



GA President Disappointed with Attempt to Improve the General Assembly's Role and Authority

by Lydia Swart
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Upon taking office, the current President of the General Assembly (GA), Father Miguel d'Escoto Brockmann of Nicaragua, made GA revitalization and democratization of the United Nations top priorities of his presidency. His recent attempt, however, to make the Assembly more relevant by addressing the crisis in Gaza - in his own assessment - failed.

On 20 November 2008, when addressing the revitalization of the work of the GA – an item on the UN's reform agenda for more than 18 years – the GA President said: “I believe we need to take radical steps to regain the authority of the GA so that it can perform its duties as the most democratic organ of the United Nations.”

In a recent move to take such a "radical step," President d'Escoto called for the convening of an emergency special session of the GA on the crisis in Gaza. This coincides with the belief of many Member States in the GA that peace and security issues not be dealt with exclusively by the Security Council. In fact, the UN Charter, in Articles 10 through 12 and 35, does not preclude a role for the GA on peace and security as long as the issue is not under consideration by the Security Council. And as early as 1950, the GA resolution 'Uniting for Peace' was adopted stating that when the Security Council – because of the veto power of each of its five permanent members – cannot come to agreement, the General Assembly can take up the matter.

The two-day session on Gaza was held in the General Assembly on 15 and 16 January 2009. Israel objected to the meeting because the Security Council was actively considering the matter. However, the session called for by the GA President – apparently at the request of Indonesia and Syria - could be seen as a resumption of a previous emergency special session on Israeli actions in occupied territories, and Israel did not appeal this contention.

President D'Escoto explained at the opening of the special session that though the Security Council had passed resolution 1860 calling for a cease-fire a week earlier, the resolution had not actually resulted in a cease-fire or the immediate opening of border crossings to ensure free access to humanitarian aid because both Israel and Hamas did not respect the resolution. The GA President presented a draft resolution which he had to withdraw after Israel indicated it was reflecting a vote on it. In principle, a President's text should be adopted by consensus.

Egypt, however, together with the European Union and the Permanent Observer of Palestine at the UN, submitted an alternative text. Ecuador tried to save the draft resolution of the GA President – with Iran as co-sponsor. According to the rules of procedure, Ecuador's draft resolution would have to be dealt with first as it had been submitted before Egypt's. Egypt therefore proposed to have a vote on which resolution should receive priority and this vote favored to deal with the second draft resolution first ¹.

The Egyptian resolution was then adopted ². It demands full respect for Security Council Resolution 1860 but differs from the original text of the GA President in that it recognizes both Palestinian and Israeli civilian loss. The adopted resolution – a major concession from the EU – does not specifically mention the role of Hamas.

Since 1945, the disparity of power between the General Assembly and the Security Council has been a growing point of contention at the United Nations, especially for countries from the South over the last several decades as their numbers and voting strength grew. Some believe that expansion of the Security Council might relieve some of that friction. But even if negotiations on Security Council reform results in an expansion of its membership, potentially making it somewhat more representative and legitimate, it will continue to be a body where an exclusive group of veto-wielding countries have the biggest say on critical issues.

The GA President had indicated at the opening of the 63rd General Assembly session that he planned to hold a thematic debate on the democratization of the UN. It seems, however, that apart from the Non-Aligned Movement, there is no great appetite in the Assembly as a whole to continue discussions on democratization and GA revitalization issues. But there may be other ways to enhance the respect and subsequently the power of the GA. The former GA President, Srgjan Kerim, more than once suggested that the General Assembly should increase its importance by aiming to achieve more concrete results on the most critical issues of the day, many of which fall outside the domain of the Security Council.

The GA President is expected to appoint two Co-Chairs to continue the GA revitalization consultations. Previous Chairs in this process have openly expressed their frustration about the revitalization process which has seen rather repetitive discussions and resolutions over the last 18 years. For many countries, the revitalization debate should primarily produce practical improvements in the work of the GA, while for others, the main value of the debate is to ensure that the GA is the pre-eminent deliberative body in the UN system. President d'Escoto clearly belongs in the latter group.

In his own assessment, President d'Escoto's attempt to pass a strong and independent message from the General Assembly on a critical issue, which he believed would enhance the GA's role and authority, failed. At the closing of the special session, he said "that he would be less than frank if he did not say he was very disappointed. The Assembly was in far worse shape than he had thought. We will never make it if we don't act in a more decisive and affirmative manner."³

Arguably, however, President D'Escoto's bold move to have a GA resolution on such a contentious issue was a success because it resulted in a resolution that a large majority in the GA could live with. But, as the President of the GA, one needs to be regarded as a neutral facilitator by all Member States. That a large number of Member States now see him as too much pushing his own agenda, aligning himself with some of the more extreme positions, may have been his biggest failure in this attempt to strengthen the GA.⁴

1. The vote on which resolution to be considered first saw a clear majority for Egypt's draft with 112 in favor, 10 against, and 20 abstentions. Indonesia, Malaysia, Cuba, Brunei Darussalam, Nicaragua, Syria, Venezuela, Iran, Bolivia, and Ecuador were against. Among those abstaining, Australia and Canada made it clear that the rocket attacks by Hamas should be condemned also.
2. Vote on "General Assembly Resolution Supporting the Immediate Ceasefire according to Security Council Resolution 1860(2009)" A/ES-10/L.21.Rev.1: 142 in favor, 4 against (Israel, Nauru, United States, Venezuela), 8 abstentions (Australia, Canada, Cote d'Ivoire, Ecuador, Indonesia, Iran, Nigeria, Syria).
3. See DPI report at <http://www.un.org/News/Press/docs/2009/ga10809.doc.htm>
4. For more information on the revitalization debate, see chapter II in Managing Change at the United Nations by this author on www.centerforunreform.org



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