

Notes for a presentation to the House of Commons
Standing Committee on Foreign Affairs and International Trade

A Contribution to the Committee's Study of
Canada's International Policy Statement

By representatives from
World Federalist Movement – Canada

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The World Federalist Movement – Canada (WFMC) is a longstanding national non-governmental organization, currently with 1,200 members and supporters and active chapters in six Canadian cities. World Federalists support wider acceptance of the rule of law in international affairs and a stronger role for international institutions such as the United Nations.

WFM - Canada is a member organization of an international association of some 35 world federalist organizations, the international World Federalist Movement (WFM, headquartered near the United Nations, New York). WFM is the international NGO that administers the Coalition for the International Criminal Court on behalf of thousands of civil society organizations worldwide.

We are grateful for this opportunity to respond to the Government's International Policy Statement (IPS) entitled "A Role of Pride and Influence in the World." We are particularly grateful for the extensive investment of time and travel by you the members of this Standing Committee.

While the IPS signals a major policy benchmark framing Canada's international relations, the process by which the document was created leaves much to be desired. Consultation with stakeholders outside of government was less than adequate. The lack of the customary green paper, white paper process, involving parliamentarians and leading to a broader engagement of Canadian public opinion, is unfortunate.

Our view is that "a foreign policy for the 21st century" requires more, not less, involvement of citizen representatives. Many of our most important global institutions are characterized by a democratic deficit. This is a widespread and growing critique among large cross-sections of public opinion. Parliamentarians have crucial roles to play overseeing international institutions, making global governance more democratically

accountable and advancing efforts to reform global governance and adapt post-World War II institutions to the realities of the 21st century.

One of the commendable objectives reflected in Canada's IPS is the effort to achieve a more integrated approach to the Canadian government's global commitments, "a new level of cooperation within and across government departments" (Foreign Affairs, Defence, CIDA, PCO, Finance, Immigration, Public Safety and Emergency Preparedness, and others). But laudable objectives are often easier to enunciate than implement. The effort to implement this more "joined-up" integrated approach to policy and action also bears continued scrutiny by parliamentary bodies such as this Committee.

Our remarks today focus on the recent and ongoing efforts to reform the United Nations system, with specific reference to September's High-level Plenary Meeting of the General Assembly, the "UN World Summit."

RECENT UN REFORM EFFORTS

(High-level Panel, Sachs Report, UN S-G report "In Larger Freedom," 2005 World Summit Outcome)

We would like at this time to refer also to our booklet published in October 2005 entitled "*United Nations World Summit: Major Achievements, Failures and Postponements.*"

We believe that the IPS appropriately reflects the wishes of Canadians when it "makes the reform of the world's multilateral system of governance a priority for Canada."

Minister Pettigrew's remarks in Montreal last week confirm the continuing interest of the Government in the ongoing reform discussions.

We recommend that the SCFAIT also reflect in its report on the IPS the importance of reforming the United Nations system.

In his speech to world leaders attending the UN Reform Summit, Kofi Annan said, "Let us be frank with each other and with the peoples of the United Nations. We have not yet achieved the sweeping and fundamental reform that I and many others believe is required. Sharp differences, some of them substantive and legitimate, have played their part in preventing that."

Kofi Annan is right, of course. This is not a sweeping root-and-branch reform of the UN system. However, our assessment of the results of the UN World Summit outcome document reflects perhaps a more cautious view than those who may have been inclined to view the "glass half empty." As we said in a Summit review document published last month "What has been underestimated so far is the number of significant proposals that have been postponed."

Important reforms are still possible, indeed likely. We focus here on efforts to bring about (1) a Human Rights Council, (2) a Peacebuilding Commission, (3) wider acceptance of the Responsibility to Protect, and (4) reform of the Security Council.

[Many of these issues are still under discussion at the UN. We would be available to assist the SCFAIT research staff in updating developments on these critical reform issues, as the deliberations at the General Assembly unfold.]

(1) Human Rights Council

By August 5 this year, governments had agreed many of the details of how to establish a new human rights monitoring body to replace the discredited UN Human Rights Commission. Unfortunately, when U.S. Ambassador John Bolton introduced many (over 700) amendments to the August 5 draft outcome document, this allowed others who also wanted to weaken the human rights machinery an opportunity to introduce changes. As a result, pages of agreed details for “establishing a standing Human Rights Council” that were in the August 5 draft were deleted. The final outcome document contains four short paragraphs whereby governments “resolve to create a Human Rights Council” that will promote respect for human rights and address violations. Thus what was to be one of the major accomplishments of the Summit must now be considered at risk.

In the discussions now underway, diplomats will have to go beyond retrieving agreement on the sections covered in the August 5 draft, to elaborate crucial details on the composition, mandate and selection modalities of this important body. The General Assembly will not complete this work by the agreed deadline, the end of this calendar year. Many important details will be put off once again. Perhaps the existing Human Rights Commission will meet for one last year in a “transition phase” that will allow consideration of the remaining negotiation of modalities for a new Human Rights Council.

We recommend that the SCFAIT encourage the Government of Canada to seek agreement on an effective new UN Human Rights Council.

Some widely shared benchmarks for what constitutes an effective Human Rights Council include the following:

- It must be a standing body, i.e. able to meet at any time in the calendar year;
- It must have a mandate to address any matter relating to the promotion and protection of all human rights;
- It must regularly and consistently examine the human rights record of all countries;
- It must retain the practice of including participation rights for nongovernmental organizations;
- It should make possible a greater role for independent human rights experts;
- It must include selection criteria that combine the principles of “democracy” and “effectiveness.” That is, it should allow for genuine elections to the Council (by a two-thirds majority of the General Assembly) of states from all the world’s regions. At the

same time it should be composed of those states that do the most to promote adherence to the world's main human rights treaties.

(2) Peacebuilding Commission

The new Peacebuilding Commission will be an inter-governmental advisory body to assist the international community's efforts to stabilize and re-construct countries making the transition from war to peace. It will be complemented by a peacebuilding support office at the UN Secretariat and a standing fund.

Numerous studies and conflict data sets have demonstrated the international community's mixed record facilitating successful national transitions following the cessation of armed conflict (including internal armed conflict). The Peacebuilding Commission is intended to address what Kofi Annan has referred to as a "gaping hole" in the UN's institutional machinery, between the short-term efforts of the Security Council addressing threats to international peace and security and the longer-term engagement of the UN's development programs and funds.

The main purpose of the commission will be to bring together and co-ordinate relevant UN agencies and other bodies (e.g., the UN Development Programme and Departments of Political Affairs and Peacekeeping Operations, governments, nongovernmental organizations, regional bodies and other actors) in the development of integrated strategies for post-conflict peacebuilding and recovery.

We regret the last minute changes to the World Summit Outcome Document that led to the watered-down language articulating the role the Commission will have in preventing conflicts.

Nevertheless, the Peacebuilding Commission has tremendous potential to reduce human suffering and contribute to a more stable and peaceful world. Developing effective institutional machinery for the Commission is critically important.

The Commission will meet in various configurations, depending on the nature of a conflict or peace-building intervention or country situation under consideration. A core organizational committee will develop procedures for the Commission; its composition will reflect the interests of Security Council permanent members, ECOSOC members, troop and civilian police contributors, and major financial donors to development programs.

Many of the details of the Commission's functions and decision-making procedures are still under discussion. The key to the success of the Commission will be its institutional location, hopefully not under the control of existing UN principal organs. Another key to the success of the Commission will be an effective mechanism to share information with the range of NGOs and other non-state actors that are involved in post-conflict peacebuilding. Many NGOs are now calling for a PBC-Civil Society collaboration

mechanism that would provide for quarterly dialogues in New York on peacebuilding issues. We strongly support this initiative.

We recommend that the Committee urge that Canada continue to give priority to the creation of an effective Peacebuilding Commission, paying special attention to (1) the need for the Commission to report to, but be independent of, the UN General Assembly and Security Council; and (2) allow for effective participation arrangements at the Commission for NGOs and other stakeholders in the peacebuilding process.

(3) Democracy Fund

A UN Democracy Fund was announced by Kofi Annan in July, 2005, and was seen as an effort to build momentum toward the September UN Reform Summit.

The UN Democracy Fund will be a voluntary fund housed in the UN Fund for International Partnerships (UNFIP), but with its own Executive Head who will report to an Advisory Board of Member States on substantive matters. In order to ensure transparency and accountability, a dedicated support office will arrange for monitoring, evaluation and auditing of the program.

The new UN Democracy Fund is not intended to favour any particular model of democracy. It will add to the UN's growing commitment to supporting emerging democracies with legal, technical and financial assistance and advice. On-going UN activities include assistance in areas such as election monitoring, rule of law, anti-corruption, and capacity-building for democratic institutions.

Canada is a member of two international conferences that promote democratic governance - the Community of Democracies and the more universal International Conference of New or Restored Democracies. **We recommend the Canada make a significant contribution to the new UN Democracy Fund.**

(4) Security Council Reform

The campaign by the Group of Four ("G4," Brazil, Germany, India, Japan) to gain permanent seats on the UN Security Council consumed considerable diplomatic energy this past summer and led to deteriorating diplomatic relations among a number of regional groupings of states.

We do not regret the failure to agree to either of the models of Security Council reform that were included in Kofi Annan's proposals to member states this past Spring. It is certainly the case that the present structure of the Security Council is anachronistic and not representative of the distribution of power and population in today's world. However, the addition of more vetoes and permanent members would lead to a Council that is less, not more, effective.

The G4 announced at the September Summit their intention to introduce a new resolution to the General Assembly, in line with a commitment to consider Security Council renewal once more before the end of the year. Having failed in bids to secure a permanent seat with power of veto and, subsequently, permanent seats but without a veto, the G4 are pursuing options that would allow for expansion of the number of non-permanent members. This may have some merit.

There are a great many proposals for reforming the representation, functions and powers of the UN Security Council. The World Federalist Movement has adopted a set of guiding principles to help evaluate various reform proposals. These guidelines include:

- Opposition to adding more members with power of veto;
- Opposition to adding more permanent members;
- Support for the addition of a reasonable number of non-permanent members to better reflect the distribution of world population;
- Support for membership models that make the Council more representative of the world's major regions;
- Support for making the Council's working methods and procedures more transparent and democratically accountable.

The SCFAIT should consider urging Canada to support an expanded Council that does not include more permanent members, with or without power of veto.

THE "RESPONSIBILITY TO PROTECT"

The Summit outcome included strong language reinforcing the international community's responsibility to protect citizens when national authorities fail to prevent genocide, war crimes, crimes against humanity or ethnic cleansing.

Canadian diplomatic efforts to strengthen the normative basis for this international "Responsibility to Protect" (R2P) have been widely reported and are indeed very commendable.

R2P marks an important step and a profound change in traditional notions of sovereignty and international organization. The individual in the modern world has legitimate reason to expect that action will be taken to ensure his/her security not only by a national authority, but also the "international community."

So, what's next? Some have speculated that the general normative language in the Summit document can and should be followed up with an international effort to spell out specific criteria and conditions for the use of force internationally to protect civilians at risk. We believe that this would be premature.

While the Summit language is a breakthrough, we caution against moving ahead on this file too far, too fast. Many governments, regional organizations and publics continue to harbour concerns and skepticism over the R2P concept.

At this stage Canada and others should continue to pursue wider acceptance of the R2P norms. Perhaps additional international instruments declaratory of the Responsibility to Protect could be considered. And there is much useful work to “operationalize” R2P, e.g., incorporating civilian protection in the doctrine and training for Canadian Armed Forces.

UN REFORMS AND DECISIONS NOT ADDRESSED AT THE UN WORLD SUMMIT

Any effort to reform the United Nations system is inevitably a product of bargaining among member states with competing interests. As long as the UN is structured as little more than a club of independent states, with few autonomous powers of its own, it will not provide the quality of leadership and governance that an interdependent, globalizing world requires.

In this latest effort to reform and strengthen the UN, a lot of useful proposals were left out. Others were watered down in the last few weeks of negotiations. Kofi Annan has said, “This reform effort matters, and must continue.” We highlight below some major areas of unfinished business. Many of these are areas where Canada has been a leader in years past and is called to do more in the years ahead.

Millennium Development Goals. The World Summit provided an opportunity for Canada to make a clear commitment to ending poverty and supporting the Millennium Development Goals. Canada failed this test. Others, including the Canadian Council for International Cooperation have made the case for a Canadian international policy that makes a priority of global poverty reduction. We support the goals of CCIC’s “Make Poverty History” campaign.

We recommend that this SCFAIT urge the Government of Canada to commit to a foreign aid target that reaches the agreed UN benchmark of 0.7% of Gross National Income (GNI) by 2015. Canada should follow a timetable to increase aid by 12% in each of the next 3 years and by 15% thereafter in order to meet this objective. Furthermore, Canada should enact legislation to make “ending poverty” the exclusive goal of Canadian foreign aid in a way consistent with our human rights obligations.

In line with the Make Poverty History Campaign, we also support a re-orientation of Canada’s international trade priorities in order that trade rules support, rather than undermine, human rights, poverty reduction and environmental protection.

Peacekeeping. At a time when the UN is stretched to respond to a surge in demand for peacekeepers worldwide, the Summit did very little to broaden the capacity of the UN’s Department of Peacekeeping Operations. Modest efforts to create a standing police capability are welcomed, but insufficient.

Many experts and occasionally some governments have over the years called for a standing rapidly deployable peace force, available to the UN on short notice following decision by the UN Security Council. Canada has supported such ideas in the past and could be a leader in the future.

Since the time in the mid-90s when Canada presented detailed proposals for a UN rapid reaction capability, there has been a preference among others for an “a-la-carte” approach to international peace operations. Canada has drifted along with this policy trend, with the result that peace operations globally now respond to multiple mandates from a variety of international and regional organizations. The governance of these operations is inconsistent and, on occasion, not even up to minimal international humanitarian standards.

Peacekeeping doctrine, training and standards vary from one international organization to the next. At a time when peace operations are becoming more complex and multi-faceted, a drift toward inconsistent and sometimes poor peacekeeping governance is very worrisome.

We urge that this Committee support two recommendations,
(1) that Canada support the goal of a standing UN rapid reaction peacekeeping capability; and
(2) that Canada support investing primary responsibility in the United Nations for the development of peace operations mandates, as well as the planning and implementation of strategic priorities, for all peace operations.

International Criminal Court. The section of the UN reform document dealing with Impunity issues was dropped, and with it any concrete reference urging governments to join and support the International Criminal Court. The reason for this is well known -- opposition to the ICC by large powerful states, particularly the United States.

Canada’s international efforts in support of the ICC continue to be very good. Nevertheless, while the Court remains controversial **we recommend that this Committee make clear its support for an effective Court.**

We also recommend that Canada do more to utilize its own domestic legislation, the Crimes Against Humanity Act. Apprehending war criminals is a task that properly should fall in the first instance to national jurisdictions. There are a number of individuals resident in Canada who should be the subject of criminal investigations.

Nuclear weapons and disarmament. The last-minute negotiations prior to the UN Reform Summit led to the loss of critically important commitments on arms control and disarmament issues. Kofi Annan quite rightly calls this “a real disgrace.” We are similarly disappointed, not only at the Summit outcome but also at the failure earlier this year of the NPT Review conference.

More recently, Canada and five other middle powers (Brazil, Kenya, Mexico, New Zealand, Sweden) tabled a very promising proposal for new “ad hoc committees” on four critically important disarmament issues, areas where progress had been stalled for years in the UN’s consensus-bound Conference on Disarmament (CD). We were disappointed that Canada backed away from this proposal. When withdrawing the draft resolution Canada’s Ambassador for Disarmament reserved the right to re-introduce the proposal next year if there is not sufficient progress in the CD in the intervening months. **We recommend that this Committee closely monitor progress on this file and urge the Government to re-introduce the proposal for ad hoc committees if there is continuing deadlock at the CD.**

Another promising initiative Canada could undertake is to encourage the U.S. and Russia to end their risky and outdated “Launch on Warning” policies.

Economic and Social global governance. We are mindful that this reform effort was quite limited in its scope. A focus on the United Nations should not obscure the significant consequences of other important global institutions, such as the World Trade Organisation, World Bank and International Monetary Fund, which operate largely outside the scope of the UN system.

Canada should pursue efforts, domestically and internationally, to reconcile the competing and sometimes contradictory policies of the Bretton Woods institutions with the UN family of organizations and treaties.

AN APPEAL TO PARLIAMENTARIANS

While the majority of recommendations we make are directed at the Government of Canada and are pursuant to the IPS, we would like to conclude with a request for action by you, the members of this Standing Committee of the House of Commons.

We have been encouraged to learn that, in the last two years, over 70 individual parliamentarians have endorsed an “Appeal for the establishment of a Parliamentary Assembly at the United Nations.” [A copy of the international appeal is appended to this submission.]

In addition to these individual endorsements, the Appeal has been approved by the European Parliament, a majority of the Swiss National Council, recommended in a recent report by the Socialist International and included in a May 2005 resolution of the Liberal International.

I should also remind you that in 1993 the Standing Committee (then chaired by Hon. John Bosley) supported a similar appeal.

We believe that the voice of citizens, as expressed by parliamentarians, can and should be strengthened to help secure acceptance and enhance the legitimacy of the vital work of the United Nations.

We believe that a consultative parliamentary assembly, following the model of the parliamentary assembly for the OSCE, would be an important step in reducing the global “democratic deficit” we referred to earlier.

We recommend that the SCFAIT provide concrete support for the development of a parliamentary assembly at the UN. We further request that members of the Committee endorse the “Appeal for the establishment of a Parliamentary Assembly at the United Nations.”