

# Transnational Security Challenges and the United Nations: Overcoming Sovereign Walls and Institutional Silos

James Cockayne and Christoph Mikulaschek

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## About the Authors

**James Cockayne** is an Associate at the International Peace Academy (IPA), co-managing the Coping with Crisis research program, and he is currently chair of the Editorial Committee of the Journal of International Criminal Justice. Before joining IPA, James served as Director of the Transnational Crime and Extradition Units in the Australian Attorney-General's Department.

**Christoph Mikulaschek** is a Program Officer at IPA conducting research on the implementation of international norms and the role of international institutions in conflict management. He is working on the Understanding Compliance with Security Council Resolutions project, which involves a qualitative and quantitative review of compliance with all Security Council Resolutions adopted after the Cold War in the context of civil wars.

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# CONTENTS

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Abbreviations	ii
<b>Executive Summary</b>	<b>1</b>
<b>Background</b>	<b>1</b>
<b>Transnational Security Challenges: What Implications for the UN System?</b>	<b>2</b>
Sovereign Walls	
Institutional Silos and Turf Wars	
<b>Responding to Transnational Security Challenges</b>	<b>5</b>
International Norm Development	
International Capacity Building	
<b>Dealing with Specific Transnational Security Challenges</b>	<b>9</b>
Transnational Organized Crime	
International Terrorism	
Weapons of Mass Destruction	
Small Arms/Light Weapons; Environmental Degradation and Change	
<b>Conclusion: Overcoming Obstacles to Effective Response to Transnational Security Challenges</b>	<b>12</b>
Annex: IPA 2007 West Point Seminar Agenda	14

## Abbreviations

ASEAN	Association of Southeast Asian Nations
AU	African Union
CTED	Counter-Terrorism Committee Executive Directorate
DDR	Demobilization, Disarmament, and Reintegration
DPKO	Department of Peacekeeping Operations
ECOSOC	Economic and Social Council
FARC	Revolutionary Armed Forces of Colombia
FATF	Financial Action Task Force
GTD2	Global Terrorism Database
IAEA	International Atomic Energy Agency
ICAO	International Civil Aviation Organization
ILC	International Law Commission
ILO	International Labour Organization
IMO	International Maritime Organization
INTERPOL	International Criminal Police Organization
OHCHR	Office of the High Commissioner for Human Rights
OIC	Organisation of the Islamic Conference
OLA	Office of Legal Affairs, United Nations Secretariat
PKK	Kurdistan Workers Party
SAARC	South Asian Association for Regional Cooperation
SALW	Small arms and light weapons
SSR	Security sector reform
START	National Consortium for the Study of Terrorism and Responses to Terrorism
UN	United Nations
UN-LiREC	United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Fund for Population Activities
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
WCO	World Customs Organization
WFP	World Food Programme
WHO	World Health Organization
WMD	Weapons of mass destruction
WMO	World Meteorological Organization

## **Executive Summary**

Transnational security threats challenge the state-centric premises on which the UN system operates. Such threats are characterized by an event or phenomenon of cross-border scope, the dynamics of which are significantly driven by non-state actors. The International Peace Academy's (IPA) 2007 West Point Seminar brought together participants from over forty Permanent Missions to the UN and four governmental and non-governmental organizations to discuss how the UN can address transnational security challenges more effectively. This report summarizes and reflects on the key points that emerged at the seminar.

Numerous speakers at the seminar suggested that the UN system has thus far struggled to adapt to the need to deal with transnational security challenges such as international terrorism, transnational organized crime, climate change and climate-related migration, as well as the proliferation of weapons of mass destruction (WMD) and small arms and light weapons (SALW). Two main reasons for the shortcomings were identified: sovereign walls and institutional silos.

First, since many transnational security challenges emerge out of social behaviors traditionally hidden behind state walls and beyond the control of the UN, states are often reluctant to address them in multilateral frameworks.

Second, the cross-cutting nature of transnational security threats defies the institutional silo structure within the UN system that has historically separated responses to security, development, human rights, humanitarian assistance, environmental management, and other issues.

Addressing transnational security challenges successfully requires a coordinated response at the global, regional, national and local levels. Multilateral tools for formulating and implementing such a response include international norm development and international capacity development. In both fields, the UN enjoys a comparative advantage due to its convening power, its ability to generate legitimacy through universal participation, and the technical expertise and capacity located in its secretariat, agencies, and field operations. At the same time, extra-UN multilateral processes of like-minded states or regional responses are frequently seen as more promising alternatives to UN processes, which are perceived as vulnerable to diverging threat perceptions across regions and deficits in trust among states.

The core problems for the UN in addressing transnational security challenges are ones of strategy, coordination, and management. What is needed to resolve them is not wholesale structural reform, or the addition of new institutions to deal with specific transnational threats, but rather improvements in strategic assessment, coordination, and the management of existing bodies. The following policy recommendations identified through discussions at the Seminar could lead to the gradual improvement of the UN's effectiveness in addressing transnational security challenges:

- reduce conflict between the Security Council and other organs by enhancing the legitimacy of the Security Council through reform of its working methods and membership;
- rationalize the mandate and governance arrangements of UN organs, and concomitantly improve the Secretary-General's capacity for system-wide strategic management;
- reallocate resources to areas with expertise in fighting threats of the future, rather than threats of the past, on the basis of forward-looking threat analyses drawn up through cooperation among various parts of the UN system and its membership;
- improve the strategic analysis capacities of UN organs such as the Secretary-General, the Security Council, the Office of the President of the General Assembly and the Department of Political Affairs; and
- better leverage the UN's convening power to assemble multi-stakeholder coalitions (including the private sector) to tackle specific transnational security challenges.

## **Background**

Are transnational security challenges more significant now than they were previously, and if so why and how? What are the implications for the way in which the United Nations (UN) maintains international peace and security?

These questions were the focus of the International Peace Academy's (IPA) 2007 West Point Seminar. From 7 to 10 May 2007, IPA brought

together participants from over forty Permanent Missions and four governmental and non-governmental organizations on the grounds of the US Military Academy at West Point to discuss the relationship between transnational security challenges and the UN.

The Seminar took place against the backdrop of IPA's program on *Coping with Crisis, Conflict and Change: The UN and Evolving Capacities for Managing Global Crises* ("Coping with Crisis"), a multi-year research and policy-facilitation program on emerging human and international security challenges and institutional response capacities. The program takes as its starting point the progress made—and opportunities missed—in the reform initiative that began with the UN Secretary-General's High-level Panel on Threats, Challenges, and Change, which was elaborated through the Secretary-General's own proposals for change in his report, *In Larger Freedom*, and culminated in the outcome of the 2005 World Summit. Transnational security challenges formed a central component of the analysis offered by the High-level Panel, but significant initiatives on these issues were largely absent from the Summit Outcome. The Seminar sought to pick up this agenda where the Summit left off.

In this report, two IPA staff-members summarize some of the key points that emerged at the Seminar, place them in the context of recent research on transnational security challenges, and provide further reflections on ideas for strengthening the UN's capacity to address transnational security challenges effectively.<sup>1</sup> First, the report briefly identifies the two main reasons why the UN has struggled so far to respond effectively to transnational security challenges. Second, it describes the different mechanisms available for developing norms and building capability to address transnational security challenges within and outside the UN system, and the tradeoffs in resorting to either of them. The third part of the report addresses the most salient transnational security challenges in turn, before offering some ideas for strengthening the UN's capacity to address such

challenges effectively.

## Transnational Security Challenges: What Implications for the UN System?

One common theme at the Seminar was that, while violence continues, it may also be changing. Despite popular perceptions, the incidence of civil wars has in fact declined in recent years, due apparently in part to the success of the international community in mediating peace agreements and to a dramatic increase in peacekeeping operations.<sup>2</sup> At the same time, numerous challenges remain in managing this violence, as well as in the increased violence targeted directly against civilians, both by their own governments and by non-state actors, some of who organize transnationally.<sup>3</sup> Conflicts fought without the involvement of governments—among militias, rival guerilla groups, clans, warlords, or communal groups—are now more numerous than state-based conflicts.<sup>4</sup> Such conflicts are often fueled by trans-border flows of small arms and light weapons (SALW) and by the revenues of transnational organized crime, both of which make the resort to violence less costly and, as a result, make non-violent forms of dispute management less attractive. Additionally, the root causes of armed conflicts may sometimes include transnational security challenges such as climate change.<sup>5</sup>

All transnational security challenges are threats to the security of nations "characterized by an event or phenomenon of cross-border scope, the dynamics of which are significantly (but not necessarily exclusively) driven by non-state actors (e.g., terrorists), activities (e.g., global economic behavior), or forces (e.g., microbial mutations, earthquakes)."<sup>6</sup> International terrorism, transnational organized crime, climate change and climate-related migration, as well as the proliferation of weapons of mass destruction (WMD) and SALW, are among the most salient transnational security challenges on a global scale. Each of these security challenges prominently involves

<sup>1</sup> The report draws on one participant's impressions of the meeting, and does not necessarily reflect any other participants' views. In accordance with the Chatham House rule under which the seminar was conducted, no identification is provided of the speakers who presented particular ideas.

<sup>2</sup> Andrew Mack, "Global Political Violence: Explaining the Post-Cold War Decline," *Coping with Crisis* Working Paper Series, New York, International Peace Academy, March 2007; Human Security Centre, *Human Security Report 2005: War and Peace in the 21st Century* (New York: Oxford University Press, 2005), pp. 153-155; Joseph Hewitt, "Trends in Global Conflict, 1946-2005," in *Peace and Conflict 2008*, edited by Joseph Hewitt, Jonathan Wilkenfeld and Ted Robert Gurr (Boulder, CO: Paradigm, 2007).

<sup>3</sup> Mack, "Global Political Violence."

<sup>4</sup> Human Security Centre, *Human Security Brief 2006*, University of British Columbia (2006), available at [www.humansecuritybrief.info](http://www.humansecuritybrief.info), p. 2.

<sup>5</sup> See, for instance, Stephan Faris, "The Real Roots of Darfur," *The Atlantic Monthly*, April 2007, pp. 67-69.

<sup>6</sup> David Fidler, Laurie Garrett, Peter Bergen and Dawn Hewett, *Report of the Working Group on State Security and Transnational Threats*, Princeton Project on U.S. National Security (2005), p. 3.

the conduct of non-state actors, thus challenging the state-centric premises on which the UN system operates. For an organization that is used to analyzing the world from the perspective of states, transnational security challenges pose a fundamental challenge requiring transnational data-gathering, analysis and modes of response.

At the Seminar, numerous speakers suggested that the UN system has thus far struggled to adapt to the need to deal with transnational security challenges. Two main reasons for the shortcomings were identified: sovereign walls and institutional silos.

### Sovereign Walls

Many states are understandably reluctant to permit an expanded role of the UN in controlling social affairs within their borders. Since many transnational security challenges emerge out of domestic and transnational social behaviors traditionally hidden behind state walls and beyond the control of the UN (ranging from speech acts in the case of incitement to terrorism to consumption behavior in the case of environmental change), this may represent a significant common barrier to UN involvement in efforts to ease these transnational threats.

One reason for states' insistence on sovereign walls is their justifiable concern to conserve their cultural and political autonomy in a globalizing world. States consequently tend to react rather differently to the prospect of multilateral responses to transnational security challenges, depending upon which cultural or political interests they feel may be touched by that response. Thus, while some states welcome multilateral involvement in the regulation of transfers of SALW, other states strongly resist multilateralism in this arena because they oppose any regulation that might infringe upon the freedom of civilian firearms possession. Similarly, some states view multilaterally-established norms and implementation mechanisms as key tools in an effective response to terrorism. Other states raise concerns about the intrusion of multilateral processes on sensitive domestic issues, such as the absence of political freedoms, religious extremism and unresolved local conflicts, which have been identified as root causes of terrorism.<sup>7</sup> Yet, where they recognize

that their essential interests are touched, states have proven themselves willing to cooperate with multilateral data-gathering and analysis mechanisms, such as the International Atomic Energy Agency's (IAEA) Illicit Trafficking Database, which facilitates the exchange of authoritative information on incidents of illicit trafficking and other unauthorized activities involving nuclear and radioactive materials. This can be contrasted with states' frequent reticence to share information with UN sanctions committees.

The UN's response to transnational security challenges is also affected by today's broader geopolitical context, in which a considerable amount of mistrust between the global North and the global South constitutes a barrier to cooperation. It has been noted that fear of hidden agendas and concern about the dominating role of the US in defining the international security policy agenda have led some states to adhere to a strict definition of sovereignty that hampers effective multilateral responses to transnational security challenges.<sup>8</sup> This impulse may grow when Northern powers pursue their security policy agenda through ad hoc partnerships, instead of bringing their concerns before multilateral forums. At the same time, the inertia of multilateral forums due to sovereign walls may also be viewed as one of the reasons for the establishment of such ad hoc partnerships in the first place.

### Institutional Silos and Turf Wars

Another common explanation for the UN's shortcomings in addressing transnational security challenges focuses on the UN system itself. The existing, poorly coordinated institutional silos within the UN system, purporting to separate security, development, human rights, humanitarian assistance, environmental management and other issues, struggle to deal with transnational security challenges, many of which cut across these arbitrary frontiers. For example, drug trafficking and other forms of organized crime in post-conflict economies raise policy issues drawing in the UN Department of Peacekeeping Operations (DPKO), the UN Development Program (UNDP), the UN Office on Drugs and Crime (UNODC), the UN Economic and Social Council (ECOSOC), the

<sup>7</sup> Eric Rosand, "Global Terrorism: Multilateral Responses to an Extraordinary Threat," *Coping with Crisis Working Paper Series*, New York, International Peace Academy, April 2007, p. 13. On the link between terrorism and the lack of political freedoms, religious extremism, and unresolved local conflicts see Part I, Plan of Action, Annex to the *United Nations Global Counter-Terrorism Strategy*, General Assembly Resolution of 8 September 2006, UN Doc. A/RES/60/288.

<sup>8</sup> Eric Rosand, "Global Terrorism," p. 7; see also Edward C. Luck, "The Uninvited Challenge: Terrorism Targets the UN," in *Multilateralism Under Challenge: Power, International Order and Structural Change*, edited by Edward Newman and Ramesh Thakur (Tokyo: UN University and the Social Science Research Council, 2005).

UN Office of the High Commissioner for Human Rights (OHCHR), and other parts of the UN system. Whereas the UN Security Council and the General Assembly have both sought to deal with universal threats by legislating universal responses, each transnational security threat implicates different actors and different interests at different times and places, and are therefore not amenable to a single universal solution.

Again, however, there are signs that the UN is capable of coordinated, strategic interventions transcending institutional silos when adequate political will is mobilized. One example is provided by UNAIDS, the Joint United Nations Programme on HIV/AIDS. Bringing together the UN High Commissioner for Refugees (UNHCR), the UN Children's Fund (UNICEF), World Food Programme (WFP), UNDP, UN Population Fund (UNFPA), UNODC, International Labour Organization (ILO), UN Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), and the World Bank, UNAIDS has a presence in more than 75 countries. Unique to UNAIDS in the UN system, a two-year Unified Budget and Workplan provides a framework both of strategically coordinated allocations of responsibility, authority and resources, and for a joint Performance Monitoring and Evaluation Framework allowing for accountability and ongoing tactical adjustments in programming.

The blame for inadequate inter-institutional coordination and cooperation in the UN system cannot be placed solely at the feet of the UN's organs and agencies. Arguably, a deficit of resources forces many organizations—within and outside the UN system—both to compete with each other for scarce resources and to focus on fulfilling their core mandate while maintaining limited connectivity to other organizations working on other aspects of the same transnational security challenges. For instance, the International Criminal Police Organization's (INTERPOL) annual budget amounts to a mere €42 million, making it difficult for it to engage in extensive, structured consultations with the UNODC,

the Financial Action Task Force (FATF), the World Customs Organization (WCO), the Security Council's sanctions committees, and regional organizations dealing with transnational organized crime. Moreover, the extensive use of earmarks in voluntary contributions to UN agencies often leaves them little flexibility for needs-based program planning in coordination with related institutions. For instance, ninety per cent of the annual UNODC budget flows from the voluntary contributions of key donors, most of which are earmarked for specific projects or projects in a precise thematic area or region.<sup>9</sup>

The thematic and cross-cutting nature of transnational security challenges often threatens to generate conflicts over turf between UN organs. Recent disagreements over how to improve the UN's capacity to respond to environmental degradation and change have demonstrated this potential, with a danger of similar disputes emerging in the future over infectious disease, especially if existing coordination mechanisms are overtaken by a sudden, grave crisis, such as a pandemic outbreak. Several speakers at the 2007 West Point Seminar suggested that failures in management within the UN Secretariat and among UN agencies and programs might prove to be significant factors in any such descent into turf wars.

An example of the challenges of overcoming these institutional barriers to improved response to transnational security challenges is counterterrorism. The twenty-four different parts of the UN system engaged in counterterrorism have repeatedly been the subject of structural reform proposals.<sup>10</sup> While the coordination and cooperation among the counterterrorism bodies has recently improved, none of the far-reaching structural reform proposals has been implemented thus far.<sup>11</sup> One of the reasons underlying the structural reform deadlock is an ongoing struggle between the Security Council and the General Assembly over control of the UN's counterterrorism program.<sup>12</sup> Only when such turf wars can be resolved will the UN improve its capacity to respond to transnational security challenges.

<sup>9</sup> Strategy for the Period 2008–2011 for the United Nations Office on Drugs and Crime, Annex to ECOSOC Resolution 2007/12, July 25, 2007, UN Doc. E/RES/2007/12, para. (A)(4)(a); Ernestien Jensenna and Francisco Thoumi, "Drug Policies and the Funding of the United Nations Office on Drugs and Crime," in *Global Drug Policy: Building a New Framework*, edited by The Senlis Council (Paris: The Senlis Council, 2004).

<sup>10</sup> See e.g., "Mandating and Delivering: Analysis and Recommendations to Facilitate the Review of Mandates," Report by the Secretary-General of the UN, March 30, 2006, UN Doc. A/60/733, paras. 122–123; G8 Statement on Strengthening the UN's Counter-Terrorism Program, July 16, 2006, available at <http://en.g8russia.ru/docs/18.html>; Alastair Millar and Daniel Benjamin, "The Future of Multilateral Counter-Terrorism Policy Coordination, Monitoring, and Implementation," study prepared for the UN Foundation, 2005, p. 7; Eric Rosand, Alastair Miller, and Jason Ipe, *The UN Security Council's Counterterrorism Program: What Lies Ahead?*, New York, International Peace Academy, October 2007.

<sup>11</sup> See e.g., Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate, Annex to a letter dated December 18, 2006, to the President of the Security Council, UN Doc. S/2006/989.

<sup>12</sup> Rosand, "Global Terrorism," p. 7.



## Responding to Transnational Security Challenges

Addressing transnational security challenges successfully requires a response on a scale that both transcends the state (for example in setting global parameters for controlling arms transfers, nuclear proliferation, money-laundering and interaction with “terrorist” groups) and that reaches beyond states’ walls (for example transforming the dynamics of local communities that are conducive to recruiting by transnational criminal or terrorist organizations). The tools for formulating and implementing such a response include international norm development and international capacity development. In both fields the UN’s universality affords it a comparative advantage in generating legitimacy and promoting efficiency. Yet the UN also operates in an environment populated by a growing number of alternative policy making forums and implementation partners with which it must either find ways to collaborate or be forced to compete.

### International Norm Development

International norm development plays a particularly important role in responding to transnational security challenges because it can help to overcome the externalities and hazards associated with those challenges. When the costs of a transnational security challenge are disproportionately borne by others, those states on whose territory or as the result of whose conduct a transnational security challenge emerges have little incentive to invest in measures to address the threat.<sup>13</sup> Transnational organized crime and leaking government stockpiles of small arms, for example, can impose very significant negative externalities on other countries. Similarly, climate change will affect poor states even more severely than developed ones, although it is the latter that are the most significant polluters.<sup>14</sup> This misalignment of incentives can be resolved through the use of leverage and issue linkage during international norm development processes aimed at creating common standards,

committing states to collective and consistent responses to transnational security challenges, and assigning costs to individual states in a consensual way. The forum at which these responses are developed may have a significant impact on the adopted outcome and its implementation.

### 1. Developing Norms on Transnational Security Challenges at the UN

In the first decade of the new century, the UN remains the prime forum for developing norms on transnational security challenges. From the 1960s onward, all major international crime control treaties were developed within the UN framework, especially in the Sixth Committee of the General Assembly and the International Law Commission (ILC). Sixteen conventions dealing with terrorism have also been adopted in the General Assembly, as was the Treaty on the Nonproliferation of Nuclear Weapons (NPT). The UN Framework Convention on Climate Change, later amended by the Kyoto Protocol, as well as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, were also adopted by international conferences convened by the General Assembly.

In addressing global transnational challenges, the main comparative advantage of the UN lies in its convening power.<sup>15</sup> The universal representation of states in the General Assembly and at UN conferences lends high legitimacy to the outcomes they produce, thus rallying the international community around these agreements.<sup>16</sup> At the same time, negotiations in the General Assembly or at UN conferences are often slow, and technical responses to transnational security challenges can become highly politicized at the UN. For instance, the General Assembly has been unable to reach agreement on a definition of terrorism and on the text of a comprehensive international convention on terrorism in part because of the political repercussions of conflicts in the Middle East. The 2006 Conference to review the implementation of the

<sup>13</sup> Cary Coglianese, “Globalization and the Design of International Institutions,” in *Governance in a Globalizing World*, edited by Joseph Nye, (Washington, DC: Brookings Institution Press, 2000), p. 300.

<sup>14</sup> Intergovernmental Panel on Climate Change, *Climate Change 2007: Impacts, Adaptation and Vulnerability*, Contribution of Working Group II to the Fourth Assessment Report of the IPCC (Cambridge: Cambridge University Press, 2007); Intergovernmental Panel on Climate Change, *Climate Change 2007: The Physical Science Basis*, Contribution of Working Group I to the Fourth Assessment Report of the IPCC (Cambridge: Cambridge University Press, 2007); Nils Petter Gleditsch, Ragnhild Nordås and Idean Salehyan, “Climate Change and Conflict: The Migration Link,” *Coping with Crisis Working Paper Series*, New York, International Peace Academy, May 2007, p. 3.

<sup>15</sup> United Nations, *A More Secure World: Our Shared Responsibility*, Report of the High-Level Panel on Threats, Challenges and Change, UN Doc. A/59/565, December 2, 2004, para. 57.

<sup>16</sup> *Ibid.*

Programme of Action on SALW collapsed without agreement, in part because of the United States' categorical hostility to any UN follow-up process on this issue.<sup>17</sup> Ongoing work by a group of experts established by the First Committee on an arms trade treaty may reach a deadlock due to opposition from some recipient states.<sup>18</sup> Universal participation in the development of norms can thus prove a double-edged sword: useful in maximizing the legitimacy of any standard that is concluded; yet also problematic in watering down the substance in the search for consensus and in raising the number of potential defectors from consensus. Too often, the result is the conclusion of weak, compromised standards.

In view of the difficulties of negotiations in the General Assembly and at UN conferences, states interested in quick and effective responses to transnational security challenges have made increasing use of two alternative norm development forums: the UN Security Council and coalitions of like-minded states.

Since the end of the Cold War, the Security Council has been increasingly active in addressing transnational security challenges as threats to international peace and security. Circumventing international norm making procedures based on a global consensus, the Security Council imposed broad and prospective legal regimes on WMD proliferation<sup>19</sup> and international terrorism,<sup>20</sup> issued a Declaration and a Presidential Statement on small arms<sup>21</sup> and recently held a meeting on the impact of climate change on peace and security.<sup>22</sup> The Council also reacted swiftly to multiple terrorist attacks<sup>23</sup> and to the proliferation of WMD by the network led by Abdul Qadeer Khan to the Democratic People's Republic of Korea.<sup>24</sup>

The small size of the Security Council and its internal hierarchy facilitate the production of quick responses to transnational security threats that matter to its permanent members. At the same time, the Council's broad interpretation of its mandate is facing criticism by non-members of the Council that fear that broad legislative action by the Council will disrupt the balance of prerogatives between the Security Council and the General Assembly.<sup>25</sup> Discontent with the process through which the WMD non-proliferation and counterterrorism regimes were adopted translated into an imperfect compliance record by the wider UN membership.<sup>26</sup> In the near future, the Council is unlikely to expand its proscriptive normative role into the field of transnational organized crime, where broad and inclusive multilateralism is the well-established basis for norm development and the resentment of non-members would be even higher.<sup>27</sup> Rather, it seems more inclined to address transnational organized crime only in the context of its country-specific work, and in cooperation with other bodies.<sup>28</sup> The mixed record of the Security Council's counterterrorism regime and the adoption of the Global Counterterrorism Strategy by the General Assembly in December 2006 may also signal a less dominant role for the Council in the UN's counterterrorism effort.<sup>29</sup>

## 2. Development of Norms on Transnational Security Challenges through Multilateral Processes of Like-Minded States

Other than looking to the Security Council to address specific transnational security challenges, states

<sup>17</sup> Keith Krause, "Small Arms and Light Weapons: Toward Global Public Policy," *Coping with Crisis Working Paper Series*, New York, International Peace Academy, March 2007, p. 11.

<sup>18</sup> *Ibid.*, p. 7.

<sup>19</sup> UNSCR 1540 (2004), April 28, 2004.

<sup>20</sup> UNSCR 1373 (2001), September 28, 2001.

<sup>21</sup> Declaration on the item entitled "Proliferation of Small Arms and Light Weapons and Mercenary Activities: Threat to Peace and Security in West Africa," Annex to UNSCR 1467 (2003), March 18, 2003; Presidential Statement of June 29, 2007, UN Doc. S/PRST/2007/24.

<sup>22</sup> Meeting of April 17, 2007, UN Doc. S/PV/5663.

<sup>23</sup> E.g., UNSCR 1368 (2001), September 12, 2001; UNSCR 1373 (2001), September 28, 2001; UNSCR 1438 (2002), October 14, 2002; UNSCR 1440 (2002), October 24, 2002; UNSCR 1450 (2002), December 13, 2002; UNSCR 1465 (2003), February 13, 2003; UNSCR 1530 (2004), March 11, 2004; UNSCR 1611 (2005), July 7, 2005; UNSCR 1618 (2005), August 4, 2005.

<sup>24</sup> UNSCR 1695 (2006), July 15, 2006; Presidential Statement of October 6, 2006, UN Doc. S/PRST/2006/41; UNSCR 1718 (2006), October 14, 2006.

<sup>25</sup> See, e.g., a letter dated 16 April 2007 from the Permanent Representative of Pakistan, written on behalf of the Group of 77 and China, to the President of the Security Council, voicing concern about the inclusion of climate change in the Council's agenda UN Doc. S/2007/211; see also Eric Rosand, "The Security Council as 'Global Legislator': Ultra Vires or Ultra Innovative?" *Fordham International Law Journal* 28 (2005), note 5.

<sup>26</sup> Kendall W. Stiles and Adam Thayne, "Compliance with International Law: International Law on Terrorism at the UN," *Cooperation and Conflict* 41 no. 2 (2006): 153-176; Peter Crail, "Implementing UN Security Council Resolution 1540: A Risk-Based Approach," *Nonproliferation Review* 13 no. 2 (2006): 355-399. The implementation of Security Council Resolution 1540 has improved over the last year. See Christine Wing, "Nuclear Weapons: The Politics of Proliferation," *Coping with Crisis Working Paper Series*, International Peace Academy, New York, April 2007, p. 10.

<sup>27</sup> James Cockayne, "Transnational Organized Crime: Multilateral Responses to a Rising Threat," *Coping with Crisis Working Paper Series*, New York, International Peace Academy, April 2007, p. 13.

<sup>28</sup> See, e.g., Letter dated 11 December 2007 from the President of the Security Council to the Chairperson of the Peacebuilding Commission, Annex to Note from the Chairperson of the Peacebuilding Commission, December 11, 2007, UN Doc. PBC/2/OC/6.

<sup>29</sup> Rosand, "Global Terrorism," p. 13.

frequently resort to another type of forum for norm development that is restricted yet supra-regional in composition: multilateral processes of like-minded states.

Such processes are sometimes seen as ways to overcome obstacles in more formal norm development processes, for instance the establishment of the N-7 group after the failure of the 2005 NPT Review Conference or the Canadian initiative to convene informal meetings after the breakdown of the 2006 conference to review the Programme of Action on illicit trade in SALW. The primary purpose of many of these processes ultimately is to feed into pre-existing UN-led norm development processes.

Other norm development initiatives, such as the Australia Group, the Nuclear Suppliers Group and the Swiss Initiative on Private Military and Security Companies, have been deliberately located entirely outside of the UN system. Even those initiatives frequently seek recognition from the UN to enhance their legitimacy in the eyes of non-participants, as part of an effort to encourage the latter to align their conduct to the group's standards.<sup>30</sup>

The relative success of the Financial Action Task Force (FATF) on Money-Laundering has been attributed to its use of peer review mechanisms.<sup>31</sup> Although negotiated in a forum with restricted membership—the G8—it succeeded in extending the scope of applicability of its recommendations beyond the borders of the G8 by promoting the creation of regional arrangements that adopted the FATF recommendations as well as the peer review mechanism. The Kimberly Process Certification Scheme also established participant-led compliance monitoring in response to a transnational security challenge, the trade in conflict diamonds. The restricted composition of these processes facilitated finding a consensus on innovative peer review mechanisms.

Multilateral processes of like-minded states that lack participant-led compliance monitoring sometimes create unsatisfactory follow-up by member states. In the absence of a secretariat, champion states may find it hard to sustain international cooperation on the response to a transnational security challenge

when the awareness of the threat is waning. When norms are developed by international organizations that also oversee their implementation, the momentum will be maintained more easily because these institutions are more likely to continue to encourage states to appreciate the significance of their work, even if only for the sake of institutional self-preservation and self-promotion.

### **3. Norm Development through Sectoral and Regional International Organizations**

For decades, a long list of sectoral international organizations within the UN system has played a crucial role in developing international norms addressing transnational security challenges. In stark contrast to the Security Council and the General Assembly, organizations such as the International Maritime Organization (IMO), the International Civil Aviation Organization (ICAO), the WCO, and even UNODC have provided networks of technical expertise that work relatively unencumbered by interstate politics on transnational security challenges. At the same time, a sectoral approach to cross-cutting transnational security threats can be problematic, as it tends to create normative fragmentation, regulatory loopholes, and high administrative costs.<sup>32</sup>

Regional institutions have increasingly played a significant role in multilateral norm development on transnational security issues. A regional approach to norm development is often chosen in response to differences in threat perception and comparably low trust levels in global multilateral forums. It flourishes most when regional trust levels are high, but at the same time provides a tool for improving them. Regional normative responses to transnational security challenges are problematic when they are not in conformity with global standards. Under such circumstances, inter-regional coordination and cooperation will be hampered. Finally, regional initiatives cannot substitute for universal multilateral norm development when regional capacities for implementation are missing, or when contests over regional leadership prevent the formation of regional forums for norm development altogether.

<sup>30</sup> E.g., UNSCR 1718 (2006), October 14, 2006, OP8(f) endorsing the Proliferation Security Initiative; IAEA Information Circular INFCIRC/254, February 1978, distributing the Nuclear Suppliers' Group's "Guidelines for Nuclear Transfers" as an official document of the IAEA; Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, August 24, 2007, UN Doc. A/62/301, para. 63, encouraging the Swiss Initiative on Private Military and Security Companies; see also Cockayne, "Transnational Organized Crime," p. 13.

<sup>31</sup> Cockayne, "Transnational Organized Crime," p. 13. Participant-led monitoring of international norms on transnational organized crime has also been implemented in the context of the American Drug Abuse Control Commission.

<sup>32</sup> *Ibid.*

## International Capacity Building

There is broad agreement that an effective response to transnational security challenges needs to involve four layers: international, regional, national, and local. In 2004, the High-Level Panel on Threats, Challenges and Change found that existing international institutions were woefully inadequate for dealing with the security risks caused by transnational challenges.<sup>33</sup> In large parts of the world, institutional deficits at the local and national level are even greater. Capacity deficits at the local and national level can seriously impede states' ability to conform to international norms dealing with security threats, even when those states do not have the intention to disrespect their obligations.<sup>34</sup>

To improve weak response capacities at the local, national, and regional levels, numerous UN agencies and organs increasingly focus on providing capacity building assistance. Many of these programs address capacity needs salient to multiple transnational security challenges, while efforts to improve capacity on any specific transnational security challenge may draw in a large number of UN system components. Take, for example, the efforts to build national and local capacity to deal with transnational organized crime: UNODC, the Security Council's Counter-Terrorism Committee Executive Directorate (CTED) and the Office of Legal Affairs at the UN Secretariat (OLA) all provide legal capacity-building assistance to states; UNODC, DPKO, and the UN Peacebuilding Commission are all involved in efforts to support building police capacities; UNDP, OHCHR, DPKO, and various international financial institutions are all engaged in judicial sector reform programs; while UNAIDS, UNESCO, and the UN Environment Programme (UNEP) all pursue other salient issue-specific capacity-building programs addressing a range of issues from illicit trade in antiquities to illegal wildlife trade.

As in the field of international norm development, the UN provides capacity-building assistance alongside, and increasingly in coordination or cooper-

ation with, regional organizations and bilateral donors. For instance, the UNODC's Global Programme Against Money Laundering helps states implement the special recommendations developed by the Financial Action Task Force, which was established by the then-G7. In the same vein, the Counter-Terrorism Committee prioritizes the provision of technical assistance to states and regional organizations in its efforts to implement Security Council Resolution 1373 (2001), and now cooperates with UNODC, ICAO, IMO, INTERPOL, UNDP, and regional organizations.

Capacity-building assistance for regional organizations dealing with transnational security challenges is of crucial importance to implementing a multi-level response to these threats. So far, organizations such as the Association of South East Asian Nations (ASEAN), the African Union (AU), South Asian Association for Regional Cooperation (SAARC), and the Organization of the Islamic Conference (OIC) have been hampered by a lack of institutional capacity in their response to international terrorism.<sup>35</sup> To address these deficiencies, the UN Security Council's Counter-Terrorism Committee has engaged in capacity-building assistance for regional organizations and specific subregional organizations engaged in counter-terrorism activities.<sup>36</sup> UN agencies also cooperate with regional organizations to strengthen their capacities to respond to various other transnational security challenges, including climate change (mainly the World Meteorological Organization [WMO]), transnational organized crime (mainly UNODC), and SALW (for instance the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean [UN-LiREC]).<sup>37</sup> Cooperation between the UN and the AU, which is particularly extended in the field of peacemaking and peacekeeping, also extends to strengthening the AU's capabilities in the fields of crime prevention, food security and environmental protection, and the UN General Assembly recently called for intensifying cooperation to strengthen the AU's capacity to address

<sup>33</sup> United Nations, *A More Secure World*, para. 56.

<sup>34</sup> Abram Chayes, Antonia Handler Chayes, *The New Sovereignty: Compliance with International Regulatory Agreements* (Cambridge, MA: Harvard University Press, 1995), pp. 13-15; for example, on SALW proliferation see also Alex Vines, "Can UN Arms Embargoes in Africa be Effective?" *International Affairs* 83 (2007).

<sup>35</sup> Rosand, "Global Terrorism," p. 10.

<sup>36</sup> Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate, Annex to a letter dated December 18, 2006, to the President of the Security Council, UN Doc. S/2006/989; see also UNSCR 1631 (2005), 17 October 2005, OP8; *The United Nations Global Counter-Terrorism Strategy*, General Assembly Resolution 60/288, September 20, 2006, UN Doc. A/RES/60/288, Part II, OP8.

<sup>37</sup> *Cooperation between the United Nations and Regional and Other Organizations*, report of the Secretary-General to the General Assembly, 16 August 2006, UN Doc. A/61/256.

the security challenges posed by illicit trafficking in SALW, terrorism, infectious diseases, including HIV/AIDS, and the illegal exploitation of natural resources.<sup>38</sup>

## Dealing with Specific Transnational Security Challenges

The IPA 2007 West Point Seminar looked in detail at the implications of some of the most salient transnational security challenges for the multilateral system, namely transnational organized crime; terrorism; WMD proliferation; SALW proliferation; and environmental degradation and change. A theme that reemerged repeatedly at the Seminar was the reinforcing nature of the interaction between political violence and these transnational security challenges, each of which corrodes state capacity and thus weakens resistance to other transnational threats.

In addition to the interaction between political violence and transnational security challenges, numerous linkages between transnational security challenges raise the bleak prospect that, as one threat materializes, others follow. Terrorism, for instance, is a dynamic condition that is often related to the occurrence of state failure.<sup>39</sup> Transnational organized crime can provide the source of revenue for terrorist groups, but it also leads to the proliferation of a range of goods associated with violence and crime, from SALW (an estimated forty to fifty percent of the world's trade in small arms is illegal) to illegal narcotics. The abuse of illegally trafficked narcotics can, in turn, lead to the spread of HIV/AIDS and hepatitis.<sup>40</sup>

### Transnational Organized Crime

The sense at the Seminar was that crime—and especially the linkages between transnational organized crime and other security challenges, such as terrorism, armed conflict, public health threats and

development—had not received adequate high-level attention in the UN system to this point. This was reflected in the weak financial and resource support provided to the UNODC in Vienna, and in the lack of attention paid by other UN programs and agencies to organized crime issues.<sup>41</sup> Participants noted that emphasis should be placed on strengthening UNODC.

Participants also acknowledged that there was now increasing appreciation within the multilateral system of the role that organized crime plays as an amplifier of other threats—which may have been reflected in the recent attention paid by the Security Council to the emerging problem of narco trafficking in West Africa.<sup>42</sup> The role of money laundering as a tool for terrorist financing became the object of increased international attention in the aftermath of the September 11, 2001 attacks.<sup>43</sup> Sanctions regimes adopted by the Security Council can establish other, largely underanalyzed, linkages between transnational organized crime and threats to international peace and security. The impact of Security Council sanctions on local economies and the unintended encouragement of clandestine economies in sanctions target states and neighboring countries could be better understood and more effectively addressed by integrating the work of UNODC more comprehensively with that of other UN organs, programs, and agencies.

Some speakers at the meeting suggested that the growing awareness of the threat posed by transnational organized crime offered the UN an opportunity, but that, given limited resources, it would have to work closely with member states, regional organizations, the private sector, and civil society to fashion tailored strategies for protecting different areas of global society from corruption by organized crime. There was support for thinking about steps the UN system could take immediately to improve its response to transnational organized crime, such as reconsidering the relationship between peace operations and organized crime, including how it may require

<sup>38</sup> See “Enhancing AU-UN Cooperation: Framework for the Ten-Year Capacity Building Programme for the African Union,” declaration of the UN Secretary-General and the Chairperson of the AU Commission, 16 November 2006, UN Doc. A/61/630; General Assembly Resolution UN Doc. A/RES/61/296, October 5, 2007.

<sup>39</sup> Gary LaFree, Laura Dugan, and Susan Fahey, “Global Terrorism and Failed States,” in *Peace and Conflict 2008*, edited by Joseph Hewitt, Jonathan Wilkenfeld and Ted Robert Gurr (Boulder, CO: Paradigm, 2007); see also United Nations, *A More Secure World*, para. 21.

<sup>40</sup> On the link between transnational organized crime and terrorism see United Nations, *A More Secure World*, para. 21. On the link between transnational organized crime and small arms and light weapons proliferation see United Nations, *We the Peoples: The Role of the United Nations in the Twenty-First Century*, Report of the Secretary-General, March 27, 2000, UN Doc. A/54/2000, para. 241. On the link between transnational organized crime and public health hazards see Cockayne, “Transnational Organized Crime,” pp. 10–11.

<sup>41</sup> See also Francisco Thoumi and Ernestien Jensema, “Drug policies and the funding of the United Nations Office on Drugs and Crime,” in *Global Drug Policy: Building a New Framework* (Paris: The Senlis Council, 2004).

<sup>42</sup> Statement by the President of the Security Council, 24 October 2007, UN Doc. S/PRST/2007/38.

<sup>43</sup> See Jean-François Thony, “Mécanique et géopolitique du blanchiment de l'argent,” in Thierry de Montbrial and Philippe Moreau-Desfarges (eds.), *Rapport Annuel Mondial sur le Système Économique et les Stratégies (RAMSES)* (Paris: Dunot, 2003).

reconsideration of specific policy regimes, for example, the global narcotics control regime and sanctions mechanisms;<sup>44</sup> and a lessons learned process among different parts of the multilateral system engaged in identifying, monitoring and responding to criminal networks (sanctions committees, international criminal tribunals, UN policing components, IAEA, INTERPOL).

### International Terrorism

While it was acknowledged that Al-Qaida represents a uniquely potent threat to all states, some speakers at the Seminar considered that the current counterterrorism efforts of the UN had become too focused on one specific historical instance of terrorism, without taking other cases and causes—at other times and in other regions—adequately into account.<sup>45</sup>

The new Global Terrorism Database (GTD2) compiled by the National Consortium for the Study of Terrorism and Responses to Terrorism (START), which has recorded more than 3,500 terrorism events around the world between 1998 and 2004, provides evidence in support of this analysis. During this period, religiously motivated actors (of any denomination) were responsible for less than half of all terrorism incidents, while ethno-nationalistic terrorists (such as the Kurdistan Workers Party [PKK] or Hutu rebels in Rwanda or Burundi) perpetrated just slightly fewer attacks, and secular left-wing actors (such as the Revolutionary Armed Forces of Colombia [FARC]), pursued about half as many terrorist attacks as religiously motivated actors.<sup>46</sup> The countries confronted with the highest number of terrorism events were India, Colombia, and the Russian Federation.<sup>47</sup> This data shows that strictly focusing the global counterterrorism effort on Islamist terrorism risks creating a bias and neglects very significant forms of contemporary international terrorism. Further research into the patterns of contemporary terrorism will build a more nuanced understanding of this transnational security challenge, and will hopefully provide the basis for a more targeted and sustainable counterterrorism response.

The initial narrow focus on the Security Council

as the venue for discussing and responding to terrorism was criticized by many speakers at the seminar; some participants suggested that recent efforts combining strategic direction from the General Assembly with specific implementation and standards-raising measures undertaken through the Council represented a more appropriate and durable balancing of roles. By adopting a global counterterrorism strategy in September 2006, the General Assembly reasserted a strong role in defining the UN's approach to combating international terrorism.<sup>48</sup>

Participants in the seminar seemed to agree that, while life is now much harder for terrorists, there are a number of areas that still need addressing, such as terrorist use of the internet and incitement. In that area, it was suggested that the UN might use its convening power to facilitate the establishment of multilateral responses that strike a balance between bolstering international security and safeguarding free speech. It is doubtful whether the existing Counter-Terrorism Committee of the Security Council and the Counter-Terrorism Executive Directorate would provide the appropriate homes for such discussions, or whether additional institutions might be necessary that would work more closely with outside experts, UNDP, UNODC, and other UN bodies. It has been argued that locating the discussions in a more technical forum would lower the risk that they become submerged in broader inter-state political struggles related to counterterrorism. It would also be likely to secure a greater input from those UN agencies, such as UNESCO or UNDP, that maintain a distanced relationship with the Counter-Terrorism Committee of the Security Council for fear that their own work might become unduly politicized.<sup>49</sup>

### Weapons of Mass Destruction

The nuclear proliferation regime is generally portrayed as being in various stages of crisis. IAEA Director General Mohamed ElBaradei recently explained that the array of measures available to deal with WMD proliferation issues, ranging from dialogue to sanctions to enforcement action, has not been applied effectively in recent years.<sup>50</sup> The last few years

<sup>44</sup> Barnett R. Rubin and Alexandra Guáqueta, "Fighting Drugs and Building Peace. Towards Policy Coherence between Counter-Narcotics and Peace Building," Occasional Paper no. 37, Friedrich-Ebert Stiftung, New York, 2007.

<sup>45</sup> See also Rosand, "Global Terrorism," p. 1.

<sup>46</sup> Gary LaFree and Laura Dugan, "Introducing the Global Terrorism Database," *Terrorism and Political Violence* 19, no. 2 (2007): 181–204; figures retrieved from [www.start.umd.edu/data/gtd](http://www.start.umd.edu/data/gtd), "Summary Statistics 1998–2004."

<sup>47</sup> Ibid.

<sup>48</sup> *The United Nations Global Counter-Terrorism Strategy*, General Assembly Resolution 60/288, September 20, 2006, UN Doc A/RES/60/288.

<sup>49</sup> Rosand, "Global Terrorism," p. 18.

<sup>50</sup> Mohamed ElBaradei, "Nuclear Non-Proliferation: The Security Context," speech delivered at the University of Florence, October 5, 2007.

have seen several instances of the horizontal proliferation of nuclear weapons technology and materiel to non-nuclear weapons states. So far, the Security Council has been unable to address these instances of horizontal proliferation effectively.<sup>51</sup> Moreover, the emergence of transnational proliferation mechanisms for nuclear, chemical, and biological weapons materiel and expertise has greatly enhanced the risk of horizontal proliferation to non-state actors. Vertical proliferation, with existing nuclear powers reluctant to disarm or forego the development of new varieties of nuclear weapons, puts another strain on the nuclear proliferation regime.

The participants at the Seminar identified the central crisis in the nuclear non-proliferation regime as being a crisis of trust between nuclear weapons states and non-nuclear weapons states. The experience of transnational proliferation provided by the A.Q. Khan network had only deepened this mistrust. With the prospect of the emergence of proliferation “rings” in which states work collectively—but with differentiated areas of focus—to develop nuclear weapons expertise, and with the danger of corruption and transnational organized crime facilitating the clandestine sale of WMD technology, the prospects for improving trust seemed slim.

What is needed, participants suggested, is a range of confidence-building measures, through which nuclear weapon states and non-nuclear weapon states can slowly win each others’ trust. Only if the consensus underpinning the nuclear proliferation regime (and thus its perceived legitimacy) is reestablished will it continue to provide an effective normative framework for the multilateral effort to stem the spread of nuclear weapons.<sup>52</sup>

In the medium term, redirecting the attention of the United Nations and of key states to longstanding regional conflicts like those in the Middle East and in South Asia could create more effective means to manage and resolve these conflicts. Steps to address the acute insecurity of some non-nuclear weapons states could reduce their incentive for relying on nuclear weapons for guaranteeing national security.

In parallel to attempts to improve trust between states, the UN ought to use its convening power to bring in the many non-state actors that are now relevant to the proliferation of WMD technology and expertise, particularly in the area of biotechnology and biosecurity. While Secretary-General Kofi Annan had made a positive first step on this issue with his speech in St. Gallen,<sup>53</sup> further work is needed soon.

### Small Arms/Light Weapons; Environmental Degradation and Change

Since the end of the Cold War, the field of conventional arms transfers has undergone a metamorphosis. Widespread privatization in defense industries has lessened state control over arms transfers, which now involve a range of new actors.<sup>54</sup> The links between state and non-state arms transfers are highly complex, and therefore the control mechanisms designed to differentiate licit and illicit transfers are necessarily complex. About fifty to sixty percent of the world’s trade in SALW is legal, but legally traded weapons often end up in the illicit market.<sup>55</sup> Assuming that all illicit trading is perpetrated by non-state actors (or by government agents working in private capacity), the majority of today’s transnational trade in SALW is operated by private actors. Therefore, the traditional intergovernmental approach to regulating arms trading has become insufficient to deal with this security challenge alone. Implementation will only be effective if non-state actors, such as defense firms, arms brokers and NGOs, are brought into all stages of the governance process.<sup>56</sup>

Moreover, control measures, such as the regulation of international arms brokering and the marking and tracing of illicit weapons, have to be complemented by policies that seek to reduce the demand for SALW.<sup>57</sup> Such global public policy initiatives are multidimensional and transdisciplinary; they involve a variety of diverse stakeholders and establish collaborative relationships among states, NGOs, and international organizations.<sup>58</sup> They reduce the demand for SALW by addressing high levels of insecurity in arms importing societies through programs disarming,

<sup>51</sup> Wing, “Nuclear Weapons,” p. 9–10.

<sup>52</sup> See William Walker, “Weapons of Mass Destruction and International Order,” *Adelphi Papers* 44, no. 370 (2004).

<sup>53</sup> Kofi Annan, “St. Gallen Acceptance Speech,” remarks for the presentation of the Freedom Prize of the Max Schmidheiny Foundation, University of St. Gallen, November 18, 2006.

<sup>54</sup> Joanna Spear, “Warfare: Conventional Weapons,” in *Managing Global Issues: Lessons Learned*, edited by P.J. Simmons and Chantal de Jonge Oudraat (Washington, DC: Carnegie Endowment for International Peace, 2001), p. 594.

<sup>55</sup> United Nations, *We the Peoples*, para. 241.

<sup>56</sup> Spear, “Warfare,” p. 594.

<sup>57</sup> Krause, “Small Arms and Light Weapons.”

<sup>58</sup> *Ibid.*, p. 13.

demobilizing and reintegrating (DDR) ex-combatants, Security Sector Reform (SSR), and/or armed violence reduction programs. Seminar participants cautioned that significant areas of weakness in addressing the security challenges posed by SALW still remain, including in tracking and countering illicit arms transfers and in the use of arms embargoes.

Notably, the discussion of multilateral responses to environmental degradation and change bore some striking resemblances to the discussion of SALW. As with SALW, effective global responses to environmental degradation and change require both global standard setting and highly localized responses operating within the social relations behind states' borders, and in the transnational commerce that increasingly flows across them. However, unlike the SALW field, attempts to find compromises over states' competing interests in the area of environmental issues, such as climate change, have as yet been relatively unsuccessful. In the opinion of some participants, these attempts have tended towards the mistrust discussed in relation to other topics addressed by the Seminar, such as nuclear proliferation.

Other than the general atmosphere of mistrust, calculations of relative cost and relative gain also hamper a more effective multilateral response to global climate change. Less developed states will be more vulnerable to climate change; at the same time the majority of the costs of emissions limitations under regulatory regimes on climate change are borne by more developed states.<sup>59</sup> This externality structure of global climate change leads some states to approach these discussions at the United Nations in zero-sum terms, stressing the divergent relative costs and benefits incurred by different groups of states from emissions regulation regimes. Therefore, it is not surprising that discussion of this issue has quickly become implicated in the demarcation disputes emerging between the Security Council and the General Assembly, and between a range of other UN bodies. At the Seminar, there was widespread agreement that the Security Council ought not to have exclusive competence on this issue within the UN system—and in fact does not seem to be seeking it.<sup>60</sup> On the contrary, the complex nature of the challenge posed by environmental degradation and change, touching upon questions of sustainable development, energy management, disaster relief and, potentially, conflict management, makes

constructive collaboration among numerous parts of the system imperative.

## Conclusion: Overcoming Obstacles to Effective Response to Transnational Security Challenges

Discussions at the IPA 2007 West Point Seminar suggested that the obstacles to effective response to transnational security challenges are not insuperable. The UN's response to terrorism—combining a Security Council backed counterterrorism standards-raising exercise with a General Assembly role in setting broad strategy, drawing where necessary on expertise from other organs such as the OHCHR—has demonstrated that, given sufficient political will and the application of adequate resources, it is possible for the system to be mobilized in a manner that overcomes institutional silos and mandate disputes.

Many speakers felt that current initiatives to improve integration and coherence between UN agencies were important, but on their own would be inadequate to address the wide range of transnational security challenges considered during the Seminar. In discussing what further reform measures might be necessary to enable effective response, common points of recommendation included the following:

- reduce conflict between the Security Council and other organs by enhancing the legitimacy of the Security Council through reform of its working methods and membership;
- rationalize the mandate and governance arrangements of UN organs, and concomitantly improve the Secretary-General's capacity for system-wide strategic management;
- reallocate resources to areas with expertise in fighting threats of the future, rather than threats of the past, on the basis of forward-looking threat analyses drawn up through cooperation among various parts of the UN system and its membership;

<sup>59</sup> Intergovernmental Panel on Climate Change, *Climate Change 2001: Impacts, Adaptation and Vulnerability* (Cambridge: Cambridge University Press, 2001); Gleditsch, Nordås, and Salehyan, "Climate Change and Conflict," p. 3.

<sup>60</sup> See statements at the Security Council's debate on climate change, April 17, 2007. UN Doc. S/PV.5663.



- improve the strategic analysis capacities of UN organs, such as the Secretary-General, the Security Council, the Office of the President of the General Assembly and the Department of Political Affairs; and
- better leverage the UN's convening power to assemble multi-stakeholder coalitions (including the private sector) to tackle specific transnational security challenges.

Other suggestions included the revitalization of the agenda-setting role of the President of the General Assembly; improved coordination and burden-sharing between the UN and regional organizations; and a

greater emphasis on follow-up through existing treaty bodies and on the use in those bodies of peer review processes.

Interestingly, many participants considered that the core problems were ones of strategy, coordination and management—and that wholesale structural reform, or the addition of new institutions to deal with specific transnational threats, would not in general be helpful. Moreover, many speakers noted that achieving improvements in strategy, coordination, and management would only be possible if the recent decline in trust among member states could be successfully reversed.

## Annex: IPA 2007 West Point Seminar Agenda

### “Transnational Security Challenges and the UN”

7-10 May 2007

Thayer Hotel, Westpoint, NY

Chaired by Terje Rød-Larsen, President of the International Peace Academy

#### Monday, 7 May 2007

- 11:15 – 11:45**      **Briefing of Participants, 777 UN Plaza, Church Center 2nd Floor**  
Introduction: Elizabeth Cousens, *Vice-President, IPA*
- 12:00**              **Departure for West Point by bus**
- 14:00 – 15:00**      **Arrival & Check-in at the Thayer Hotel, West Point**
- 15:00 – 15:30**      **Welcome and Orientation**  
Terje Rød-Larsen, *President, IPA*  
Lt.Col. Karl Deuretzbacher, *Military Adviser, IPA*
- 15:30 – 17:00**      **Transnational Security Challenges: A New Security Paradigm for the UN?**  
*To what degree has the nature of threats to human and international security changed since the end of the Cold War? Are they indeed becoming increasingly transnational? To what extent has the UN responded or not responded to the changing security environment and why? Which of today’s most pressing security challenges are amenable for UN responses and which are better tackled outside the UN framework?*
- Chair: Terje Rød-Larsen, *President, International Peace Academy*
- Speakers: Dr. Andrew Mack, *Director, Human Security Centre, University of British Columbia*  
Dr. Jamal Benomar, *Senior Advisor, UNDP*  
Dr. Thant Myint-U, *Senior Visiting Fellow, IPA*
- 17:00 – 17:30**      **Group Photo**
- 19:00**              **Welcome Reception and Dinner**  
Keynote Address: Dr. Barney Rubin, *Director of Studies and Senior Fellow, Center on International Cooperation: “Afghanistan, Drugs and Terrorism”*

#### Tuesday, 8 May 2007

- 09:00 – 10:45**      **Transnational Organized Crime**  
*How has transnational organized crime evolved since the end of the Cold War? To what extent has transnational organized crime become a threat to international peace and security? Are existing responses to transnational organized crime adequate? What is the role of multilateral institutions in addressing this challenge?*

**Chair:** H.E. Mr. Mihnea Ioan Motoc, *Permanent Representative of Romania to the UN*

**Speakers:** Key Trends and Issues in Transnational Organized Crime  
Dr. Nikos Passas, *Professor, College of Criminal Justice, Northeastern University*

Transnational Organized Crime and Peace Operations  
James Cockayne, *Associate, IPA*

Money Laundering  
Jean François Thony, *Assistant-General Counsel, IMF*

**10:45 – 11:15**                    **Coffee Break**

**11:15 – 13:00**                    **International Terrorism**

*How has the threat of terrorism evolved since the end of the Cold War? Are all terrorist groups a threat to international peace and security? How effectively has the UN addressed the threat of terrorism and what is its comparative advantage? What is the role of other multilateral institutions?*

**Chair:** Ambassador John Hirsch, *Adjunct Professor of International and Public Affairs, Columbia University*

**Speakers:** International Terrorism Networks  
Prof. Scott Atran, *Directeur de Recherche, Anthropologie, Centre National de la Recherche Scientifique (Paris); Professor of Psychology and Public Policy, University of Michigan; Presidential Scholar, Sociology, John Jay College of Criminal Justice, New York City*

The Role of the UN Security Council  
Prof. Edward Luck, *Director, Center on International Organization, Columbia University*

The Role of Multilateral Institutions  
Eric Rosand, *Senior Fellow, Center on Global Counter-Terrorism Cooperation*

**13:00 – 14:30**                    **Lunch**

**14:30 – 16:00**                    **Weapons of Mass Destruction**

*How imminent is the threat posed by Weapons of Mass Destruction compared to 10 or 20 years ago? In the nuclear arena, what are the relative risks and challenges posed by vertical proliferation vs horizontal proliferation? What do we know about nuclear proliferation networks, such as the one operated by A.Q Khan? What are the challenges and threats posed by rapid advances in biotechnology and how can we address them? How serious is the threat of WMD-terrorism?*

**Chair:** H.E. Ms. Mona Juul, *Deputy Permanent Representative of Norway to the UN*

**Speakers:** Challenges to the Nuclear Nonproliferation Regime  
Dr. Christine Wing, *Senior Fellow, Center on International Cooperation, New York University*

Nuclear Blackmarkets and Proliferation Networks  
Dr. Chaim Braun, *Fellow, Center for International Security and Cooperation (CISAC), Stanford University*

The Biosecurity Challenge  
Prof. Chris Chyba, *Professor of Astrophysics and International Affairs, Princeton University*

**16:00 – 18:00 Breakout Groups, parallel coffee and tea breaks**

**Breakout Group Leaders**

1: Transnational Organized Crime: **James Cockayne**, Associate, IPA

2: Terrorism: **Eric Rosand**, Senior Fellow, Center on Global Counter-Terrorism Cooperation

3. WMD: **Dr. Christine Wing**, Senior Fellow, Center on International Cooperation,  
New York University

**19:00 Reception and Dinner**

Dinner Keynote Address: **Dr. Michael J. Ryan**, Director, Department of Epidemic and Pandemic Alert and Response, WHO: “Managing the Threat of Infectious Diseases”

**Wednesday, 9 May 2007**

**09:00 – 10:45 Small Arms and Light Weapons**

*How has the threat emanating from Small Arms and Light Weapons evolved in recent years? What is the respective challenge posed by production, stockpiling, legal trade and illicit trade in these weapons? What are the multilateral mechanisms at our disposal to address this challenge?*

**Chair:** H.E. Ms. Heidi Schroderus-Fox, Deputy Permanent Representative of Finland to the UN

**Speakers:** Key Trends and Issues  
**David de Beer**, Director, Saferworld

Illicit Transfers of SALW and Control Measures  
**Lora Lumpe**, Senior Consulting Researcher, International Peace Research Institute, Oslo (PRIO)

Sanctions  
**Dr. Fred Pearson**, Director, Center for Peace and Conflict Studies, Wayne State University

**10:45 – 11:15 Coffee and Tea Break**

**11:15 – 13:00 Environmental Change and International Security**

*What are the transnational security implications of environmental change and degradation? What are the relationships between resource scarcity, on the one hand, and conflict and cooperation, on the other? What are the security implications of climate change? What does all this mean for the multilateral system and the UN?*

**Chair:** H.E. Mr. Hjálmar W. Hannesson, Permanent Representative of Iceland to the UN

**Speakers:** Environmental Change and Violent Conflict  
**Dr. Richard A. Matthew**, Director, Center for Unconventional Security Affairs,  
University of California at Irvine

Environmental Challenges and Multilateral System  
**Dr. Stacy VanDeveer**, Associate Professor of Political Science, University of New Hampshire

The Security Implications of Climate Change for the UN System  
**Mr. Alistair Fernie**, Counsellor for Sustainable Development and Human Rights,  
Permanent Mission of the UK to the UN

- 13:00 – 15:00**            **Lunch**
- 15:00 – 17:00**            **Breakout Groups: How to Equip the UN to Better Address Transnational Security Challenges**  
*Each break-out group will be asked to produce a blueprint of key reforms that would allow the UN to address transnational security challenges more effectively and more equitably. Results of the break-out groups will be presented in the morning session of the following day.*
- Breakout Group Leaders**  
1: Dr. Elizabeth Cousens, *Vice President, IPA*  
2: James Cockayne, *Associate, IPA*  
3. Francesco Mancini, *Associate, IPA*
- 17:00 – 18:00**            **Preparation of Reports from the Breakout Groups**
- 19:00**                        **Reception and Dinner**
- Thursday, 10 May 2007**
- 09:15 – 11:00**            **Plenary Session Report Back from Rapporteurs of Breakout Groups**
- Chair: Francesco Mancini, *Associate, IPA*
- 11:00 – 11:30**            **Coffee Break**
- 11:30 – 13:00**            **Regional Perspectives**  
*How do the transnational challenges discussed during the seminar play out in different regions of the world? What are the similarities and differences across different regions? How does the UN complement regional organizations or other multilateral mechanisms in tackling those challenges?*
- Chair: H.E. Mr. Anders Lidén, *Permanent Representative of Sweden to the UN*
- Speakers: Organized Crime and Clandestine War Economies in the Balkans  
Prof. Michael Pugh, *Professor of Peace and Conflict Studies, University of Bradford*
- Small Arms, Conflict Resources, and Migration in West Africa  
Dr. Ismail Rashid, *Associate Professor, History Department, Vassar College*
- Transnational Security Challenges in the Middle East  
Dr. Markus E. Bouillon, *Senior Associate, IPA*
- 13:00 – 13:30**            **Presentation of Certificates**
- 13:30 – 14:30**            **Light Lunch**
- 14:30 – 15:30**            **Tour of United States Military Academy, West Point (Optional)**

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