

## **Institutional Relations between the United Nations and the European Union: Evaluation and Perspectives**

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When I arrived at the UN in September 1990, having just completed five years as British Permanent Representative to what was then known as the European Communities, I might have been travelling to another planet, not just a few hours across the Atlantic. The two organisations knew little about each other, had virtually no experience of working together, and tended to regard each other with suspicion and a hint of rivalry, competing as they did for the attention and support of the same governments. Nothing better epitomised the gap between the two organisations than the fact that I was one of only two or three diplomats who had ever been ambassador to both organisations successively; our Foreign Ministries handled the two in what would now be called “stove-pipes”, with no overlap or synergy taking place.

In those last five years I had spent in Brussels we had been almost exclusively focussed on Europe’s internal development, the negotiation of the Single European Act in 1985; laying the foundations of the Single Market thereafter; sorting out Europe’s budgetary arrangements and spending policies; and looking ahead to the project of Economic and Monetary Union. Our external horizons went little beyond the absorption of two new member states, Spain and Portugal, and the negotiation of the European Economic Area with the EFTA countries. The UN and its work, then still mired in Cold War deadlocks, seemed of little relevance present or future. And the UN I reached in 1990 was going through an existential crisis caused by the first post-Cold War act of aggression, Iraq’s invasion and seizure of Kuwait, which left it no time or energy to deal with anything else and in which Europe, as an entity, had no role to play. It is good to remember how far we have come since those days, and that in a relatively short space of time, when we seek to evaluate progress and to look ahead.

What was it that triggered the change and pushed the two organisations closer together, almost into each other’s arms? Well, first and foremost the end of the Cold War, which lifted many of the taboos which had hitherto prevented the UN from fulfilling the objectives laid down for it in the Charter and which propelled it much closer to the centre of the international diplomatic stage than it had ever been before. And, since the Cold War era was succeeded, not, as some had hoped and predicted, by a new world order, but rather by a new world disorder, some of whose first manifestations occurred in Europe’s backyard, in the Balkans, the two organisations found themselves trying to cope with the same problems. At the same time the European Union was beginning to move from largely rhetorical cooperation over foreign policy issues towards elements of a genuine Common Foreign and Security Policy. So, gradually, through the 1990’s, the two organisations built up by trial and error a practice of working together, most intensively in the Balkans, but also more widely and over a greater range of subjects, with the increasing prominence of climate change from the 1992 Earth Summit at Rio de Janeiro onwards, a notable example.

And then, from the turn of the millennium, the arrival in power of a new US administration, unilateralist in instinct and regarding the UN as at best an optional extra and Europe as hopelessly divided between “old” and “new”, accelerated the process of cooperation between the UN and the EU and the realisation that, far from being rivals, they were in

fact indispensable partners, pursuing agendas which had much in common by methods which were mutually compatible. That was the real meaning of the adoption of "effective multilateralism" as one of the three pillars of the European Security Strategy agreed in December 2003. How could you possibly hope to achieve effective multilateralism if you did not have world bodies, foremost among them the UN, in good working order and being adapted to face up to the many new challenges facing the international community, from state failure to climate change, from destabilising poverty and disease to nuclear proliferation and terrorism? Thus it was the European Union which gave the strongest support to Kofi Annan's only very partially successful UN reform campaign from 2003-5 in the face of US indifference and much developing country suspicion; and it is to the European Union that is owed much of the credit for the decisions which did emerge from the September 2005 Summit, the establishment of a Peace-Building Commission, the creation of the Human Rights Council to replace the discredited Human Rights Commission, the increased resources committed to achieving the Millennium Development Goals and the definition of the international community's "responsibility to protect" those whose own governments were unable or unwilling to protect them.

Now, a few years later, the world seems to have definitively emerged from that brief, unhappy unipolar experience, so rapidly marred and destroyed by the Bush administration's unilateralism. A new US President is promising and beginning to practice a return to cooperation and support for multilateral institutions. But all this is taking place against the backdrop of a global financial crisis and economic recession, with protectionist pressures mounting and siren voices saying that we cannot afford to tackle climate change or to move towards freer and fairer trade or to put more resources into achieving the Millennium Development Goals until we have first sorted out the mess we are in. So, while there clearly is an opportunity to work more effectively for global solutions to meet the global challenges we all face and to move towards rules-based systems to implement these solutions, it is by no means certain that that is the direction in which we will go. Whether we do so or not will be considerably influenced by whether the Europeans and Americans can work together again; by whether they can reach out more successfully than in the recent past to the developing countries and bring the most prominent amongst them into the heart of the institutions for global governance; and by whether we can all, collectively, reform and empower these institutions, the UN and its agencies prominent among them, to manage the challenges of global insecurity. At the heart of all this will be the European Union's relationship with the United Nations and the role it chooses to play there in the period ahead.

Turning now to future perspectives, what policies then should we be looking to the European Union to be promoting at the United Nations? I would suggest five areas on which to concentrate, although there are no doubt others – peacekeeping, the responsibility to protect, climate change, the Human Rights Council and Security Council enlargement.

First peacekeeping, which remains at the heart of the UN's raison d'être. With more than 100,000 UN peacekeepers deployed world-wide the UN's indispensability in this function can hardly be in doubt, but it is obviously being stretched, some would say overstretched. And one of the main reasons for the overstretch is that we Europeans are providing so few peacekeepers. There are reasons for that, commitments in Afghanistan amongst them; but it is not healthy either politically or functionally for such a high proportion of peacekeepers to be drawn from developing countries. Nor has the European Union begun to make use of the potential support which its system of battle

groups for rapid deployment could give to UN peace operations during the start-up phase or when an operation is challenged by spoilers. Indeed when the UN turned to the EU for such support in the Democratic Republic of Congo last autumn, its pleas fell on deaf ears – and I am only too well aware that the British government was among the deafest. In contrast to that, one can reasonably point to the successful deployment of an EU naval force to counter the surge in piracy off the Horn of Africa. So, when the will is there the means can be found. Just as important as deploying more peacekeepers from European countries will be the help the EU can give to other regional organisations such as the African Union in the form of training, logistics and specialised military skills. There too a beginning has been made, but a much more systematic, less hand-to-mouth approach is needed for the future.

Then, secondly, there is the responsibility to protect, that fine objective which has so far remained little more than empty words since it was first accepted in 2005. Each time an attempt is made to involve this principle, in Myanmar, perhaps not very appropriately, in Zimbabwe, in Darfur or in the DRC, some good and some not so good reasons are found not to apply it in practice. Often the regional neighbours of the country in question are resistant. The developing countries in general are deeply suspicious of a concept which they fear is merely a recipe for military humanitarian intervention. The European Union needs, I believe, to take the lead in trying to de-mystify R2P, in developing a much more flexible set of non-military policies for helping countries which may be sliding towards state failure. One of the originators of the concept, Gareth Evans, has recently published a well-researched book full of ideas which could with benefit to all be developed further, and the Secretary-General has just sent forward a report covering much the same ground. What Europe cannot afford to do is to admit defeat and just sit and wait for the next Rwanda or Srebrenica to overwhelm us and find the international community incapable of doing anything except wring its hands.

Of course the biggest challenge for both the EU and the UN in 2009 is going to be climate change, with the Copenhagen conference in December already set as the occasion on which post-Kyoto commitments to cut carbon emissions need to be agreed. The European Union's record so far has been a creditable one. We were foremost in negotiating Kyoto and implementing it. We have now firmed up our internal rules for the post-Kyoto period, albeit with great difficulty and with some undesirable dilution. But the greatest challenges remain ahead, working out burden-sharing with the other developed countries – the US, Japan, Russia, Australia, Canada and others – and, even more tricky and sensitive, working out burden-sharing between developed and developing countries. Increasing research expenditure and finding ways of transferring technology from developed to developing countries will also be essential, as will be putting flesh on the bare bones of all the talk there has been about developing “green” industries. For example does anyone seriously believe that Europe is yet doing enough, urgently enough, to research carbon capture and storage which, if successfully demonstrated, could enable the massive coal deposits in China, India and Eastern Europe to be developed without driving a coach and horses through emission controls. And where Europe will certainly need to take the lead is in devising a robust and effective institutional structure which will enable the UN to monitor and ensure compliance with any commitments entered into at Copenhagen. The UN's current environmental programme is clearly inadequate to perform that task. We will surely need a fully-fledged UN agency with considerable powers. And why not bring energy policies which are more and more closely related to environmental policy decisions also within the scope of any new agency rather than being almost completely neglected at the UN as they are now.

And then, fourthly, the Human Rights Council, a major achievement of the 2005 UN reform package but one which has so far disappointed rather than fulfilled expectations. The absence of the United States from its Councils, the determined politicisation of human rights issues, almost to the exclusion of a proper legal and humanitarian approach, have contributed to this initial disappointment. A recent publication by the European Council on Foreign Relations has suggested that the Europeans have lost much influence in the human rights debate and, although I found the case overstated, it should clearly act as a wake-up call to remind us that all is not well in this critical area. The new US administration is now setting about binding up some of the wounds it inflicted on its own human rights credentials, by deciding to close Guantanamo, by ending extraordinary rendition, by banning the use of practices which constituted torture in the eyes of most people. It is to be hoped that they will soon take a place in the Council and that the Europeans will no longer be tarred with the brush of association with these practices. But we do also need to reach out through our networks of bilateral relationships worldwide and to give to human rights a greater prominence in the development of these relationships; and we need to work far more effectively with not only our own NGO's but the NGO's in developing countries which are often struggling to make their voices heard and to find resources for their activities. Again this is an area where neither the UN nor we can afford to admit defeat. And we do need to begin preparing the ground carefully for the review of the Human Rights Council's terms of reference and modus operandi in a year or two's time.

Finally, last but not least, Security Council enlargement, that Great White Whale of international diplomacy which has so far eluded capture. The UN General Assembly is resuming the hunt. What are the prospects of success? And what are the chances of the European Union avoiding the splits and tensions that have so far bedevilled its handling of this issue, with Germany (supported by France and the UK and others) pushing for a permanent seat and Italy (supported by Spain and others) resisting that? Well, if the negotiation just takes up where the failed one in 2005 left off, I would see little chance of success, and not just because the Europeans are divided. Is China yet ready to accept Japan as a permanent member? Are India and Brazil uncontested in their regions? Are the Africans able to choose among their number? I suspect no is the answer to all these questions. Nor do I believe that the idea of an EU seat is yet a serious proposition. We are, after all, struggling to put together a Common Foreign and Security Policy, not a Single one, as we have in the Economic and Monetary Union. So if this attempt to enlarge the Council is not to go the way of its predecessors, then I would suggest that the best hope may lie in taking up the second of the two formulas put forward by the High Level Panel on which I served, the idea of creating a new category of longer term, renewable, but not permanent seats. This avoids too the tricky issue of the veto; and it is much less difficult for the Africans to handle. Could it also, perhaps, avoid dividing the Europeans?

I have tried your patience for quite long enough. Long enough I hope to show you how varied and important is the EU's agenda at the UN, spanning as it does both policy issues and institutional ones, answering the questions of what we should be aiming to do and how we should be aiming to do it. At present we have a UN which is at the same time indispensable but ineffective. I believe Europe's interest is to make it more effective.