Our Shared Responsibility for a Stronger United Nations to Meet the Challenges of the Twenty-first Century

Parliamentary Hearing at the United Nations

31 October – 1 November 2005

United Nations, New York

Summary and Main Conclusions

This parliamentary event at United Nations Headquarters dealt with the overarching topic under the title, ***Our Shared Responsibility for a Stronger United Nations to Meet the Challenges of the Twenty-first Century*****,** and was divided into four sessions: Conclusions of the 2005 United Nations Summit; Role of parliaments in the global fight against terrorism; The responsibility to protect – Early warning and coordinated response in dealing with crisis situations; and Peacebuilding and the vital role of parliaments.

Mr. Pier Ferdinando Casini, President of the Inter-Parliamentary Union (IPU), after welcoming the participants, recalled that the previous month, Speakers of parliaments had met at United Nations Headquarters for the Second World Conference of Speakers of Parliaments, at the end of which they had adopted a declaration which focused on a single message: parliaments had an essential role to play to bridge the democracy gap in international relations. The Conference had expressed full support for the United Nations, and had called for States to demonstrate leadership and political will to provide the Organization with more efficient mechanisms, appropriate human and financial resources and real management reform.

One of the sessions in the current meeting would be devoted to peacebuilding, which was an area where parliaments had an extremely helpful role to play. The very existence of a strong and effective parliament was an essential component of any solution to conflict and building of peace, and the United Nations should be encouraged to resort more frequently to the political and technical expertise that the IPU together with its Member Parliaments could provide.

In parallel, the IPU should facilitate the provision of more and better information to national parliaments on the activities of the United Nations; it should stage more parliamentary hearings like the present one, as well as specialized meetings at the United Nations. While that all added up to a heavy agenda for parliaments and for the IPU, he pledged to do everything he could during his tenure as President of the IPU to make the agenda a reality.

Mr. Jan Eliasson (Sweden), President of the General Assembly, expressed his gratitude to the parliamentarians for coming to United Nations Headquarters to discuss cooperation. The United Nations was an organization where States were represented by governments, but it should never be forgotten that the first three words of the United Nations Charter were "We the peoples." Those working in the United Nations had to remember always that their task was to serve the peoples of the world, and parliamentarians were bridges to the people. If there was not a lively and strong relationship between the United Nations and parliaments, there was a risk of weakening the relationship with the people.

The presence of the parliamentarians could help to bring two realities into the deliberations of the United Nations. The first was that of the real problems, the real issues. There was a need to bring into the work of the Organization an awareness of the poverty, the diseases, the conflicts, the environmental threats, the problems, that some parliamentarians dealt with on a daily basis. So many of the world's problems were international and national at the same time, which meant that strong multilateral cooperation must become a national interest. Thus, by bringing in the real problems, the real issues facing in the world,

We express full support for the United Nations. We want to see a stronger United Nations. We call on States, including our own parliaments, to demonstrate leadership and political will to provide the United Nations with more efficient mechanisms, appropriate human and financial resources and real management reform.

Pier Ferdinando Casini, President of the IPU, President of the Italian Chamber of Deputies

parliamentarians helped to inject a sense of reality into the work of the United Nations.

The second reality was that of people's expectations of the Organization. People wanted a strong United Nations, promoting international cooperation, international security and universal respect for human rights. All of those aspirations needed to reach the deliberations of the United Nations so that the Organization would be aware that it had to find the political energy needed to complete the very ambitious reform agenda that the world's leaders had adopted at the World Summit in September. If the United Nations was to deal with global threats and problems in an effective manner, it would need the support not only of the delegations currently present at Headquarters, but also of world public opinion and of national parliaments.

He was glad that the Summit outcome document had made such a clear call for strengthened cooperation between the United Nations and parliaments, and in particular the IPU. Global threats and problems had to be faced with all the resources that could be mobilized at the global level, at the regional level and, with the help of the parliamentarians, at the national level.

Session I: Conclusions of the 2005 United Nations Summit

Mr. Jan Eliasson, President of the United Nations General Assembly; Congressman Jim Leach, House International Relations Committee, United States Congress; and Mr. Gennady Gatilov, Principal Officer, Strategic Planning Unit, Executive Office of the Secretary-General, addressed the parliamentarians and exchanged views with them.

The outcome document of the World Summit stated: "We call for strengthened cooperation between the United Nations and national and regional parliaments, in particular through the Inter-Parliamentary Union, with a view to furthering all aspects of the Millennium Declaration in all fields of the work of the United Nations and ensuring the effective implementation of United Nations reform." The involvement of parliaments everywhere was crucial if the world was to achieve the Organization's ambitious goals.

In the area of development, good governance was part of the Monterrey Consensus and a prerequisite not only for attracting external development assistance, but also for making the best use of that assistance for achieving the Millennium Development Goals and beyond. The role of parliaments was central in enacting appropriate legislation to promote good governance and fight corruption, and in holding executive branches accountable to high standards. Parliaments of developing and developed countries should cooperate and exchange know-how.

Respect for human rights and the rule of law formed the basis for every well-functioning society, as well as providing the best means to prevent conflict. In addition to urging their governments to accede to all international human rights instruments, parliaments should work closely with the new United Nations Human Rights Council, which would hopefully be operational within the next few months.

The leaders at the Summit had encouraged all States to accede without delay to all international conventions and protocols against terrorism. The role of legislatures was very important in the ratification of the instruments governing international cooperation to combat a real scourge.

The expertise that parliaments possessed in democratic governance was a valuable resource when a country emerged from conflict. The outcome document had called for the new United Nations Peacebuilding Commission to be operational by the end of 2005. Supporting its work was a major area where the strategic partnership between the United Nations and parliaments, through the IPU, could find productive expression and outlet.

Additionally, parliaments played an important role in sustaining the United Nations in its resources, by approving their countries' contributions to the United Nations regular budget, as well as peacekeeping budgets, and development and humanitarian programmes. The United Nations Secretary-General was working with the General Assembly to promote further measures to achieve value for money and to guarantee greater efficiency and accountability.

The session also examined the attitude of the United States of America to the United Nations, which had tended to fluctuate with its own domestic politics. It was recalled that at the end of the First World War, a liberal United States President, Woodrow Wilson, had taken the lead in the creation of the League of Nations, but a conservative Senate had rebuffed that initiative and the United States had not joined. Several decades later, another liberal President, Franklin D. Roosevelt, had led the advocacy for the United Nations, possibly even suggesting the organization's name.

At the present time, there was a definite conservative reaction from many quarters of United States politics owing to unease over the relinquishment of too much sovereignty. Additionally, some had concerns over inefficiencies or conflicts of interest. However, since the inception of the United Nations, the body politic in the United States had been strongly supportive. It apparently understood better than elected bodies that no country could go it alone. While there was undoubtedly a need for some reforms at the United Nations, it was essential not to overlook the Organization's successes, for example in humanitarian assistance, in attacking diseases like malaria and HIV/AIDS, or in expanding international law in areas as wide-ranging as arms control or trade.

> *Parliamentarians can bring a higher degree of realism to the work of the UN. Good multilateralism must in the end become a national interest.*
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> **Jan Eliasson, President of the 60th General Assembly of the United Nations**

The United States favoured a small and effective Human Rights Council, a Peace-Building Commission to assist the Security Council, a comprehensive convention on international terrorism, and accountability for funds. It also favoured institutional reform, although in a staged approach, with bureaucratic reform to be followed by Security Council changes. In summary, it could be said that while the rhetoric of the United States was sometimes extreme, its positions were closer to the commonsense middle of the road than many supposed.

In the ensuing debate, many delegations described the efforts that their countries were making to respond to the calls from the World Summit, and the following conclusions emerged:

- The IPU was to be commended for its efforts to include in the Summit outcome document the clause calling for "strengthened cooperation between the United Nations and national and regional parliaments, in particular through the Inter-Parliamentary Union".
- The 1996 cooperation agreement between the United Nations and the IPU should be revised to render it more effective, starting as soon as possible. While the IPU already had observer status, it needed to develop concrete strategies for direct participation in the Organization's deliberations. Rather than simply acting in a consultative capacity, the representatives of the IPU should have the right to address the General Assembly at the beginning of every annual session. That would represent a conceptual change for an organization that was governmental in nature, but at the United Nations there was a democracy deficit that the IPU could help to eliminate.
- The growing trend among delegations to the General Assembly to have parliamentary participation was to be welcomed, as it strengthened the link between the executive and the legislative branches of government.
- It was highly regrettable that the outcome document made no reference to disarmament or non-proliferation of weapons.
- Reform of the Security Council was an important key to the reform and regeneration of the United Nations as a whole. Although there was not yet consensus on exactly how to expand the Council, parliamentarians of all countries should seize the momentum and urge their governments to press for an early decision during the current session of the General Assembly.
- While the United Nations had recently gone through a hard time with regard to its image, particularly in the wake of the oil-for-food scandal, a sense of perspective had to be maintained. Every day, quietly and in ways that did not make the headlines, the United Nations was achieving one success

after another, for example in humanitarian assistance, in poverty alleviation and in the protection of human rights.

- With regard to human rights, the results of the Summit had been very weak, with prepared wordings being eliminated from the final document. It was evident that there was a need for reform of the United Nations Commission on Human Rights, which met for only six weeks a year, and in which governments sought membership in order to block the adoption of resolutions that would criticize them. The negotiations on the new proposed Human Rights Council were evidently going to be difficult. Hopefully, they would be able to go beyond what was said in the outcome document, for example by making the Human Rights Council directly elected by the General Assembly, or by making it of equal rank with the Security Council, or by introducing membership criteria under which the Council would comprise only countries that observed the United Nations conventions.
- Since many countries were lagging behind the timetable for the implementation of the Millennium Development Goals, consideration needed to be given to the manner in which the IPU could help to speed up the process. However, again, a sense of perspective needed to be retained. While progress was certainly slow in Africa, for example, the picture looked much more positive in Asia.
- Dissemination of a culture of democracy was crucial. The IPU had tremendous expertise in consolidating parliamentary representation as a democratic tool, which it was happy to place at the disposal of the United Nations. But it was essential not to impose a specific democratic concept on a country. Rather, there was a need to study together how people could participate more actively in parliamentary and political life, while at the same time respecting each country's culture and history.

Session II: Role of parliaments in the global fight against terrorism

Hon. David Musila, Deputy Speaker of the National Assembly of Kenya; Mr. Nicolas Michel, United Nations Under-Secretary-General for Legal Affairs; and Mr. Javier Ruperez, United Nations Under-Secretary-General, Executive Director of the United Nations Counter-Terrorism Executive Directorate, addressed the parliamentarians and exchanged views with them.

Terrorism struck at the very heart of everything the United Nations stood for. It was a global threat to international peace and security, democracy, the rule of law, human rights and the peaceful settlement of disputes. Countering terrorism, therefore, was in the interest not only of intergovernmental institutions, but also of local, national and global civil society.

In 1937, the League of Nations had drawn up the Convention for the Prevention and Punishment of Terrorism. The United Nations later had drafted universal legal instruments for the prevention and suppression of international terrorism, many of them in response to specific outrageous terrorist acts. The most recent, the International Convention for the Suppression of Acts of Nuclear Terrorism, had been open for signature since 14 September 2005.

Those so-called sectoral treaties, of which there were 13, focused on prohibiting specific terrorist acts, that States party were required to make into crimes under their national law. In March 2005, the United Nations Secretary-General had initiated certain elements for a comprehensive counter-terrorism strategy: dissuade disaffected groups from choosing terrorism as their tactic; deny terrorists the means to carry out their attacks; deter States from supporting terrorist groups; develop the capacity of States to prevent terrorism; and defend human rights and the rule of law in the fight against terrorism.

In the 2005 World Summit outcome document, the Heads of State and Government had welcomed the United Nations Secretary-General's identification of those elements and urged that they be developed further without delay to ensure comprehensive, coordinated and consistent responses to terrorism at the national, regional and international levels. Moreover, they had called for assistance for States in building national and regional capacity to combat terrorism, and had invited the United Nations Secretary-General to submit proposals to the General Assembly and the Security Council to that effect. However, the ambiguities and controversies surrounding the very definition of terrorism had become one of the major

hindrances blocking effective action by all actors, including parliaments, to prevent and combat it.

In addition to the fight against terrorism itself, its underlying causes must be addressed. Such causes included a lack of democratic institutions and practices, political freedom and civil liberties; group grievances rooted in collective injustice against ethnic and religious sects; intractable conflicts that had spawned generations of radicalized populations; and the development-security nexus, with poverty and destitution producing feelings of desperation and alienation.

Parliaments had many roles to play in anti-terrorism efforts through their legislative, oversight, articulatory and advisory functions. Their basic role could be seen as to "replace the law of force by the force of law," which in practical terms took the form of enactment of counter-terrorism legislation, including laws to implement the conventions against international terrorism; the enforcement of stringent immigrant laws and practices to ensure travel documents were hard to forge and to prevent terrorists from hiding under cover of asylum or refugee status; the implementation of extradition laws through bilateral and multilateral cooperation; the provision of legislation to prevent access to weapons by terrorists; and the approval of government expenditure on anti-terrorism measures.

The greatest role for parliament, however, was to foster peace and cultural understanding, accommodation of dissenting voices and ethnic and religious tolerance by promoting dialogue among aggrieved parties, strengthening dialogue between cultures and civilizations, and promoting democratic practices and good governance. The democratization process was a key ingredient in the war against terrorism. Terrorism bred and flourished in lawless societies, taking advantage of porous borders, weak and corrupt law enforcement forces and limp judicial systems. Parliaments also had a role of setting up awareness programmes so that parliamentarians understood the ramifications and consequences of terrorism, were conversant with the relevant international instruments and understood how to ensure that their governments complied with their provisions.

> *The basic role of Parliament is to 'substitute the power of physical violence with the power of words and arguments, and to replace the law of force by the force of law'. When violence, intimidation, fear and loss of life are organized in a system of hatred, then Parliament has a role to play to prevent destabilization of the very important concepts of human existence: peace and security.*
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> **David Musila, Deputy Speaker of the National Assembly of Kenya**

To be effective and sustainable, the fight against terrorism must be grounded in both international and domestic law. It was not sufficient to draw up international instruments; they had to be signed and ratified, and it was the members of parliaments around the world who were expected to take action in that respect. Parliamentarians mandated and provided oversight of their respective governments, and should urge their governments to ratify all counter-terrorism instruments. But that alone was not enough. It was also the duty of parliamentarians to see to it that those instruments were transposed into national legislation.

Parliamentarians were elected by the people, but not only had the electors put their trust in them to protect them from the scourge of terrorism; they had also entrusted them with protecting their constitutional and human rights and fundamental freedoms. The General Assembly and the United Nations Secretary-General placed great emphasis on that latter role. General Assembly resolution 59/191 reaffirmed that States must ensure that any measures taken to combat terrorism complied with their obligations under international law, in particular humanitarian, refugee and human rights law, and the same position was taken by the United Nations Secretary-General in his report entitled *Protecting human rights and fundamental freedoms while countering terrorism*.

In the ensuing debate, many delegates described their countries' sufferings from acts of terrorism and their efforts to combat terrorism. Others described steps they had taken to create an environment that would not be conducive to terrorism, such as supporting dialogue with Arab and Islamic communities, increasing the involvement of such communities by promoting their social development, and promoting understanding of different cultures. Support was expressed for a comprehensive convention on international terrorism, as had been called for by the World Summit. The conclusions of the debate included the following:

- Terrorism anywhere threatened democracy everywhere.
- Terrorism was the greatest threat to international peace and security since the end of the cold war. In addition to the direct harm that acts of terrorism caused, they also sapped efforts towards progress and sustainable development. The international community must combat not only terrorism itself, but also its root causes.
- As modern terrorism knew no barriers, counter-terrorism, too, had to extend beyond national borders, with close cooperation and information-sharing between countries, coordinated through organizations such as the United Nations and the IPU.
- It was suggested that before the events of 11 September 2001, terrorist attacks had been limited in geographical scope and perpetrated mostly by independence movements. The attacks on the United States had marked a drastic change. Terrorist acts were now being carried out over borders, and with an unprecedented scale of damage. It was true that since the September 11th attacks, more anti-terrorism measures were in place than ever before, but at the same time there were also more terrorist acts than ever before, probably as a result of the effects of publicity.
- The IPU should consider establishing a working group or specialized committee to study the possibilities of enacting common legislation and measures on terrorism, including prevention, counter-terrorism measures, and penalties for terrorist acts, and to follow up on the implementation of counter-terrorist measures in the countries of its Members.
- A universal and international definition of terrorism was proving elusive, but had to be pursued. What one country considered acts of terrorism perpetrated against it, another, even a non-partisan observer, might consider legitimate acts of resistance to occupation. However, occupation was governed by international law. The occupier had rights and obligations, but so too did the resister to the occupation, and the latter's obligations included respecting protected persons, notably civilians.
- Some delegates suggested that terrorism could not be defined on the basis of aspiration or ideology, but could be distinguished from legitimate resistance to occupation by examining the methods used and the people targeted.
- There were differing views on which movements were terrorists and which were legitimate national liberation organizations.
- It was suggested that it was not necessary to have finalized the definition of terrorism before moving forward with a comprehensive convention on terrorism. Whatever the political circumstances, terrorism was a criminal act aimed at maiming and killing innocent civilians.
- The comprehensive convention on terrorism currently being negotiated was a criminal law convention, rather than a political condemnation of terrorism. It was intended in part to cover the criminal acts not already the subject of the existing conventions. The outstanding questions included a formulation on the right to self-determination and a paragraph delimiting the field of application of this future convention on the one hand, and existing international humanitarian law on the other.
- Killing civilians could not be justified under any pretext, on any grounds or in any circumstance. Those who thought doing so was justified by their own particular religious, ideological, political or social cause were criminally wrong.
- After outrageous terrorist acts, there was a natural desire among parliamentarians, governments and the general public for more legislation to be enacted to deal with the new threat. However, there was a danger of governments overreacting and forgetting their responsibility not only to provide physical protection for their citizens, but also to safeguard the citizens' civil liberties.
- It was essential not to confuse terrorism and Islam, which was a religion of peace. Most terrorist operations originated in Islamic countries because they were the ones suffering from injustice.

- Since extradition of terrorism suspects sometimes took months or years, it was suggested that United Nations conventions having to do with terrorism should have absolute precedence over any legislation in any State party.
- Regrettably, some States still allowed terrorists to be trained within their borders, or still allowed the financing of terrorist movements, although it did appear that the number of such rogue States was significantly lower than even five years ago.
- The comprehensive convention on international terrorism was currently languishing in the Sixth Committee of the United Nations General Assembly, its frustratingly slow progress the result of some countries' watering down its most important clauses. The suggestion was made that delegates should ensure that their countries' Permanent Representatives were working to complete the work on the convention, rather than to frustrate it.
- A further aspect was the role of the media, and the question of how to promote news reporting that was impartial, accurate and verifiable while at the same time limiting the benefits that might accrue to a terrorist organization from the resultant publicity. The media formed one of the pillars of democracy, but did not have an absolute right to contribute to inciting hatred, racism or violation of human rights.
- As the Second World Conference of Speakers of Parliaments had proposed that member parliaments might hold a simultaneous debate, worldwide, on one of the recommendations in its Declaration, it was suggested that terrorism might be a suitable subject for the first such debate. Summaries of all the debates could be published by the IPU and provided to the various international bodies dealing with the fight against terrorism.

Session III - The responsibility to protect – Early warning and coordinated response in dealing with crisis situations

Senator Mohammedmian Soomro, Chairman of the Senate of Pakistan; Senator Roméo Dallaire, Lieutenant-General (retired), Canada; Mr. Jan Egeland, United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; and Ms. Nicole Deller, World Federalist Movement, Institute for Global Policy, addressed the parliamentarians and exchanged views with them.

Just as terrorism operated outside the rules drawn up over the course of time by civilized peoples, so too there were some in positions of power who considered themselves above the rules. And sometimes their man-made catastrophes could be as terrible as natural disasters. Killing, ethnic cleansing and genocide could be as devastating as earthquakes and tidal waves. And sometimes – a terrible example was the Rwandan genocide – the international community failed to act effectively or promptly enough, even when in the age of modern communications the world could see atrocities being committed on the nightly television news. In response to that phenomenon, and as part of the wide-ranging reform of the United Nations, the doctrine of the responsibility to protect was being advanced. It could be understood as an obligation to stand up for the powerless against those who otherwise would oppress and harm them with impunity.

The significance of the new doctrine was that it reconciled the needs and rights of the individual with the duties of the international community and the rights of the sovereign State, reinforcing the belief that human security lay at the heart of national security. It established a basis for accountability not only for the State's failures, but also for those of the international community, and it codified a responsibility of the international community not only for reactive measures, but for prevention as well.

The concept of "the responsibility to protect" had first been presented in the report of the International Commission on Intervention and State Sovereignty, which had been formed to address the question of when sovereignty – a fundamental principle of international law – must yield to the need for protection against the most egregious violations against humanity and international law: genocide, ethnic cleansing and massive human right abuses. Subsequently, the report of the United Nations Secretary-General's

High-level Panel on Threats, Challenges and Change had recognized that the concept of sovereignty carried with it the obligation of a State to protect the welfare of its own people; and that in circumstances where the State was not able or willing to fulfil that responsibility, the principles of collective security meant that some portion of those responsibilities should be taken up by the international community.

After consultations with governments, United Nations officials and many civil society organizations, the United Nations Secretary-General had published his report, *In larger freedom: towards development, security and human rights for all,* which had included a call to governments to embrace the responsibility to protect as a basis for collective action against genocide, ethnic cleansing and crimes against humanity. The report also asserted that the responsibility to protect lay first and foremost with each individual State; it recognized that if the State was unable or unwilling to protect its citizens, the responsibility to protect shifted to the international community; it described the international community's responsibility to protect, including through the use of diplomatic, humanitarian and other methods; and it recognized that if those measures were insufficient, the Security Council had the right to take action, including enforcement action, under the Charter. The report made clear that the issue was not specifically about the use of force, but about a normative and moral undertaking that the State must protect its own citizens, and that if it failed to do so, the international community must apply a range of peaceful diplomatic and humanitarian measures, with force considered only as a last resort.

The doctrine of the responsibility to protect was directed at a double failing in humanity: a failing by the international community to react as it should, but at the same time a failing of humanity in those who thought that they were entitled to maim and slaughter their fellow-human beings. It would also impose a duty on the international community to act on a basis of equity: all peoples everywhere had the same entitlement to protection.

It was true that the doctrine could be seen as conflicting with the principle of non-interference in the internal affairs of States. That aspect of exactly how to operationalize the doctrine, without infringing Chapter VII of the Charter, was going to be one of the major issues to be decided. The Security Council had to remain answerable to the international community, and in order to ensure that, processes, procedures and methodologies for the new doctrine had to be articulated.

The greatest challenge to the new doctrine might be in finding the political will to make use of it, and that was where parliamentarians had a role to play, in advocating for the doctrine in order to bring about a much more energetic response to gross abuses than had been the case in the past. It was in parliaments worldwide that the impunity of the powerful oppressors could be broken. If parliamentarians persuaded their governments to act pursuant to the new doctrine, then hopefully at some point in the future its very existence alone would be a sufficient deterrent.

The recent events, including the devastating earthquake we have experienced, demonstrate the need for Parliamentarians to be proactive instead of reactive. The political will to keep disasters on the agenda must be maintained particularly for the long reconstruction phases, so that sustained support remains.

Muhammedmian Soomro, Chairman of the Senate of Pakistan

At the same time, humanitarian relief in response to natural disasters must not be overlooked. If humanitarian action was to be effective, it had to be well-coordinated with the commitments embodied in the Millennium Development Goals. The present was the time to put an end to hunger and suffering, and the present generation was the one that could achieve it. But in order do so, the humanitarian relief system of the United Nations needed a much more predictable system of funding to replace the current, almost random system. One major indicator was the proportion of aid received within the first month following a disaster as a percentage of the amount needed in that month. In the case of the tsunami in the Indian Ocean, that share had been an astonishing 90 per cent, and on a couple of occasions it had been about 50 per cent, but in the majority of cases, particularly when a disaster occurred in Africa, it was approximately 20 per cent. Even when larger amounts of aid were forthcoming, they generally arrived between one and three months late – resulting in more suffering and more deaths that could be prevented.

In the case of the most recent major disaster, the massive earthquake that had struck primarily in Pakistan and its aftermath, the picture was the same. People were losing injured limbs to amputation because they were not receiving care in time. People were starving because not enough food was reaching the region. The operation had perhaps a quarter of the number of helicopters it needed to ferry in supplies and assistance, and when the money ran out in two to three weeks, even they would be unable to go on flying.

There was a need for an increase in the Central Emergency Response Fund, perhaps a tenfold increase, Only then could relief operations go into effect immediately, and go into effect with equity. At present, where a disaster occurred had far too great an impact on how much aid was donated in response. The United Nations needed to have sufficient resources at its disposal to be able to help all victims, anywhere, equitably. With an adequate fund, too, the United Nations would be able to act quickly before an emergency – such as growing numbers of locusts in Africa – became a full-blown catastrophe, such as the annihilation of crops.

Some countries had already made generous pledges to the Fund, and parliamentarians everywhere should call on their governments to follow suit. Additionally, governments and parliaments must give priority to preparing effective disaster management plans, making extensive preparations for disasters long before they occurred. Governments should have mandatory and regular reviews of disaster preparedness, including the provision of updates to their parliaments. Preparedness included the development of policies that avoided exacerbating potential disasters, for example locating unsafe buildings in known flood plains or seismically sensitive areas, allowing deforestation or damaging natural drainage systems. In the event of a disaster, parliamentarians called upon to scrutinize the executive's use of extra emergency authority needed to be constructive and creative, as parliamentary involvement in disaster response would help to ensure that any such authority was wielded appropriately.

Before the debate, the meeting observed a moment of silence in memory of the victims of recent natural disasters, most recently the earthquake in Pakistan. In the debate, several delegates described the measures their countries were taking to be prepared both to deal with natural disasters in their own country and to assist with catastrophes in others. The following conclusions emerged:

- Natural disasters served as a reminder that all mankind was linked together, by forces visible and invisible: forces of nature, of poverty, of floods, of hunger and so on. They were a reminder of how tiny man was, and that, in consequence, all must respond together.
- By tying up and diverting precious resources, natural disasters interfered with a country's development, and specifically with its plans to accomplish the Millennium Development Goals.
- Natural disasters could strike developed countries as easily as developing countries, but there was a disparity in the speed and effectiveness of recovery.
- It was the role of parliamentarians to convince governments to contribute more generously to relief efforts. It should, however, be borne in mind that reconstruction and recovery were not just a matter of buildings and infrastructure, but also of human beliefs and emotional pressures.
- Parliamentarians should encourage their governments to provide financial assistance to establish early warning systems, although such system on their own were not a panacea: they gave more time to be prepared for an inevitable disaster, but the key factor was the availability of resources in the right place at the right time. That was a question of political will, and it was an area where parliamentarians had an important role to play. If aid arrived too late, it served no purpose; if parliamentarians did not do enough to make sure that the aid arrived on time, they too served no purpose.
- It was essential to make full use of the existing capability of United Nations agencies and organizations, strengthening cooperation among them. The best way to do so should be discussed both in the General Assembly and in national parliaments. Also of importance was regional

cooperation, particularly in areas such as information-sharing and forecasting, and planning for efficient delivery of supplies, food and water.

- Just as preparedness and early warning systems helped to mitigate natural disasters, so too the doctrine of the responsibility to protect would help to mitigate man-made disasters, by defining a level of crime at which a State was manifestly failing its population and at which the international community had a responsibility to take action. But that had to occur under the aegis of the Security Council, not through unilateral action by individual countries.
- Moreover, it had to be remembered that when the cry was that "the United Nations should do something", that meant that the Member States had to do something. It was they who owned the Organization, and it was they who had to provide the resources, the troops, and the political will for action by the Security Council. Most of the recent man-made disasters need not even have happened if there had been greater international investment in containing the situation, in security, in political resolution of conflict and in deploying humanitarian and developmental work before the emergency became a catastrophe.
- Progress was being made – for example with the 10-year plan that had emerged from the World Conference on Disaster Reduction hosted by Japan – but that progress was far too slow. That in turn was attributable to the amount of national and international resources being invested. The most generous nations on Earth gave just under 0.1 per cent of their gross domestic product in official development assistance. The average for the rich countries as a whole was 0.2 per cent. Some had adopted the target of 0.7 per cent, including the European Union, but many more should. In addition, it was time for the growing economies to come on board and set the same goals. It was not right that the same dozen countries as 15 years earlier should be the only ones making significant donations. There were now many more big and growing economies that should join the effort.
- However, the picture was not all gloomy. Some early warning networks were now in place, and their number would increase. The United Nations humanitarian response system was much more effective than in the past. In the most recent natural disasters, the lead team of coordinators had been dispatched on the day that the emergency had happened. The appeal for funding had been made within 72 hours. Supply chains were in place within days. There had been a logistical revolution in terms of effectiveness: what was needed now was the corresponding moral and ethical revolution that would make it possible for the United Nations to assist all who needed its help.
- As had been said in an earlier session, the factor that rendered a definition of terrorism superfluous was the killing of innocent people. In that sense all States were guilty of terrorism because the 450,000 innocent deaths in Rwanda, for example, could have been avoided if governments had reacted faster. At the same time, it was essential that the terms of engagement of United Nations forces sent to handle man-made disasters be realistic and proportional to the situation. That was a decision for governments, working through the Security Council, and it was up to parliamentarians to urge them to make the right choices.

Session IV – Peacebuilding and the vital role of parliaments

Hon. Finn Martin Vallersnes (Norway), President of the IPU Committee on Middle East Questions; H. E. Mr. Augustine Mahiga, Permanent Representative of the United Republic of Tanzania, co-Chair of the United Nations consultations on the Peacebuilding Commission; Mr. Thant Myint-U, United Nations Policy Planning Unit; and Mr. Stephen Schlesinger, Director, World Policy Institute, New School University, addressed the parliamentarians and exchanged views with them.

Peace was much more than the absence of armed conflict. Peace was not won when diplomats and governments agreed on the terms of a peace accord, or when some signatures were placed on a piece of paper. Half of all countries that emerged from war relapsed into violence within five years. Peacebuilding was therefore a crucial task that could prevent the resumption of armed conflict, that supported and

facilitated peace negotiations, and that was essential in the reconstruction of societies where social, economic and political structures had been devastated by conflict.

The tasks of parliaments in post-conflict situations were many and important: to make good and efficient laws for the population; to foster the rule of law and respect for human rights; to address painful issues in the aftermath of conflict such as the need for truth and reconciliation processes; to foster non-violent conflict resolution and dialogue; to defend minority rights, and much more. A democratically elected parliament was in other words at the very centre of peacebuilding efforts at all levels.

In those cases where parliaments were not functional, or lacked resources or legitimacy, it must be a priority for the country, with the assistance of the international community, to create a well-functioning, representative national assembly and give it appropriate support. While significant resources and attention were brought to bear when it came to the first elections in a post-conflict situation, less attention was paid to the capacity of a newly-elected parliament to fulfil its important functions, its legislative and oversight roles, after the elections. National parliaments, international organizations and donors needed to make progress here and give better support to new parliaments.

Peace accords that did not have broad-based acceptance and support had less chance of lasting and becoming stable. It was that challenge that the IPU had tried to address by offering a forum for the parties to the Middle East conflict to meet at parliamentary level. The IPU Committee on Middle East Questions had a mandate that included promoting a direct dialogue between Israeli and Palestinian parliamentary delegations at IPU meetings. The IPU had thus provided a forum for participation and dialogue between parties in an extremely difficult situation, one in which they could not have met and debated face-to-face in the region.

Peacebuilding was not only a crucial and difficult task - it was also an expensive one. It demanded staying power, maybe years of involvement, and a tailor-made approach. Therefore the new Peacebuilding Commission would have a hugely important mandate. In the light of the understanding that too many countries relapsed into conflict within a time frame of around five years after the end of a peacekeeping mission, the purpose of the new body was to serve as a bridge between peacekeeping operations and the phase of reconstruction and development.

The idea for the Peacebuilding Commission had initially been raised in the report of the Secretary-General's High-level Panel on Threats, Challenges and Change, which had reached the conclusion that the Organization's peacebuilding work over the past 15 years – peacebuilding having become a United Nations activity with the end of the cold war - had been done through ad hoc arrangements, and by adding on to institutions and structures that had been designed for a very different purpose in a very different world. The idea had subsequently been taken up by the United Nations Secretary-General himself in his report, *In larger freedom: towards development, security and human rights for all*, in which he had expanded on the recommendation, which had then been discussed and adopted by the World Summit in September.

In those cases where parliaments are not functional, lack resources, legitimacy or simply are non-existent, it must be a priority for the country, with the assistance of the international community, soon the Peacebuilding Commission, to create a well-functioning, representative national assembly and give it appropriate support.

Finn Martin Vallersnes, MP (Norway)

While many details remained to be worked out, the first part of the Commission's broad mandate would be to bring together all relevant actors in order to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery. The second part would be to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict, with integrated strategies to lay the foundation for sustainable development. And the third component would be to provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities and to extend the international community's period of attention to post-conflict recovery.

There was general agreement that the countries affected had to be the initiators of action by the Peacebuilding Commission. That could prove difficult in cases where there were few functioning institutions in a country in conflict, and so realism and pragmatism would be called for. In particular, the affected countries would be invited to attend the meetings of the Commission's Organizational Committee. That body would include members of the Security Council, which would take a particular interest in the traditional peacekeeping aspects; members of the Economic and Social Council, with its particular interest in the economic and social aspects of reconstruction; representatives of the donor countries and troop-contributing countries, the Bretton Woods institutions, and so on. There would also be some form of participation or input from civil society, and that was where the parliamentarians came in. Once the Peacebuilding Commission became operational at the country level, parliamentarians would have a specific responsibility, namely to galvanize public opinion and to provide support to all the different players engaged in the recovery and reconstruction of the country, which would always need political and popular support.

A further component of the initiative would be the Peacebuilding Support Office, whose function would be to pull together lessons learned in best practices from throughout the United Nations system and offer the United Nations Secretary-General strategic ideas for a way forward in the medium and longer term. And the final component would be the Peacebuilding Fund, intended to fill a number of financing gaps which currently existed. Sometimes money was pledged, but did not arrive for a very long time. In other cases, right at the crucial time of two to five years after a peacekeeping operation, when a fledgling government needed sustained donor support to keep the peace process on track, another conflict somewhere else claimed the donors' attention, and funds dried up. The Peacebuilding Fund was intended to address those two difficulties.

In the ensuing debate, several delegates described efforts their countries were making to contribute to peace in their region, or drew attention to existing regional peace forums, suggesting that all such national and regional experiences could contribute to the work of the Commission. Others described their countries' successes in negotiating and agreeing a peaceful end to conflict, and the political and administrative steps that needed to be taken to turn agreements into a real and lasting peace. It was agreed that that, too, could be valuable input to the work of the Peacebuilding Commission. Attention was drawn to several cases in recent years where the existence of a forum such as the Peacebuilding Commission would have prevented much suffering and destruction. The following conclusions emerged:

- Peace was the first step towards the achievement of the Millennium Development Goals.
- The future Peacebuilding Commission was welcomed as a forum to involve all the major actors in post-conflict reconstruction: the countries affected, donor countries, the international community, non-governmental organizations (NGOs) and so on.
- Some reservations were expressed about the Commission's potential composition and reporting procedures, although it was also clarified that those details were still under discussion.
- The IPU had extensive experience in institution-building, and should be invited to participate in the Peacebuilding Commission's activities. The legitimacy of all parts of the United Nations system was dependent on the political support of its Member States, which in turn was anchored on their parliamentarians. With the political will of the 191 Member States behind it, expressed through their parliaments, the Commission would go on to play an essential role.
- In its work, the Commission needed to pay special attention to gender awareness and the mainstreaming of gender issues. It was also necessary for soldiers sent on peacekeeping missions to be aware of gender issues, so as to avoid abuses similar to those that had recently been reported. Additionally, it was essential that the Peacebuilding Commission itself should have female members in order to give it a gender-balanced perspective.
- Intercultural dialogue was crucial as a means to combat the dangers posed by terrorism. At a juncture when globalization and information technology had dramatically increased intercultural exchange and

weakened the concepts of nation States and national borders, it was impossible to imagine a future in which cultures did not have to interact with each other. Indeed, throughout history, intercultural and inter-civilization exchanges had not only helped to develop humankind, but had also diversified and enriched people's beliefs. Peaceful coexistence and prosperity could be ensured only when the identity and diversity of different cultures and civilizations were guaranteed.

- In the post-conflict phase, it was essential to introduce democratic values as early as possible in order to achieve a stable and long-term solution. Here, the role of parliament was to act as an assembly where people of different political leanings could display and debate those differences openly and in mutual respect, without fear of repression.
- If people acknowledged their differences, they could live in harmony. Attempting to eliminate differences would inevitably lead to conflict.

In his concluding remarks, the President of the IPU thanked all who had participated in what had been a wide-ranging and stimulating debate. The participants and the wider IPU membership would shortly be receiving a summary of the discussions, and he would spare no effort in ensuring that the suggestions and recommendations voiced over the last three days would be acted upon.