HOUSE OF COMMONS

Foreign Affairs Committee

Oral evidence: International relations within the multilateral system, HC 691

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Watch the meeting

Members present: Alicia Kearns (Chair); Dan Carden; Neil Coyle; Fabian Hamilton; Henry Smith; Royston Smith; Graham Stringer.

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Witnesses

I: The Rt Hon. the Lord Malloch-Brown KCMG, President at Open Society Foundations.

II: Emma Reilly, Former Human Rights Officer at Office of the United Nations High Commissioner for Human Rights (OHCHR), and Richard Gowan, UN Director at International Crisis Group.

Written evidence from witnesses:

– Emma Reilly

committees.parliament.uk/writtenevidence/128496/pdf/

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Examination of witness

Witness: Lord Malloch-Brown.

Q1 **Chair:** Welcome to this session of the Foreign Affairs Committee, where we are launching our follow-up inquiry on multilaterals, further to the report we did a few years ago. This is our chance to look at the multilateral system as it currently is. Is it working? What are its priorities? What does the UK need to see more or less of from it? We are really pleased to be joined by Lord Malloch-Brown. If you could kindly introduce yourself, we will then go into questions to you.

Lord Malloch-Brown: I am Mark Malloch-Brown, a Member of the House of Lords, although currently on leave. I was formerly a Minister with responsibilities for, among other things, UN affairs during the last Labour Government. Prior to that, I was UN Deputy Secretary-General and, prior to that, I was administrator of the UN Development Programme. I was also, at one point, a vice-president at the World Bank, so I have quite a wide perspective on multilateralism.

Q2 **Chair:** Thank you ever so much for joining us. We see lots about this in the media—and I have said the words myself—but is it fair to describe the UN as facing a crisis of legitimacy at this time?

Lord Malloch-Brown: I think it is. It is a fair observation. You have to put it in a historical context: it is not the first time, and I doubt it will be the last time. This crisis of legitimacy has particular features on this occasion, with an apparent political bankruptcy in terms of the inability to secure co-operation, even from all the permanent members of the Security Council. The Russian invasion of Ukraine is a particularly extreme example of a so-called P5 member exhibiting the behaviours, frankly, of a rogue state. So it is a challenging moment, but what I would say about the many times that I have seen UN legitimacy challenged is that it is around, primarily, the wider geopolitics and the lack of collaboration there, which then translates into an appearance of ineffectiveness by the UN itself.

Q3 **Chair:** That is very helpful. When you talk about this crisis, in particular, when in the past has the UN faced similar calls or questions about its legitimacy and effectiveness?

Lord Malloch-Brown: During the very long cold war period, the UN was not effective at the Security Council level and was not heavily engaged in the major conflicts of the day, although it busied itself with what might be called the second-tier ones. It also found a tremendous value to Governments in its involvement in development activities, particularly among the decolonising states, who lacked a lot of administrative and management capacity in their public sectors. And it had a first flowering of its humanitarian role, where the victims of the proxy wars of both the cold war period and the decolonisation period became the beneficiaries of very major early UN humanitarian operations.

So the UN has been adept, even at times where its main political and security role has been blocked by geopolitics, at finding other important functions that the world could not handle, other than multilaterally.

Q4 **Neil Coyle:** You suggest that it is cyclical, and your reference to Russia demonstrates a point, but isn't the crisis more acute this time, because of the focus on Ukraine and Gaza, in particular?

Lord Malloch-Brown: That is a very fair point, and it is a very acute crisis and one that has its own particularities. You are right to bring up Gaza as well because, in a sense, although the US role in the Security Council has not been the wrecking role that Russia has sought to play on Ukraine, the fact is that it has resisted the will of the rest of the council on Gaza on repeated occasions in recent months. There is a feeling that here are two major powers that really have not played ball in terms of respecting the rules of the council.

Again, I would say that we faced the same situation in the cold war. When it comes to the Middle East, the US has had a very long history of vetoing resolutions that it has felt jeopardised the security or political status of Israel. So these are not new problems, but you are right to say that they are particularly acute at the moment.

Q5 **Neil Coyle:** It goes beyond the Security Council as well, doesn't it? Member states' representatives see Iran chairing a UN disarmament conference while supplying Russia with drones. They see China on the Human Rights Council, despite abuses in Xinjiang and against those in Hong Kong and those from Hong Kong who are now living in this country and elsewhere. The problems are more widespread than the Security Council.

Lord Malloch-Brown: They are. Let me be clear that this selection of chairmanships to these committees is a collective decision of member states. There is a Buggins's turn principle, which means that these roles rotate between different regions, and then, within the region, there has been a protocol or habit established that the region often has the major say in which of its number fills that chairing role. So Iran and China—both influential in their immediate region—sometimes have roles that, for the rest of us, seem utterly perverse because of their record on human rights. That is a behaviour or a voting arrangement that goes back almost to the beginning of the UN's life. At times, it allows Europe to nominate human rights champions to jobs or to chairing roles that they might otherwise have difficulty securing, but the other side of that swing and roundabout is that it allows the absurdity, as you say, of a China or Iran, on occasion, playing these roles.

Q6 **Neil Coyle:** What are the consequences for international diplomacy if Governments, and individual MPs of individual Governments, do not feel able to counter that perception that the UN lacks legitimacy because of those perverse processes that you are talking about?

Lord Malloch-Brown: First, I would have to say that one man's legitimacy is another person's non-legitimacy, if I can put it that way. The

UN is going through an interesting but difficult period of a shifting sands of legitimacy. What I mean by that is that global south countries often have a very different perception of what constitutes legitimacy, values, a lack of double standards and consistency.

For example, South Africa taking the case of Israel's intervention in Gaza to the International Court of Justice has been viewed as extraordinarily hypocritical by many in western countries, but has been viewed by many countries in the global south as an overdue correction to a situation where institutions like the ICJ were viewed as just passively representing the will of Europe rather than these other regions.

In a sense, some of the genius of the UN—it is a flawed genius, and you are right to point that out—is that it does allow countries that feel that the system is weighted against them and dominated by the post-world war two victors, through these different institutional mechanisms like the courts, to make their point about a different, if you like, order of legitimacy.

Q7 **Chair:** One recent example of the UN Security Council being perceived to lose its legitimacy, which may become totemic for some young people in our country who may be engaging with the UN Security Council for the first time, is that it did vote for a ceasefire over Ramadan—that was something that was passed—yet there was little evidence of any effort to bring it into being, let alone to enforce it; indeed, we even saw the US saying that it was non-binding. What message do examples like that send to younger people in our countries, but also more broadly, about the UN Security Council's effectiveness?

Lord Malloch-Brown: I think the tragedy of the events of 7 October and then of the Israeli intervention in Gaza is bringing a whole new generation of students in the US, where I currently am, and in Europe, into political activism on both sides of the argument, and they look at this Security Council behaviour with dismay.

But, again, I am veteran enough of these things to have seen, when I was Deputy Secretary-General in 2006, Israel intervene in southern Lebanon. There was, again, an effort to get a Security Council resolution to secure its withdrawal and disengagement. For a considerable period, both the US Administration of President Bush and, at that time, the UK Administration of Tony Blair resisted that Security Council view, because they wanted to give Israel time to complete its military operation.

There was equal, if on a smaller scale, frustration then, and I could go back to many other cycles of this as well, where, in the Middle East, there has been, as noted by the citizens of the Middle East—not just Palestinians, but Jordanians, Egyptians, Syrians and many others—an extraordinary inconsistency of position by western countries. That has really been on trial in recent months, where frustration with American foot-dragging on a resolution that clearly and unequivocally calls for a ceasefire has been noticed across the Middle East and across the campuses of the US and Europe.

Q8 **Dan Carden:** How have relations, in your view, changed between members of the Security Council since the invasion of Ukraine?

Lord Malloch-Brown: It has really broken down a lot of the friendships, even, that often allow the Security Council, despite very contrasting points of view, to still find ways to operate, particularly when it met privately or informally, and to make sure that different processes—the renewal of peacekeeping mandates, budgets and other things—and the work of the council continued. This has put a great strain on that. Those who are involved in it on a daily basis claim that some minimum co-operation has remained and that key appointments, like a humanitarian co-ordinator for Gaza, have been able to get through even this divided council, but it would be fair to say that working relations are very strained.

Q9 **Dan Carden:** What is the significance of all this for democratic versus autocratic states?

Lord Malloch-Brown: As you are all very well aware, we are in the midst of a global, if you like, democratic recession. There is less democracy in the world, according to Freedom House's latest report, than at any point in 18 years. Every year for 18 years, in fact, their democracy indicators have declined. So it is, on all fronts, a difficult moment for this remarkable system that we call democracy.

But it is a mistake to just view the UN itself as a vehicle for democracies versus autocracies. Many western allies—British and American allies—fall into that latter category. Egypt, for example, is a critical partner in trying to find a way through this Middle East morass, as is Qatar; neither of them are real democracies. Qatar is a sheikhdom and Egypt has nominal elections but no real democratic depth at all, and yet they are vital allies. We have to be careful of not using that simple dividing line in how we look at the UN and its alliances.

Q10 **Dan Carden:** The UN is as good as its component parts. From your experience, how do you think improvement can return? It is not a failure of what is going on in UN offices; it is a failure of states and how they now perceive the world and engage.

Lord Malloch-Brown: That point about being a failure of states is critical. I would change your opening metaphor and say that the UN is no better than its member states. They are the ones who vote. Hold up a mirror to the state of world politics and you see the state of the UN. When countries are fighting with each other, the UN does not work very well, and nor do most of its constituent parts.

What I would say is that the UN has, as I said earlier, been quite good at pragmatically finding the areas of opportunity where things can work a bit better. I am speaking to you from Washington—I wish I could have been there with you in person—and it is the spring meetings of the World Bank and the IMF. Strangely, they are doing relatively well at the moment. Even though a lot of countries are fighting on everything else, they have a shared commitment to seeing global growth—it is vital for

their own electorates or citizens—so the World Bank and the IMF enjoy a period of relative political harmony. Last year, the IMF was able to increase its capital quota share by 50%—a massive jump in resources—and it did it because the Chinese were willing to collaborate and not insist on an increase in their shareholding, which would have led to an American veto. So you do see collaboration on key issues.

Again, if you look at climate change, it does not follow or track geopolitics. China is a big manufacturer of renewable energy technologies; it is one of the leaders, in that sense, on improvements in the renewables regime. That does not stop it opening a lot of coal plants of its own, but it still wants to see an energy transition internationally. Many western countries, for different values-based reasons and the future of the planet, feel the same thing. So you are able to build alliances between enemies around specific issues, and we should always remember that.

Q11 **Chair:** Are we being overly unfair on the UN, or are multilaterals across the board facing this crisis of legitimacy?

Lord Malloch-Brown: I mentioned the Bretton Woods, which, formally, are part of the UN system; they are often not recognised as such, but they are constitutionally cousins of the rest of the UN, if you like. So there are bits that work.

Even within the UN proper, the performance is very uneven and different. So you would be prudent not to brand the whole system with a single grading. When you get to your report, you will want to note the performance differences across the system.

What I would say is that, precisely because the world is in a very dangerous, troubled era of rivalries, in some ways that does create this space for multilateralism. Because people cannot agree on much, a lot of what they can agree on tends to be in the multilateral sphere. So, again, even among the gloom, there are these little pockets of light that you can find.

Chair: That is really helpful. Thank you ever so much.

Q12 **Royston Smith:** Are states starting to look for alternatives—minilaterals—outside the accepted multilateral system that we are all familiar with?

Lord Malloch-Brown: That is a very good point, and I think yes. But I think that the urge for minilateralism is a reflection that states recognise that they cannot solve problems alone and that, in a world of integrated economies, shared climate, shared public health, as we saw in the pandemic, and shared migration movements, you need collaboration between a range of states around all these issues.

Minilateralism is an imperfect multilateralism; it is the best you can do when countries are struggling in the way that they are. But I do not see

it, in that sense, as a permanent alternative to multilateralism; it is a stepping stone to wider alliances of countries in many cases.

Minilateralism is not new either. NATO was minilateralism. The fundamental purposes of NATO have rarely looked stronger than they do now. NATO mattered in the 1940s, and it matters today, because the west faces a determined opponent in today's Russia, again. So you are always going to see a mixture of minilateralism and multilateralism, but not a situation where one vanquishes the other.

Q13 **Royston Smith:** Are those minilaterals, for the most part, values-based—where there is unequivocal agreement on an issue, for example?

Lord Malloch-Brown: They can be. I often feel that, because they tend to be values-based, they are a good starting point. For example, where you would want greater global co-operation on climate, a minilateral coalition of first movers might get a much tighter set of agreements than the vast, sprawling COP architecture, which has all states and is condemned to move at the pace of the slowest mover, because it manages by consensus.

If, instead, you had a breakaway group that said, "We are going to set some real standards, and countries that don't meet them are not going to trade with us or are going to trade at a tariff barrier to entry, which reflects the costs they are imposing on the global climate," over time you would see that values-based coalition of climate first movers expanding as others found the costs of exclusion too high. Others would pay the membership price and become members of the club and transition their own economies to renewables as well. So there are creative ways that values-based minilateralism can, over time, morph into a more universal set of institutional arrangements.

Q14 **Henry Smith:** Lord Malloch-Brown, thank you for joining us today. How are countries like China, Russia, India and the United States leveraging and potentially exploiting geopolitical tensions to gain influence in the United Nations?

Lord Malloch-Brown: In the case of China, it has invested a lot, and it made particular progress during the Trump Administration years, when the US was largely missing from the UN. In that period, China took advantage of the vacuum and put a lot more staff into the UN Secretariat. It started trust funds available to the UN leadership to support their activities and tied that to the use of Chinese staff. There was a real influence-building campaign by China, which the US is now racing to try to block and tackle.

In the case of Russia, it has had its fair share—or its share, at least—of top jobs, but successive Secretaries-General have tried to keep those jobs at arm's length from the really important levers of power in the organisation. So the Russians have tended to be given the job of head of the office in Geneva or in Vienna, rather than highly significant political jobs in New York. Because this is a long pattern, the Russians have always been a little bit the petulant outsiders who have thrown bricks in

through the window rather than seeking to manage or influence the system from inside, as the Chinese have. So they have adopted very different strategies in that sense.

Q15 **Henry Smith:** Turning to two of those countries—China and the United States—how is the increasing competition between them having an effect on diplomacy within the United Nations?

Lord Malloch-Brown: It is having a significant effect. Again, the Chinese are ultimately better players and more respectful of the rules than, say, the Russians. A UN veteran like myself has always noticed that big powers, whatever their ideological orientation, tend to be less good UN rule-keepers than smaller powers. The British, for example, in general, try to be respectful of the rules. A Nordic power or a small state like Singapore, despite not being particularly democratic at home, are very good UN players. There is an obvious long-term reason for this, which is that smaller powers need the community of the UN. They need to leverage their influence via the UN. They count on the UN charter for their own security, because they tend to have bigger, stronger neighbours that they would not do very well with if those neighbours sought to invade them. So they are UN rule-keepers. As I say, Britain usually, although not always, is a UN rule-keeper; in fact, I would argue that Britain and France both recognise that their claims to 1945 P5 status and the UN veto rights that come with that depend, long term, on them being seen as good UN citizens.

The US, as a big power, is much more capricious and takes much more of an à la carte approach to the UN menu, being a good UN citizen when it is easy to be one, but being guilty of being somewhat partial about when that is, and that crosses Administrations—it is not peculiar to Republican versus Democrat Administrations. The US is a big power that makes a humble UN official like myself tear his hair out on occasions, because they are uneven in their acceptance of the club rules.

Q16 **Henry Smith:** Talking of those developing and middle-power states, how have their positions shifted in response to increasing multipolarity, and what is driving that?

Lord Malloch-Brown: You have had these two short-term bookends. One is the Ukraine conflict, where a remarkable number of member states in the General Assembly—approximately 135, depending on which resolution—voted against the Russian invasion; only a significant 30-odd abstained and a very small handful early on voted in support of Russia.

You have seen almost the mirror opposite in the General Assembly response to the Gaza conflict, and that is because there is a view of double standards among many developing countries. The early Ukraine votes represented a high watermark of renewed western influence in the chamber, because of Russian misbehaviour and a perceived return to a multilateralist and allies-led view of the world by the Biden Administration, but that has quickly reversed with Gaza.

In that sense, what lies behind it is, in some ways, a unique and first moment in the UN. There were long periods when you had east-west blocs and the so-called non-aligned movement of southern, post-colonial countries that combined to try to resist east and west influence, but did so in a way that led them to voting as a bloc—the so-called Group of 77 plus China, as they were and are known. That is breaking down.

What is critical and important—and your question draws attention to it—about this new world is how many states who we link together under this lazy term "global south" actually want their own agency and to make up their own minds about who their allies are. Let me just randomly take one such country: Kenya. On the one hand, it has volunteered—admittedly, pressed by the US, the UK and others to do so—to provide police peacekeepers for Haiti, which in an extraordinary act of international multilateral engagement. Yet, at the same time, the new Kenyan President, President Ruto, is hosting Chinese delegations, American business delegations, western delegations, and delegations from all over the African continent, from Turkey, from Latin America and from the Middle East, because his economy is in a tight spot. He is, for Kenya, an ambitious reformer, and he wants to pick and choose alliances and, basically, get countries to bid against each other for Kenya's support. He wants money from China. He wants money from the west. He is going to go out there and show leadership—in his case, Haiti, but also on climate issues, where he has seized the leadership of pan-African climate debates.

You are seeing more and more leaders in that mould, who refuse to be neatly typecast as pro-China, pro-America or pro-Europe, but who want to pick from different parts of the menu as it fits their interests, and the UN, with its multilateral platform, is a unique stage for them to be able to do that. They have had very good Kenyan ambassadors, typically at the UN, and these individuals go out and glad-hand across a range of ideological partners as they do what they deem best for Kenya.

Q17 **Chair:** That point around hypocrisy is interesting. Too often, because of accusations levied against our own country, we are perhaps cautious about calling out hypocrisy within—to use a lazy term, as you call it—the global south. When it came to Ukraine, many countries refused to take a stance and to recognise the fact that a country had been invaded a renewed time by Russia.

We have a tendency when we talk about how the UN is being redesigned, reinterpreted, wiped out or changed the face of—however you want to describe it—in different countries with different ambitions, to focus on the big powers, such as the Russias and the Chinas. Are there smaller states where you see insidious actions that concern you, or others that think the UN is an old-world construction and do not value it as much? Where else should we be looking for concerns?

Lord Malloch-Brown: That is a very important point. What I saw in the years when I served as deputy to Kofi Annan was that we were dangerously Africa-centred in our activities. We had many African

peacekeeping operations. We had massive development efforts centred on the continent. We saw other regions feeling, frankly, a little neglected and, therefore, drifting away from the UN. I felt that about Latin America and about Asia. Asian countries were modernising fast. Their economies were growing very rapidly. They felt that institutions like the World Bank and the IMF, or a new generation of Chinese multilateral financial institutions, were a much better home for their ambitions than the UN, which seemed to be overly focused on weak or failing states and, regionally and geographically, on Africa. It was not so much that they were insidious underminers of the UN, but they were just drifting away from it. I think that that remains a threat to this day—that they are just going to think, "What does the UN do for us?" and conclude, "Not that much." The UN has to go on proving its value to all its different sets of stakeholders.

Having said that, smaller countries that have particularly bad UN behaviours include Venezuela, which will be in the first rank of hypocritical anti-western votes whenever it can. But it is one of a group of less than 10 states, whose most prominent, best known members are Venezuela, Syria and Cuba. These are countries that just love to poke the American Uncle Sam and America's western allies in the eye and to use any UN resolution they can to score points, rather than to seriously stand up for UN values. That small group of countries have been spoilers for as long as I can remember, and there is not that much difference between then and now. The big difference remains the one that I gave in the Kenyan example—that a lot of countries are seeking their own agency and are determined to pursue their own path at the UN, and no longer just to vote en bloc.

Q18 **Graham Stringer:** There is an almost complete consensus in this country, and in Europe generally, that the world is now a more dangerous place than it was 10 or 15 years ago. One of the main reasons for the existence of the UN is to try to avoid war, but we find at this time, when we are living in a more dangerous world, that the UN is dysfunctional. In response to that, there are two ways you could analyse the situation. One is, are reforms possible to make the UN more effective in promoting peace? The other is what, in your opinion, would the situation be if the UN did not exist?

Lord Malloch-Brown: On the first, in general, big set-piece reforms that open up the charter to a major rebalancing and revisiting of its principles are hard to imagine in such a geopolitically divided moment. So the calls that we will hear this year, as the UN goes into its big Summit of the Future, for a new San Francisco and for a root-and-branch reform of the institution, are unrealistic.

What is less noticed is that the other side of the very conflicts that make it hard to do big reforms do allow small reforms, because you can occasionally build coalitions of countries who act, for short-term reasons, to try to embarrass the other side on a conflict but, in doing so, set precedents that endure forever. Let me give you a very recent example that you may be aware of. There had always been some limited

opportunity, but it was very difficult to manoeuvre and achieve, for General Assembly votes to follow the use of the veto in the Security Council. The most famous early example was America using the General Assembly to authorise its intervention in Korea in the 1950s because it was blocked by the Soviets in the Security Council. It was a very complex and rarely used mechanism.

In the aftermath of Russia using the veto over Ukraine, a very clever, long-serving UN ambassador from Liechtenstein—talk about small countries!—put up a resolution saying, "Every time a Security Council P5 member uses a veto in the Security Council, the General Assembly must vote on that to confirm whether it is right or wrong." Now, that GA vote cannot override the Security Council veto, but it is a source of potentially great embarrassment for the country that exercised the veto—Russia in the case of Ukraine, but already, subsequently, the US, which gleefully voted for this new mechanism, because it was a way of poking Russians in the eye, but which now finds itself on the other end of that stick come Gaza.

It is a small but significant reform that allows the General Assembly to get its nose into the tent, or under the tent, on security matters. What I think you are going to see is a lot of those kinds of smaller reforms championed by different coalitions of countries. There will not, therefore, be the big San Francisco-type redrawing of the UN, but I think you will see the steady drumbeat of attempts to make it work in a way which more legitimately represents the will of its members.

To the point on whether we would be better off, or what would happen to the world, if there was not a UN, the UN remains critical for many small countries. They do not have embassies everywhere. They cover multiple countries from a single embassy. The UN is a critical place to carry out a more efficient multilateral diplomacy but also a huge set of activities across everything from child rights to labour standards, the regulation of the international postal system and the management of international migration movements. All countries, not just smaller ones, would instantly feel the vacuum if the system just packed up and closed down one day.

Q19 **Graham Stringer:** I have a specific question about the World Health Organisation. At a time when the UN is weak, the World Health Organisation is trying to take more powers to itself. With the pandemic agreement, it is seeking powers to control the policies of individual countries if there is a pandemic of some sort. They have insulted all of us by having Mugabe as a goodwill ambassador. It seems extraordinary to me that a discussion is going on to give over to an organisation over which China has undue influence the power to control health policies in member countries. What is your view of that?

Lord Malloch-Brown: It is twofold. First, you mentioned Mugabe. It was a UN intervention by my boss, Kofi Annan, which finally got Mugabe to admit to the problem of HIV/AIDS in his country and to stop treating it as some disease for, in his mind, the sexually deviant, and instead to allow a

decent public health response. He certainly was not going to do that because the Brits asked him; it needed a fellow African to make that demand of him for him to reluctantly concede it. So it is not a one-way relationship here.

On the point about China and the WHO, let me tell you, as someone who managed earlier global pandemics, that the problem was that China sat on critical health and epidemiological data that would have allowed an earlier start on, for example, the swine flu outbreak and other earlier pandemics. WHO's problem has not been co-operation by western states; it has been the likes of China not sharing data.

So we should be careful what we wish for in denying WHO that right to demand pandemic data, because its argument is a very simple one: a pandemic does not respect national borders. It is a threat to all of us. It is simply not right, whether it is covid or other outbreaks, that China is able to hide behind the wall of national sovereignty to put the health of all of us at risk and in jeopardy.

If I may say, it is to misunderstand or misattribute the motive for what WHO is trying to do to suggest that it is allowing China to influence or manage how the rest of us respond to public health. Quite the contrary: it is an effort to get China to be more compliant than it has been historically.

Q20 **Graham Stringer:** It is highly unrealistic, isn't it, to expect that China would open up its books? It has not opened up what was happening in its laboratories at the beginning of the covid epidemic. It is highly unlikely, even with a treaty, that China, Russia and other authoritarian countries would let a UN agency gather information that they did not want them to have. It is much more likely that democracies would allow people in. It would seem to me to be a one-way street.

Lord Malloch-Brown: There is a risk of that, but what I would say is that those labs were a particularly acute threat to China's international reputation. If it was the case that that is where covid came from, it was a massive, huge error that jeopardised world health and the lives of millions. China was scrambling to try to cover that up, and I agree with you that it was in breach of all kinds of rules in doing that.

But what I saw very clearly was that, while the absolutely remarkable Centers for Disease Control and Prevention in Atlanta, which is the global leader in terms of health data, could never get data from China, China was willing to share it through the WHO. So when you ask the American public health authorities, "Do you need WHO?" they always say, "Yes, absolutely, because we can't get the data directly. We need an intermediary."

You should also know that, in terms of the way the WHO is organised, it is an unusual organisation because it has very strong regional directors, who are like mini-WHOs. The Asia WHO enjoys a relatively high degree of confidence from China.

Q21 **Chair:** Just before we wrap up, Lord Malloch-Brown—my apologies that we are running over slightly—what reforms do you think we need to see from the UN to protect it from autocratic capture and to make it more capable of responding to the urgent needs that we see around the world at this time?

Lord Malloch-Brown: We have to understand that the UN is not a club of democracies; it is a universal chamber. What democracies should do is organise within it to press for democratic values, but they cannot expect a UN that preferences them over autocrats. The UN has to be about the universal appliance, in a consistent way, of international rules that all its members subscribe to.

Then, on issues such as human rights, it has to be much stronger and more robust in calling a spade a spade when countries fall short of its standards of human rights. It is not about slinging out the Chinas because of what they do. A UN without China, for example would be a hobbled institution. If you want a club of democracies, have that, but recognise that that is not the purpose of the UN. Its universality is what its power, authority and usefulness to a country like Britain comes from. Again, you need to be careful about that.

Secondly, I would just say that I am really glad that you have taken up this subject, because Britain has a unique standing and opportunity in the UN. It is a P5 member, for historic reasons, and has devoted itself over many decades to trying to make the UN work better, so it does have a particular authority and status to call for reforms. I hope that you will use that to come up with thoughtful reforms. I could give you a list, but I think that you are out of time, so I will save you the long list of reforms that a career UN-er like me could easily provide you with.

Chair: We hope that you will write to us with those, because we would very much like to receive them. We are very much focused on solutions rather than just pointing out the problems, so please send those through. With that, we say thank you ever so much to you, Lord Malloch-Brown.

Examination of witnesses

Witnesses: Emma Reilly and Richard Gowan.

Q22 **Chair:** Welcome back to the Foreign Affairs Committee, where we continue our hearing this afternoon on the multilateral system. We have two fabulous guests this afternoon. Can you kindly introduce yourselves?

Emma Reilly: My name is Emma Reilly. I worked at the UN's Office of the High Commissioner for Human Rights for 10 years. While I was there, I discovered a number of favours rendered to the Chinese delegation, most notably the communication of the names of human rights activists, including British citizens, to China. No other state was accorded that favour.

Richard Gowan: I am Richard Gowan, the United Nations director for the International Crisis Group, a global conflict prevention organisation. I have been covering the UN in various capacities for 20 years.

Q23 **Chair:** In this session, we are very keen to look at the lessons that need to be taken and how we get to a multilateral system that people can have confidence in but that also functions successfully. To kick us off, Richard, what are the most significant problems currently facing the UN? Are they political problems or structural problems, whether that is funding, peacekeeping failures, a failure to implement things like ceasefires, a lack of leadership or failures within the Secretariat? Where do the issues sit?

Richard Gowan: All of those are problems, but there are three fundamental challenges to the UN that underlie a lot of the more short-term problems. The first is the very tense state of major power relations, which is clearly doing great harm to the Security Council. Russia, especially, is now adopting a very aggressive diplomatic posture in the council; that damages the UN as a whole.

Secondly, there is a lack of trust between, essentially, western countries—developed countries—and developing nations, because many developing nations believe that previous western pledges on aid, but also on climate change adaptation, have not been fulfilled. There is a huge amount of resentment around that, although I would say that a majority of non-western nations would still like to work with the UK and its allies to get global development back on track and deal with issues like debt.

Finally, there is the fact that the UN is just not very relevant or well calibrated to deal with some of the big issues of the moment. The UN has a development system designed to fix the problems of the 1960s; it does not have agencies dealing with issues like artificial intelligence. We are seeing a huge period of scientific advance, and the UN is trailing behind that, which does affect the organisation's capacity to deal with global change.

Q24 **Chair:** Emma, do you agree with that assessment and those three core areas of concern? Also, from your experience, how does interference by autocratic states hamper the ability of UN agencies to deliver their remits and to reach and implement agreements?

Emma Reilly: I agree largely with that. The UN is not fit for purpose. I agree also with some of the points that Lord Malloch-Brown made about the crisis of confidence. Unfortunately, a large part of that crisis of confidence is quite justified. There is a tendency to focus on the political level of getting these resolutions and agreements into place among member states. But then there is the implementation level and, most of the time, it is the UN Secretariat itself or some part thereof that is supposed to take this and make it work on the ground. There has been a failure among member states to really look at what is happening in that part of the UN.

Just to take a couple of very concrete examples, the UN's court position in my own case is that there is an absolute right for the UN as a body to

lie to member states. That is the equivalent of saying that the FCDO could lie to Lord Cameron. It is quite an extraordinary position to be taking, and it is not simply theoretical. This is something that is borne out in reality.

For example, the man who ordered this policy of handing names to China is on the record, in a sworn witness statement, admitting that, in order to cover the matter up, he lied to the UK delegation. The head of management of the UN decided that he had not committed misconduct, but that, for reporting him, I had.

What can seem like an internal issue then plays back into the political realm. For example, another person within the UN Secretariat, who is responsible for all investigations ever conducted in the UN, was caught by his own investigators on tape in 2018. He was giving them direct instructions that they should ignore mandated investigations—on which they enjoyed no discretion—ordered by a resolution of the General Assembly, when a whistleblower is involved. He was very explicit about why he was doing that: he said—and I just want to quote him, so that I cannot be blamed for that—"That gets the Americans off the UN's back, which means they don't reduce their contribution".

So instead of having accountability and following the procedures as his first priority, his first priority, per the investigation's manual, was the interests of the organisation. This is the man who is currently responsible for the UNRWA investigation. Now, I do not claim to know what happened in UNRWA, but what I can tell you with absolute certainty is that the man who has already admitted to faking investigations to make sure that the US contribution to the UN coffers does not go down is relatively likely to find that it is bad apples, in a context where his job, as he understands it, is to make sure that the US money starts flowing again.

There has been a tendency to focus on, "What is happening in the Security Council? What is happening in the General Assembly? Are our political priorities being reflected in these resolutions?" and much less on what is happening in the Secretariat, which is, essentially, left to its own devices, because that is seen as being below the interest of diplomats.

Q25 **Chair:** Forgive me, Emma, but who are the Secretariat accountable to?

Emma Reilly: They are accountable to the Secretary-General. I think I will be covering some of the Secretary-General's influence on some of these issues later in my evidence. The Secretary-General, in my own case, was written to by the head of the Ethics Office, and the Secretary-General is supposed to be the guarantor of the independence of the Ethics Office of the UN. She explicitly wrote to him saying that failure to investigate in my case would result in, basically, the evisceration of the UN whistleblower protection system and that nobody would have confidence in that system again if he did not follow the rules. The Secretary-General, having received that memo, went ahead and failed to respect the rules. I do not think it is particularly useful to have as the purported guarantor of independence, to whom all of these different

allegedly independent agencies report, a man who is prepared to ignore those rules if that is politically expedient for the UN, as he sees it.

Q26 **Chair:** On that point, to translate it into our system, António Guterres is essentially the permanent secretary of the UN Secretariat. Ministers in the UK would be able to rewrite some of the civil service code, if they wanted, using the Cabinet Office, or they could change the way in which civil servants work. Is it member states, which act almost as a ministerial equivalent, who would have to ask for a change in the code or in the accountability of the UN Secretariat? How would you begin to reform that?

Emma Reilly: It would be incredibly simple because the initial GA resolutions for all those processes are already in place. They have this kind of internal ability to create legislation. It is just created by the Secretary-General. For example, in response to one of my cases, I managed to get a former high commissioner placed under investigation. They did not like that.

It used to be the case, when there were reasonable grounds to believe that misconduct may have occurred, and a report was made in good faith, that there had to be an investigation. The Secretary-General, within a month of the judgment coming down in my case, changed that rule so that, now, the primary concern is whether the investigation is in the interests of the organisation, and you can no longer force an investigation, no matter how good your proof is that misconduct has occurred.

That was done without any influence from member states; it was done without even telling member states—in fact, that was sold to member states as, "Oh look, we have improved the system. Now NGOs can make a complaint". But the member states, including the UK, are not really paying attention to that level of legislation; they see it as below their notice.

It has been put back in the past. The US delegation went to see the Secretary-General and said, "Look, you are no longer in compliance with the outcome of World Summit 2005, when we established all of these institutions. We required independence. We required transparency. We required all of these good things. The current legislation, as it is written, as you have changed it, no longer respects that, so you need to change it back".

That is where particularly the UK and the other democratic states can play a role, in terms of saying, "We do expect the UN, when it is spending our taxpayer funds, to have at least the minimum guarantees of transparency that we would expect for Government funding anywhere else."

Q27 **Chair:** Richard, can I bring you in on that? How easy is it for member states to come in and want to reform the UN Secretariat and the way it works? Is it an independent machine that thinks that, because it reports

to so many masters, it has almost built up a bolster to protect itself from the member states and knows better?

Richard Gowan: There is an advantage in having an independent international civil service. One of the strengths of the UN is precisely that you should have officials who are not beholden to any state and who are attempting to promote international co-operation or standards on issues like human rights.

The reality of course—and Emma describes a very clear set of symptoms of this—is that you have an institution that is under constant political and financial pressure. The Secretary-General, in particular, is always under pressure from the major powers—for example, from China over the Uyghur issue. António Guterres has been especially unfortunate, in that he has had to deal with, first, the Trump Administration and then China and Russia during a very difficult period.

The more that member states can push for transparency, and the more that they can push for the UN to follow the rules, the better, but we need to be clear-eyed about the fact that this is always going to be an organisation where big power politics bleed into the way that the organisation works. That leaves UN officials feeling very defensive and, yes, often very inclined to duck controversy.

Chair: That is very helpful. I am going to go to Dan, but I am sure Henry will want to bring us back. A point that you would naturally want to call on there is the idea that the Secretariat are truly country-agnostic when they join the UN, having previously come from their own civil services.

Q28 **Dan Carden:** Richard, earlier you talked about rising tensions between the major actors in the UN—the major member states. How is that affecting political behaviour within the United Nations? What can the UK do to improve the situation facing, I think, the UN as a whole?

Richard Gowan: When I referred to major power tensions, my specific, main concern at the moment is Russia's positioning in the Security Council. In the first year after Russia's assault on Kiev, it was notable that the Russians were relatively pragmatic in the Security Council and tried to avoid getting into too many fights on issues unrelated to Ukraine. That has now changed, and we are seeing Russia using its veto more and more aggressively on matters ranging from humanitarian aid to Syria to the nuclear programme of North Korea. I worry that Russia has gone through a strategic shift and is really aiming to challenge the west on a very systematic basis in the UN now. I am less concerned about China in the Security Council. China in the Security Council remains relatively cautious, although it does flex its muscles at times. I think the Russian challenge is the main one.

The UK, both in the Security Council and more generally, needs to do what it can to rally the very significant number of countries that still want a working multilateral system. At a time when elements of the UN like the Security Council may become more paralysed, that may involve going to the General Assembly more often, as we have done over Ukraine, to rally

support for UN mediation efforts, humanitarian efforts and so forth. The UK still has the ability, as Lord Malloch-Brown was suggesting, to be a sort of ringleader for the good guys in the UN system, if it wishes to be, in the face of almost inevitably worsening great power tensions.

Q29 **Henry Smith:** This Committee's report of 2021 on multilaterals identified intensifying attempts by autocratic states to capture multilateral organisations and subvert their principles and norms. Do you feel that that trend has continued, and where, in your view, Richard, is it having most impact?

Richard Gowan: I would be careful about the autocratic capture narrative. As I say, Russia is being hugely disruptive, but Russia does not have the resources or the influence to capture many parts of the UN system. It can block, but it cannot really control many parts of the UN.

China has unquestionably gained a huge amount of influence over certain UN agencies—for example, the Food and Agriculture Organisation in Rome. China is very much shaping a lot of development debates in the UN system now. It is also making its weight felt, as Emma can describe better than me, on human rights debates in Geneva.

Even there, though, I would emphasise something of a positive. Western countries have managed to push back against Chinese influence in the last four or five years. There is a much higher awareness of how China is trying to fill senior positions at the UN or insert Xi Jinping language into UN texts. Until about 2020, China was able to expand its influence almost unchecked. Now, there is more pushback. Yes, there is an autocratic challenge at the UN, but we have seen that it is also possible to monitor and counter that with persistent and focused diplomacy.

Q30 **Henry Smith:** What other states, apart from Russia and China, should the UK be concerned about? What is driving some countries to support them?

Richard Gowan: As Lord Malloch-Brown said, the number of countries that persistently support Russia, in particular, is very small; it is the Syrias, Venezuelas and Cubas of this world, and that bloc is pretty hard to break up.

What I would say is that there is a much broader group of developing countries, many of them currently under a lot of economic pressure, that do not want to be forced to choose between the west and China; they want to get what they can from both sides in the divide. There are a lot of countries that look to China for financial and economic reasons, even if they do not want to be part of a Chinese-led bloc.

Lord Malloch-Brown was absolutely right to focus on the need to reform the international financial institutions so that they can help some of these developing countries to deal with their debt issues and their economic problems. If they see that they can work with the UK, the US and the EU to deal with their economic challenges, they will have a tendency to continue to co-operate with us through the UN. If we cannot offer them

those economic incentives, they will have reasons to tilt further and further towards Beijing.

Q31 **Henry Smith:** Emma, what differences have you observed in the way states respond to and engage with the Secretariat and the rules of the UN? How can senior officials realistically respond under that pressure?

Emma Reilly: We have seen increasing interference, essentially, by UN member states. Basically, any time they know that someone at working level is writing a mandated report that is potentially going to mention their country, they will be on the phone every five minutes to that person. When you try to engage with democratic member states, including the UK, the response that you get is, "OHCHR is independent. We could not possibly interfere.".

That would be fine if the autocratic member states were also playing by those rules. I was assaulted in my office by a Cuban diplomat because he did not like that Cuban GONGOs were not going to be able to speak in the UPR of Cuba, for example. That was not an unusual circumstance; you would get quite senior diplomats coming and threatening relatively junior UN staff.

You see it in other things as well. When there is going to be a discussion on China in the council, rules are broken to placate China. The last time there was even a threat of a discussion of the situation in Xinjiang, the rules of the entire UN office in Geneva were broken to allow a nice exhibit called, "Xinjiang is a Wonderful Land". All of the Uyghurs had to walk through this exhibit even to access the room.

It is that kind of constant low-level interference on basically everything to try to create a situation where it is so much work to deal with all the notes for the file that are inevitably going to be generated. Once they have seen me and I have said no, they are going to go directly to the high commissioner. I have to write the note for the file for the high commissioner, and we are going to have all of these meetings. So a lot of UN staff, frankly more out of laziness than conviction, are willing to, essentially, give in. It is easier—it will make their lives easier—and they can get on with what they are supposed to be doing.

There has also been an increasing financial clout exercised by China, in a way that is not necessarily public. They are getting a lot of bang for their buck. This is the $20 million a year—it is essentially a slush fund—that Lord Malloch-Brown referred to briefly.

Every year, $10 million of that goes to what I would call blue-washing Belt and Road projects, where those Belt and Road projects then get a nice UN label that they can stick on them. It is essentially development aid that China was always going to give, but now it goes via the UN and therefore it is sanctified in some way.

The other $10 million is essentially for the pet projects of the Secretary-General that he cannot get funded anywhere else. China clearly feels it is getting something out of giving the Secretary-General a $10 million slush

fund. There was not any member state discussion about the establishment of that—it is called the peace and development trust fund. There is no similar mechanism that exists for any other member state, so one issue to look at is why the UN decided to take money outside the normal, regular budget voluntary contributions system.

Another way that China tries to get its priorities into the Secretariat is through conditionalities, which are never publicised, on China's donations to the UN. It does not give very much voluntary funding, but the funding it does give is quite heavily focused on small island developing states, SIDS, and least-developed countries, LDCs. They just happen to make up the majority of the remaining member states that have diplomatic relations with Taiwan. Of course, the secret conditionality that is never published to the other member states is that these moneys are not allowed to be disbursed to countries that do have diplomatic relations with Taiwan. So if you want to access the UN funds, you have to change allegiance and recognise China.

Because other member states are not informed of that, they do not have the opportunity, for example, to make up any shortfall. All they see is, "Oh, that is fully funded. They have the full budget requirement they asked for. We can move on to the next thing." That complete lack of budget transparency is also one of the issues that really needs to be looked at, ideally through the Fifth Committee.

Q32 **Henry Smith:** My next question was going to be whether you can give us some examples of how some countries are abusing the system. You have just given several shocking examples there with regard to China, as well as the earlier one about the whistleblowing that you undertook in terms of information being passed to China on human rights activists.

You have very articulately and clearly set out the issue. Why are the United States, the UK and France, another P5 member, putting up with this sort of practice? Why are we allowing a $10 million slush fund for the Secretary-General's pet projects to be delivered by one country? Is it because it is better that somebody else is paying money towards the UN?

Emma Reilly: My answer is even worse: negligence. There is a tendency not to look at why certain things are being proposed in the General Assembly. A lot of the stuff that is seen as administrative is just gavelled through. I have written these scripts for the presidents of meetings. I have sat next to them. They read what is put in front of them.

Let me give another example that is quite shocking—it is related to my own case, but I give it by way of a general example. After the hearings were held in my case, it was very clear that I was going to win against the UN. That would be a bad look, so the UN decided that they needed to get rid of the judge quite quickly. They brought forward the election of judges in the General Assembly by six months. The executive director of the Office of Administration of Justice stood up and, quite frankly, lied to the gathered General Assembly about what was happening.

The judge who was removed and myself both made complaints about this. He was told he was not a UN staff member and therefore had no grounds to complain. I was told it was not in the interests of the organisation to conduct an investigation. They then, essentially, gavelled through the removal of a judge, having been lied to and told that it would have no financial consequences and that the judges currently in place would finish the cases they had. The judge hearing my case turned up to work the next morning and was told he did not have a job any more.

At the time of that vote, one of the other judges who was due to be removed was at the back of the room and was prevented by UN security from approaching member states to inform them of what was really going on. It is very difficult to overstate how corrupt the UN has become when it comes to things that it really wants to cover up. I am even aware that the office of Melissa Fleming, the UN's head of communication, has been quite busy all weekend trying to encourage other participants not to participate in this meeting.

Q33 **Chair:** That is an interesting one, given that we had two people pull out claiming to be sick, but I am sure they were.

On that point about the Xinjiang genocide whitewashing exhibition, what member states opposed it, or raised it in some sort of systemic or bureaucratic way to say that they opposed it not only taking place but taking place when it was, which was clearly an intimidatory tool?

Emma Reilly: The member states are not informed in advance of the exhibitions at all. The internal process that should have been followed—I used to be the person on the UN side of this—was that the Office of the High Commissioner for Human Rights, the person responsible for exhibits, would work with cultural affairs in UNOG. Cultural affairs were there to say, "Does this exhibit have artistic merit or not?" I or my colleagues who took over that role were there on the political side. The rule was that we never had any exhibit that related to a country situation during the Human Rights Council—never.

Q34 **Chair:** That rule was broken.

Emma Reilly: That rule was deliberately broken for China. It was broken by the same man who hands names to China. He is now retired, but his name is Eric Tistounet. He was the chief of the Human Rights Council branch.

Q35 **Chair:** What should the UK have done that we did not do in response to, for example, an exhibition like that?

Emma Reilly: You should have gone immediately and had a meeting with the high commissioner and demanded that the exhibit be removed and asked why an exception was being made for China.

Q36 **Chair:** We are not aware of any country having done that.

Emma Reilly: I am not aware of any country doing it. I am aware of a number that expressed concern amongst themselves. I know it was

brought up in an EU meeting, but I am not aware of whether any further measures were taken because, frankly, there is a very deep lack of knowledge among diplomats from the UK and basically every other democracy as to what the internal rules are. They do not know that is the actual rule.

Given that Eric Tistounet has admitted that he lied to the UK delegation about handing names of UK citizens to China, I do not think he would have had any compunction about saying, "Oh yes, it is terrible. We could not possibly have done anything."

Q37 **Chair:** What was the accountability for the fact that he admitted lying to the UK delegation?

Emma Reilly: Absolutely nothing.

Q38 **Chair:** The UK did not respond to that either?

Emma Reilly: No. I did not inform them.

Q39 **Brendan O'Hara:** Very quickly, on a point of clarity, when exactly did this exhibition happen and where?

Emma Reilly: There were actually three. The one I was referring to was when the US was putting forward a resolution that they should have a debate on the Xinjiang resolution. I can get you the exact dates afterwards—it would take me five minutes online.

Q40 **Brendan O'Hara:** You say it happened three times.

Emma Reilly: Yes, there were three exhibits in total.

Brendan O'Hara: There were three of the same exhibits.

Emma Reilly: Yes, vaunting China's human rights record in Xinjiang.

Brendan O'Hara: Could you let us know when and where?

Emma Reilly: I will write down exactly when they happened.

Brendan O'Hara: Great. Thank you.

Q41 **Chair:** I made the point to Richard that it is difficult to believe that, when some people join an international multilateral organisation, they truly put to one side their country affiliation. There are exceptional diplomats around the world who do do exactly that: they join a multilateral organisation and they put to one side any domestic affiliation or interest that they have. However, it is difficult to believe, when you see certain countries surging people into the UN, or when you look at how people are raised in certain countries to believe certain revisionist histories, that when they go into the UN they suddenly adopt a globalist view of it. To Richard's point, this is not a club of democracies but, ultimately, it is there supposedly to support some of those ambitions and values. What accountability is there within the system to make sure that individuals are working in the country-agnostic way that they should be?

Emma Reilly: Zero—absolutely nothing. They were supposed to be after the World Summit in 2005. That created the court system, the investigation system and the ethics system. I have brought with me a set of memos that were exchanged in my own case. I bring those because the General Assembly at one point ordered an audit of all those accountability systems. I was interviewed as part of that audit in July 2020. I was told by the auditors that their intention was to use my case as the main case showing how none of the systems works. The auditors, who were purportedly independent, were then called by the Office of the High Commissioner for Human Rights and told to remove any examples, so the report that was received by member states was entirely based on interviews with senior managers.

I have the memos that were exchanged in my case. I just want to make sure I am listing exactly the people. These were exchanged amongst the Secretary-General, the High Commissioner for Human Rights; the head of management, Catherine Pollard; the head of ethics, Elia Armstrong; the head of investigation, Fatoumata Ndiaye; her deputy, Ben Swanson; the head of legal affairs, Miguel de Serpa Soares; and the head of human resources, Martha Helena Lopez. Those are the people who actually run the UN Secretariat, and it is a fairly inclusive group. All of those people exchanged a series of memos discussing exactly how they were not going to apply the rules in my case and how they would get away with it in order to ensure that there was never any investigation of the UN's relationship with China. It is at that level. Those are the people that UK diplomats meet with. When UK diplomats meet with them, they are told all kinds of horrible things about me so they will not meet me.

At one point, the head of ethics, in a memo written directly to the Secretary-General, tells him: "a failure to investigate will have detrimental consequences for the reputation of the Organization"—that is priority one—"and the Secretary-General's stated commitment to protection against retaliation, as well as erode staff confidence that the policy is effective." She is completely right. I have had an Assistant Secretary-General come to me to tell me that he was not going to report child rape by someone under his supervision, because he knew, based on what he had seen the UN do to me, that there was absolutely no chance that the perpetrator would suffer any consequences, but that he was absolutely certain to lose his job for speaking out. You cannot have a system where every purported guarantee of independence is reporting to one of those people, and that is the current system that you have.

What you need to do is exactly what the UN does across the world. It is what I was trained to do; it was the bits of the UN that did work. I was an expert in the rule of law. You set up separate systems reporting directly to the General Assembly, in the same way that OIOS, for example, purportedly already does, so it is very easy to reform that one first. Those systems report directly to the General Assembly. You get rid of everyone that currently works in those institutions and you hire people with seven-year non-renewable contracts, where neither they nor their families can immediately walk into cushy UN jobs afterwards.

It is not difficult to solve this, but it does desperately need to be solved. The problem is not that there are these sort of angels working in UN offices that are being unfairly maligned because of great power conflicts in the rooms of the Security Council. It is the single most corrupt place I have ever worked, and it should be so much better.

Q42 **Chair:** Richard, does this ring true to you? Does it ring fair to you? Where do we go from here if this is the state of things?

Richard Gowan: In my experience, many UN officials are actually quite dedicated people, and many UN officials do not live up to the very negative characterisation that you are hearing from Emma.

Chair: Without question.

Richard Gowan: I think Emma herself said that there are good people in the UN system too. We should keep in mind that we are also talking about an organisation that sends people to work in very, very hard places, such as the Central African Republic. They sometimes do dangerous things and sometimes lose their lives, and that is worthy of respect. But it is obviously also true that any institution requires scrutiny, and the UN certainly does require scrutiny.

There is currently very low morale in the UN Secretariat. Even some of the finest UN officials I know feel very worn down because they are seeing a lot of the norms that they thought they were going to work to achieve eroding quite rapidly globally. In the words of one friend at the UN, there is quite a lot of quiet quitting going on. There are quite a lot of people who are not pulling their weight in the organisation because they are not quite sure what the organisation is for any more.

It is worth highlighting that there is an opportunity for change coming up with the selection of a new Secretary-General. The selection of a new Secretary-General comes around in 2026. That will be an opportunity to look for someone who can put some life back into the organisation. It is traditionally true that Secretaries-General have 10-year terms, but they normally do most of their institutional reforms in the first two or three years that they are in office. That is when they have the most political capital.

There are a lot of big institutional questions facing the UN at the moment. They are not only about human resources and accountability. We also need to look very seriously, for example, at what has gone wrong in some big UN peacekeeping operations, such as the one in Mali, which closed last year.

The UK should invest quite heavily in finding us an impressive new Secretary-General who can maybe kick down some doors and change some rules, because it is an opportunity that only comes around once a decade in most cases.

Q43 **Fabian Hamilton:** Richard, you mentioned the failed peacekeeping mission to Mali, but what about Haiti? What went wrong there?

Richard Gowan: Haiti is one of the countries where the UN has been most frequently deployed in the last 30 years. The UN has been pushing for a deployment to Haiti but does not want to send blue helmets of its own, because when there were last blue helmets in the country a Nepali unit almost certainly introduced cholera into Haiti. If you want to talk about the history of UN cover-ups, there was certainly a huge cover-up over that.

What the Security Council has been trying to do—and this is one area of reasonable co-operation—is find an alternative peacekeeping force for Haiti. Kenya offered police last year. Some other African countries and Caribbean countries offered police and troops. The problem is that the process of getting this force together was very slow. There was not really a political track for getting acceptance for this force in Haiti. Now, the main gangs in Port-au-Prince have seized control of the city and will almost certainly resist any international deployment violently.

I am afraid it is a case where the politics of getting agreement on a peacekeeping operation was so extended that there probably will not be a peace operation of the type that was intended.

Q44 **Fabian Hamilton:** So the UN is prepared, or unwillingly prepared, to allow permanent chaos in Haiti, and especially in Port-au-Prince, at the moment. It is unbelievable what is going on there, and nobody seems to care.

Richard Gowan: It is a dreadful situation. If you start to get very large-scale refugee outflows, the US and the Caribbean countries will probably push for some action. It is possible that you end up with another blue helmet force going in, for the want of any other alternatives, but it is now fairly clear that you would need a pretty heavy force that is capable of, frankly, urban combat with some very well-armed gangs. That is not what has been on the table so far.

Q45 **Dan Carden:** Richard, thinking about UK values and interests, where within the UN system are we most valued? Where can we have the most impact? Can we build on the work that we do?

Richard Gowan: Certainly in New York—and, I believe, also in Geneva and Vienna—you have very good representation. Barbara Woodward, the permanent representative in New York, is a very highly respected diplomat amongst her peers. I hear that very frequently.

UK diplomats are good at drafting things. They are good at writing resolutions. They are good at managing UN process. In the Security Council, for example, other council members sometimes complain that the UK is too close to the US on certain issues, but there is none the less an appreciation for the fact that the UK is a constructive and well-informed member of the council.

Looking beyond the Security Council, we have to be honest that, for a long time, the UK was also valued as a great leader on international development and the member of the P5 that was most articulate and

thoughtful about international development. The decision to get rid of the 0.7% pledge and the reduction of UK aid did do some significant damage to the UK's presence and influence in New York.

But I do notice, with your current Ministers at the FCDO, that there is a sense that the UK is grappling with that problem. Going forward, even if getting back to 0.7% is probably not politically realistic, the UK should continue to aim to work as a leader on development debt and some of the other economic issues that I raised as being of great significance to a lot of other UN member states.

I work in New York—I do not work in Geneva—but I have heard from colleagues who work in Geneva that, in diplomatic terms, the UK is still very effective around the Human Rights Council. As it knows the procedures and art of Security Council diplomacy, it is also good in the Human Rights Council, but that is part of the UN world that I know less well.

I would really emphasise that the development piece of the puzzle is one that requires care and investment, because it is a major source of influence for the UK when done right.

Q46 **Dan Carden:** You have given us a few ways in which the UK Government can strengthen its relationship with the UN. Looking ahead to the Summit of the Future, is there anything you specifically hope UK Ministers will pursue there?

Richard Gowan: We should set our expectations fairly low for the Summit of the Future. The Summit of the Future is going to agree a pact for the future, but that has to be agreed by consensus. You can imagine that getting consensus on almost any policy area at the UN is extraordinarily hard.

My reading of what matters most about the summit is, first, that the developing countries want to see some signs of progress on the issues that I am—sorry—banging on about: the issues of debt and financing. That, for them, is the litmus test of whether this summit is successful.

The other area where the summit can play a significant role is in starting to sketch out an international architecture for co-operation and, eventually, regulation around artificial intelligence and some other rapidly developing technologies. Three or four years ago, that issue was not discussed at the UN at all; now it is suddenly a huge focus. The US just tabled and got consensus for a General Assembly resolution on the need to use AI for development. The UK held a Security Council session on AI last year. There was also the UK AI summit. Again, this is an area where a lot of member states do not have a lot of knowledge and are quite happy to see countries like the UK advancing a multilateral agenda.

So, in essence, I would say development and tech. I am afraid that, on such unicorns as Security Council reform, we are not going to see a lot of progress in September. The politics are just too hard. I think that, given the tensions amongst the major powers, which we have touched on a lot,

there is going to be very little on security in the Summit of the Future. That is a worrying sign about where things stand at the UN.

Q47 **Graham Stringer:** Richard, I am interested in what you said about AI. I do not quite understand what you are saying the UN role will be. At the present time, Europe has a very detailed and complex regulatory system on the way; it is almost re-regulating every year. The Americans seem content to say, "We have all the big tech companies. We'll let them deal with it." Those are two very different systems. I do not quite understand what you see as the role of the UN in regulating AI.

Richard Gowan: Let me say immediately that I am not an expert on AI, and nor will I ever be. Secretary-General Guterres has suggested the creation of a stand-alone multilateral agency that would oversee the regulation of AI, modelled on the IAEA and the way that it regulates nuclear technologies. I am afraid that I do not think very many people think that is realistic or even desirable at this stage. It could end up just being a process of building an institution for its own sake. Where the UN does have a role is probably on working on ways to spread the advantages of AI and helping poorer nations to have access to new technologies. That is a focus for the Summit of the Future.

Secondly, in the arms control space, I do not think we are going to get hard treaties on the use of AI in conflict, but the UN can be a venue for discussions of the guidelines that should relate to the use of AI in conflict, although those talks are always quite painful and opaque.

Lastly, the UN—this is really a part of the first thing that I pointed to—can be a source of information and guidance to a very large number of states and Governments that do not understand this technology and that worry about how technological change may affect them. This is an area where the UN can be a useful impartial provider of information. Organisations like Microsoft have been setting up liaison offices around the UN because they want to influence the way the organisation develops. So they clearly see some value in multilateral co-operation, at least on these areas.

Q48 **Fabian Hamilton:** Richard, you touched on reform of the UN Security Council in response to my colleague Dan Carden earlier. The UK has, to an extent, led the way. I am not trying to pull the rug from under the next question, but I wanted to ask you about the fact that the world has changed beyond recognition since 1945. The settlement of 1945 created the five permanent members of the Security Council. I accept what you say—that without their agreement nothing can change. And why would they agree to remove themselves? That is not going to happen.

But surely the UN has to recognise that countries like Brazil are growing economies and powers in the world. India's economy is growing hugely. South Africa has massive potential. That is just to name three. Turkey, although its economy is floundering a bit at the moment, is providing leadership in its region. We may not like some of the things it does, but it is providing that leadership and playing a very important role. Surely those countries deserve to play a greater role within the UN Security

Council as well as the General Assembly. Would you not agree?

Richard Gowan: I would fully agree. The fact that there has been so little progress—or, frankly, no real progress—on Security Council reform has affected the way that some of these countries view the UN.

As I said at the outset, I have covered the organisation for 20 years. Over that time, I have noticed that India is increasingly less interested in the organisation. Despite their public rhetoric, Indian officials recognise that they will not get a permanent seat on the Security Council. So India is investing more in the G20, the Quad and other arrangements away from the UN because it sees that it can project its power and gain influence through those instead. I think that, if we do not have UN reform, Brazil and others will go the same way.

The basic issue is that one member of the P5—China—is profoundly opposed to the idea that Japan or India should gain permanent seats on the Security Council. While the US has recently become more positive about Security Council reform, China continues to push back. This makes getting reform very hard indeed.

Q49 **Fabian Hamilton:** Would that not increasingly make it pointless for countries like China to try to dominate the UN, if the UN becomes increasingly irrelevant to the growing powers and economies in the world?

Richard Gowan: This is something that affected the Biden Administration's view on this, and one reason why Biden did call for Security Council reform; it was partially a response to Russia's actions over Ukraine, but it was also a recognition that this is a wasting asset. It is a wasting asset for the US; it is a wasting asset for the UK.

As Lord Malloch-Brown said, we see countries drifting away from the UN. We are even now seeing a very striking tendency for African countries to push back against the Security Council, to try to keep the Security Council out of their affairs and to weaken UN sanctions regimes.

There is a sense that the world is drifting away from the Security Council. As a result, having a permanent seat and a veto on the council matters less. However, it is still very hard to persuade the current veto powers to be rational about this and to agree to share some power to keep the organisation relevant.

Q50 **Brendan O'Hara:** Further to that point, beyond China, is there a desire among any of the other permanent members even to discuss change? Is there even a mechanism for change in the Security Council?

Richard Gowan: There is a desire. France and the UK have, at least in public, supported change for a long time. As I say, the Biden Administration took an unusual step by doing active outreach to see whether there was a way to get change in 2022 and 2023.

The Russians say they are open to reform, but only on terms that would favour them. Germany and Japan have long wanted permanent seats.

Russia will never accept that. They would probably accept India and Brazil because they think those countries are more congenial.

There is a huge amount of discussion about this in the wider UN membership. It is a very hot topic amongst ambassadors in New York. There is a mechanism—it is called the intergovernmental negotiations on Security Council reform—that has been meeting and talking about different models of reform.

We are not failing to progress because of any lack of diplomatic activity. There is a great deal of discussion, but that does not change the political fundamentals. First, as I say, China is opposed; then there are other tensions. Brazil would like a permanent seat. Mexico and Argentina are very firmly opposed to that. Italy is very opposed to Germany getting a permanent seat. The politics are complex.

We are not seeing real progress in the negotiations in terms of countries changing their positions; we are just seeing people restating their positions more and more frequently.

Q51 **Brendan O'Hara:** Do those who have a veto on the Security Council have a veto in the intergovernmental council as well?

Richard Gowan: To reform the Security Council, you need to reform the UN charter. To reform the UN charter, you need ratifications from two thirds of the membership and all five current permanent members. In computer terms, it is the end-of-level guardian. At the end of the day, all the UN's members could agree to charter change, but if one of the permanent five does not agree to it, it cannot go through.

It is also worth saying that, even if the US were to negotiate reforms to the Security Council, right now it is very hard to see Congress ratifying that. There are deep-seated political obstacles that are above the pay grade, frankly, of even the best diplomats in New York.

Q52 **Brendan O'Hara:** I would be correct in saying that, if you have a veto now, you have a veto to stop any change or any development.

Richard Gowan: Yes.

Q53 **Brendan O'Hara:** Emma, beyond the Security Council, what other reforms should we be pressing for or looking at to make the UN fairer and more transparent? Would it be possible for the UK to lead or be part of building a coalition to make that happen?

Emma Reilly: Yes, absolutely. A lot of what we have discussed is around the complete lack of accountability. That is something where, as Richard said, the UK is seen as an excellent drafter—it is seen as excellent on the rule of law. I have seen other member states ask the UK to look at pre-zero drafts to make sure that their rule of law wording is correct.

It is really important to note, whatever your views on the issue, that post Brexit, in many of the areas where there used to be burden-sharing across the EU, the UK is limited in what it can currently follow. You have

to look at what would be ideally desirable—we all want to see Security Council reform, but it is not going to happen—versus what is attainable.

Just going back to the Summit of the Future document, this summit follows on from the World Summit 2005, where they created all of these accountability mechanisms. Certainly, putting in that same language but just switching it slightly to make those genuinely independent would be something very attainable indeed.

In terms of coalition building, I do not know whether you are aware, but on Thursday last week the US House Foreign Affairs Committee had a hearing on a very similar topic—it was specifically looking at China's influence on the UN. Around half of that hearing was devoted to talking about the need for reform of the Secretariat itself to make it more accountable.

So I think there is a general recognition among member states that there are quite serious problems in the Secretariat, that they are not getting truthful, accurate or timely information when things go wrong and that they need to improve that.

There are all kinds of existing recommendations on which that could be based. For example, David Kaye, the former UN special rapporteur on freedom of expression, wrote several reports between 2015 and 2017 about specific, tangible reforms that needed to be made to have freedom of information within the UN—at minimum, subject access requests—to improve the systems of investigation and to improve whistleblower protection. That is one of the UN's own appointed experts saying this needs to happen, and there was no follow-up.

The UK could become much more active in the Sixth Committee. If you look at the membership of that committee, it is not taken terribly seriously by member states. It is where all of the legal affairs are dealt with, including all the internal governance of the Secretariat. Having a state with the rule of law chops of the UK in there on a regular basis, looking through and reading, would be helpful.

For example, that is the committee that received a report from the UNDT—the Dispute Tribunal—in which eight out of nine of the Dispute Tribunal judges said, "The president of this tribunal is not independent. She is taking instructions from the UN. She is not to be trusted." Nobody acted on that; well, the UN acted on it—they got rid of the other eight judges and kept her. Was that the correct reaction?

Again, a lot of that stuff seems like it should be beneath the radar of diplomats—I agree that, in an ideal world, it should, and we should have sorted this stuff out—but so should whether or not an NGO can attend a meeting of the Human Rights Council, and that is not a given either. So it is very necessary to get into the nitty-gritty.

There is a huge knowledge among the diplomats and the main donors to the UN that this needs to happen, but nobody wants to do it. You can

have a very cosy relationship with your friends at the UN until you start telling them that you want them to reform the way that they want to do things. It is a more uncomfortable thing for a diplomat than going head to head on a substantive political issue of geopolitical significance, but it is very necessary.

Q54 **Graham Stringer:** You have partly answered the questions I am going to ask. You have blown the whistle pretty loudly on malpractice, but what is the impact of that malpractice on the effectiveness of the UN and politically on the UN? You have approached the answer to this question, but I will ask it explicitly. What reforms would you suggest?

Emma Reilly: What needs to underlie reforms is the accountability of individual staff members. It is something that permeates national systems but is completely absent in the UN. If a staff member in the UN commits wrongdoing, there is no way to hold that individual staff member accountable unless there is a decision by the Secretary-General that they want to, which there never is.

For example, when the head of investigations does not do his job, it is the whistleblower who has come forward to report wrongdoing that suffers. It is similar when the head of ethics does not do her job. So there is a need to make a system where there are actual consequences for the individuals who commit wrongdoing.

All of this is underlined by the problem of diplomatic immunity. Even when crimes are committed by the UN—for example, against a whistleblower coming forward—there is absolutely no recourse for that person. At one point in my own case, the UN literally SWATed me. They sent armed police to my home—it was during covid, and we were all working from home—so that I could not participate in a meeting and could not say any of what I have said today.

I have absolutely no recourse, because everyone involved has diplomatic immunity. In a circumstance where someone commits misconduct, they face absolutely no personal consequence, even when there is a judgment. I have won several judgments in these courts, even though they find 95% of the time for the administration. Even in those judgments, when I am awarded compensation for someone harassing me, the person who did the harassment faces no consequences. All that happens is that a little bit more of the UN coffers are spent on retaliating against me. That is not my aim in taking those cases; it is about changing systems going forward.

We need to review the package that created the UN Dispute Tribunal and the UN Appeals Tribunal and make clear that hiring decisions within those must be made by the judges, not by UN staff members. On that, I would strongly recommend that you speak to Rowan Downing, who is the judge who was fired from my case. I have it on good authority that he retires at the end of the month, which would free him to speak to you.

On OIOS, it technically already reports to the General Assembly. There is something called the IAAC that is supposed to oversee the investigation. We need to strengthen that and put forward a UK member for that. Try to get good people on there who understand what it is they are looking at and will not just gavel through whatever is put in front of them by the UN.

On the abuse of authority policy, at absolute minimum we need to undo the last reform where, instead of having to conduct an investigation where there are reasonable grounds to believe misconduct might occur, they now can decide based entirely on the interests of the organisation.

A lot of those more recent reforms can be undone, essentially, immediately. I have put a list of some extra reforms in my written evidence, which I would be happy to expand upon, to be honest. There is a lot more that can be done.

What is really important to remember is that, while Security Council reform is a pipe dream because it would require agreement of so many, this is about saying, "There is an existing General Assembly resolution that is not being applied, and here is a list of the ways in which it is not being applied." We require changes to the Secretary-General's Bulletin or the administrative instruction from the Secretariat, which is purported to give action to what the member states passed but is actually undermining that.

Q55 **Chair:** To conclude, Richard, is there anything that you would like to add on reform?

Richard Gowan: No. Just on a different tack, coming back to some of the discussion we had that touched on Haiti, for the last 25 years, despite many flaws, UN peace operations have been an important part of international peace and security, especially in Africa, but not only in Africa. Still today peacekeepers in southern Lebanon are playing quite a significant role in monitoring the situation in the Middle East.

It is now time for some sort of review of how peace operations work and how the UN can work better with other organisations, like the African Union, when they need to co-operate on peace operations. At the moment, there is a bit of a crisis of confidence in peacekeeping—I think, Chair, that you referred to it in your very first remarks. We should not give up on multilateral peacekeeping altogether, but we need to stop and think hard about how we do these operations better in a very difficult global environment. I think this is a small thing that the Summit of the Future will endorse—the idea of some sort of review of peace operations—and I would take it seriously, because it is one of the concrete ways that the UN does good when it can.

Chair: Thank you ever so much. The hope that we can do that is a positive note on which to end. Thank you both ever so much for your evidence.