

# [Gabon the institutions entrusted with implementing those principles.](https://assignbuster.com/gabon-the-institutions-entrusted-with-implementing-those-principles/)

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Gabon welcomes and supports the initiative forsignificant reform within the United Nations system.

There is no contradictionbetween holding a deep commitment to the UN’s founding principles, and being aforceful advocate for change in the institutions entrusted with implementingthose principles. Indeed, a commitment to those founding principles is itself amajor argument for reform, especially in relation to those procedures andinstitutions that have regrettably shown themselves not adequate to theirtasks. Any approach to UN reform must recognize theintegrated nature of the UN system as a whole. At the same time, no singleissue can take precedence or hold reform on other tracks hostage. SecurityCouncil reform, in particular, has attracted considerable attention and isclearly overdue. However a single issue, however important, cannot be allowedto over shadow other areas in which immediate and concrete change is urgentlyrequired.  Gabon is a country which believes deeply in thefounding principles of the United Nations.

But it is also a country that hasbeen disadvantaged by some of the UN’s shortcomings. The discriminatoryattitude to developing countries in many parts of the UN system is an anomalyneeding urgent attention in its own right, but also a symptom of wider failingsin the system. Only if the UN is able to address fairly the disadvantagedminorities within its own walls, does it stand any chance of advancing theneeds of such groups in the world at large. A significant test of theeffectiveness of any process of reform, therefore, must be the extent to whichthe United Nations genuinely becomes an organization of all its members.

For these reasons Gabon has a sincere and profoundinterest in the success of the reform initiative, and is keen to work togetherwith member states to achieve real results, both to restore and bolster thecredibility of institution and to bring real benefit to the citizens of memberstates. UNSCReformThe question of the reform of the UNSC is as old asthe UN itself. Member States have consistentlyvoiced concerns over permanent representation on the Council and the power ofthe veto, by which point global geopolitical realities had clearly shifted since1945. Discussion about reforming the UN Security Council began with the 1993 establishment of the Open-ended Working Group on the Question ofEquitable Representation on and Increase in the Membership of the SecurityCouncil and Other Matters related to the Security Council. After more than a decade of theWorking Group, Member States decided in September 2007 to move discussions toan Intergovernmental Negotiations (IGN) process. The delegation of Gabon echoesthe decision 62/557 of 2008, which laid out the parameters of the IGN, thefive key issues under consideration in these negotiations are: 1) categories ofmembership to the Council (i. e. permanent, non-permanent, or a third option), 2) the question of the veto, 3) regional representation, 4) size of an enlargedcouncil and working methods, and 5) the relationship between the Council andthe General Assembly.

Gabon sternly believes it isvital to ensure that multilateralism guaranteed collective security andinclusion.  Africa represents the largest geographic group at the UnitedNations and issues relating to the continent remain the bulk of the Council’sagenda.  Any future Security Council reform must ensure that Africa has apermanent seat. That is part and parcel of the aspirations for genuine democracyof global political and economic governance. Gabon’sand the African Common Position stand to enlarge the Security Council in boththe permanent and non-permanent categories, improve on its working methods andaccord the new permanent members the same prerogatives and privileges as thoseof the current permanent members, including the right to veto.

Gabon believesthat an equitable representation mandates the increase in the Security Council’smembership from fifteen to twenty-six with the eleven additional seats to bedistributed as follows where two permanent seats and two (additional) non-permanentseats are for African States, two permanent seats and one non-permanent seat isfor Asian States, one non-permanent seat is Eastern European States, onepermanent seat and one non-permanent seat is for Latin American and CaribbeanStates, and one permanent seat is for Western European and other States. We wouldlike the special committee to evaluate the ways the veto is being used toobstruct action against threats to international peace and security, and theinstruments available, such as Uniting for Peace with extended authorization, to circumvent this blockade created in the council by political motivations. The lack of representation at the Council is acancer that eats away at every institution within the UN system. Power isshifting, but not in the Security Council, where the victors of a war fought 70years ago determine every important decision. We cannot let this effortat reform has fall foul of power politics.

UNPeacekeepingThe volatile and challengingatmosphere surrounding peace operations on the continent creates the need forgreater cooperation between the United Nations and regional mechanisms. Deployment of the 15 existing peacekeeping missions in the internationallycommunity mandated under chapters VI-VIII of the United Nations Charter hasfallen short on metrics of effectiveness and human rights protection. Theeffectiveness has been compromised by the lack of finance mechanisms, targetedmandates, co-ordination between parallel actors and the ill-training of theblue helmets. These soldiers have also been found perpetrating heinousacts of human rights violations, primarily, sexual abuses. These have becomesystemic due a lack of monitoring mechanisms for UN peacekeeping operations. Gabon, with its capacity, has beenan avid contributor to peacekeeping operations such as MINUSCA mandatedto protect civilians and support transition processes in the Central AfricanRepublic.

The Security Council authorized on 10 April 2014 deployedthis– with the protection of civilians as its utmost priority. Its other initial tasksincluded support for the transition process; facilitating humanitarianassistance; promotion and protection of human rights; support for justice andthe rule of law; and disarmament, demobilization, reintegration andrepatriation (DDR) processes. The Central African RepublicPeacekeeping regime is evident is necessary to maintain sustained interactionbetween the UN and the Regional Organizations in order to build particularlythe operational capacities of the organizations. To this end, the UN, thedeveloped countries and the other regional groupings, should continue to givelogistic and financial support to the speeding up of the establishment of anAfrican Standby Force. The focus on peacekeeping must also stress the elementof multidimensional missions involving conflict prevention, peacebuilding, andpost-conflict peacebuilding to prevent relapse of conflict. There is need topromote closer cooperation and coordination between the General Assembly, theSecurity Council, ECOSOC, the major Funds and Programmes, the UN SpecialisedAgencies, the Member States and the Regional Organisations throughout the cycleof the conflict. Gabon suggests the use of de-confliction arrangements toensure co-ordination of parallel actors in a region. This would guarantee aharmonious transition from conflict management to long-term reconstructionuntil the danger of instability or the threat of resumption of the conflict hasdiminished.

It is important to lay down clear rules for thedeployment of UN peacekeeping operations to avoid arbitrary use of the right ofveto that may delay or obstruct such deployment when the need for deployingpeacekeeping forces arises. Jus Cogens, peremptory norms that protect the veilof international peace and security, must always be the test for the legalityand effectiveness of such missions.  TheUnited Nations and Human RightsThe protection of civilians against human rightsviolations is one of the five fundamental pillars of the protection ofcivilians in armed conflict, whereby we strive to improve the situation on theground and to enforce international law. The multidimensional task ofprotecting civilians encompasses all of the Security Council’s areas ofjurisdiction. Gabon is party to the various treaties and conventions on human rightslaw and humanitarian law and we believe that responsibility for the protectionof civilians, both in peacetime and in armed conflict, falls primarily toStates themselves.

Gabon, once the most stable and barely discussednations in Africa, is now front and center in all global news outlets andteetering on the edge of civil war. While we commend the readiness of the AU, with the support of the countries ofthe region and partners concerned, to assist the parties in Gabon in theirsearch for a rapid settlement to the post-electionsituation that prevails in their country, for far too long havecountries interfered in internal jurisdictions as if its backyard. In times of armed conflict, all parties, includingnon-State armed groups, have the obligation to protect civilian populations. Inour view, every indiscriminate attack against civilians in the a conflictconstitutes a violation of human rights and international humanitarian law.

When all parties to an armed conflict neglect to protect civilians, then itfalls to the Security Council and the international community to fill the gapin a systematic way through relevant dialogue and consultations. Since the General Assembly and the Security Councilare often far from the scenes of conflicts and may not be in a position toundertake effectively a proper appreciation of the nature and development ofconflict situations, it is imperative that Regional Organisations, in areas ofproximity to conflicts, are empowered to take actions in this regard. TheAfrican Union agrees with the Panel that the intervention of RegionalOrganisations should be with the approval of the Security Council; although suchapproval could be granted  incircumstances requiring urgent action.

In such cases, the UN should assumeresponsibility for financing such operations.   We can beproud of the important normative framework that the Council and theinternational community have developed over the past decade around theresponsibility of States in protecting civilians, especially throughresolutions 1674 (2006), 1888 (2009), 1894 (2009), 1906 (2009), 1970 (2011) and1973 (2011). However it must be said that, despite those efforts on the part ofthe Security Council and the international community, civilian populationscontinue to suffer attacks in armed conflict. Given that reality, what is atstake for the Council is to use all means to make our normative framework moreeffective at preventing violence and to bring to justice those who violatehuman rights.

In thatcontext, we must also give equal focus both to essential political action onthe underlying causes of conflict and to promoting and enforcing the rule oflaw. We must just as diligently pursue efforts to put an end to impunity forthose guilty of war crimes, crimes against humanity and the crime of genocideagainst civilian populations. Doing everything possible to ensure that theperpetrators of such crimes are arrested and tried has more than a deterrent function. It is also a matter of enacting justice for the victims. Theinternational community has at its disposal various mechanisms by which toconduct independent, reliable fact-finding investigations. The Council’sexperience in Darfur, Guinea and Côte d’Ivoire has been a rich learningexperience and suggests new means to fight impunity. In that context, Statesstand to gain from taking greater advantage of the expertise of theInternational Humanitarian Fact-Finding Commission. We must also note the importantwork of international criminal tribunals, mixed tribunals and traditionaljustice mechanisms, the admirable work of the Human Rights Council and theOffice ofthe High Commissioner for Human Rights in facilitating fact- findingin various crises, the significant contributions of peacekeeping missions ingathering information on grave violations, especially those against women andchildrenThe delegation of Gabon stands with the metric ofconsent and impartiality when it comes to military interventions; consentupheld by recognizing the legitimate collective agency of a local government andimpartiality upheld by only allowing UNSC sanctioned intervention under chapterVI, VII and VIII of the UN Charter.

Moreover, human rights violations in suchactions against acts of aggression against international peace and security arenow growing prevalent. A compromise on jus Cogens such the non-degradable rightto life and right to health such as that in Libya or Iraq render suchinterventions questionable. Gabon calls for monitoring mechanisms like the use ofreports by neutral external bodies such as the amnesty international toevaluate the spillovers of such interventions on human rights. UNFinancingThe United Nations and all itsagencies and funds spend about $30 billion each year, or about $4 for each ofthe world’s inhabitants. Yet for nearly two decades, the UN has faced financialdifficulties and it has been forced to cut back on important programs in allareas, even as new mandates have arisen. Many member states have not paid theirfull dues and have cut their donations to the UN’s voluntary funds. As ofDecember 31, 2010, members’ arrears to the Regular Budget topped $348 million, of which the US owed 80%.

Many proposals for UN reform callfor better budgeting, better financial oversight and more efficient use offunds.  The Fifth Committee of the General Assembly wrestles with thedifferent priorities of member states and clashes over the level of dues thatmembers must pay.  Some reformers suggest that the UN should seek Alternative Financing (not justdues and voluntary contributions) to fund its programs. A global tax oncurrency or financial transactions, a carbon tax or taxes on the arms-trademight provide such revenue.

But states are jealous of their taxing powers andnot keen to transfer such authority to the UN. Dues from member states have supported the United Nations since itsfounding. But increasingly in recent years, states have failed to pay. At thesame time, states have been contributing less to UN voluntary agencies andmultilateral aid programs. All across the board, the funding system based onnation states has been unraveling, due in part to declining national financesunder neoliberal reforms. Since 1994, discussions on this subject have drawnincreasing interest and support, although the obstinacy of the US has blockedall discussion in inter-governmental fora.

Alternativefinancing schemes such as global taxes to improve the UN financial situation andtheir dual role as policy instruments and as revenue sources for internationalprograms and institutions must be evaluated by the committee to look forconsensus amongst countries with significant spending that could be a subjectof such taxation. Gabonbelieves in the use of country-based pooled funds (CBPFs) managed by OCHA (Officefor the Coordination of Humanitarian Affairs) whereby donors pool theircontributions into single, unearmarked funds to support local humanitarianefforts. Established when a new emergency occurs or when an existing crisisdeteriorates, these funds support the highest-priority projects of the best-placedresponders (including international and national NGOs and UN agencies) throughan inclusive and transparent process that supports priorities set out inHumanitarian Response Plans (HRPs). CrisisManagement involves back-up fund to draw on. We suggest the instrumentality of TheCentral Emergency Response Fund (CERF), UN’s global emergency response fund todeliver funding quickly to humanitarian responders and bring greater balance toemergency assistance Since 2006, donors to CERF have provided over US$5 billionworth of life-saving assistance to 100 countries and territories