN needs to be better organized to prevent *and* respond to states under stress. The UN needs to be much more proactive in preventing state failure and reversing state weakness rather than simply reacting to states that fall off the precipice.

The participants’ conversation focused primarily around two key issues: resources and organization. On the question of resources, participants lauded the efforts of the UN to bring an end to several internal conflicts on the African continent but lamented the perennial resource crunch the UN faces in many of these countries. To remedy this situation, several participants suggested expanding assessed contributions beyond peacekeeping to include core elements of peace-building, which are currently funded through voluntary contributions. This would ensure that critical elements of state-building are not ignored due to a lack of donor interest. One participant used the example of Afghanistan where donors rushed to build schools for Afghan girls though very few were willing to finance the salaries of teachers for those new schools. Several participants thought the issue could be linked to Security Council reform with a so-called “pay to play” approach whereby countries that sit on the Security Council would have to make specified contributions to UN peacekeeping and peace-building operations. This would ensure that countries that pull their weight would be rewarded with decision-making authority in return.

There is a clear need for a council or committee of member states charged with oversight and support of the manifold efforts at international peace-building and strengthening state capacity. That said, participants agreed that the international community must stop turning to the Security Council to deal with all of the world’s problems. The above proposals for a new or revitalized economic and social forum might also take on these issues of states under stress. They might also create ad hoc committees to focus on particular countries.

Participants argued that the creation of an “International Security Advisor” (ISA)—as mentioned above—could be tasked with presiding over an early-warning/horizon-scanning process and serving as a trigger for ad hoc action on specific crisis countries as circumstances demand. The ISA could trigger the creation of an ad hoc subcommittee of the Security Council to monitor and recommend action to the entire Security Council.

¹¹ The report of the bipartisan Commission on Weak States and US National Security advocated a similar recommendation, urging the G-20 to expand its reach into the political-security sphere. See Commission on Weak States and US National Security, *On the Brink: Weak States and US National Security*, Center for Global Development, June 2004.

Security Council

Perhaps one of the most widely anticipated (and highly controversial) topics of the panel report is the subject of Security Council reform. Participants observed that most member states could agree on two fundamental arguments in favor of reform *prima facie*. The first is that the world has changed a great deal since 1945 and the creation of the United Nations. Second, there were nine members of the Security Council (out of 51 member states) in 1945; today we have 191 member states with no commensurate increase in the Security Council. So there is a strong case for adding members to the council. Yet moving beyond these two innocuous statements poses difficult challenges.

Participants stressed that the high-level panel consider the ingredients of a *legitimate* Security Council. Several participants argued that a more representative Security Council is a legitimate one. Citing a passage in the UN Charter that states that the role of the Security Council is to “ensure prompt and effective action,” another participant argued that the Security Council was never meant to be representative. Rather, the Security Council was meant to be an elite pact—a marriage of “power and purpose.” The question the panel should be asking is: Do we have the right power married to purpose? Several participants suggested that membership on the Security Council be linked to a formula (periodically reassessed), factoring in the number of civilian police, monitors, and soldiers serving in UN peacekeeping operations and the size of both assessed and voluntary contributions. This would ensure that the right power was, in fact, married to purpose, though it obviously leaves the nettlesome issue of which countries should be added to the council's membership.

Many participants also urged the panel to consider the *legislative* role of the Security Council. There was a widespread view that the Security Council is getting into the business of passing legislation that would normally be negotiated in international conferences, conventions, and treaties. Some argued that this is a major problem considering Security Council decisions are binding (under Article 25), yet 191 parliaments do not have the same right of review that they do over treaties. If the Security Council continues to play a quasi-legislative role (as demonstrated by its recent resolutions on terrorism and nonproliferation), there will have to be a rethinking of the relationship between the Security Council and the other member states. Others argued that the Security Council was merely acting to fill a void left by weak alternatives.

Many in the group suggested the panel take a pragmatic approach to Security Council reform: articulating principles of reform rather than any specific proposal for council membership. One participant suggested four basic reforms that are pragmatic: (1) expanding the Security Council to 24 members; (2) making seats for new members, nonpermanent but with renewable terms; (3) rationalizing the regional groupings from which nonpermanent members are effectively nominated; and (4) emphasizing an oft-forgotten criteria in Article 23 of the Charter, which in effect states that Security Council members need to fulfill the obligations that go hand in hand with possession of a seat on the Security Council. Adopting this approach would allow the panel to play a catalytic role—providing an impetus for a political conversation to take place among member states without resolving all of the details.

General Assembly

Many of the most important tools for putting an end to violent conflict are authorized by the General Assembly (GA), including disarmament, small arms/light weapons, peacekeeping doctrine, and resource allocation. Despite these crucial tasks and the body's centrality to the United Nations' day-to-day functioning, the GA continues to be an extremely dysfunctional body. The organization of the GA represents thinking of a bygone era and a reevaluation of the politics of the organization is badly needed.

The General Assembly suffers from a number of problems. First and foremost, the GA is plagued by a dramatic leadership deficit and has become a venue for "grandstanding" and "horse-trading." One participant reminded the conference that the 1982 Falklands/Malvinas Islands War (between the United Kingdom and Argentina) is still formally on the GA agenda. Several participants questioned the committee structure of the GA including their focus, size, and mandate. It was suggested that the GA draw up its agenda each year from scratch, perhaps with a "rules committee" to set the parameters of debate.

Yet participants also argued that the General Assembly plays a central role in consensus-building. With its universal membership, the GA enjoys a unique legitimacy and will remain an important forum for political debates. While several participants cautioned the high-level panel from wading too deep into GA reform, many felt that one area where the panel could make a contribution was in the area of recommending mechanisms to establish effective linkages among the GA, the Security Council, and ECOSOC. One suggestion offered was institutionalizing regularized meetings among the heads of the Security Council, GA, and ECOSOC to better coordinate activities among the intergovernmental system.

Secretariat

To be effective in marshaling a collective response, the Secretariat needs to be organized for concerted action. The group identified four shortcomings that plague the Secretariat's operations. First, the Secretariat is poorly organized for addressing the challenges posed by internal violence and civil war. From prevention to peacemaking to peace implementation to peacekeeping to peace-building, the Secretariat lacks capacity for strategic planning; structured policymaking; and fashioning an integrated, coherent response. While the Department of Political Affairs (DPA) is nominally tasked with prevention, it has not structured itself for the job.

Second, routinization of policymaking on security matters within the Secretariat is completely absent. There is no structured policymaking process to ensure that input is being channeled to the principals; that the principals are acting and making decisions; and that those decisions are monitored.

Third, the Secretariat is poorly organized for early warning. While there are at least four early warning nodes within the Secretariat, they are neither coordinating their efforts closely nor are they producing the kind of strategic analysis that would be helpful for decision makers. Finally, there is little coordination between the Secretariat and the Security Council. One participant stated that the Secretariat's "support for the Security Council is not as fluid or as direct as it could be." Several participants supported greater dialogue between the two bodies

and said that when the Security Council is debating technical issues, officials in the Secretariat with technical or country-specific expertise should be encouraged to join the conversation.

Participants believed that the establishment of an international security advisor who could act as a “traffic cop” among all the programs and departments and regularly liaise with the Security Council and the intergovernmental system would help to plug the prevention, routinization, and coordination gaps. On the early warning front, participants warned of the demise of the recommendation contained within the Brahimi Report on peace operations to create an early warning mechanism within the Secretariat.¹² For the panel to issue a recommendation in this area could create a firestorm among member states who may equate such a mechanism with “spying” and a serious infringement on sovereignty, though a participant in another Stanley Foundation conference pointed out that this just makes permanent the disparity for states without sizable intelligence services.

Implementation of Panel Report

The high-level panel will present its final report to the secretary-general in December 2004. The participants discussed the challenges facing the panel and the implementation of its findings. They offered eight recommendations for how the panel can “maximize the prospects for success.”¹³

- **Err on the side of boldness.** The panel should put forward ambitious recommendations that will spur the United Nations to be more effective in addressing threats to international peace and security of the 21st century. The panel’s recommendations are likely to be watered down as they are discussed, debated, negotiated, and then hopefully implemented. To be sure, this kind of exercise is bound to be fraught with controversy, but the panel should keep in mind that “it was created not to establish paradise at the United Nations, but to prevent hell and failure at the United Nations.” One participant noted, “every idea whose time has come started out as an idea ahead of its time.” That said, there are also certain to be ideas worth proposing that *could* be adopted without much political wrangling.
- **Mobilize the secretary-general.** There was a consensus view that in order for the panel to succeed, the secretary-general will have to “pull out all the stops” and organize and commit himself to selling the report. Participants recalled the integral role the secretary-general played in the drafting and negotiation of the Millennium Declaration—a milestone document that is often referred to as one of the most impressive achievements ever to

¹² The Brahimi Report recommended that the “Secretary-General should establish an entity, referred to here as the Executive Committee on Peace and Security (ECPS) Information and Strategic Analysis Secretariat (EISAS), which would support the information and analysis needs of all members of ECPS; for management purposes, it should be administered by and report jointly to the heads of the Department of Political Affairs (DPA) and the Department of Peacekeeping Operations (DPKO).” See Report of the Panel of United Nations Peace Operation (Brahimi Report), www.un.org/peace/reports/peace_operations/.

¹³ On January 13-15, the Stanley Foundation convened a group of experts to develop a set of recommendations on how the panel could increase the likelihood that its recommendations will be implemented. See Stanley Foundation, The Secretary-General’s High-Level Panel on Security Threats—Maximizing Prospects for Success,” January 13-15, 2004, reports.stanleyfoundation.org.

emerge from the United Nations. He must repeat the role he played then and consider this report “to be his legacy” if it is to gain traction.

- **Develop an outreach strategy.** The participants urged the panel, its staff, and the secretary-general to begin developing an outreach strategy. Potential allies of the panel are plentiful, but they will have to be enlisted and put to work. For example, the government of Mexico is considering organizing a “Friends of Reform” group within the United Nations; this new group could be a useful source of support for the panel’s report as it turns to the implementation stage. Participants also suggested that the panel actively engage national capitals and parliaments, local and national UN Associations, universities and academia, and NGOs and celebrities at an early stage.
- **Treat the release of the report as the midpoint.** If the secretary-general considers the release of the report as the climax of the process, the report will find itself on shelves or in wastebaskets. Implementation and sustained advocacy will be necessary. As one participant noted, “This is a campaign of a thousand skirmishes, rather than one decisive battle.” The September 2005 General Assembly session will provide a focal point for deliberation of the panel’s recommendations, but other political mechanisms such as review conferences should be sought to sustain the debate.
- **Use upcoming regional and international fora as platforms.** The secretary-general should seek to tie the panel’s report to several upcoming meetings and events to multiply its impact and visibility, including British Prime Minister Tony Blair’s Commission on Africa report, the 2005 G-8 Summit hosted by the United Kingdom, the upcoming African Union Summit, and the Dutch-Euro Council Meeting in June 2005.
- **The role of the United States is critical.** Like it or not, the United States will play a critical role in determining the overall success or failure of the panel report. The panel should consider working with Congress to organize hearings on the panel report and engaging the leadership of the House and Senate. In addition, the panel should actively work with President Bush and his administration to generate buy-in in advance on the key findings of the report. Given the prominence of Iraq in the upcoming US elections, there may be unusual openness in both political parties to tackle the difficult steps of UN change.
- **The support of developing countries is a make-or-break issue.** One participant reminded the group that when the panel’s terms of reference were announced, at the outset there was quite a bit of frustration on the part of many developing countries with respect to a perceived lack of emphasis on issues of greatest concern to them. While that perception has largely dissipated, the panel will have to take great care in making sure that its report appeals to the developing as well as the developed world. One participant warned against framing issues that are perhaps of most interest to the developed world (i.e., terrorism, WMD, etc.) as immediate threats, and issues of greatest import to developing countries (i.e., poverty, HIV/AIDS, etc.) as long-term challenges. There will need to be a careful balance if the developing world is to feel invested in the panel’s recommendations.

Conclusion

As the member states of the United Nations and the high-level panel reflect on the threats and challenges to peace and international security of the 21st century, it is worth pausing to recognize the tremendous challenges the international community will face in the years ahead. Disease, weak and failed states, WMD, the illicit trafficking in weapons, narcotics and even human trafficking, terrorism, and a whole host of innumerable challenges pose a grave threat to the existing world order.

True reform will require more than just words; it will require action by all 191 member states if they are to meet the challenge posed by UN Secretary-General Kofi Annan in his speech before the General Assembly in September 2003:

The United Nations is by no means a perfect instrument, but it is a precious one. I urge [member states] to seek agreement on ways of improving it, but above all of using it as its founders intended—to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, to reestablish the basic conditions for justice and the rule of law, and to promote social progress and better standards of life in larger freedom. The world may have changed...but those aims are as valid and urgent as ever. We must keep them firmly in our sights.¹⁴

The High-Level Panel on Threats, Challenges, and Change offers an exceptional opportunity to take stock of this changing world and determine how best to remake the world's system of collective action. There is no silver bullet of a policy package or reform proposal that will fully and adequately address the complex and often intertwined challenges. Yet the high-level panel can use this unique opportunity to offer fresh thinking about and “win-win” solutions for the role of the United Nations, member states, and humankind. It can chart a new way forward for this millennium that will yield a greater measure of peace, justice, freedom, and security.

¹⁴ Secretary-General Kofi Annan, Address to the General Assembly, New York, September 23, 2003.

Chairman's Observations

The discussions at Black Point Inn were highly productive. Exchanges among members of the high-level panel, the wider UN community, and other policy experts were rich and informative. They should assist the panel as it grapples with its daunting assignment. For those outside the panel, they reinforced the critical importance of the panel's work, the difficulties it faces, and the unusual window of opportunity it offers. Participants displayed a high level of commitment that this historic "third try" at creating a sustainable security system (building on 1919 and 1945) merits support and must be successful.

Two major hurdles must be overcome. First, as the panel fully recognizes, the threats and the challenges of the 21st century impinge on and are perceived differently in different sectors of society and parts of the world. To gain acceptance, the panel must craft a balanced set of findings and recommendations that deals with the highest priority concerns of all. The semantics of this, whether "win-win" or "bargain" or some other formulation, are not important. Concurrently, the panel must recognize that its political capital to lever change is not unlimited. Its proposals must deal with the most important changes and not try to do everything.

The second hurdle is implementing the panel's findings and recommendations. Black Point participants wisely observed that the release of the report is the midpoint and that an effective and continuing outreach strategy is essential. The secretary-general must take the lead on this, but the outreach effort will require commitment and hard work by many. We friends of the purposes of the United Nations, the rule of law, and multilateralism must link arms to achieve success. Champions, climate setters, and decision makers must be identified. National capitals and heads of state will be the key decision makers for an undertaking of this magnitude. The process and the message must be carried effectively to them. The international community in New York and elsewhere can help to carry this message and devise optimal strategies. The media have a vital role in setting the climate for consideration and decisions on the panel's recommendations. They must be brought to understand the importance of the process so that balanced and substantive findings are not reduced to headlines and sound bites. The business community, particularly transnational enterprise, has a significant stake in this outcome, as does civil society, often represented by nongovernmental organizations. All of these sectors must be reached to build understanding and support.

Time is limited. The outreach strategy must be in place well ahead of the release of the report in December 2004. Strategy implementation should begin immediately and continue well beyond the fall of 2005, when the UN General Assembly will consider the report.

The biggest challenge is for all of us to adopt a global perspective, rising above narrow short-term concerns to consider and act in the long-term interest of the peoples and nations of the world. We have an unusual opportunity to progress toward, in the words of the Black Point conference report, "a greater measure of peace, justice, freedom, and security." Let us seize it.

The Stanley Foundation

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