

FOLKE BERNADOTTE MEMORIAL LECTURE

01 JUNE 2005

Introduction

It is indeed a great honour and a privilege to have been asked to deliver the Count Folke Bernadotte Memorial Lecture this morning. And I am grateful to David Wardrop and the UN Association of the UK for giving me this opportunity. Count Bernadotte's contribution to UN activity in general and to UN peacekeeping in particular is a beacon to those who take the organisation and a commitment to its activity seriously. It is of even greater significance to me personally because besides the privilege of being on the International Advisory Council of the Folke Bernadotte Academy in Sandoverken, Sweden this is the first time as the Director of the United Service Institution of India that I am speaking from the podium at the RUSI.

I have been asked to speak on the subject of UN Reforms in context of my participation as a member of the SG's High Level Panel that submitted its report titled "A More Secure World – Our Shared Responsibility" on 1st December 2004. Many of the recommendations made by the Panel find place in the report submitted to member states by the SG on 21st March 2005 titled "In Larger Freedom: Towards Development, Security and Human Rights For All", which report also includes recommendations on the achievement of the Millenium Development Goals.

I do not intend to recount details of the Panel's recommendations to a knowledgeable audience such as this. But shall dwell only on certain aspects pertaining to the maintenance of international peace and security in context of the events that provoked the establishment of the Panel, the deliberations

it undertook in that context, and the initial reactions that have been expressed in various quarters since the Report was released. The aim being to stimulate thought and discussion on how the international community needs to move forward. To quote the SG, “This year, if ever, we must transform the United Nations into the effective instrument for preventing conflict that it was always meant to be by acting on several key policy and institutional priorities”.

It probably needs to be stressed that the High Level Panel was tasked to address the aspect of maintenance of international peace and security through the mechanism of collective action. Other aspects were only to be addressed to the extent they impacted on this primary aspect. Even so, it is important to flag the stress the Panel laid on the fact that development has to be the first line of response for a collective security mechanism.

Some General Aspects

The main point the Panel makes, and one that is endorsed by the SG in his Report, is that we live in a world of new and evolving threats. Threats that could not have been anticipated when the UN was founded in 1945 – threats like nuclear terrorism; and state collapse from the horrible mix of poverty, disease and civil war. In today’s world, a threat to one could constitute a threat to others too. Every state requires international cooperation to make it secure. The front line in meeting these threats must therefore be manned by member states that are not only prepared to exercise their responsibilities but able to develop the capacity to do so.

The Panel recognises that though all states do not face the various threats equally, a collective security system must take all member states’ threats seriously, and deal with them equitably. Unfortunately the UN has not always been equitable in its response to threats; this is shown by the

varying speed with which the UN responds with peacekeepers to civil wars in Africa, as compared to meeting such requirements in Europe. **And the appallingly slow response to AIDS.** This inequity in response undermines confidence in the legitimacy of the UN, and must be redressed.

The Panel was of the unanimous view that meeting the challenges of today's threats means getting serious about prevention. The consequences of allowing threats to spread or become active are simply too severe. And in that context there was no difference of opinion that development has to be the first line of response for a collective security mechanism that takes prevention seriously. Combating *poverty* will not only save millions of lives but also strengthen states' capacity to combat terrorism, crime, and proliferation. This is considered a win-win strategy. Also win-win are efforts to combat *infectious disease* – through a major new initiative to rebuild global public health, disease monitoring & response capacity. This is necessary for public health in developing countries, and to fight biological terrorism. New efforts are also required to reverse environmental degradation and tackle climate change that must form part of any sustainable development strategy.

Preventing *wars within states and between them* is in the collective interest of all of us. If we are to do better in the future in this context, the UN will need real improvements to its capacity for preventive diplomacy, mediation and conflict management. The international community needs to make genuine and concerted efforts to protect democratic governments from unconstitutional overthrow, and for protection of minority rights. The trends towards expediency in this regard must be reversed. And there is a need to work collectively to find new ways of regulating the management of natural resources, competition for which often fuels conflict.

Use of Force

The use of force should only be considered after all other options have been exhausted. And the fact that force can be legally used does not always mean that it should be used. In this context the Panel commends the mechanism of preventive deployment. There can be little argument that prevention sometimes fails. And when that happens, threats will have to be met by military means. The UN Charter provides a clear framework for the *use of force*. States have an inherent right to self-defence, enshrined in Article 51. Long-established customary international law makes it clear that states can take military action as long as the threatened attack is imminent, no other means would deflect it, and the action is proportionate. Equally, Chapter VII of the UN Charter provides the international community represented by the Security Council, with the authority to deal with situations where military force needs to be applied against an errant state that resorts to aggression against a member state.

On preventive use of military force to deal with not-so-imminent threats, there was general agreement after detailed discussion that the Security Council may need to be more pro-active than before. And in this context it is stressed that States that fear the emergence of distant threats have an obligation to bring these concerns to the Security Council.

It important to mention here that during inter-action with members of the strategic community and some sections of the intelligentsia in the developing world it is evident that the recommendations of the Panel in regard to this aspect are seen as endorsing what is perceived as the increasing propensity for use of force by the more powerful members of the developed world to resolve problems that arise from time to time. During discussions within the Panel many of us had argued that in the formulation

of our report we should ensure that there should not be over-arching stress on the use of force as a mechanism for resolution of problems. It would appear that despite this attempt, reservations remain. It may therefore be useful to ensure that as the SG's Report is deliberated upon this aspect be addressed.

Responsibility to Protect

There was much discussion and deliberation on this aspect in context of the point made by some of the members that state sovereignty was still a very important consideration particularly for developing countries that have emerged from colonial rule not too long back. Notwithstanding all the developments at the global level, the concept of state sovereignty remains at the root of the international system. Even so, there was eventual agreement that in this day and age, such sovereignty cannot be absolute.

The Report endorses the emerging norm of a *responsibility to protect* civilians from large-scale violence: a responsibility that lies first and foremost with national authorities. When a state fails to protect its civilians or is incapable of doing so, the international community would appear to have a responsibility to act, through humanitarian operations, monitoring missions, and diplomatic pressure; and with force if necessary *as a very last resort*. And in the case of conflict or the use of force, this also implies a clear international commitment to rebuilding shattered societies.

The Panel deliberated at some considerable length on the aspect of the legitimacy of such international action and enumerated the following stringent criteria as a basis for intervention with the use of force:

- Seriousness of the threat.
- Proper purpose.
- Last resort.

- Proportional means.
- Balance of consequences.

On this aspect again there is much disquiet in developing societies that perceive the arrangement as another attempt by the more powerful members of the developed world to impose their value systems on the weaker states. In extreme cases even to the extent of threatening use of force to put pressure on what are seen as uncooperative governments in developing states, and to enable use of force to effect regime change. Some reassurance should be forthcoming when the final formulations are agreed upon. And in any case, the application of criteria must be seen not only as genuine and objective, but actions taken after detailed consultation and coordination.

Allow me to make a point here in context of the fact that in much of the writing on the subject Rwanda and Srebrenica are the examples quoted. It is a matter of some irony that in both cases, it was the lethargy and disinclination on the part of the more powerful members of the international community to take appropriate action that led to the tragic events.

Weapons of Mass Destruction (WMD)

On WMD, there is recognition that preventing the spread and use of *nuclear, biological and chemical weapons* is essential if we are to have a secure world. And in this context the role of non-state players is of serious concern. Some of the measures suggested include:

- Living up to existing treaty commitments, including for negotiations towards disarmament. And enforcing international agreements.
- Strengthening the non-proliferation regime by creating incentives for states to forego the development of domestic uranium

enrichment and reprocessing facilities, and a call for voluntary time-limited moratorium on the construction of any such facilities.

- Negotiations for a new arrangement which would enable the International Atomic Energy Agency to act as a guarantor for the supply of fissile material to civilian nuclear users at market rates.
- The International Atomic Energy Agency should adopt the ‘additional protocol’ as the Agency standard for inspections.

On this aspect there is much scepticism in the developing world in the knowledge that the nuclear weapon states are not making any serious moves towards universal nuclear disarmament within the framework of the Non Proliferation Treaty.

Terrorism and Transnational Organised Crime

The Panel devoted a great deal of its consideration to the menace of terrorism that is today a threat to many states, and to the UN as a whole. Most of the recommendations find place in the SG’s report. The following aspects are of significance in this regard:

- The fact that new aspects of the threat – including the rise of a global terrorist network, and the potential for terrorist use of nuclear or biological weapons – need new responses.
- The SG endorses the Panel’s definition of terrorism, arguing that it can never be justified and calls on the General Assembly of the UN to overcome its divisions and finally conclude a comprehensive convention on terrorism that is also respectful of human rights and the rule of law.
- The Report stresses the dangers posed by the possibility of WMD capability falling in the hands of non-state actors. And in this

context makes specific mention of the AQ Khan episode and its serious ramifications.

The Panel recognises that the spread of *transnational organized crime* increases the risk of all the other threats and makes the following points:

- Terrorists use criminal groups to move money, men and materials around the globe.
- Governments and rebels sell natural resources through them to finance wars.
- States' capacity to establish the rule of law is weakened by corruption.
- Combating organised crime is essential for helping states build the capacity to exercise their sovereign responsibilities – and in combating the hideous traffic in human beings.

During discussions within the Panel as also during inter-action with policy-makers, scholars and analysts after release of the report, a major aspect that emerges is the dangerous perception of the fight against terrorism often being portrayed as a battle against Islam. Whereas it is an unfortunate fact that global terrorism as being prosecuted by organisations like the Al Qaeda and its affiliates, has an Islamic content deliberately exploited by the perpetrators to create further alienation and discord in societies, it is imperative that the remedies sought by the international community in dealing with the menace do not reflect any religious connotations. In fact, every effort will need to be directed at assisting moderate Islamic governments and progressive elements in all Islamic societies to counter the influence of the extreme fundamentalist sections that are responsible for the phenomenon. Having said that, it may be appropriate to stress that this will

require sustained and deliberate efforts by the international community over a considerable period of time.

Organisational Reform

In its deliberations the High Level Panel recognised that restructuring and institutional reform of the United Nations machinery and its organs to meet the new challenges cannot be put off for much longer. The changes called for were not merely a matter of the functioning of the UN Secretariat and other such administrative details. The changes needed to focus on the world body's character and ethos. There was general agreement in the Panel that this defining moment in the history of the organisation was an appropriate time to initiate the process of energising the organisation for an enhanced and more complex role in a fast changing world.

Throughout its work the Panel looked for institutional weaknesses in the current responses to threats to international peace and security. In the process it came to the conclusion that the General Assembly had lost its vitality and often failed to focus effectively on the most compelling issues of the day. It therefore recommends that member states should renew efforts to enable the General Assembly to perform its function as the main deliberative organ of the United Nations. That requires better conceptualisation and shortening of the agenda, which should reflect the contemporary challenges facing the international community. The Panel therefore expresses the view that more tightly focused committees could help sharpen and improve resolutions that are brought to the whole Assembly. It endorsed the recently released report of the Panel of eminent persons on United Nations - Civil Society Relations that the General Assembly should establish a better

mechanism to enable systematic engagement with civil society organisations.

Whereas the Panel noted that since the end of the Cold War the effectiveness of the Security Council had improved, as had its willingness to act, it had not always been equitable in its actions nor had it acted consistently or effectively in the face of genocide or other atrocities. The financial and military contributions to the United Nations of some of the five permanent members are modest compared to their special status, and often the Council's non-permanent members have been unable to make the necessary contribution to the work of the Organisation envisaged by the Charter. Even so, recent experience has shown that the Security Council is the body in the United Nations most capable of organising action and responding rapidly to new threats. Thus the challenge for any reform is to increase both the effectiveness and the credibility of the Security Council and, most importantly, to enhance its capacity and willingness to act in the face of threats. The Panel has therefore recommended that while increasing the involvement in decision-making of those who contribute most to the United Nations financially, militarily and diplomatically, there is need to bring into the fold countries more representative of the broader membership, particularly of the developing world, which should increase the democratic and accountable nature of the body.

Because consensus could not be achieved within the Panel on any one model, two alternatives have been offered for enlargement of the Security Council. Model 'A' suggests six new permanent seats and three new two-year non-renewable seats divided among the major regional areas, whereas Model 'B' provides for no new permanent seats but creation of eight four-year renewable-term seats and one new two-year non-permanent and non-

renewable seat. The Panel was strongly of the view that no change should itself be regarded as permanent or unchallengeable in the future. To this end it suggests a review of the composition of the Security Council in 2020, including in this context, a review of the contribution of permanent members from the point of view of the Council's effectiveness in taking collective action to prevent and remove new and old threats to international peace and security.

Neither model involves any expansion of the veto. Members of the Panel recognised that when the Charter was framed, the veto had an important function in reassuring the most powerful members that their interests would be safeguarded. Consequent to the detailed discussions the members of the Panel had on the subject, it was evident that there was no practical way of changing the existing permanent members' veto powers. Yet, as a whole the institution of the veto had an anachronistic character that is unsuitable for the organisation in an increasingly democratic age. The Panel therefore urges that the existing permanent members refrain from use of the veto in cases of genocide and large-scale abuses of human rights. And it further suggests that under any reform proposal for expansion of the Security Council, there should be no expansion of the veto.

In so far as the Economic and Social Council is concerned, in recognition of the realities of the situation that prevails, the Panel suggests three strategies that could help that body enhance its relevance and contribution to collective security building. First, to provide normative and analytical leadership by establishing a committee on the Social and Economic Aspects of Security Threats. Second, by providing an arena in which States measure their commitments to achieving key development objectives in an open and transparent manner. Third by providing a regular

venue for engaging the development community at the highest level, in effect transforming itself into a “development cooperation forum”.

Peacekeeping and Enforcement

A point worth making at the outset in context of some current ambiguity of interpretation in regard to the use of force by peacekeepers in the execution of their mandate is that there is no specific provision for peacekeeping in the United Nations Charter. It is an invention of the United Nations Secretary General and his Secretariat that evolved as a non-coercive instrument of conflict control, at a time when Cold War constraints precluded the use of the more forceful steps permitted by the Charter. During the Cold War, neither of the two Super Powers was amenable to United Nations intervention against their allies or within their spheres of influence. Hence an improvisation that envisaged the deployment of military personnel without combat connotations was evolved and termed **peacekeeping**. To the eternal credit of those who conceived of it, and to those who have executed such operations over the years, it needs to be acknowledged that United Nations peacekeeping became an extraordinary art. Because it called for the use of the military personnel not to wage war, but to prevent fighting between belligerents, to ensure the maintenance of cease-fires, and to provide a measure of stability in an area of conflict while negotiations were conducted. However given the fact that it is an innovation that envisages the use of the military including armed contingents, there appears to be no reason for imposing unwarranted restrictions on the peacekeepers in regard to the use of force in such operations. Provided of course, there are good reasons to believe that use of force would better serve the interests of the mission, the mandate is conferred, and the resources of men and material provided. The flexibility of the Charter and its

interpretations need to be exploited to the benefit of the international community. This aspect finds some expression in the Report. Even so, at the instance of some panel members more familiar with the UN system, there is reference to mandating Chapter VII provisions for some of the operations. Whereas this may be useful and in fact desirable in some cases, I am of the view that Chapter VII “enforcement actions” should clearly remain what they were intended to be: namely waging combat operations with overwhelming military might under effective strategic direction and oversight, when international peace and security is under serious threat.

The imperative need for the Security Council to carefully deliberate over decisions for the setting up of peace operations cannot be over-stated. United Nations peacekeeping operations must only be introduced in settings where there is peace to keep. The Brahimi Panel makes this point quite eloquently. Furthermore, it is a documented conclusion that it is not possible to have successful peacekeeping without a determined and successful peace process. Peacekeeping and peace-building activities are not self-sustainable; they have to be nurtured by a process of negotiations or peacemaking, during which the parties to the conflict are made to redefine their interests and develop a commitment to a political settlement. The fact that most successful missions in the last few years, or even the partially successful ones, were the result of years of negotiations, in which many third-party international players, particularly the USA participated, is no accident. Where the international community and particularly the important powers remain committed to the peace process, conflict has been contained. Although many of the wars went on for a long time, there seemed to be a lesson that it is better to take the time to get the details of a settlement right, than to initiate a peacekeeping process that is flawed in its concept and

content. It takes firm political resolve and unified concerted action from outside players to make the parties to the conflict come to terms with one another, and work towards a negotiated settlement. The parties to the conflict must, either of their own accord or under pressure from powerful players at the international level, agree to a cessation of hostilities and ask the international community represented by the United Nations to oversee this process. The dialogue and negotiations to set the stage for the deployment of United Nations forces may well be prolonged. But it is better to take time rather than setting up peace operations under pressure without agreement and adequate preparation.

Decisions pertaining to the setting up of missions, the mandates conferred, the composition of the force, the rules of engagement, reviews of conduct and performance of such missions from time to time, and so on, cannot, and must not, be the sole prerogative of two or three powerful members of the Security Council. The decision making process must be more broad-based, and the consultative process even more so. Troop contributor countries have a major role to play and must be brought into this process from the very early stages. To this end, reform of the Security Council should seek to achieve four main objectives: clarification of the role and mandate of the Council; reconstitution of its membership; broadening of the base of participation and transparency in the work of the Council; and strengthening the effectiveness and credibility of the Council.

In this context, the aspect of military advice to the Security Council was considered by the Panel. It was recognised that the Military Staff Committee as envisaged in the Charter was more or less defunct given the fact that the five permanent members of the Security Council had not played a joint role in the maintenance of international peace and security as

envisaged under the provisions of the Charter in this regard. It is therefore quite appropriate that the Panel has recommended deletion of this Charter provision. The general consensus was that the Military Adviser in UN DPKO and his staff be utilised to fulfil the requirement.

The Panel recognises that deploying military capacities for peacekeeping and enforcement has proven to be a valuable tool in ending wars and helping to secure states in their aftermath. But the total global supply of available peacekeepers is running dangerously low. From indications given to the Panel just to do an adequate job of keeping the peace in existing conflicts would require almost doubling the number of peacekeepers around the world. The Panel also makes the point that developed states have particular responsibilities to do more to transform their armies into units suitable for deployment to peace operations. And if we are to meet the challenges ahead, more states will have to place contingents on stand-by for UN purposes, and air transport and other strategic lift capacities to assist peace operations.

At this stage it may be useful in context of the occasion that commemorates the contributions of Count Bernadotte to UN activity, that I apprise all of you that during the deliberations of the Panel I had submitted a comprehensive paper on the subject for the consideration of the members. Many of the points I made were the subject of detailed discussion and may have helped panel members in arriving at the brief recommendations that have been made on this aspect in the Report. However I cannot but express my disappointment that many of the suggestions made and which I considered vital as a practitioner, did not find place in the Report because it was felt by some of the members that in the current political climate these would not find acceptance. Needless to say, whereas I bowed to the greater

wisdom of those who claimed to be better informed about the international system than I am, I cannot forego an opportunity such as this to propound some of my theories on the subject.

Types of Operations in the Future

Study of the operations undertaken in the late 1990s and the early 2000s suggest the need for a detailed review of future trends and prospects in so far as the conduct of international peace operations, including United Nations peacekeeping, are concerned. The Kosovo intervention by NATO forces in May 1999 and the unilateral invasion of Iraq by the USA and UK and some others in early 2003, both without the endorsement of UN Security Council, were in many ways a challenge to the collective security mechanism that, despite all its infirmities, the United Nations system had come to effectively represent since the end of World War Two. In recognition of the limitations of the United Nations and in the context of sharing of responsibilities, other international peace operations have been undertaken with the endorsement of the Security Council. These range from the insertion of NATO forces in Bosnia-Herzegovina after the Dayton Accord in November 1995, the Australian led operation in East Timor, and the multi-national operation in Afghanistan since October 2001, to the brief action by a force from the European Union in the Ituri District of the Democratic Republic of the Congo.

It would therefore appear that operations for the maintenance of international peace and security in the foreseeable future would take the following forms:

- Classic Chapter VII multi-national enforcement actions like Operation Desert Storm in 1991 under a lead nation like the USA that has the capability and the political will. Hopefully with the endorsement of the

UN Security Council. It is my view that Chapter VII enforcement operations are not operations that can be undertaken by UN “blue-helmeted” military forces.

- Classic United Nations peacekeeping operations overseeing agreement in inter-state disputes; as in Cyprus, Lebanon, and Ethiopia/Eritrea currently. These are best suited for “blue-helmeted” peacekeepers.
- Robust United Nations peacekeeping operations in intra-state conflict at the request of, and after agreement with the belligerents, where the use of force to implement the terms of the agreement is mandated by the UN Security Council and adequate resources are made available to the UN Force. It may possibly be useful to stress the point that United Nations forces must only be inserted for such operations after an agreement between the belligerents has been entered into. After insertion, if sporadic acts of violence are initiated by elements not responsive to the signatories, like warlords acting on their own, the United Nations mission should be prepared to use military force to restore peace.
- In cases where the Government of a country seeks international assistance to deal with internal rebellion or insurgency, or in failed or failing state scenarios, or where genocide is taking place, or there is a humanitarian situation that calls for international intervention, the United Nations Security Council may determine that intervention is essential. In such instances, multi-national stabilisation operations mandated by the UN Security Council could well be launched. Recent examples are the East Timor operation and the ongoing operations in Afghanistan. The aspect to be stressed is that these operations are undertaken under Chapter VII provisions and hence need to be multi-national operations under a lead nation or organisation. They should not be United Nations

“blue-helmeted” operations because these are combat operations that could not only involve loss of life and damage to property, but more importantly, require strategic oversight and direction which capability the UN HQ does not have at present.

Availability of Military Forces and Civilian Police

There is no greater legitimacy for the use of military forces, and for that matter, civilian police, than for the maintenance of international peace and security. It should therefore be a matter of honour and privilege for countries to provide forces for such peace missions. However, the practical experience in this context is invariably rather dismal. The inordinate delay in the arrival of troops in the mission area is always a most frustrating feature of the missions that are being set up. It is in recognition of this basic inadequacy that rapid deployment forces like the Nordic Sherbrig, European Union Rapid Deployment Force, the proposed sub-regional rapid deployment capability of the African Union, and so on have been, or are being, considered.

One of the measures instituted by the United Nations to overcome this inadequacy is the earmarking of “stand by” forces by member states. This is most commendable and needs to be pursued with vigour. As on date, this arrangement apparently provides for about 100,000 personnel pledged by about 75 member states. However, it is a moot point whether such “stand by” forces would, in fact, be available immediately on demand. The Rwandan experience indicates that political expediency and domestic compulsions will invariably dictate the responses of member states. Therefore while the arrangement must stand, it would be pragmatic to work on the assumption that forces under this arrangement can only be put together in a certain time frame; namely about three to six months or so. And

that too, subject to political acceptance by member states. To expect forces any earlier is unrealistic under current conditions. It is in this context that I had suggested to the Panel the creation of a Standing Force for the United Nations.

Concept of a Standing United Nations Rapid Deployment Force

There can be hardly any argument that a military force of modest dimensions (together with police and other civil affairs and humanitarian aid personnel) inserted into a conflict zone as soon as some semblance of agreement between belligerents is negotiated, can achieve much more in terms of implementation of the terms of the agreement, than a much larger force introduced three to six months later. During which period, the political situation within the affected country can change dramatically, hostilities may well have resumed, and the ground situation much changed reducing the chance of peaceful resolution. If that is so, inhibitions about having a suitably organised, structured and equipped force that is readily available when required, would seem to be misplaced.

In context of ready availability of forces for United Nations peace operations it would appear that the only real answer for meeting crisis situations that call for speedy deployment of military forces, civilian police, and some civil affairs and humanitarian aid personnel for the maintenance of international peace and security, is to raise and maintain a Standing United Nations Rapid Deployment Force. I had therefore suggested to the Panel that we strongly recommend the creation of such a force in our Report. Whereas all members of the Panel as also the UN Secretary General and members of the Secretariat endorsed the concept as such, most of them appeared to feel that it was unlikely to receive general support on grounds of costs of raising and supporting such a force, as also on grounds of political acceptance of the

idea. I find these postulations quite unconvincing but had to bow to what was projected as the greater wisdom. In my view, reluctance to endorsement of such a concept particularly by the more powerful countries of the developed world, is primarily because they would not like to see their own influence and ability to manipulate events diluted by the provision of such ready capability to the United Nations. To that extent, I am of the opinion that much of the talk about strengthening the UN and making it more effective is rhetoric and symbolism. The point I am making is probably underscored by the fact that the developed world has shown increasing reluctance over the last few years in providing military personnel for UN peace operations particularly in difficult missions in Africa. Governments of developed countries of the Western world seem to prefer making available their well-equipped and trained forces to NATO or EU sponsored interventions even in missions outside their area of operations, to the exclusion of the UN that they then pronounce as incompetent to run such missions.

Notwithstanding what I have stated, I do feel that sooner rather than later we may find acceptance of the concept of a Standing Rapid Deployment capability for the UN. In that hope allow me to briefly set out what I feel are some useful parameters in regard to its composition and utilisation.

Composition

- The minimum appropriate composition in military terms would seem to be about a brigade group with a headquarters.
- In addition to military personnel it should have a civilian police component, some civil affairs personnel and personnel with experience in humanitarian aid activities.

- It would comprise volunteers from the militaries and police of member countries deputed for a fixed tenure of not more than two or three years. Personnel would serve in their individual capacities. Hence member states have no liability or answerability in regard to their employment or the conditions of service. The political connotations regarding possible casualties to personnel in the conduct of operations would therefore not have the same connotations as for such casualties occurring within national contingents.
- To preclude the possibility of the force suffering from the infirmities of lack of initiative and accountability perceived within the UN Secretariat as it exists today, it is imperative that no individual in such a force be allowed to serve more than a maximum tenure of three years. They must revert to national duties after the deputation without exception.

Organisation and Training

- The force would be organized, equipped and trained as a composite entity under the aegis of the UN and be so located as to be available for immediate deployment in full or in part, when authorised to do so by the Security Council. Reservations about costs, and possible biased utilisation at the behest of the more powerful members of the Security Council, are aspects that need to be resolved in context of the restructuring of the Security Council.
- Transportation into the proposed mission area should desirably be provided by those countries in the developed world that have the capability. For which purpose the desired capability should be earmarked and kept in stand-by readiness.

- When the members of the force are not deployed in operations they should be deputed to assist in the training of personnel and contingents of member states and provision of advice.

Deployment and Utilisation

- Ability to deploy into a mission area within 15 days of a Security Council decision. Which means the commander of the force and some of his staff must be associated with the negotiation and decision making processes. In many ways, practical military advice to the Security Council should be forthcoming from these quarters in addition to inputs from the Department of Peacekeeping Operations.
- Should transportation resources not be forthcoming from those member states that have the capacity, the UN Secretariat may well be asked to charter resources from private sources on payment.
- This UN Rapid Deployment Force or part thereof must be replaced by a regularly constituted peacekeeping force put together from the “stand-by” capability set apart by member states. In no case should this replacement take more than six months. The elements of the force then revert to earlier “rapid deployment” status.
- A few key members of the force, military, civil affairs and humanitarian aid personnel, may well be temporarily left behind for some period of time to assist the regular peacekeeping force components in settling down to the mission tasks.

Notwithstanding all that has been suggested in preceding paragraphs, It may be appropriate to make abundantly clear that, in my view, this United Nations Rapid Reaction Force as proposed is NOT to be used in Chapter VII enforcement actions. It is NOT intended to be a war fighting apparatus nor is

it a private army of the UN Secretary General. Equally, it may be important to make clear that the formation of such a force in no way detracts from the institution of such capability at the regional and sub-regional level; as visualized by the African Union for example. In fact, with some coordination and understanding there could be scope for complementing one another's efforts.

Role of Regional Organisations

Whereas the role of regional organizations is recognized in the UN Charter through Chapter VIII provisions, in the Cold War years and for some time after the end of the Cold War, not much was attempted by such organisations in the maintenance of international peace and security. The few such organisations that existed devoted their efforts to economic and social issues, and probably rightly so under the circumstances. In recent years however, with the impact of globalisation and a realisation that ethnic conflict and conflict generated through terrorism and drug trafficking, recognise no borders, a number of regional organisations in Europe, South America, Africa and South East Asia are gearing themselves towards playing a role in the maintenance of international peace and security. Many of these organisations have contributed to peacemaking activities aimed at bringing belligerents to the negotiating table with varying degree of success. The unfortunate part of the process is that many regional/sub-regional countries themselves are responsible for sustaining the conflict or have a vested interest in the outcome. Even so, the efforts made by the regional and sub-regional organisations like ECOWAS in Africa are commendable and need to be encouraged in context of the fact that the UN cannot go everywhere.

A development in this regard that merits some comment is the role played by NATO in the last ten years or so. As a military alliance, NATO does not strictly fall under the provisions of Chapter VIII of the UN Charter. However, by repeated claims to the effect in the ubiquitous Western media it has assumed the role of a regional organisation. The fact that it arrogated a role for itself in the Balkans was not in itself a bad thing notwithstanding the fact that the sequence of activity there was all wrong. In as much as the NATO led force should have been deployed to force the belligerents to make peace and only after that should the UN peacekeeping force have been deployed. In the event, under pressure from some of the European countries and with the tacit backing of the USA, the UN was railroaded into deploying first. What does however give cause for some concern particularly in the developing world, is the fact that having declared the United Nations incompetent in the conduct of peacekeeping operations, rather than strengthening the UN by providing forces and the wherewithal in logistics, the developed Western world represented by the NATO, has withdrawn its military commitments to the international organization and set itself up as a replacement in the conduct of peace operations. Such a development is fine if NATO military intervention takes place within its own area of operations (namely, Europe) or it provides forces for a multi-national stabilisation operation undertaken under the umbrella of a UN Security Council resolution.

Two major aspects probably merit focus in regard to the use of regional capability for the conduct of peace operations. The first relates to the capacity of most of the regional organizations other than the European ones. They will need financial and equipment resources that they can themselves ill afford. They will also require assistance in training; of the

militaries, civilian police, civil affairs personnel, and so on. To some extent this is being undertaken, but much too tentatively and selectively to convey a message of effectiveness. The second aspect is more seminal in that it relates to procedures. Once various regional and sub-regional organizations are able to set up such capability and earmark rapid deployment forces as envisaged in the charter of the African Union, the executive organs of the respective organisations would exercise their authority to undertake preventive action including preventive deployment, peacemaking, intervention/stabilisation operations, peacekeeping and peace building. In this context the Panel makes specific recommendations. That authorisation should in all cases be sought from the UN Security Council for regional peace operations; in some urgent situations such authorisation may be sought after operations are launched. The Panel recognises that organisations like NATO may well have a role to play in the conduct of peace operations outside their specified area of responsibility and welcomes this as long as such operations are authorised by and made accountable to the UN Security Council.

Peacebuilding

An analysis commissioned by the Panel revealed that there is no institutional arrangement designed to prevent State collapse and to assist countries in their transition from war to peace. It has therefore recommended that the Security Council after consultation with the Economic and Social Council, establish a Peacebuilding Commission whose core functions should be: to identify countries that are under stress and risk sliding towards State collapse; to organise in partnership with the national Government, proactive assistance in preventing that process from developing further; to assist in the planning for transitions between conflict and post-conflict peace-building; and in particular, to marshal and sustain the efforts of the international

community in post-conflict peace-building over whatever period as may be necessary.

Conclusion

Allow me to conclude by stating that it was indeed a great honour and a privilege to have been nominated to serve on the Panel. Which I did in my individual capacity as did all the others. The experience was truly exhilarating. Not only in terms of inter-acting and rubbing shoulders with such eminent international personalities. But also in terms of being part of deliberations that could have an impact on the way the international system sets its course in the years to come. At the personal level, I was able to develop close rapport with the other panelists. Some more than others. But we can all take satisfaction in having done a fairly difficult assignment reasonably well.

LIEUTENANT GENERAL SATISH NAMBIAR PVSM AVSM VRC (RETD)

Commissioned into the Maratha Light Infantry, the General Officer commanded two battalions of the Regiment, a mechanised brigade group and a Mechanised Division. Served in operational assignments including counter-insurgency operations and in the 1965 and 1971 wars on the sub-continent. A graduate of the Australian Staff College (1968), he was with a training team in Iraq (1977-79), was on the faculty of the Defence Services Staff College (1980-81), and served as Military Adviser at the High Commission of India in London (1984-87). As Director General of Military Operations (1991), he led two defence delegations for discussions with Pakistan. Appointed the first Force Commander and Head of the United Nations forces in the former Yugoslavia he set up and ran the mission from 3rd March 1992 to 2nd March 1993. Retired as the Deputy Chief of the Army Staff on 31st August 1994. Is a recipient of the Vir Chakra for bravery in battle, and the Ati Vishist Seva Medal and Param Vishist Seva Medal for distinguished service. Is the Director of the United Service Institution of India since 01 July 1996. Is on the International Advisory Council of the Folke Bernadotte Academy, Sandoverken, Sweden. Was Adviser to the Government of Sri Lanka on certain aspects of the peace process during 2002/03. Appointed by the Secretary General of the United Nations on 02 November 2003 as a member of a High Level Panel on 'Threats, Challenges and Change'.