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Decision Making, Authority and Power of the General Assembly: A Frank Discussion with Outgoing GA President H.E. Sheikha Haya Rashed Al Khalifa

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The Center's interview with H.E. Sheikha Rashed Al Khalifa took place on 3 August 2007, towards the end of her Presidency of the 61st General Assembly. As I entered the offices of the GA President, located between the Trusteeship Council and ECOSOC conference rooms, I admired the beautiful views of the East River they offered and how stylish the original cream-colored leather sofas still look. Throughout my hour-long interview with Sheikha Haya, she was clearly at ease and willing to engage in a frank conversation.

Authority and Power of the General Assembly and the GA President

The power and authority of the General Assembly and its Presidency is an issue that seemed very close to her heart, and about which she spoke passionately. She noted regretfully that the power of the General Assembly has diminished over the years. The image of the General Assembly is not strong and the office of the GA President is similarly undervalued at the present time, she stated.

Although she is reluctant to complain, Sheikha Haya feels she would be negligent if she did not point out that there is room for improvement as far as provision of resources for the GA President is concerned. A dedicated meeting room, as well as protocol and security officers directly serving under the GA President, would be helpful, she adds. As an example of the lack of importance attached to the GA Presidency, she notes that the temporary office assigned to her during the three-months' transition period posed a serious health hazard, as confirmed by an expert hired to do an evaluation. As a result, she said, she felt compelled to work from the Mission of Bahrain instead during those three months.

Of far greater consequence than resources, however, she feels strongly that Member States are not sufficiently concerned about the waning authority and power of the General Assembly. She emphasizes that after all, the GA is the chief deliberative and policy-making body of the United Nations according to the Charter of the United Nations, and the most representative. Legally, she believes, the General Assembly has all the power it needs, but warns that when the GA fails to use this power, it risks slowly losing it. Similarly, Member States need to recognize that the GA President represents them and that sufficient authority should be invested in this important function.

Presently, each President brings in his/her own staff, typically funded by its own Member State. Occasionally, other Member States contribute additional staff for the GA Presidency. During her tenure, Norway provided her with a staff member for four months, Switzerland with a staffer for two months, while Thailand provided somebody for the whole year. But commenting on my suggestion that the GA President's office might benefit from more constant staff funded by the regular UN budget, which could ensure continuing expertise, she strongly disagrees. She clearly prefers each GA President to have the possibility to appoint his or her own staff to "ensure the quality of the work."

Achievements

Among her achievements, she counts reaching consensus on the ECOSOC resolution, which had been negotiated for some 12 months before her arrival. Although Member States strongly differed about extending the six weeks of ECOSOC meetings to eight weeks, she was able to resolve this matter after convincing Member States that their perception that this would result in additional costs was not justified.

Her strong legal background enabled her to move the *Administration of Justice* issue forward. After several meetings with staff representatives made her fully aware that the existing regulations did not provide UN staff with a secure and fair system of internal justice, she set a firm date for a resolution on this matter to be adopted, rejecting proposals for further study and debate as suggested by the Fifth (Budget) Committee, which would have delayed action on the resolution. As a result of the adoption of the resolution, a new system of internal justice will definitely be created, though many of the details will have to be worked out during the GA's 62nd session.¹

As to Security Council reform, she feels that the two important expert reports by the facilitators she appointed show promise of helping the GA to reach agreement on an intermediate solution, not only in regard to the working methods of the Security Council, but also concerning the use of veto power and expansion of the Council. The latter includes suggested procedures for adding a new intermediate category of members of the Security Council with extended seats, which would be for a longer period than the regular two-year term, and with the possibility of re-election.² She is optimistic that the reports could form a good basis for starting negotiations which could eventually lead to agreement by the widest possible consensus. While it will not be easy and will take time, she says, there is a momentum, and thus far none of the P5 have indicated strong objections to the proposals put forth.

Mandate Review

Questioned about the difficulty in reaching consensus on mandate review procedures, Sheikha Haya indicated that it is a very politicized issue. Nonetheless, most Member States understand that this is something that clearly has to be dealt with. When asked whether lack of progress on the Mandate Review was mainly due to the fact that the Group of 77 and China – consisting of 130 out of 192 UN Member States – are concerned that mandates dealing with development would likely suffer in favor of security issues that are higher on the agenda of the developed countries, she made it clear that she did not share this perspective. Instead, she revealed that some sensitive mandates were at the root of the slow process of reviewing the approximate 9000 mandates. As GA President, however, she has continued to stress that objective criteria should be established to review all mandates and that she expects that those sensitive mandates would survive the application of such objective criteria.

Relationship between the General Assembly and Security Council

Discussing the relationship between the Presidents of the General Assembly and the Security Council, Sheikha Haya indicated that they continued to be frequent and constructive. Like her predecessor, Jan Eliasson from Sweden, she has had monthly meetings with the President of the Security Council and at times they have met even more frequently. For instance, while the election of the new Secretary General was pending, the President of the Security Council provided her with weekly updates. She was also immediately informed of the results of each straw poll.

In addition, she was pleased that she was able to address the Security Council twice: once on Security Council Reform and once on Climate Change. She also greatly welcomed the interesting retreat organized by the US Ambassador to the United Nations, H.E. Mr. Zalmay

¹ See <http://www.centerforunreform.org/node/250> for more background information on the resolution and the discussions in the Fifth Committee.

² See <http://www.centerforunreform.org/node/23> for the reports and discussions held by the GA.

Khalilzad. He invited the Secretary General, Members of the Security Council, and herself, for an informal discussion on the roles of the Security Council and General Assembly, and on strengthening the relationship between the two organs, particularly in regard to reporting back to Member States about discussions and decisions in the Security Council as well as on thematic debates.

Environment: System-wide Coherence Panel Follow-up & Informal Consultations

I asked Sheikha Haya about the follow-up process to the High-level Panel on System-wide Coherence and whether duplication currently exists between this process and the informal consultations on environmental activities. She explained that she had hoped to appoint different facilitators for each separate track: environment, development, humanitarian issues, governance, gender etc. However, Member States had indicated that they wanted to discuss the proposals as one package. She nevertheless expects that various issues will be transferred to separate tracks and that in the case of environment, since the informal consultations co-chaired by the Swiss and Mexican Ambassadors have moved forward considerably, it is only logical for the Co-Chairs to take on the follow-up of the environmental proposals of the system-wide coherence panel.

When I speculated that the Group of 77 might oppose the separation of environmental and development issues, she strongly disagreed. At this week's discussion on Climate Change, she stressed, a majority agreed that this was mainly an environmental issue. Moreover, the least developed countries expressed their concerns about the serious consequences of a problem they did not create, from which they will likely suffer the most, and to which they will be least able to adapt. The report on the three-day meeting on Climate Change, which was extended from two to three days, clearly indicated the importance Member States attached to the problem, will be distributed by her office shortly. Among the more significant results will be the realization that new financial mechanisms will have to be developed to combat climate change and its effects.

Upcoming Challenges and a Missed Opportunity

Sheikha Haya believes that the main challenges for her successor, H.E. Mr. Srgjan Kerim of the former Yugoslav Republic of Macedonia, will be climate change and the implementation of the Millennium Development Goals. One of her greatest regrets is that she was not able to do more on one challenge close to her heart: gender issues. She really wanted to achieve greater empowerment for women during her Presidency, especially for "those women in certain areas in this world who are not free human beings." There was a successful thematic debate on equality and the empowerment of women, however, which was attended by 28 female ministers. She has always felt it a duty in her life to help and educate women, and to elevate their position. Though she was not able to achieve more concrete results for women during her term as GA President, she hopes that her presence as a woman in this important position may have sent a positive message to women around the world.

Summing up her year as GA President, Sheikha Haya called her experience a positive one that gave her a better understanding of the thinking of Member States and how they reach agreement on complex issues. She added that she learned that the process of reaching consensus on resolutions can definitely be facilitated by a GA President – primarily by building trust between Member States, being open, providing transparency, not pushing one's own agenda, and above all, by being decisive at the right moments—techniques she used on numerous occasions to achieve agreement.

As to her future, when her tenure ends in September, H.E. Sheikha Haya expects to return to her law practice in Bahrain and continue to be a member of the International Chamber of Commerce's International Court of Arbitration in Paris. We wish her continued success in all the endeavors she undertakes.