

REFORM OF THE UN ECONOMIC AND SOCIAL COUNCIL
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(Panel, 7 May 2004)

I would like to thank the organizers for inviting me as a panelist, and I would also like to acknowledge the usefulness of the Secretariat's background note.

That note, which contains an overview of proposals on ECOSOC reform, amply demonstrates that the idea has been around for a long time. Many proposals have been made, and some have even been acted upon. But, by and large, there seems to be a feeling out there that the inter-governmental organs of the Organization, including ECOSOC, are in need of an overhaul.

Before addressing the many issues of reform, I would like to make two general observations.

The first is to recall the dictum that form follows functions. In other words, when discussing reform, we should always have at the back of our minds the core functions of ECOSOC, as enunciated in the Charter and subsequent legislation of the General Assembly (particularly, 50/227 and last year's 57/270B).¹ I mention this, because many of the proposals contained in the background note pursue a Council of considerably more influence and even authority than the Charter foresees; an influence and authority, I might add, that the Council never enjoyed, even in its "golden years."

The second observation: it is rather abstract to discuss strengthening and/or reforming ECOSOC without looking at the UN's system of governance in its entirety. In other words, the role of the General Assembly, the Security Council, ECOSOC, the Trusteeship Council and the Secretariat has to be looked at as a package. Presumably, we will be in a better position to address this matter once we receive the Report of the High-Level Panel on Threats, Challenges and Change.

Turning now to the substance of the matter, I have divided my remarks in two categories: improving the working methods of ECOSOC, and more profound reforms which presumably require changes in legislation or even amendments in the Charter.

As to the working methods of ECOSOC, I would like to recall my Memorandum of September 10, 2003, addressed to all members of the Council, and entitled "Proposal to strengthen the role of ECOSOC." My main point was that by the simple expedient of

¹ These include the following: a) It is the UN's prime policy forum, to debate emerging issues and to offer substantive policy guidance to member states and the system as a whole; b) It promotes coherence, coordination and cooperation within the UN system and even within the Secretariat; c) It is the main inter-governmental "portal of entry" to interact with the B-W institutions and the World Trade Organization, on the one hand, and the NGO community and the business sector, on the other; d) It assumes an advocacy role for development and international cooperation, and can even participate in it through the operational activities of the system; e) It is the main forum to bring humanitarian assistance into the mainstream of our development agenda; f) It offers oversight and management direction to our very diverse and geographically wide-spread subsidiary bodies.

re-scheduling our meetings and dedicating some more time and attention to their preparation, we could have a much bigger impact than we now seem to have. It appears that the main justification for crowding the bulk of the substantive session into a four-week “*tour de force*” in July is the availability of that particular four-week time period in the UN’s crowded calendar of events.

It would make a lot more sense to separate some of the segments of the meeting with an eye to tailoring each segment to criteria other than the availability of conference facilities. Thus, we might wish to separate the high-level segment from the rest as a function of availability of high-level representatives from capitals; the oversight and management part to the accessibility to the reports of all functional bodies; the consultation with the regional commissions to the availability of the Executive-Secretaries, and so forth. My main argument is that the same amount of working days, somewhat dosified over time rather than concentrated in a single lengthy gathering, would probably lead to a higher quantitative and qualitative yield in terms of outputs.

The other issues I raised in the cited Memorandum are the matter of the biennial change of venue (does it contribute to efficiency?) and the under-appreciated importance of selecting the appropriate themes each year for next year’s meetings of the different segments. These themes should respond to the criteria of relevance, and not, as often happens, reflect compromises that leave no one happy.

Much more can be said about working methods, but I would like to dedicate the remaining few minutes to the main issues related to reform. The two topics that come up the most are the size and composition of ECOSOC, and its functions.

As to size and composition, some delegations and even experts have proposed making ECOSOC membership universal, and doing away with the second and third committees; others have argued that 54 members is too much, and that thought should be given to either substituting ECOSOC or complementing it with a much smaller Economic Security Council. What is at issue here is the trade-off between agility in the debates and decision-making process that small groupings offer against the strong culture of universality that permeates the United Nations. The formula of somewhat less than a third of the total membership of the UN belonging to ECOSOC is an effort at seeking a balance. It still is too many members for agile decisions, but it certainly offers a more favorable setting for interactive debates than the membership as a whole does.²

Even if a much more ambitious initiative is launched to create a more influential and stronger Economic Security Council, its membership could hardly be limited to the United Nations and the Ministries of Foreign Affairs. But if some kind of joint forum is eventually created – say, with representatives of the United Nations and the Bretton-Woods Institutions – it is probable that it would not substitute ECOSOC; rather, the two forums would presumably complement each other. This, as stated earlier, has to be looked at in the over-all context of the system of governance of global organizations.

² Of course, the formula of the UNDP, UNFPA and UNICEF executive boards of 36 members -- a fifth of the membership -- would be even more agile.

The size and composition of the Council is related with its functions. Some would like to assign a stronger coordinating role to the Council in offering policy guidance not only to the different parts of the Secretariat and the programmes and agencies, but also to the Bretton-Woods Institutions. In fact, some of the proposals mentioned in the Secretariat Report suggest making ECOSOC decisions binding on Governments and multilateral institutions, no doubt taking their cue from Chapter VII of the Charter, as it relates to matters of peace and security entrusted to the Security Council. These ideas appear to be not only unrealistic, but also go way beyond the present mandates that the Charter bestows on the Council.

On the other hand, the best option to make ECOSOC more relevant in the decision-making process going on in other multilateral organizations is to foster a close partnership between the United Nations, the Bretton-Woods Institutions and the World Trade Organization, based on the comparative advantages that each seems to offer. Since the International Conference on Financing for Development was held in Monterrey, we have moved in the right direction in this regard, but much, much more can be done. Due to time constraints, I cannot elaborate on this point here, although I would be happy to do so on another occasion. I happen to think that this subject is of critical importance in any reform proposal.

I will briefly mention two more issues related to reform. The first falls in the category of developing a better working relationship with the other organs, and especially the Security Council. Again, we have moved in this direction, especially in the area of post-conflict peace building and development. Our ad hoc groups on Guinea-Bissau and Burundi have offered new lessons in this regard. But, again, we have a long ways to go. Relations with the General Assembly raise the secular difficulty of who does what between ECOSOC and the second and third committees; another topic that I will not dwell on here due to lack of time.

The second issue relates to the authority vested in the Council to elect the members of its subsidiary bodies. A compelling case could be made to transfer the elections of membership in these bodies to the General Assembly, particularly to enhance the latter's role. It is especially difficult to understand why ECOSOC would be electing the members of some of the subsidiary bodies of the General Assembly in the economic, social and related fields, such as the Executive Boards of UNDP/UNFPA and UNICEF.

To conclude, there is a wide spectrum of actions that can be taken to make the ECOSOC more relevant and effective, starting, on one end of the scale, with relatively simple steps to improve working methods, and ending, on the other end, with major structural reforms that would require new legislation and institutional arrangements. Many of the items on this spectrum are not mutually exclusive, and can even entail synergies. Hopefully, we will move along this path in the months to come.

Thank you.