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India and the 'UN@75'
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Articles

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India and the 'UN@75'

In 1945, representatives of 50 countries, including India, met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. The Charter was signed on 26 June 1945 by the representatives of these 50 countries. The United Nations Organisation officially came into existence on 24 October 1945, when the Charter had been ratified by the five permanent members of the UNSC and by a majority of other signatories. Thus, United Nations Day is celebrated on 24 October each year.

The UN, which celebrates its 75th anniversary in 2020, has already outlived its predecessor by half a century. For its sheer survival, and for becoming a truly global organisation with a wide range of activities, the UN can consider itself a successful organisation despite its limitations. A critical evaluation of the organisation against the benchmark of its stated principles and purposes, and the expectations from it in the world today is essential to assess how well it has performed, and can be expected to perform, in the years leading up to its centenary.

The UN was set up to save the succeeding generations from the scourge of war. It was also expected to promote international cooperation to solve social, economic, cultural, and humanitarian problems, and encourage respect for human rights and fundamental freedoms. This was a tall order, and the performance of any international organisation with such a vast mandate would necessarily be chequered.

How has the UN fared in its primary goal of maintaining international peace and security? With the permanent five lacking consensus about providing the Security Council with an army, the UN had to improvise to fulfil its mandate. It settled for peacekeeping operations, and occasionally resorted to authorising member states to take military action on its behalf. Has peacekeeping been a satisfactory instrument for maintaining international peace and security? What has been the experience with military actions taken by member states on the authority of the Security Council?

The brief period of cooperation among the permanent five that followed the end of the Cold War is long over. The Security Council is once again frequently deadlocked by the threat or use of the veto. The veto had been the most strongly opposed provision of the draft UN Charter at the San Francisco

Conference. It was to have been reviewed, along with the rest of the Charter, after 10 years. However, this was not done. Should the review take place now?

The UN's activities in other fields have gained considerable salience, and the greater part of its budget is allocated for them. In which of these fields can the UN claim to have been successful? Sustainable development? Human Rights? The environment? Humanitarian assistance? Trade Promotion? Disarmament? The codification of international law?

India has taken its responsibilities as a founding member of the UN very seriously. In the early years, it was instrumental in forging the non-aligned movement, and reorienting the UN towards promoting decolonisation, abolishing racial discrimination, and strengthening its activities in promoting development and an equitable international order. How has India performed in the years after the Cold War when the UN saw a virtual explosion in its activities? What have been India's initiatives in the UN in recent years?

India has been vigorously pursuing the goal of the reform of the UN, with a permanent seat for itself in an expanded Security Council. How essential are these reforms? And, what are the prospects of realising them? Will the addition of more permanent and non-permanent members make the Security Council more effective? Will it make it more transparent and democratic?

India has now spent nearly three decades trying for a permanent seat in a reformed Security Council. Is a permanent seat likely in the foreseeable future? How has this campaign impacted India's foreign policy? How will a permanent seat help India promote its foreign policy objectives? Does it need to re-think its goal or change its strategy?

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These are some of the questions that were posed to a few experts/strategic analysts. The views of eight such analysts, who responded to our invitation, are published in this edition of the Journal.

Reviews of 2 books on the theme of this special issue, authored by two distinguished members of the Association, published earlier, are also included.

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Veto Provision in UN Charter: Issues and Dimensions

Dilip Sinha*

The veto is the absolute and unaccountable power of the five permanent members of the Security Council (the P-5) that ensures their control over it, and the rest of the United Nations. The P-5 have guarded this power jealously, and used it liberally to protect their interests. It has been the most controversial provision of the UN Charter, and the leading cause of frustration over the working of the Security Council. Any reform of the UN Charter without addressing it would be meaningless even though any proposal to modify it would be dead on arrival.

The veto is a derived power, originating from Article 27.2 of the Charter which states that the decisions of the Security Council shall be made by an affirmative vote of nine members "including the concurring votes of the permanent members". There are two exceptions. It does not apply to decisions on procedural matters, and in matters relating to the peaceful settlement of disputes a party to the dispute is required to abstain. This provision was incorporated in the draft of the UN Charter prepared by the four powers - the USA, the Soviet Union, the UK, and the Republic of China - at Dumbarton Oaks in Washington D.C. in October 1944. This provision was reaffirmed by Franklin D. Roosevelt, Joseph Stalin, and Winston Churchill at Yalta in February 1945.

At the San Francisco Conference later in the year, there was strong opposition to this provision from several participating countries. It was led by the Australian Foreign Minister, Herbert Vere Evatt, who proposed that it should not apply to cases relating to peaceful settlement of disputes. His proposal was supported, among others, by Mexico, Belgium, El Salvador, Chile, Colombia, Peru, and New Zealand. Evatt said that the

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(This opinion piece was received from the author on April 3, 2020)

Security Council had been drawn up in the "exclusive interests of major powers" who deemed themselves entitled "by reason of their contribution to victory in World War II."[1]

The argument given by the permanent members in support of the veto was that they had saved the world from the Axis Powers, and only they could meet any future threats to international peace and security. They assured the participants that they would jointly provide security to the world, and for this it was essential that all decisions of the Security Council have their concurrence. They promised that, in accordance with Article 43 of the Charter, they would equip the Security Council with an armed force, and give it a Military Staff Committee comprising their Chiefs of Staff to advise and assist it on all questions relating to its military requirements.

The permanent five made it clear that the veto was not open to negotiation. Six weeks into the conference, they issued a joint statement reasserting the reasons for their claim to the veto:

> In view of the primary responsibilities of the permanent members, they could not be expected, in the present condition of the world, to assume the obligation to act in so serious a matter as the maintenance of international peace and security in consequence of a decision in which they had not concurred. Therefore, if a majority voting in the Security Council is to be made possible, the only practicable method is to provide, in respect of non-procedural decisions, for unanimity of the permanent members plus the concurring votes of at least two of the non-permanent members.[2]

The permanent members argued that their proposal did not invest them with a new right since the permanent members of the League of Nations also had it. In the Council of the League, all decisions had to be unanimously taken by the permanent and non-permanent members, except if a member was party to the dispute. The permanent members argued that their proposal was more pragmatic since it made "the operation of the Security Council less subject to obstruction than was the case under the League of Nation's rule of complete unanimity."[3] Thus, the League's precedent was cited in support, but used selectively.

The debate was settled by a senior delegate of the host country, Senator Tom Connally, who declared that without the veto there would be no United Nations and, to demonstrate his resolve, he tore his copy of the text. Evatt's proposal, nevertheless, got 13 votes in the committee. There were 14 votes against it.

The head of the Indian delegation, Sir R. M. Mudaliar, who had abstained in the vote on the Australian proposal, made a brave attempt to make the veto inapplicable at the General Conference. The idea of a General Conference, to be held after ten years, was proposed by the permanent members as a sop to mollify the participants who were resentful of the cavalier treatment being meted to their proposals. Mudaliar said that while his country and many others disagreed with the veto, he realised that "combined and joint action can best be secured by the formula that was evolved at Yalta."[4] He then proposed a way out:

> [I]f this unanimity rule were not to be applied at the end of ten years to any proposal regarding the amendment of the Charter, we could safely, and with good conscience and with complete trust and confidence in the five great powers, agree to the complete Yalta formula during the intervening period of ten years.[5]

The Indian proposal, however, met with the same fate in the vote in the committee as that of the Australian.

At the Closing Plenary, President Truman, who had flown down to attend it, tried to assuage the participants with the following assurance:

> This Charter, like our Constitution, will be expanded and improved as time goes on. No one claims that it is now a final or a perfect instrument. It has not been poured into any fixed mould. Changing world conditions will require readjustments - but they will be the readjustments of peace and not of war.[6]

The importance of the UN armed force in the proposed security structure was reaffirmed by all permanent members at the Closing Plenary. It was declared to be the most important improvement in the proposed United Nations over the failed League of Nations.

The head of the Soviet delegation, Andrei A. Gromyko, said,

> The decision of the Conference to give permanent seats in the Council to five great powers is recognition of the obvious fact that the Security Council can possess sufficient means and forces necessary for the maintenance of peace only if it permanently includes those countries which have sufficient resources in men and material necessary for the successful and effective fulfilment of its duties.

He said that, without cooperation among the Allied Powers, it would be "impossible in the future to carry out the task of preserving peace."[7]

The head of the French delegation, Joseph Paul-Bancour, asserted more firmly that the new international organisation would no longer be unarmed,

"An international force is to be formed and placed at the disposal of the Security Council in order to ensure respect for its decisions."[8]

In his report on the conference to his President, the head of the US delegation, Edward Stettinius, wrote, "The whole scheme of the Charter is based on this conception of collective force made available to the Organization for the maintenance of international peace and security."[9] He identified the key improvement over the League.

> The League of Nations Covenant, the only comparable document of the past, did not contain any provision requiring member states to conclude agreements for the supply of forces to execute military sanctions. The insertion of such a provision in the Dumbarton Oaks text, thus, represented a long step forward.[10]

After the conference, the permanent members met in the Military Staff Committee to negotiate the terms of an armed force for the Security Council. However, they abandoned the effort in less than two years. Their failure should have nullified the veto, but a Council controlled by them would certainly not entertain such ideas.

The fragile unity of the Allied Powers collapsed before long, and the Security Council became a hapless bystander in global power politics. The Soviet Union, outnumbered by the West in the UN, exercised its first veto on an American resolution within a month of the first meeting of the Security Council. Eight more vetoes followed in 1946, all from the Soviet Union. Four were on the Spanish Question, and three to block the admissions of Transjordan, Ireland, and Portugal. It diligently vetoed resolutions on new memberships, the Greek war, criticism of the new People's Republic of China, its actions in Czechoslovakia, and called for a reduction in armed forces. Until 1955, it was the only permanent member to have exercised the veto, 57 in all, of which 27 were to block membership applications.

In 1956, the UK and France used the veto for the first time to block resolutions criticizing their invasion of Egypt in the Suez crisis. They used their veto in tandem twice on the same day to block an American and a Soviet resolution. The Soviet Union did the same on an American resolution on its invasion of Hungary. The UK used the veto again in 1963, on a resolution moved by Ghana, Morocco, and the Philippines, calling upon it not to transfer power to a racist regime in Southern Rhodesia.

The USA used its veto for the first time in 1970, jointly with the UK, on the question of racism in Southern Rhodesia. By this time, the Soviet Union had forged a partnership with developing countries. It turned the tables on the

USA by cornering it repeatedly on apartheid policy in South Africa, and on Southern Rhodesia, Namibia, and Palestine. In the Reagan-Thatcher years, the two countries had to use the veto on other issues as well. In 1982, the USA joined the UK in blocking a resolution on the Falklands. It also had to use the veto to protect its actions in Nicaragua and Grenada in 1983-1984. France joined the duo to make it a powerful triple veto on 13 occasions - between 1974 and 1989.

During this period, the Soviet Union used the veto very occasionally. It blocked a resolution on its invasion of Afghanistan in 1980, and on the shooting of a South Korean civilian aircraft in 1983. It also came to India's rescue thrice during the Bangladesh liberation war in 1971. These were part of the six vetoes the Soviet Union used for India – two on the India-Pakistan Question, in 1957 and 1962, and one on Goa, in 1961.

The Soviet Union exercised its last veto in 1984. The Russian Federation, which took its seat in 1991, was quiet for a couple of years. But a resurgent West had by now regained majority in the Security Council, and it was soon required to use the veto to protect its interests. This started with a resolution on Cyprus in 1993, followed by Bosnia and Herzegovina and Georgia. Then there were as many as thirteen resolutions on Syria, which Russia blocked to prevent military intervention by the USA. China joined it on some of these issues.

The USA, despite its majority support, continued to face trouble over Palestine, on which it was consistently out-voted, and had to exercise the veto repeatedly.

The PRC, which joined the UN in 1971, blocked the membership application of Bangladesh the very next year to please its all-weather friend, Pakistan. It used the veto again in 1997 on an innocuous resolution relating to peace efforts in Guatemala and, two years later, on renewing a peacekeeping mission in the Former Yugoslav Republic of Macedonia because of their relations with Taiwan. Later, China also used the veto to shield the regimes in Myanmar and Zimbabwe.

Both the UK and France exercised their last veto in 1989, a triple with the USA, on the situation in Panama.

But, the real power of the veto has not been the ability of the P-5 to kill 200-odd resolutions. The veto has enabled them to carve out spheres of influence by offering their protection-veto. It is noteworthy how rarely the permanent members have had to use the veto to defend their own military invasions. The Soviet vetoes on Czechoslovakia, Hungary, and Afghanistan,

and of the UK and France in the Suez crisis, have been such exceptions. This is because the threat of the veto has been sufficient to ward off resolutions against them. Thus, the USA never had to use a veto for its invasion of Vietnam or Iraq (in 2003), and the Soviet Union only once for its invasion of Afghanistan.

After 1986, during the Iran-Iraq war, the permanent five started the practice of informal meetings in which they would finalise a resolution and present it to the Council to rubber-stamp. This explains why in 2019, for instance, 85 percent of the resolutions were adopted unanimously. They have also used their position in the Security Council to dominate other organs of the UN and even the specialised agencies. Their control of the sanctions committees of the Security Council - which impose sanctions on individuals and organisations without any transparency or accountability - has been particularly objectionable.

Although the veto has been controversial since the inception of the UN, no attempt has so far been made to seek its abolition. The General Conference to review the Charter, mandated in Article 109, was to take place in 1955; but it never did. The only change in the Security Council came in the 1960s when its non-permanent membership was increased from six to ten. All attempts then, and later, have been to increase the size of the Council in the permanent or non-permanent categories, or both. The most determined bid for reform came from the G-4, comprising Brazil, Germany, India, and Japan, in 2005. On the veto, the group played safe by proposing a compromise under which the new permanent members would be given the veto, but with a moratorium on its use until a review after 15 years. The G-4 did not press for a vote on its proposal, and the reform process went into limbo.

Three years later, India formed a group of developing countries, the L-69 group, to gingerly revive discussion. As a result of its efforts, the General Assembly started an Intergovernmental Negotiation process on Security Council reform. It also identified five issues, one of which was the question of the veto. The proposals submitted by members were compiled, and a Framework Document containing a summary of the proposals submitted to the General Assembly in 2015.[11]

Both the African Group (with 54 members) and the L-69 Group (with 42 members, 11 of whom are common with the African Group) tend to support the abolition of the veto; but they maintain that as long as it is there, it should available to the new permanent members as well. India and Brazil are members of both the L-69 and the G-4. Some other countries have also

called for the progressive elimination of the veto. A large number of countries have suggested a code of conduct for the veto, and some have suggested that it be prohibited in situations of war crimes, genocide, crimes against humanity, and ethnic cleansing. Among the permanent members, the USA, the Russian Federation, and the People's Republic of China are strongly opposed to any dilution of their veto, or extending it to new members.

Since Independence, India spurned all talks of permanent membership; but it reversed its approach in 1993, and decided to campaign for it. It is currently pursuing this goal through two groups: the G-4, an alliance of four claimants; and the L-69, a group of 42 developing countries. Neither strategy has made any headway; nor is there any prospect of progress through either. In the circumstances, India can either continue stoically or roil the reform process by raising the more fundamental issue of the abolition of the veto. This demand has already been made by the African Group, the L-69 and a few other countries; but they have not made it the central focus of their campaign. Such a proposal will certainly garner more support in the General Assembly than the G-4 campaign, in which the smaller countries have little interest. The P-5 can be trusted to be outraged; but drawing the battle-lines on the principle of veto-abolition will earn greater credibility and support for India than its current campaign.

The Security Council was designed to create the hegemony of the P-5. India's main security concerns emanate from China, a permanent member, and its close ally, Pakistan. It cannot expect the Security Council to come to its assistance against either, even if it becomes a permanent member. The abolition of the veto will be a more meaningful and democratic reform than the unlikely seat on the high table.

The first Secretary-General, Trygve Lie, had made a prescient observation within a couple of years of the formation of the UN.

> I have heard it said that the United Nations is dying. On the contrary, the United Nations is very much alive. It is doing very well indeed except when one or the other of the Big Powers fails to use it as it should be used or to live up to the terms of the Charter.[12]

The UN has survived, but the Security Council has been rendered useless by the veto provision. It is time to address the issue so that the UN @100 becomes a genuinely representative and democratic organisation that can meet the security needs of all its member-states.

Notes :

[1] David L. Bosco, *Five to Rule Them All: The UN Security Council and the Making of the Modern World*, New York, OUP, 2009 p. 36.

[2] Statement by the Delegations of the Four Sponsoring Governments on Voting Procedure in the Security Council, 7 June 1945, United Nations Conference on International Organization, Doc. 852 III/1/37(1), 8 June 1945, p. 713. France was not party to this declaration since its participation in the conference was limited due to the ongoing war .

Also see 500.CC/6–345: Telegram: The Chairman of the United States Delegation (Stettinius) to the Acting Secretary of State, SAN FRANCISCO, June 3, 1945. Para 9; available at: https://history.state.gov/historicaldocuments/frus1945v01/d273

[3] Ibid., p. 713

[4] R. M. Mudaliar, *Verbatim Records of 5th Meeting of Commission III, 20 June 1945*, UNCIO, Doc. 1150/III/12, 22 June 1945, p. 175.

[5] Ibid., p. 175

[6] Harry S. Truman*, 26 June 1945* UNCIO *Closing Plenary*, Doc. 1200 P/18, 26 June 1945, p. 715.

[7] Andrei A. Gromyko, *26 June 1945* UNCIO *Closing Plenary*, Doc. 1200 P/18, 26 June 1945, p. 695.

[8] Joseph Paul-Bancour, *26 June 1945* UNCIO *Closing Plenary*, Doc. 1200 P/18, 26 June 1945, p. 699.

[9] Edward Stettinius, *Report to the President on the Charter of the UN, 2 July 1945*, US Senate, Hearings Before the Committee on Foreign Relations p. 23.

[10] Ibid., p. 60.

[11] The Framework Document can be accessed at www.centerforunreform.org/wp.content/uploads/2015/05/13-May-2015-IGN-Framework-Doc.pdf

[12] Trygve Lie, "The Hyde Park Address", 12 April 1948, in Andrew W. Cordier and Wilder Foote (eds.), *Public Papers of the SGs of the UN, Vol. I, Trygve Lie, 1946–1953*, New York, Columbia University Press, 1969, p. 122.

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The UN @ 75: Multilateralism Then and Now

Vijay Nambiar*

This year we celebrate a century of multilateralism. The founding of the League of Nations in January 1920 represented the first real institutionalization of multilateralism, and although the term itself gained currency only in the aftermath of the Second World War, it marked a defining feature of international relations through the 20th century. The League itself became moribund in less than two decades of its founding, and the world drifted into World War II; but the UN which succeeded the League, has survived for 75 years, and remains even today the true promise of a rule-based global order.

While the Preamble of the League's Charter recalled the goals of peace and security, and referred merely to "open, just and honourable relations between nations", that of the UN speaks more loftily of "We the People of the United Nations", and underscores faith "in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small" as well as "to promote social progress and better standards of life in larger freedom." The three opening words of the UN Charter, introduced almost as a rhetorical flourish, were to become the lodestar of the UN's mission, especially at the start of the new century.

At its founding, the UN's vision was not so much one of "taking mankind to heaven" as "saving humanity from hell", specifically by averting a possible global nuclear conflagration. The permanent members of its Security Council saw themselves as "policemen" charged with maintaining peace in different areas of the globe in a big-power collective security arrangement. But, even this vision began to crumble with the onset of the rivalries of the Cold War. Importantly also, the Charter makes no mention of any promise of self-determination or independence for the 750 million people covering more than 80 colonial territories in Asia, Africa and the elsewhere, comprising around three quarters of the world's population.

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(This opinion piece was received from the author on April 6, 2020)

For the few Asian and African countries who were members at the founding of the world body, a major focus of their attention was to help their brethren in these territories cast off their colonial yoke, and attain freedom and independence as soon as possible and, in the interim, to be treated fairly and decently by the powerful colonial powers.

The former UN Secretary General late Kofi Annan said[1] that the UN's work was rooted in ideas that reflected some of mankind's deepest concerns and aspirations. He listed four such exceptionally inspirational ideas: *Peace* - the idea that sovereign states could create an international organisation, and procedures that would replace military aggression and war by negotiation and collective security; *Independence* - the idea that people in all countries had rights to be politically independent and sovereign, and make whatever national and international agreements their citizens might choose; *Development* - the idea that all countries, long independent or newly so, could purposefully pursue policies of economic and social advance which, over time, would improve the welfare and living standards of their people; and *Human Rights* - the idea that every individual in every country throughout the world shared an equal claim not only to such individual civil and political rights as life, liberty, and the pursuit of happiness but also to a core of economic and social freedoms.

Today, the UN has 193 members. The progressive emancipation of erstwhile colonial territories in Africa, Asia, Latin America, and the Caribbean as well as the Pacific was carefully directed within the organisation and was, with some notable exceptions, unaffected by the rigors of the Cold War. Equally historic was the emancipatory process that followed the breakup of the Soviet Union. If the decolonisation process brought increased self-confidence to the states of Africa, Asia, and Latin America, the admission into the United Nations of many new members from the erstwhile Soviet Union in the nineties was also significant in that it provided possibilities under the New Agenda for Peace in a post-Cold War world. It also gave rise to new anxieties, instabilities and trauma, as became evident in the breakup of Yugoslavia and the internal conflicts in Rwanda, Somalia, Sudan, and some of which rage even today in CAR, Mali, Yemen, and Syria.

Peace and Security

The core responsibility of the United Nations has always been to maintain international peace and security, with the Security Council being given virtually supreme authority in the domain of war prevention and management. While

individual states have continued to retain the right of self-defence that they had always possessed under customary international law, this right, according to the Charter, "shall not in any way affect the authority and responsibility of the Security Council … to take at any time such action as it deems necessary in order to maintain or restore international peace and security". In that sense, the Council remains the "geopolitical cockpit"[2] of the UN system. Key to the proper functioning of the Council was the principle of unanimity among the permanent members in taking substantive decisions in that body. The initial reason for the inclusion of this power in the Charter was to prevent the UN from taking direct actions against any of its principal founding members. However, the use of veto power has become distant from that initial reason, and gradually turned into a tool for protecting national interests of permanent members or their strategic allies. Until the end of the Cold War, the United Nations' reputation suffered because of the deadlock this produced on issues of peace maintenance and, as the debate moved into "the veto-free but non-decisional"[3] arena of the UN General Assembly, controversies also grew around how to allocate peace maintenance responsibilities between the Council and the Assembly. Increasingly too, the onus for the discharge of this responsibility began to be placed on the Secretariat, especially on the Secretary-General.

Since the early years of the United Nations, the practice of UN peacekeeping has evolved as a non-coercive instrument of conflict control, in which the military personnel of member states were used not to wage war but to prevent fighting between belligerents in different parts of the world. There can be little doubt that, in the annals of the Organisation, the record of its peacekeepers and their sacrifices in the line of duty have been among the most glorious and inspiring universally. By the early part of the present century, the United Nations had deployed more than 100,000 soldiers and police personnel in 19 countries at a cost of over US $6 billion each year. While this makes the UN the second biggest single provider of expeditionary forces in the world after the USA, it did this at a fraction of the cost of most national operations. For example, the annual budget of all UN peace operations in recent years has added up to less than what the USA has spent in a single month in Afghanistan during the height of its involvement there.[4]

Over the decades, however, United Nations peacekeeping has suffered enormous "mission-creep" in conceptualisation, operationalisation, and in the range and scope of its ambitions. In addition to ensuring compliance with ceasefires, reducing levels of violence between belligerents, and monitoring state boundaries or borders, PKOs were expected to protect civilians from

violence, provide civilian police support, assist in mine clearance, rebuild logistics infra-structure (like roads, railways, bridges), safeguard humanitarian relief operations, support electoral processes, monitor human rights violations and improve laws and institutions to provide gender equality, inclusivity, and fairness as well as equal opportunities for women.

By definition, however, the UN was meant to preserve peace, not wage wars. Peacekeeping is different from a UN mandated enforcement action, and peace operations are meant to contribute more to the quality of peace between warring parties than to its duration. But, for any such peace to be self-sustaining, countries must develop institutions and policies that generate economic growth and social harmony. For any UN peace-building to be meaningful, it must have a strategy for fostering a self-sustaining economic growth that connects with sustainable peace. Indeed, prolonged peacekeeping in countries like Haiti and DRC have created conditions like the Dutch disease. If economic reforms are not able to bridge the gap between peacekeeping and development, such an effort is meaningless. Though successive UNSGs, including the Present Secretary General Antonio Guterres, have tried to bring more holistic approaches to this primal task, their efforts have not proved effective so far because the politics of the UN Security Council continue to hamstring action over most conflicts. We only need to look at the current conflict areas to realise this.[5]

Development

From its early years, the UN has shown strong concern for cooperative action in support of the peoples of "half the globe struggling to break the bonds of mass misery". The First Development Decade document in the 1960s spoke of the dangers arising from a disproportionate emphasis on the material aspects of growth without reference to concerns of equity. Indeed, this also became the basis for the evolution of the Covenant on Economic and Social Rights during the last decades of the twentieth century. However, it was the articulation of the concept of "human development" by Professors Mahbub-ul Haq and Amartya Sen that took multilateral developmental thinking within the UN in a dramatically new direction by charting an alternative discourse of putting people, rather than economic growth, at the heart of development thinking. The composite Human Development Index (HDI) developed by the UNDP in the early nineties measured and compared the standards of living across countries, rich and poor, using indicators of life expectancy, education, and income, and helped germinate the idea of the

Millennium Development Goals (MDG) that set targets and indicators for poverty reduction and other goals on a fifteen-year timeline. These goals were intended to increase every individual's human capabilities, and "advance the means to a productive life".

In the new century, the 2012 Rio Conference set its sights on the post-MDG horizon, and the UN eventually identified 17 Sustainable Development Goals (SDG) and 169 targets for a common future for mankind. These SDGs were influenced by three key summits in 2015: the World Conference on Disaster Relief Reduction (Sendai); the International Conference on Financing for Development (Addis Ababa); and the UN Climate Change Conference (Paris), and were adopted in New York in September 2015. Unlike the MDGs which exclusively focused on the developing countries, the SDGs are universal, and apply to all countries, industrialised and developing. They are comprehensive, tackling issues of development and climate change together, and addressing both global public goods problems as well as national concerns. While strongly focusing on the means of implementation, particularly the mobilisation of financial resources, capacity building and technology as well as on strengthening data collection and institutions, the UN has not been able to help surmount the major challenge of harnessing financial resources. An IMF study in 2019 estimated annual spending needs by 2030 of the order of US$ 2.6 trillion in low-income and emerging markets, for delivering SDG targets in education, health, power, roads, water, and sanitation. Recent moves to repackage development assistance as a joint public-private endeavour have been criticised as attempts by official government donors to escape their obligations. Even so, private money has decreased, with FDI dropping by 30 percent in 2018 over the previous year; there is no rise in ODA flows or those from other sources except for the remittances by migrants. The emerging challenge is particularly daunting for fragile states with weak growth trajectories and strong population pressures.

Like most countries, India has designed its own framework for implementing the Sustainable Development Goals. The task of coordinating them is entrusted to the NITI Aayog which has formulated an agenda in line with the SDG's 15-year time line. The Vision 2030 Agenda replaces the previous Five Year Plans. Simultaneously, the 29 states and 7 Union Territories are also developing long term plans consistent with the SDG framework and a SDG index as well as a dashboard for monitoring their progress, and allowing competition among states to become frontrunners and high achievers in meeting these important targets and challenges.

Human Rights

This brings us to the humanitarian and human rights pillar which remains a fundamental priority to the United Nations today. It is relevant to recall that the Universal Declaration of Human Rights was being drafted at the same time as the drafting of the Indian Constitution. Many important concepts of the latter document served to inspire Indian delegates in the fleshing out of the UDHR. Over the decades, Indian delegates have also actively contributed through the UN to create a global governance system that has stood up for human rights and social justice. Today, the UN's work in human rights is carried out by a number of bodies, with a distinction between Charter-based and treaty-based human rights bodies. The first derive their establishment from provisions contained in the UN Charter. They hold broad human rights mandates, address an unlimited audience, and take action based on majority voting. Treaty based bodies, on the other hand, derive their existence from specific legal instruments, hold more narrow mandates (that is, the set of issues codified in the legal instrument), address a limited audience (that is, only those countries that have ratified the legal instrument), and generally base their decision-making on consensus.

The Human Rights Council was set up in 2006 as a reorganised mechanism to look at the human rights policies of all UNGA member-states without "double standards or politicisation". This was to be done primarily through a Universal Peer Review (UPR) mechanism, meant to be transparent and accountable. Also, to articulate these structures, strong civil society networks have sprung up around the world, focusing the attention of the people on accountability and legitimacy failures in global and national governance. Civil society organisations are today important movers of innovative measures to deal with emerging global humanitarian and human rights threats. And, while some may have made controversial use of the social media and internet in mass mobilization and global perception management, they have, on the whole, played a useful and important role, and are collectively recognised internationally as representing the "We, the People" of the UN's Preamble.

II

Today, the multilateral experience has come full circle. The ubiquity of information and knowledge, the rush of technology, and the expansion of trade and finance across nations, have made us interconnected and interdependent; but they have also brought new vulnerabilities springing from

the intolerance, arrogance, overreach, greed, and anxieties of individual and communities in a globalised world. As the borders of nations and individual minds get blurred, we are forced to look for common solutions to the common problems that afflict us, whether they relate to terrorism[6], migration, environmental fragility, or deadly disease. Yet, in critical quarters of the international system, we see a narrowing of horizons, a stoking of populist rhetoric through the reification of prejudices and stereotypes as well as a dangerous weakening of the multilateral impulse among governments. This trend needs to be reversed.

Refugees and Migration

The problem of refugees and forced migration has afflicted communities throughout history, giving rise to policies of discrimination, exclusion, racial hatred, ethnic cleansing, and even genocide. The UN Convention Relating to the Status of Refugees adopted in 1951 is, today, the centrepiece of international refugee protection law. Though many countries, including India, are still non-signatories to this Convention, there is widespread recognition of the fundamental principles underlying protection to refugees, notably of non-discrimination, non-penalization, and *non-refoulement* as well as the minimum standards of treatment for them, including access to the courts, primary education, work, and minimal documentation.

Today, almost 70.8 million people find themselves forcibly displaced worldwide as a result of persecution, conflict, violence, or human rights violations across the world. About 60 percent of the world's refugee population lives in just ten countries, all in the global south; and, they live in the poorest parts of these countries. In 2018, the UN General Assembly adopted two landmark global compacts: the Global Compact for Migration, and the Global Compact on Refugees. The first is a robust framework of international cooperation to address the multi-dimensional aspects of migration. The second is a comprehensive refugee response framework to be undertaken by the international community to ease pressure on host countries, enhance refugee self-reliance, expand access to third-country solutions, and support conditions for the safe and dignified return of refugees. Both Compacts affirm the human right to health for migrants and refugees, and encourage stakeholders, including trade unions and civil society, to cooperate with governments and international agencies to realise this right, through a whole-of-society approach. Though both these Compacts are not legally binding on states, their adoption by universal acclaim demonstrates a strong political commitment of all UN

Member States to implement them, and is indicative of a new direction of 'soft" international law.

Climate Change

While global emissions have reached record levels, with peaking summer and winter temperatures, rising sea levels, dying coral reefs, and the life-threatening impacts of air pollution across the world, the UN Secretary-General called upon world leaders in New York in 2019 to add more ambition to realise their nationally determined contributions so that greenhouse gas emissions are reduced by 45 percent over the next decade, and we progress to net zero emissions by 2050. While it is true that the COP 21 held in Paris in 2015 had changed attitudes and influenced policy on a wide scale, the retrenchment by important nations since that time made it clear that more substantial action was needed if the world was to get anywhere near the goal of reducing global emissions to net zero by mid-century. As countries face the imperative of making stronger commitments at COP 26, some grounds for optimism appear on the horizon in the slowing of greenhouse gas emissions. Renewable energy currently outcompetes fossil fuels in many areas, and continues to become cheaper every year. New energy storage options, ranging from cheaper batteries to green ammonia are emerging, and new ways to produce proteins at scale without destroying rainforests are being developed.[7] But, to get to these goals, serious and sustained focus will be needed on these green technologies, supported by policies and resources to get them rolled out.

A Pandemic and the Future of Multilateralism

If the cynicism and complacency displayed by the US leadership on the issue of climate change was frustrating to a majority of countries around the world, no less disappointing was the attitude of China during the initial phase of the Corona virus epidemic in that country. Despite the lessons of the SARS epidemic of 2002, authorities in China's Hubei province spent almost two months prevaricating on the range and intensity of the virus even as it was spreading through the country with ferocity. Meanwhile, the UN's WHO, despite having a pandemic preparedness framework in place since 2012, kept "whistling in the dark", in the face of the clear danger signals emanating from China, hoping the issue would be resolved domestically. When the virus began to spread outside China, major Western European countries - and even the

USA - displayed unimaginable casualness over implementing serious preventive measures, including lockdown, being afraid of its temporary destabilising effects on their economies. For weeks, no serious multilateral effort was mounted to meet the crisis. Unlike during the 2014 Ebola crisis, as of early April, no Security Council meeting was held. It was at Prime Minister Modi's initiative eventually that a G-20 meeting was convened on March 26, 2020 to even consider urgent short term action to help vulnerable countries - including activating the WHO Response Strategy and other broad measures - to safeguard the global economy and address trade disruptions. Though the meeting temporarily halted the recrimination and blame games, there was little evidence of commitment to the kind of collective multilateral action to contain the spread of the virus through information-sharing or lessons-learned, coordinated provision of protection, testing, and treatment, supplies and equipment, management of cross-border controls, and directed help to individual nations to cope with infection control at the primary and secondary levels. Meanwhile, the crisis deepens.

There can be little doubt that the post-Corona virus world will not be the same as the one before it. Earlier, in the new century, the interconnectedness and interdependence of our globalised world was recognised universally as a promising reality. Economic thinkers, like Inge Kaul, were suggesting that effective and fair international cooperation was in everyone's interest and, while nations would continue to compete, in many areas, they were also likely to face a "sovereignty paradox" where they may need to cooperate at a regional or global level by limiting their own policymaking space and sovereignty. States needed to accept "limiting" their sovereignty while exercising it more "responsibly". Given the interdependence between states, such action would sometimes make more sense in helping their own people better conditions of development and prosperity vis-à-vis other states, and vis-à-vis the world as a whole. She called this an exercise of "smart sovereignty."[8]

The experience of the Corona crisis has sharply challenged this logic. Most societies that have borne its brunt have emerged from it deeply suspicious of globalisation, interdependence, and multilateralism even as their peoples and leaders have retreated into their "inner citadels." But while the interdependence in global value chains in production, supply, and marketing witnessed across the globe in recent years will be sharply attenuated as countries raise autarchic walls, and search for alternate sources or redundancies to avert any future *force majeure* situation, it would be unrealistic to assume that the genie of globalisation can be put back into the bottle, or that we can pull the plug on our interconnected world. A retreat from

multilateralism will not work. The time may finally have come for the world to look for a more durable and cooperative way to address the underlying issues through a more transparent and rules-based multilateral process to be overseen by an institution like the UN. But, even for such a system to work, the underlying power dynamics of the UN will have to undergo thoroughgoing structural change.

Notes :

[1] Kofi Annan, 'Foreword', in *Ahead of the Curve? UN Ideas and Global Challenges*, (ed.) by Louis Emmerij, Richard Jolly, and Thomas Weiss, Bloomington, IN: Indiana University Press, 2001.

[2] Ramesh Thakur FAIIA and John Langmore, *UN Security Council Needs More Elected Members*, Australian *Outlook*, 4 August 2016.

[3] Douglas M. Johnston, The Historical Foundations of World Order: The Tower and the Arena by (Brill, 2007).

[4] "At $8bn, the entire peacekeeping budget is equivalent to one month of US military spending in Afghanistan at the height of the conflict in 2010, or just 1.4% of the current US defence budget, which stands at $573bn." See, Joe Sandler Clarke, *The Guardian*, 6 April 2016.

[5] In a debate at the General Assembly pertaining to the concept of the 'Responsibility to Protect' (24 July 2009), the Indian Permanent Representative, Ambassador Hardeep Puri, said: "We ... need to be cognisant that [the] creation of new norms should at the same time completely safeguard against their misuse. In this context, responsibility to protect should in no way provide a pretext for humanitarian intervention or unilateral action." He further stated: "Even a cursory examination of reasons for non-action by the UN, especially the Security Council, reveals that in respect of the tragic events that were witnessed by the entire world, non-action was not due to lack of warning, resources, or the barrier of state sovereignty, but because of strategic, political, or economic considerations of those on whom the present international architecture had placed the onus to act. The key aspect, therefore, is to address the issue of willingness to act, in which context a necessary ingredient is real reform of the decision making bodies in the UN like the Security Council in its permanent membership."

[6] The issue of terrorism is not considered in this paper. Despite its inability to define terrorism so far, the UN has tackled the issue through: the Sanctions Committees under UNSCR 1267, 1383 et al; and a Global Counterterrorism Strategy and Plan of Action agreed in the UNGA, which is continuously reviewed. At the Secretariat, the UN Office of Counter-Terrorism (UNOCT) is headed by an Under-Secretary-General (USG) and a UN Global Counter-Terrorism Coordination Compact which was signed by 36 UN entities, INTERPOL, and the World Customs Organization, all of which aimed at improving coordination, enhancing transparency, and to evolve better mechanisms for monitoring and evaluation.

[7] See, *The Guardian*, 10 March 2020, at https://www.theguardian.com/commentisfree/2020/mar/10/glasgow-climate-conference-uk-green-tech-revolution-cop26

[8] Inge Kaul, *Global Public Goods: A Concept for Framing the Post-2015 Agenda?* Bonn: German Development Institute / Deutsches Institut für Entwicklungspolitik (DIE)), 2/2013, p. 3, at http://www.die-gdi.de/CMS-Homepage/openwe. Annex 2 is of interest in the current context. See also, *The Governance Report*, Oxford, UK: Hertie School of Governance, Oxford University Press, 2013.

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India and the UN @ 75: Some Thoughts

Nalin Surie*

As the UN approaches the autumn of its existence and the Covid-19 pandemic raises fresh issues regarding the effectiveness and relevance of the UN, it is perhaps time to review India's approach to the UN, and consider whether alternative multilateral or plurilateral arrangements might not be the way to go.

The UN and WHO response to the ongoing Covid-19 global pandemic has further seriously dented the already frayed credibility of the Organisation. It has again highlighted the cynical manner in which the permanent members of the UNSC act when their country or interests are involved - in this case China. Are we then at a tipping point in the life of the UN?

But first, it may be useful to recall India's constitutional provisions on international relations. Article 51 of the Directive Principles of State Policy clearly requires the State to endeavour to, inter-alia, promote international peace and security, foster respect for international laws, etc. In effect, the UN is only one such means. Yet, since India's independence, enormous importance has been placed on the UN System in Indian foreign policy. This was done in spite of the betrayal over Pakistan's invasion of Jammu and Kashmir very soon after India's independence - perhaps to achieve broader objectives to promote international peace and security such as decolonisation, global development, disarmament, etc. Recent instances of overreach by senior UN officials of interference in India's internal affairs while turning a Nelson's eye towards others rankles in public opinion.

Further, the great expectations over the ability of the UN to fulfil the purposes and principles of the UN Charter after the end of the Cold War have largely been belied. This has happened for a variety of reasons, but largely on

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account of the cynical use of their power by the permanent members of the UN Security Council not only in regard to matters pertaining to international peace and security but also across the UN family. This latter conclusion can be assessed by examining the implementation of the forward-looking Declaration adopted on 24 October 1995 on the Occasion of the Fiftieth Anniversary of the UN. The latter called for the creation of new opportunities for peace, development, democracy and cooperation; and to redirect the UN towards greater service to humankind, especially to those who are suffering and deeply deprived. It committed member States to give to the 21st century a UN, equipped, financed, and structured to serve effectively the peoples of the world. The Declaration identified concrete activities pertaining to peace, development, equality, justice, and reform and the modernisation of the UNO.

While some progress has undoubtedly been made on SDGs and, grudgingly, even on climate change, the record of the United Nations over the past 25 Years has been spotty at best, including with respect to the maintenance of international peace and security (need one be reminded, for instance, of the long running crises over DPRK and in Afghanistan, the South China Sea, Iraq, Yemen, Syria, Palestine, Libya, DRC, Sudan, and the cancer of terrorism), and the global financial and economic crisis of 2008. Yet, the system has survived for want of any real alternative wherein virtually all nation states are present, have the ability to discuss issues of vital importance, and assist smaller and disadvantaged nation states with their immediate problems. Also, most of the Specialised Agencies have soldiered on, and remain relevant.

However, work on critical transnational issues such as the maintenance of peace and security, climate change, development, technological change, information technology, disarmament, counter terrorism, reduction in disparities, migration, gender issues, cyber issues, to name a few, continue to elude a genuine and workable consensus. This is essentially because those who have the heft first focus on self and not the greater good of humanity. Will the fight against Covid-19 help show some light at the end of the tunnel? The portents so far are not particularly hopeful, though plurilateral discussions on how to fight the pandemic are happening. India has taken the initiative with SAARC and the G-20, but these are work in progress at best at the time of writing.

Why is the UN limping along and unable to fullfill its purposes and potential? This has been so essentially because those who set it up are unwilling to acknowledge that the power structure has - and continues to - evolve since the end of World War II and the pace, for instance, of globalisation, technological change, the rise of non-state actors, terrorism, and climate

change require the international community to take decisions for the benefit of all humankind, and not simply in the individual or minimal collective interest of the P-5. As India's Prime Minister Modi recalled at the UNGA, on 27 September 2019, that the face of the world is changing today, and proposed that, "In this new era, we will have to give new direction and energy to multilateralism and to the United Nations."

But will the P-5 permit taking a new direction that will necessarily dilute their power and influence in the UN system? Will they allow the UN to restore or regain some moral authority? The record so far would suggest not. The question then arises whether countries like India should continue to expend resources and political capital on seeking a permanent seat on the UNSC, knowing full well that the P-5 have no intention of allowing this and that, if once expanded, the permanent membership of the Council can continue to evolve to reflect the changing contemporary reality going forward.

Alongside the focus on the UN family, multilateralism, and multi polarity were, and remain, among the basic principles governing India's foreign policy. India's focus on those has grown particularly in the post-Cold War era. Prime Minister Modi's remark above also refers to this. The fact is that the UN and multilateralism are two sides of the same coin. The former is the more inclusive form of the latter. Plus, the latter can be used to strengthen the former (UN). More manageable multilateral groups/organisations can be used to address difficult issues among principal players, and be offered to the wider international community as doable options to address problems. India's linking of the UN with multilateralism is of long standing. Its vigorous support for, and defence of, the Non-Aligned Movement is a classic example. The driving force behind this effort was to take principled positions on the burning issues of the day, and on the future of the world community based on merit and the principles enshrined in the UN Charter. That the Movement got buffeted by the then great powers was, ironically, a sign of its success. Similarly, the thrust to develop South-South cooperation - which has today acquired a major dimension - offers alternatives to traditional donors. The Movement's initiatives fed directly into the UN agenda, and were often successful. The size of the Movement also meant that outcomes based on its initiatives were likely to carry greater legitimacy.

The Group of 77 performed a similar role albeit in economic matters.

Regrettably though, the efficacy of the Non-Aligned Movement and G-77 were seriously circumscribed by the divisive efforts of the great powers,

their control over the world economy, and determination to preserve their balance of power configurations. On matters of reforming the methodology for maintaining international peace and security as well (for example, UNPKOs), the P-5 were, and remain, determined to prevent any dilution of their powers. India has also been supportive since long of other efforts at strengthening multilateralism and multipolarity. For example, India is a strong proponent of European integration as it has evolved through stages into the European Union. India's support for ASEAN, and its role in the East Asian region and the evolving Indo-Pacific architecture, is also fulsome.

Other examples that come to mind include, for instance, the development of IORA, SCO, BRICS, IBSA, BIMSTEC, etc.

These are all arrangements consistent with the provisions of the UN Charter, and enable the development of cooperation to meet its principles and purposes. The development of multipolarity helps, among others, in reducing the excessive concentration of power and influence.

A particularly important form of multilateralism, bordering on the universal in global economic terms, is the evolution of the G-20 process which has proved to be successful in addressing the immediate challenge posed by the global financial and economic crisis of 2008. Regrettably, after the initial success and once a semblance of normalcy began to appear, the agreements on long term reform, sustainability, and the need for the development of infrastructure (especially in developing countries) were left by the wayside. This again was the result of the most powerful economies wanting to retain their privileged positions, and ignoring the need for structural reform of the international economy. The ongoing Covid-19 pandemic, and other current protectionist and inward looking approaches of some major economies, may conceivably force a knocking together of heads, and elicit a better response since this time the impact is of an order that may negatively impact the existing global value addition and technology development chains. And, the margin for manoeuvre this time is more limited.

Like the UN, the G-20 also needs to urgently and seriously introspect, and begin to address the challenges of global sustainable development, eliminate poverty worldwide, and thereby ensure the maintenance of international peace, stability and security.

The G-20 could indeed supplant the distorted decision making structure that underline the UN system through the system of the permanent membership of its Security Council. The balance of influence in the G-20 will keep varying, depending on the changing economic status of each member and the ability to

build issue-based alliances. Questions regarding universality will, and can be, addressed, and the UN system used to provide legitimacy if needed.

The question remains though whether the P-5 will allow this. Logic would suggest they should; but logic is not what necessarily governs the conduct of international relations. Statesmanship of a high order is needed if the collective damage imposed by unsustainable life styles is to be undone. A few days lock down in many parts of the world due to the ongoing Covid-19 pandemic suggests that the damage is reversible. Will lessons be learnt? Can the UN, or will the UN system or the G-20 be allowed to rise to the occasion? Or will the response be to simply pump in more money, and exacerbate the debt mountains in the major economies?

The challenges facing the United Nations on the eve of the 75th Anniversary of the signing of the Charter in June 2020 are indeed unprecedented!

The question then arises: has the United Nations failed? Can multilateralism replace or rescue it?

It would be incorrect and unfair to say that the UN has failed. It has had many successes, including in terms of maintaining peace and security. Ironically, its track record during the Cold War period appears to be better than thereafter. The Specialised Agencies too have several successes to their credit, though their performance in the post-Cold War era again raises questions, particularly on account of the USA's approach towards them.

The reality is that the UN system has greatly underperformed, though the perspective of the smaller countries on the development benefits received maybe different in this regard. This is the result of the interplay among the great powers and their allies. More critically though, the UN has not been allowed to evolve and adapt to the changing geo-political and geo-economic realities and the imperatives of technological innovation. The world today is driven by technology in a manner that was underestimated at the turn of this century. The institutions and instrumentalities of the UN and multilateralism have to change if the world is to succeed in facing the critical and complex challenges it faces ranging from terrorism to climate change, to environmental degradation, to growing inequality and migration, to sectarian conûict, to drugs, etc., to representative governance, to cyber security, to security of outer space, and to the speed and content of technological change.

Multilateralism must have a future if humanity has to survive. And, the United Nations provides the universality which is ideally needed.

It is not surprising that those who wield power today, no matter how diminished, do not wish to give it up. They are grudging even to share it. This, unfortunately, is human nature reflected in international relations. However, the forces of change are inexorable, and no one country or small group can claim to be eternally entitled. A globalised, developed, secure, and stable world that is sustainable requires multilateral cooperation, and a drastically reformed set of international institutions for this purpose. The status quo cannot be indefinitely sustained. That would be a historical anomaly. Hopefully, the change will happen peacefully.

In the contemporary world, interdependencies have grown intense, but are now being questioned for more than one reason. Can they, or should they, be diluted? Change is inevitable, and adjustment to evolving requirements and dependencies will, no doubt, be adjusted, taking into account the need for reliability and strategic independence. But the need for multilateral mechanisms and a near universal, reformed, United Nations will remain a necessary precondition for a safe, secure, and peaceful world that is governed by universally adopted norms and laws. This is particularly important for a very large, fast growing developing country such as India which is a team player who is more than willing to meet the demands placed on it by the international community (The latter is based on India's proven track record ever since its independence). It is equally important for India to be a committed and active participant in international law making.

India's commitment to multilateralism and to a reformed United Nations has support across the political spectrum in the country. It should continue to work to reform and modernise the UN, and simultaneously participate in existing and new multilateral and plurilateral groupings/institutions/ arrangements. Where necessary, it should continue to take the initiative to establish new multilateral mechanisms. It has done so with the International Solar Alliance and Coalition for Disaster Resilient Infrastructure. India's sustained development over the last four decades, and its future prospects for growth enable it to initiate multilateral initiatives on critical issues on the international agenda. This provides an additional thrust to its foreign policy, and to the development of India as a strong pole in a multipolar world that would underpin both reformed multilateral and UN systems which would axiomatically include India in their principal decision making structures.

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Reflections on the United Nations @ 75

C. S. R. Murthy

As the United Nations (UN) completes 75 years of its existence in October 2020, it may be opportune to ask what difference the world body has made. Earning grudging accolades for being an enduring instrumentality dedicated to the steadfast pursuit of the shared goal of systemic peace and stability, the UN has weathered several crises and challenges. And yet, its record can only be characterised as a mixed one.

I

The simple and straight forward feat of the UN is its survival - perhaps beyond the expectations of its founders who, despite the far-reaching promises in the Charter for inter-generational peace and economic progress with full employment, might not have expected it to last much longer than the League of Nations. Why else would the five self-selected countries force others to grant them superior status in the Security Council, with no realistic scope for change in the compositional core of the organ that has been the driving force behind taking enforceable decisions for ensuring post-War peace and security? Further, the victorious majors were allowed the unrestrained power during an undefined transitional period to suppress any threat from the 'enemy countries' in the War. The Charter provisions regarding the transitional security arrangements were, perhaps, intended for taking care of the yet to be concluded War. However, they stand as a clear example of the short-term priorities of the founders. Gracefully, subsequent attempts to apply this specially targeted transitional power against other countries - some of which (like Iraq) were dubbed as 'rogue states' - did not receive much support.

This shows that the UN has not remained entirely lifeless, or unalterably a submissive tool to cater to the preferences of its masters. As studies on the

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life expectancy of international organisations show, nearly 70 percent of the organisations, which happen to survive for more than 20 years, are likely to live longer, and are difficult to replace. As a dynamic institution, the UN has demonstrated its propensity to function as a recalcitrant tool, by not doing things directed to do always, and by doing things of its own volition, either under compulsion of doing something in demanding situations or as a conscience-keeper of the world community. The normative basis for this activity is the time tested tendency to bank on the spirit of the Charter mandate if the letter of the authority has proven to be impractical or inadequate.

This is to be understood in terms of the capacity of the UN, both to assert its autonomy drawing motivation from the founding and enduring ideals as also to improvise practical measures taken in particular situations in the absence of clear instructions from member states. The evolution in different avatars of UN peacekeeping operations over the decades is the clearest example of the intent to undertake practical policy actions, with or without the mandate from member states. The establishment of some of the observer missions and peacekeeping operations in 1958, 1960, 1965, and 1993, for example, were without the explicit, advance authorisation from the Permanent Members or without prior permission from one of the state parties concerned. Acting on behalf of the United Nations, the Secretaries-General, Dag Hammarskjold, U Thant, and Boutros-Ghali chose to rely on their moral authority in those relevant instances. Similarly, Kofi Annan refused to accept the war against Iraq in 2003 as a UN war.

A bold move to seek the advisory opinion of the World Court on the legality of threat or the use of nuclear weapons by the General Assembly in the 1990s is another example of the distinctive personality of the UN. Similarly, whether in the case of extending the operational procedures intended initially for governing the Trusteeship system to the non-self-governing territories to effectively delegitimise colonial policy, or the advocacy of the equitable development agenda of the poor and disadvantaged countries in terms of aid, trade, or debt relief, the UN came up with autonomous policy prescriptions which may not have yielded the desired results instantaneously. Of course, in the process, some privileged countries were upset about the initiatives considered unfavourable, and resorted to non-cooperation or tactics of financial withholdings. In other words, the contention is that the life of the UN is a story of survival with perseverance. On the flip side, the continued use of peacekeeping operations to meet complex situations involving ethnic and factional warfare in country after country, accompanied by the collapse of state structures, has strained the professional standards of foreign contingents

deployed in the field and, at the same time, raised doubts about planning or leadership skills at the headquarters. The inability to take necessary action to prevent genocide in Rwanda in 1994, in spite of warnings coming from the field, is an unforgivable Himalayan blunder committed at the top.

A notable aspect of the institutional leadership on the part of the United Nations is to do with ideas. The ideational role of the UN is essentially ethical and intellectual. At the level of principles, the UN is looked upon as a champion of the principles of sovereign equality, the non-use of force, non-intervention in domestic matters, all human rights for all, and common-but-differentiated responsibilities. Several conceptual ideas owe their origin and subsequent acceptance to the efforts of the UN: Human development, sustainable development, human security, the global commons, human rights for all, globalisation with a human face, and general and complete disarmament. The UN lost that leadership role to the Washington financial institutions during the Seventies and Eighties, but partially recovered it in the new century.

II

An interesting way of conceiving the contemporary UN is to adopt, with some modification, the analogy of the first, second, and third UN put forward by Roger Coate, Thomas Weiss, and others a few years ago.[1] The first UN is political; it refers to what transpires in terms of the political process involving member states in the principal deliberative architecture characterised by the competing claims among the governments of having owned or disowned the UN. In that sense, the UN became an inseparable element of Westphalian international politics. For some years, both during the Cold War era and in the early years of the post-Cold War phase, the USA dominated the setting of the agenda and the political outcomes, thereby strengthening the perception about the UN becoming an extension of the US foreign policy framework. From being a pro-US forum, the UN also transformed as a forum to articulate the anti-West agenda of the newly emerged and economically underdeveloped countries in the Global South in the 1960s and 1970s in furtherance of decolonisation, disarmament, and the new international economic order. Diverse geographical and interest-based coalitions of member countries have been at work to achieve or resist alignment of the UN with or against them, as the case may be. The by-product of these political dynamics is that the UN became by far more representative of the state system than originally designed, so much so that it has come to include even the erstwhile enemy countries and colonial territories, and above all states parties to every imaginable international

conflict. As a result, while the work load and resource requirement of the UN increased many times over, many accusations were also made about its politicisation, unproductive resolutions, bureaucratic inefficiency, and the lack of economical use of finances.

It is true that all the contending sides are to blame for the untoward outcomes of the political misuse of the instrumentality. Nonetheless, it should be noted, the significant service of the world organisation lies in the maintenance of systemic stability over the decades, along with the supervision of peaceful adjustments in the world order in the face of the challenges from bipolarity, loose multipolarity, and the brief spell of uni-polarity. The ideological and political rivalries between the Eastern and Western blocs under the leadership of the two superpowers were managed by ensuring that local conflicts were insulated so that no direct military confrontation took place to endanger systemic peace - whether it was in East Asia, Middle East, or Cuba.

However, the space for manoeuvring a distinctive role diminished after the end of the Cold War for a little more than a decade due to the impact of the unrivalled exercise of power by the USA in the UN by virtue of its much feared status as the sole surviving superpower. As such, the UN went by the pulls and pushes originating in Washington in various forums, including in the Security Council and in the General Assembly - whether on Kuwait/Iraq, Somalia, former Yugoslavia, Haiti, Liberia, and Rwanda, or in regard to the promotion of the liberal values of free markets and electoral democracy. Intermittently, the UN witnessed and benefited from the emergence of new centres of power, such as the European Union, Asian Tigers, and now China. For instance, Japan emerged as the second biggest contributor to the UN budget, just as the European Union countries together accounted for a much larger share than the USA by the end of 1980s. In recognition of the new realities, the USA was ready to support the accommodation of some of these new actors (like Germany and Japan) in the UN power structure.

III

The second manifestation of the UN refers to the soft UN, consisting of a variety of operational, developmental, and humanitarian agencies and organs. Many of them maintain a low profile because of the technical and inherently non-political nature of their work. Although the UN is the reference point, if not their fountainhead, they function from locations away from New York. The second UN is notable for its diversity, and it has become extremely difficult for it to exercise the constitutional mandate to coordinate their work.

The major elements like the FAO, ILO, UNESCO, and WHO command a total resource basket of US$ 6 billion (equivalent to the kitty of the UN proper) and, therefore, do not like to be told by the first UN as to what to do in their field with their own resources. Over the years, they have built their credibility for advancing social causes with reference to food security (FAO), the monitoring of fundamental principles of non-discrimination and equal wages for workers (ILO), and affordable and universal access to health care systems (WHO). In the wake of the growing power of the World Trade Organization since the mid-1990s, the FAO, ILO, and WFP have played a key role in ensuring that multilateral trade negotiations in the WTO did not impinge on the right to food and food security, and that labour was not be treated as a commodity.

Incidentally, in the thick of the worldwide spread of the Novel Corona virus pandemic starting from China in 2019, several critics have blamed the WHO for its inept and meek leadership to protect China by downplaying the potential of human-to-human infections. The main reason attributed to this was the Organization's dependence on Chinese funds which are filling the void created by the retreat of the Western donors. Alongside, demands are being made for the revival of the stalled reforms in WHO to enable the strengthening of pandemics research and early warning systems. While the criticism is legitimate, the fact remains that the administrative and budgetary practices - including the election process of the Director-General - are on the lines prevalent in the UN.

At one end are agencies like the Universal Postal Union and the International Telecommunication Union which are small in size, with modest finances. On the other side, there are big development organs. The agencies and organs like UNESCO, UNIDO, and UNCTAD carry UN in their name and are, in effect, extensions of the programmatic priorities set in the General Assembly in respect of the linkages between education and communication with peace and human rights. All of them have faced rough weather, and are sliding back. The UN Development Programme is the largest multilateral technical assistance provider, without any scope for helping with capital. The Programme began in 1961, with assistance in financing and facilitating expert advice, and providing training programmes during the pre-investment stage of development projects. It gradually extended its capacity building assistance to address the growing needs of poverty reduction, climate change, sustainable development, local governance, and so forth. Further, the growth of the humanitarian side of the second UN is evident in the activities of the World Food Programme, the UN Children's Fund, the office of UN High Commissioner for Refugees,

etc. The funding for humanitarian work of the second UN (at US$17 billion) nearly tripled in a decade - during 2007-16.

Distressingly, humanitarian assistance is short-term by nature, resulting in a proportionate loss of resources for long-term development needs. Again, much of it is donor driven, and suffers from unpredictability of pledges and the unreliable availability of promised funds. Moreover, competition among the development wings for voluntary funding has affected overall institutional coherence and optimal coordination at various levels. The Economic and Social Council lost its verve to deliver on its original mandate for overall coordination and programme coherence. Beyond the creation of UN Development Group/System in the late 1990s, not much follow-up happened on the ambitious proposal of 'horizontal centralization' by way of the merger of UNICEF, WFP with the UNDP. After the adoption of the Millennium Development Goals in 2000, the imperative arose to revive possible reforms for ensuring the implementation of the Millennium Development Goals at the country level. Therefore, it was agreed later (in 2006) on the recommendation of a high level panel, that the offices of the second UN at the country level should 'Deliver as one', with one leader (that is, the UNDP resident coordinator), one programme, one budget, and one office. Albania, Mozambique, Pakistan, Rwanda, and Vietnam are among the countries which agreed to try this plan.

IV

The People's UN is the third face of the UN. Over the decades, the UN has grown beyond being completely a creature of governments. In the twenty-first century, the UN is faced with the challenge of tight rope walking between Westphalian and post-Westphalian interests. The UN has streamlined regular outreach activities to communicate information on its activities and initiatives to opinion makers, academics, think tanks, civil society groups, and non-governmental organisations (NGOs). UN-civil society linkages have evolved - through the mechanism of accreditation to non-governmental organisations with the Economic and Social Council where, presently, more than 5000 NGOs have consultative status. In the developmental, environmental, humanitarian relief, and human rights work, the UN and the UN system at large work in partnership with NGOs. Regular meetings with spiritual leaders, youth, and local body mayors have also been organised. More noticeably, thousands have attended the global conferences held under the UN sponsorship to vent their views, and lobby for support from the official delegates. In a

remarkable trend-setting development, over 9,000 NGOs took part in the 1992 Rio Earth Summit, whereas the number was three times more in the parallel NGO Forum. The trend continued subsequently in global conferences on human rights, women, and numerous other subjects. This trend spread to other events associated with the annual meetings of the International Monetary Fund, the World Trade Organization, and the World Economic Forum. Even the Security Council has introduced what is called the Arria formula, to invite individuals and their groups to brief members on the relevant questions on the agenda. Besides, since the 1990s, the Secretaries-General have brought together eminent persons in their individual personal capacity to join panels on problems like challenges to security in the new century, strengthening peace operations, the effective functioning of development programmes, enhancing the financing viability of the UN system, and so forth

However, it is not entirely correct to say that the participation of civil society groups is bereft of opposition. Representatives of many countries are wary about the recommendations of an eminent panel of experts (in 2004) for facilitating the greater privileges of participation in the UN principal organs for NGOs. They raised questions about the lack of the representative character as well as the accountability deficit in NGOs, in contrast to governments which are accountable to their respective people. This shows clearly the difficulties for the UN to accomplish a smooth transition from the Westphalian to the post-Westphalian global order. While appreciating the work of NGOs in areas like humanitarian assistance, India, for example, strongly opposed any more formalisation of the participation NGOs in the UN at the expense of eroding the inter-governmental character of the world body. This conservatism has its domestic side too: the Union Home Ministry has taken harsh measures lately - like the stopping of foreign donations and the denial of visas to indicate displeasure at the alleged involvement of many NGOs in developments in Jammu and Kashmir, or elsewhere.

V

As for India's experiences with the UN all these years since 1945, many points of significance need to be noted. India was the only colony that was granted original membership when the UN was founded. It should be a matter of great satisfaction to the country's leadership that, ever since, India has steadfastly stood for universal membership of the UN. India continued to support People's Republic of China's claim to be represented in the UN despite fighting a bitter border war with it in 1962. India's outlook towards the UN is

based on the conviction that India's hard won freedom would be sustained only if peaceful conditions are fostered with the help of an active UN. Indeed, the mutual trust between India and the UN has grown impressively, leading observers to be convinced that, through the UN, India has compensated its lack of hard power with soft power, which has been showcased at the UN in very many ways. The standard instruction Indian diplomatic personnel receive when assigned to the UN is to go by national interest first, and then by the merits of the question concerned. It would be a misconception to say that any of the previous regimes compromised India's vital interests. Jawaharlal Nehru took a calculated risk of taking the Kashmir question to the Security Council by invoking principles of high statesmanship, but rebuffed the role of the UN openly when it was clear that there was no hope at the UN.

All governments that followed after that of Nehru pursued issues of larger and common interest, like the struggle against apartheid and colonialism, nuclear disarmament, economic development, and also rejected the use of the UN for parochial and narrow gains by neighbouring countries. No doubt there were differences in nuance. The Indira Gandhi government selectively used the UN forum to corner big powers on major common issues of security, and robustly rejected bilateral problems with Pakistan being brought to the UN. Successor governments were guided by pragmatism due to the constraints of maintaining good relations with the USA. However, India refused to back down on the Comprehensive Test Ban Treaty or on Nuclear Non-Proliferation Treaty to safeguard vital security interests. All this was possible because of national consensus on foreign policy matters, no matter which party was in power. It was sagacious on the part of Atal Behari Vajpayee to acknowledge the services of his predecessors in a statement at the UN General Assembly after becoming Prime Minister in 1998: "I acknowledge with gratitude the confidence of successive Prime Ministers. To me, this also signifies the consensus on the national interests and the foreign policy of India."[2]

Rising India's growing political influence has brought impressive electoral gains in the UN in the new century. It was elected to the Security Council's non-permanent membership, and to the Human Rights Council consistently, with the biggest margins. India is very likely to serve another elected UNSC term, beginning 2021. However, the aspiration for securing a permanent seat in the enlarged Security Council remains elusive; only political will on all sides, including by India, to reach a compromise may break the deadlock. Independent of whether and how that happens, India is, and should be, committed to work in, and for, the UN because a weakened UN does not serve anyone's interest in short or long run. What Prime Minister Narasimha

Rao told the 50th anniversary commemorative meeting of the General Assembly 25 years ago remains relevant for India even today:

> We [World] thus have the task of making the United Nations truly and effectively the global repository of humankind's aspirations. Right-thinking nations and peoples working together have in the past achieved miracles. I am confident that they can do so again. India will be proud and happy to be part of such an endeavour.[3]

Notes :

[1] Roger A. Coate, 'The John Holmes Lecture: Growing the "Third UN" for People-centered Development—The United Nations, Civil Society and Beyond', *Global Governance*, Vol. 15, No. 2, 2009, pp.153-168; and Thomas Weiss, Tatiana Carayannis and Richard Jolly,'The "Third United Nations"', *Global Governance*, Vol. 15, No.1, 2009, pp.123-142.

[2] Statement at the General Assembly, 53rd Regular Session, 13th Plenary Meeting, 24 September 1998. /UN Doc. A/53/PV.13, p16.

[3] Statement at the General Assembly, 50th Regular Session, 40th Plenary Meeteing, 24 October 1995, UN Doc. A/50/PV.40, p. 45.

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The UN and the Future of Multilateralism in a Multipolar World: Navigating India's Way

Monish Tourangbam*

Speaking at the Valdai Club in Russia last year, India's Foreign Minister S. Jaishankar contended that a multipolar world with many players also meant a world of "weaker rules," implying a world of "stronger multipolarity" and "weaker multilateralism".[1] This remark reflects India's reading of the complex international landscape within which it has to navigate the protection and promotion of its national interest. The United Nations (UN), which has been the hallmark of multilateralism since the end of World War II, also reflects the prevailing power configuration of the current era. The UN took birth on the ashes of a multipolar Europe following the two World Wars, evolved through the bipolar world of the Cold War era, went through the phase of unipolar American supremacy post-Cold War and, despite flaws, remains the apex inter-governmental institution of global governance. India's rise, and more prominently its aspirations for a veto-wielding permanent membership at the United Nations Security Council (UNSC), has been concurrent with the emergence of a multipolar world.

However, multipolarity, which is a reflection of the power configuration in the international system, is not directly proportional to multilateralism, which is at the heart of the UN system. Multilateralism is usually taken as a sine-qua-non of any institution that aspires to put the interest of a number of nation states, and not the national interest of one country alone. Does the working of the UN merely reflect a prevailing power configuration? Or, does it have the ability to restrain the great powers of the international system through a multilateral mechanism? Does India, a rising power with a claim to a permanent membership at the UNSC, intend to strengthen

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multilateralism? Or, is it in the pursuit of a status that will legitimise it as an unmistakable great power in the multipolar order? No doubt, India has been one of the earliest and most consistent exponents of the inherent spirit of multilateralism at the UN. Even its call for reform of the UNSC, and its inclusion as a permanent member, are largely based on the rationale of inclusive representation that better reflects the geopolitical realities of the 21st century. Last year, in his statement at the Ministerial meeting on the Alliance for Multilateralism, an initiative of France and Germany, the Indian Foreign Minister said,

> The centrality of the United Nations to international relations and the WTO to international trade must be recognized, preserved and protected. Adherence to international law is also critical. But, if regimes and institutions are to be credible, they must also be contemporary.[2]

India has also professed that a multipolar world better serves its interests as well as global peace and stability. However, does multipolarity by itself lead to multilateralism in practice? Does stronger multipolarity necessarily strengthen multilateralism? While the multipolar structure seems to be taking cognisance of the rise of new power centres, the UNSC has been alleged to being out of touch with that reality. The world is undergoing a strategic flux, in which the US-led security and economic order has been weakening. The UNSC is clearly reflective of that security order which, according to many countries including India, requires that it adapt to the contemporary environment, and reform to become a more representative and inclusive decision-making process. What is the problem with the logic of allowing new power centres a greater say in how the international system is run? Since countries are inherently reluctant to share power or acknowledge a power transition, the primary problem for India is the presence of a country like China among the P-5. This remains the arch nemesis for India's claims at the UNSC. China has been a part of this apex power club since the early 1970s, following its normalisation of ties with the USA. Prior to this, the P-5 seat for China was occupied by the Republic of China (Taiwan). Thus, India has to navigate a complex politics of entitlement and representation at the UNSC in the face of obstacles coming from China with which it still has an unresolved border dispute, over which the two fought a war in 1962, and also engaged in a tense border standoff more recently. Despite recognising the mutual interests involved in greater engagement, India and China still have a lingering mistrust of each other's intentions, and there is a regional competition brewing between the two for strategic influence.

Multilateral institutions are established with the stated purpose of putting multilateral interests first over national interests. However, in reality, it will be naïve to think that those countries that establish multilateral institutions and become their members, will *not* try to use them to advance their own interests. The curse for multilateralism in multilateral institutions has been the influence of the most dominant country by dint of its capabilities, or an exclusive group of countries that take calls in the garb of multilateralism. In trying to advance multilateralism at the UN, and in the process of finding more space to negotiate its interests, India will have to deal with challenges borne out of the new great power dynamics between the USA and China that is increasingly showing regular instances of confrontation and aggressive competition. The emerging material balance between the two most powerful countries in the world is producing an environment wherein the multipolar order constantly finds itself on a ventilator in the face of a probable US-China power condominium or a great power conflict.

It is clear that the UNSC is a power club that, more than any other parameter, thrives on hard power politics. India's economic and military rise in the absolute sense is undoubtable. However, power is relative and relational in nature, and tends to be invariably compared and contrasted in international relations. From the non-alignment of the bipolar era to multi-alignment of the multipolar era, one of the essential characteristics of India's behaviour at multilateral settings, inside and outside the UN, has been its intention to maintain an independent agency of decision-making. At the UN and at other multilateral mechanisms, India's approach to the use of force, military alliances, UN peacekeeping operations, responsibility to protect, and the proliferation of weapons of mass destruction, has been guided by its independent interpretation of fairness, even while trying to promote its national interest. India's view of what is responsible behaviour has often been guided by the exercise of autonomy in deciding its position on the merits of an issue, and not based on alliance commitments.

On platforms like the Eighteen Nation Disarmament Committee (ENDC) or the Conference on Disarmament (CD), where issues related to non-proliferation, arms race, and disarmament have been discussed and deliberated, India's approach has often been perceived by other major powers as lacking responsible behaviour. The USA and India increased their engagement in the new century, signing a civil nuclear agreement and the USA helping India to get a waiver at the Nuclear Suppliers Group (NSG). However, India still refuses to sign the indefinitely extended Nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT),

without the commitment of major powers to move towards nuclear disarmament in a time-bound phased manner. As India recalibrates its foreign policy direction, with more categorical great power aspirations based not just on normative parameters but more on hard core economic and military capabilities, it needs to come to terms with its own identity in the international system as well as others' perceptions of the image that it projects for external consumption. How would India exude responsible behaviour at the UN, when it has a multi-aligned foreign policy approach in a multipolar world? Will India's strategic embrace of the USA, even as it itself hedges its bets with a powerful China at the same time, produce new challenges for India's traction at the UN?

The one trait of its identity on the international platform that India takes pride in - independent decision-making - faces severe limitations. Is India counting on its strategic partnership with the USA to vouch for its great power candidature? Does India need a great power's recognition to be itself a great power in the international system? Will the USA only welcome India's entry verbally or also push for - and arm-twist other countries, particularly China - for India's entry as a permanent member of the UNSC? Even if the USA was willing, can it really do so - especially if the global balance of power becomes increasingly unfavourable to it? In the event that none of the P-5 members, besides giving lip service, is serious about the reform and more inclusive representation at the P-5 level, what would India's options be for making its voice not only heard but also listened to, at the UN? These are hard questions to ponder over by the Indian leadership and foreign policy bureaucracy, as they reboot India's toolkit to negotiate to attain its objectives in the international system. India's bridge-role between the developed and developing countries is one that it is well positioned, in principle, to make these changes. However, the real work is easier said than done, given India's domestic constraints and external compulsions. India's image is not simply that of a leader of the developing world. As it come to terms with its domestic socio-economic situation; it is also understood as being one of the largest economies which also possesses one of the largest militaries in the world, and so has aspirations to be at the high power table. Therefore, what is India's pragmatic strategy to get what it wants? Does it even know what it really wants? Will it give primacy to maintaining independent decision-making while traversing the UN multilateral system? Or, will it make new choices by getting closer to certain power centres through transactions that will give it the required wins which make some losses affordable?

The policy and practice of non-interference in the internal affairs of other countries as opposed to the more Western notions and practices of humanitarian interventions and the responsibility to protect have been highly debated parameters and indicators of responsible behaviour in international relations. Western democracies have largely perceived India's position and policy in such matters as being more aligned with countries like China. However, as India enters into tighter strategic alignments with Western democracies like the USA, how will India manage its position on such issues? Would India like to be seen as some kind of a sovereignty hawk that gives utmost sanctity to the sovereignty wall, that considers a country to be the best judge of how it is to be governed and how its people are to be treated? Will India's rising capabilities and aspirations make it willing to shed this traditional identity, and adopt a more Western-oriented view of responsibility and interventionist attitude vis-à-vis the internal affairs of other countries? The former is an approach that India is familiar with; it is keeping with the policy of non-alignment and the practice of strategic autonomy. India has largely shied away from the interventionist approach, unless an imminent and clear danger to its core national interest has been perceived in its neighbourhood. Western perspectives of India's credentials as a democratic country have often been critical of India's reluctance to call out non-democratic forces in other countries. While India projects a policy of multi-alignment, and hedges its bets with a host of countries, it has tangibly moved towards greater political, security, and economic engagement with the global West in the 21st century.

Thus, what will be New Delhi's interpretation of responsibility pertaining to issues of human rights and the rise of non-democratic forces in countries, near and far? India has a certain broad alignment of views with other democracies in the West. However, India's own internal and external compulsions have meant that the democratic coming-of-age in India has had its own history of diverging from Western democracies at international platforms like the UN. There needs to be greater clarity in India's narrative as it aspires for a greater voice at the high table - a narrative around its rise as an international player that is indispensable in finding solutions to global problems. In this effort, India will find itself at a crossroads of deciding what to accept and what to forego to be where it wants to be. While maintaining consistency may not be a necessary requisite for foreign policy successes at multilateral settings, it is important to be clear about what India stands to gain by changing course in terms of ideational and material benefits, and what it stands to lose if it decides to keep doing what it has been doing.

The relationship between hegemony and multilateralism is an intriguing one. The US hegemony that came into being after the end of World War II was not built merely on the coercive power of its military capabilities. The multilateral order that the USA constructed in the security and economic realms have equally contributed to its hegemony having sustained in the international system. However, the same USA, on the pretext of imminent threats and present dangers has, more than any other country, flouted multilateralism, thus inviting scathing criticism regarding the legitimacy of its global leadership and responsible behaviour. Therefore, what should be India's narrative of global responsibility and leadership of multilateralism at a time when its most consequential partner in the multipolar era happens to be the USA?

America's credibility regarding its leadership of the multilateral order has suffered more with the advent of the Trump administration. President Trump's calls for "America First," his contempt for multilateral approaches, and the overt transactional direction that US foreign policy has taken has been a real dampener for multilateralism. Added to this, is the Brexit shock to the glow of European Union (EU) multilateralism as well as a move towards ultra-nationalism and protectionist tendencies across the world. Thus, the behaviour of great powers - and among great powers - at any given point of time is germane to the working of multilateralism in general, and particularly at the UN. Consistent and disruptive unilateral behaviour of the great powers throws up challenges that India has to manage in general, and particularly at the UN platform.

How would multilateralism at the UN survive and grow amidst great power politics? Should proponents of multipolarism try to overcome it and pave a new pathway? History is witness to multilateralism always having to negotiate great power politics. Multilateralism as a working order of the international system has been a constant feature, irrespective of the prevailing configuration of powers. Multilateral settings are established and sustained under great power patronage, even as lesser powers find it useful to constrain great power behaviour in the international system. Thus, there is no multilateralism and there is no UN minus great power politics. They are in fact, joined at the hip.

Multilateralism has always been, and will exist, as a means of identifying and finding solutions to some of the most pressing transnational issues. Sometimes, some issues will be relatively easier than others to create consensus among countries; in others, it will be difficult if the great powers of the day find it hard to create a consensus if it conflicts with their self interest.

International treaties, that are the backbone of international law, are still largely the product of multilateral negotiations. Conflict resolution and conflict prevention across the world, still require different permutations and combinations of multilateral frameworks. It is for countries to handle the technicalities of the practice of multilateralism and check if they really favour multilateral interests, or if they have been designed to fake multilateralism while conceding to the interests of the power club.

One of the primary concerns is to project multilateralism as an attractive proposition for the relative attainment of common goals, more particularly on issues related to the management of the global commons. How to make compliance to the multilateral order beneficial, and how to make defiance of it costly even for great powers, will remain a task cut out for the UN system. More dimensions and layers have been added to the notion of global commons, and multilateral initiatives will be imperative to manage the consequence of the use of new technologies, as currently seen in the case of the advent of 5G technologies, and divergences on the issues of monopoly and national security concerns.

As newer norm-and-rule makers populate the UN multilateral system in the multipolar era, the 75th anniversary of the UN presents both opportunities and risks for the international community to renew and invigorate its commitments to multilateralism. Communicating the relevance of the UN, and a multilateralism mechanism that delivers, and is accountable in the emerging geopolitical environment, is crucial. Multilateralism as a concept and practice has been the backbone of the UN system; but the currently relevant question is about its efficiency and effectiveness. What does efficiency and effectiveness require? And, what are countries - particularly the P-5 countries - willing to do and accommodate to make multilateralism work? What would be the role of new powers like India? How could multilateralism at the UN be more than just a marriage of convenience among the co-conspirators of global security and the economic order?

The growth of Indian national power will always be relative and relational to other countries. The power asymmetry inherent with stronger powers makes it imperative for India to employ a pragmatic use of multilateralism as an arrow in its foreign policy quiver in order to advance its interests outside and inside the UN. Relatively speaking, India has been found lacking in its ability, if not willingness, to establish and sustain multilateral institutions, apart from becoming members of those that are established by others. Such a deficit limits India's ability to gain from multilateral institutions which have been established, in the first place, for advancing another country's interests

even while advocating a multilateral spirit and mechanism. This becomes important at a time when great powers seem to be competing to advance national interests through and within multilateral institutions. India needs to think through the external perceptions of its performance on global and regional issues, as well as decipher expectations of what India's role would be in consonance with its capabilities and aspirations. While India's foreign policy mandarins profess that India's interest would best be served in a multipolar world order, and recurrently project India's desire for stronger multilateralism, they should deliberate more on how to navigate the processes of multilateralism in a multipolar era, disproportionately dominated by two great powers.

Notes :

[1] "External Affairs Minister's conversation with Valdai Discussion Club, Moscow on 27 August 2019," Media Centre, Ministry of External Affairs, Government of India, 19 October 2019, at https://www.mea.gov.in/Speeches-Statements.htm?dtl/31957/External_Affairs_Ministers_conversation_with_Valdai_Discussion_Club_Moscow_on_27_August_2019, accessed 10 April 2020.

[2] "EAM's statement on Ministerial meeting on the Alliance for multilateralism: Building the network and presenting results," Media Centre, Ministry of External Affairs, Government of India, 27 September 2019, at https://www.mea.gov.in/Speeches-Statements.htm?dtl/31873/EAMs+statement+on+Ministerial+meeting+on+the+Alliance+ for+multilateralism+Building+the+network+and+presenting+results, accessed 10 April 2020.

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United Nations Peace Keeping Operations: Some Personal Reflections

Satish Nambiar*

The world is passing through a decisive stage in the evolution of the international system. Though the threat of war between great powers or nuclear confrontation between them are well behind us and, in fact, fading in our memory, new and diverse forms of threats, some clear and present, others only dimly perceived, test our resolve, and question the validity of our existing mechanisms. Developments at the international level over the last two decades have exposed deep divisions among the members of the UN over fundamental policies on peace and security. They include debates on how best to prevent the proliferation of weapons of mass destruction (including chemical and biological weapons); how to combat the spread of international terrorism; the criteria for the use of force; the role of the UN Security Council; the effectiveness of unilateral versus multilateral responses to security; the notion of preventive war; and the place of the UN in a world that has been dominated for some time by a single super power.

Collective Response to Civil Wars: Effectiveness of Existing Mechanisms

There have been agonising debates on issues such as our collective response to civil wars; the effectiveness of existing mechanisms in responding to genocide; so-called ethnic cleansing and other severe violations of human rights; changing notions of state sovereignty; and the need to more tightly

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link the challenges of peace and the challenges of development. There is little doubt that aspects of restructuring and institutional reform of the UN machinery and its organs to meet the new challenges need to be addressed. The changes called for are not merely a matter of the functioning of the UN Secretariat and other such administrative details. The changes need to focus on the world body's character and ethos.

The mechanism of preventive deployment is, without doubt, a most useful tool. Even so, there can be little argument that prevention often 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 another member State. On the preventive use of military force by member States to deal with not-so-imminent threats, there is clearly a view that States that fear the emergence of distant threats have an obligation to bring such concerns to the notice of the Security Council for appropriate action. And, there is general acceptance that, on this specific aspect, the Security Council would need to be more pro-active than before. 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.

The responsibility of the international community to protect innocent victims of genocide is another sensitive issue in the context of the fact that State sovereignty is still a very important issue for most developing countries that have emerged from colonial rule not too long ago. Notwithstanding all the developments at the global level, the concept of State sovereignty remains at the root of the international system. Even so, there appears to be general consensus that, in the 21st century, such sovereignty cannot be absolute. The emerging norm of a collective responsibility to protect civilians from large-scale violence has been endorsed: 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. The reality, of course, is that the international community remains largely

indifferent unless the vital interest of one or more of the important players is directly affected. Even when there is consensus that force has to be applied, resources are not always readily available or forthcoming.

Emerging Indian Role in Regional and Global Stability

Notwithstanding the internal challenges India faces and the imperative need to focus on its own economic growth, it would be prudent for the governing establishment and the strategic community in the country to dwell on the fact that, within the international setting of the 21st Century and probably beyond, India will have a role to play, both regionally and globally. Internationally, the situation is that most countries, including major players like the USA, the European Union, Russia, Japan, possibly some of the regional organisations would like to see India play a more active role in promoting democratic values and contributing to stability in the region. This is so primarily because of the perception that India has the ability to do so as also because of their desire not to be directly involved in many cases. The only element that could inhibit the Indian establishment in developing the appropriate military capability to support such a role is, perhaps, the ability to build a national consensus in this regard.

In preparing India for continued participation in UN peacekeeping operations, it would be appropriate to take stock of the changes that have taken place in the environment in which such operations have been increasingly mounted in recent years, and the manner in which they are being executed. The end of the Cold War and the euphoria generated by the success of the Gulf War in 1991, resulted in the international community (particularly the dominant Western powers) assuming a greater role in the maintenance of international peace and security. There was, therefore, a greater demand for UN peacekeeping operations. The perceived setbacks suffered by the Organisation in its efforts in Somalia and Bosnia-Herzegovina, and the inadequacy of response to the situation in Rwanda were not actually attributable to any deficiency in the performance of the peacekeepers. They were occasioned by the confused mandates issued by the Security Council, and the lack of political backstopping. Even so, they induced a sense of retrenchment. There is, therefore, a more measured approach in the developed world to the aspect of participation in UN peacekeeping.

We must take into account the radical changes in the nature of the peacekeeping commitment today. UN peacekeepers are increasingly being sent to regions where civil-war type situations prevail; where there are no agreements or, if there are any, they are rather tenuous, or broken without

compunction; where the consent or cooperation of the belligerent parties cannot be relied upon; where constitutional authority does not exist in many cases or, if it does, it has limited authority. In such situations, today's peacekeepers are not only required to keep the warring parties apart to the extent they can, but are also increasingly called upon to safeguard humanitarian relief operations, monitor human rights violations, assist in mine clearance, monitor state boundaries or borders, provide civilian police support, assist in rebuilding logistics infra-structure like roads, railways, bridges, and to support electoral processes. In much of these, the Indian Armed Forces have practical experience based on the conduct of counter-insurgency operations in North East India (Nagaland, Mizoram, Tripura, Manipur, and Assam), Jammu and Kashmir (since 1989), and the Punjab. These have provided our forces with a marked advantage over most other forces from other parts of the world.

India and UN Peacekeeping Operations

It is probably not very widely known that there is no specific provision for peacekeeping in the UN Charter. It was an invention of the UN Secretary General and the Secretariat, evolved in the late 1940s as a non-coercive instrument of conflict control at a time when Cold War constraints precluded the use of the more forceful steps permitted under the Charter. During the Cold War, neither of the two Super Powers was amenable to UN intervention against their allies or within their spheres of influence. Hence an improvisation - *peacekeeping without combat connotations* - emerged. As it evolved over the years, UN peacekeeping became an extraordinary art that called for the *use of military personnel not to wage war but to prevent fighting* between belligerents. Unarmed military observers provided by member states were deployed, under the authority of a Security Council Resolution, to ensure the maintenance of cease-fires, and to provide, by their presence, a measure of stability in an area of conflict while negotiations were conducted. Hence, peacekeeping is based on a triad of principles that give it legitimacy as well as credibility: namely, the consent of the parties to the conflict, the impartiality of the peacekeepers, and the use of force by lightly armed peacekeepers only in self-defence.

As one of the founding members of the UN, India's contribution to the maintenance of international peace and security has been second to none. In no other field of activity has this been manifested more than in UN operations, commencing with our participation in the operations in Korea in 1950. The

operation in Korea, led by the USA, was a major military undertaking. India participated militarily, with a medical unit comprising 17 officers, 9 junior commissioned officers, and 300 other ranks. India then provided a Custodian Force of 231 officers, 203 junior commissioned officers, and 5696 other ranks, under the command of Major General (later Lieutenant General) S. P. P. Thorat, for the Neutral Nations Repatriation Commission of which the Chairman was Lieutenant General (later General) K. S. Thimayya. India also contributed significantly to the Indo-China Supervisory Commission deployed in Cambodia, Laos, and Vietnam from 1954 to 1970; a medical detachment from 1964 to 1968, and 970 officers, 140 junior commissioned officers, and 6157 other ranks over the period 1954 to 1970.

The use of armed military contingents for peacekeeping was first authorised by the Security Council for deployment with the UN Emergency Force (UNEF) in the Gaza Strip and the Sinai after the Arab-Israeli war in 1956. From 15 November 1956 to 19 May 1967, eleven infantry battalions from India successively served with this force: a total of 393 officers, 409 junior commissioned officers (JCOs), and 12393 other ranks (ORs) in all. Major General (later Lieutenant General) P. S. Gyani and Brigadier (later Major General) I. J. Rikhye were force commanders in this operation. This operation became a model for many subsequent peacekeeping operations. The success of the UNEF led the Security Council to readily accept a request by the Congo in 1960 for intervention on attaining independence from Belgium. The UN accepted responsibility for ending secession and re-unifying the country. The rules of engagement were modified to cater for the *use of force* in pursuance of the mandate, for carrying out humanitarian tasks, and to deal with well-armed and organised mercenaries. India's contribution to this operation was not only substantial, but most vital. Between 14 July 1960 and 30 June 1964, two Indian brigades comprising a total of 467 officers, 404 JCOs, and 11354 ORs participated. 36 Indian personnel lost their lives in the operation, and 124 were wounded; Captain G. S. Salaria of the 3rd Battalion of the 1st Gorkha Rifles was posthumously awarded the Param Vir Chakra.

The operations in Cyprus, launched in 1964, saw three Indian force commanders: Lieutenant General P. S. Gyani, General K. S. Thimayya, who died in harness on 18 December 1965, and Major General Diwan Prem Chand. Major General (later Lieutenant General) Prem Chand also distinguished himself as the force commander in the operations in Namibia in 1989, which oversaw that country's transition to independence.

With increased commitment in peacekeeping assumed by the UN in the post-Cold War era, India continued to provide commanders, military observers,

and staff officers to many of the UN missions deployed to keep the peace in various parts of the world: in Iran and Iraq in 1988/90 after the bloody conflict in the region; on the Iraqi-Kuwait border after the Gulf War in 1991; in Angola in 1989/91, and again in 1995/99; in Central America in 1990/92; in El Salvador in 1991; in Liberia in 1993; in Rwanda in 1994/96; in Sierra Leone in 1998/2001; in Lebanon from 1998 to date; in Ethiopia-Eritrea in 2001/2009; in the Democratic Republic of the Congo from 1999 to date; in Cote d'Ivoire from 2003 to date; in Burundi in 2003/2006; in Sudan/South Sudan from 2005 to date; and in the Golan Heights from 2006 to date. India has also provided police personnel to a number of UN missions - as in Namibia, Western Sahara, Cambodia, Haiti, Bosnia-Herzegovina, Kosovo, Sierra Leone, Congo, Liberia (where it created history by providing all-women formed police units that drew acclaim locally as well as internationally), and in Sudan/South Sudan.

In addition, sizeable military contingents were made available for UN operations in Cambodia in 1992/93 (a total of 2550 all ranks in two successive battalion groups); in Mozambique in 1992/93 (a total of about 1000 all ranks); in Somalia in 1993/94 (a brigade group totalling about 5000 all ranks); in Angola in 1995 (a battalion group and an engineer company totalling over 1000 all ranks); in Rwanda in 1994/95 (a total of about 800 all ranks); in Sierra Leone in 2000-2001 (a Force Commander and a contingent comprising 131 officers, 163 JCOs and 2613 ORs together with 14 military observers and 31 staff officers); and in Ethiopia-Eritrea in 2001-2009 (a battalion group and a Force Commander). In so far as the former Yugoslavia is concerned, the Government of India had, at the request of the then UN Secretary General, Boutros Boutros Ghali, deputed me as the first Force Commander and Head of Mission, in which capacity I set up the operation that comprised uniformed personnel from about 34 countries, together with civil affairs and administrative personnel from many more (a total of over 28,000), and ran it from 03 March 1992 to 02 March 1993.

The current deployment of 5439 personnel reflects the commitment of troops, military observers, and staff officers as well as civilian police, from India in 8 of the 13 current UN operations. These include 2342 personnel and the Force Commander in South Sudan; 2007 personnel in the Congo; 762 personnel in Lebanon; and 175 personnel in the Golan Heights. We have had the privilege of providing the first military adviser in Major General I. J. Rikhye at the Department of Peacekeeping Operations when it was formed over five decades ago; and two others subsequently: Lt. Gen. R. S. Mehta in early 2000 and, more recently, Lt. Gen. Abhijit Guha.

India's participation in UN peacekeeping operations over the years has been a clear demonstration of the country's commitment to the objectives set out in the UN Charter. This has been so not in terms of rhetoric and symbolism, but in real and practical terms, with approximately 240,000 personnel deployed over the years - even to the extent of accepting casualties to personnel (about 150 fatalities to date). This commitment has been acknowledged by the international community, successive Secretaries General, and the U N Secretariat. However, even more significantly, the effectiveness of such participation and commitment to UN peacekeeping efforts has drawn the respect and praise from fellow professionals of other countries as well as many others that have served jointly with our commanders, observers, police monitors, and contingents, in various parts of the world. Hence, the image of the Indian forces in the international arena is one consisting of highly competent and well-trained professionals.

It is important for the people of India to recognise that much of its participation in UN peacekeeping operations relates to national security interests. India's participation in the Korean and Cambodian operations demonstrated its stake in the stability of East and South East Asia. Its vital interests in West Asia, both in terms of energy requirements and historical connections, have been more than adequately reflected in its participation in the peacekeeping operations undertaken in the Gaza Strip and Sinai, the Golan Heights, Iran/Iraq, Iraq/Kuwait, Lebanon, and Yemen. India's geo-strategic interests in the stability and well-being of the newly emerged states of Africa have been under-scored by its contributions and participation in the operations in the Congo, Namibia, Mozambique, Angola, Somalia, Liberia, Rwanda, Sierra Leone, Ethiopia/Eritrea, Sudan, Burundi, and Cote d'Ivoire. In fact, it is of some significance that *India has participated in every UN peacekeeping operation in Africa* (with one possible exception - the most recent one in Mali).

The Use of Force in UN Peacekeeping Operations

The use of force is not necessarily a panacea for all the problems in mission areas. Experiences of combat operations undertaken by multi-national forces in Iraq, Afghanistan, Libya, Syria, Yemen, and so on, clearly suggest that the use of force has to be complemented and supplemented by political efforts for reconciliation as well as by peace-building activity for the restoration of governance, infra-structure, and rule of law mechanisms, etc. To that extent, it may be desirable that the use of force by peacekeepers be limited to actions

required to be taken for the 'protection of innocent civilians'. The use of force by UN peacekeepers means appropriate resources must be available. In almost all UN missions deployed today, this is wanting. This is because those who have the resources, both in terms of trained manpower and equipment, namely countries of the developed world, are not participating in UN peacekeeping operations. *If UN peacekeeping is to remain effective, the developed world must return to the commitment*. And this should go beyond the present arrangement of seeking positions in senior management and command, to the provision of "boots on the ground" and equipment resources.

It is imperative that the UN should be prepared to undertake peacekeeping operations in intra-state conflict at the request of, and after agreement with both the belligerents, wherein the use of force to implement the terms of the agreement is mandated by the UN Security Council, and adequate resources for the purpose are made available to the UN forces. It needs to be stressed that UN forces should only be inserted for such operations after an agreement between the belligerents has been arrived at. After insertion, if sporadic acts of violence are initiated by elements not responsive to the signatories, like warlords acting on their own, the UN mission should be prepared to use military force to restore peace - as was done by the Indian led forces in the Congo in the early 1960s (ONUC). To enable such operations, they should obviously be provided the resources to do so.

It is quite clear that in cases where the Government of a member State 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 action, and where the UN Security Council determines that intervention is essential, multi-national stabilisation operations mandated by the UN Security Council need to be launched. The aspect that merits emphasis here is that these operations are required to be undertaken under Chapter VII, and hence need to be multi-national combat operations under a lead nation or regional organisation. They should NOT be UN "blue-helmeted" peacekeeping operations.

Institutional Arrangements for Training of Peace keepers

The United Service Institution of India, New Delhi (USI), set up a Centre for United Nations Peacekeeping (CUNPK) in September 2000, with support from the Ministry of External Affairs (this author was then the Director of the USI). Besides overseeing the training of contingents earmarked for peacekeeping operations, the CUNPK undertakes the conduct of training

courses for India's sub-unit commanders, military observers, and officers earmarked for deputation on staff appointments. It is a measure of India's commitment to the UN that a minimum of fifteen vacancies on each of the international courses we run are offered to developing countries, with all expenses incurred on travel from home country and back, training, accommodation and meals, which are borne by the Ministry of External Affairs, Government of India.

A number of developed countries - like the USA, UK, Australia, Japan, Norway, Singapore, etc. - also subscribe to these courses on a self-financing arrangement. It is indeed a matter of great satisfaction that, in the last twenty years, the CUNPK has established itself internationally as a Centre of Excellence, and is now regularly called upon to conduct specialised international courses on behalf of UN DPKO. Besides this, of course, the CUNPK had, for a number of years, taken on board from the Pearson Centre for UN Peacekeeping, the responsibility of providing the Secretariat back-stopping of the International Association for Peacekeeping Training Centres (IAPTC).

Need for a Standing Rapid Response UN Capability

There are many changes that need to be addressed in order to meet the emerging challenges of UN peacekeeping, particularly in regard to the compelling mandate for the 'protection of innocent civilians, including women and children'. These are already under discussion at various forums. However, I would like to conclude this essay by flagging one specific issue for discussion in the context of the perennial delay in the provision of forces and equipment resources for a mission after a decision is taken by the UN Security Council. There is little need to dwell at any great length on the point that a military force of modest dimensions (together with police and other civil affairs, and humanitarian aid personnel where necessary) inserted into a conflict zone as soon as some semblance of agreement between belligerents is negotiated, can achieve much more in terms of the implementation of the terms of the agreement, rather than a much larger force introduced two to three months later. Given the fact that, during such delay, the political situation within the mission area can change dramatically, hostilities could well resume, and the ground situation change so much as to reduce the chances of a peaceful resolution. If this is so clearly evident, it would appear that reservations about having a suitably organised, structured, and equipped force that is readily available to the UN when required, are somewhat misplaced.

While this idea has been mooted in the past on several occasions, including by veteran peacekeepers like the former Under Secretary General in charge of peacekeeping, Sir Brian Urquhart, and there is general agreement to the concept in principle, a point often made in New York by those who do not lend their support to such a proposal is that it is unlikely to receive the endorsement of member states of the UN on grounds of the costs of establishing and supporting such a force, as also on grounds of the political acceptance of the idea. To the objective analyst, these postulations seem quite unconvincing. In my view, the reluctance to endorse 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 in the UN. To that extent, much of the talk about strengthening the UN, and making it more effective, is largely rhetorical. The point is probably underscored by the increasing reluctance of the developed world, over the last few years, to provide military personnel and equipment for UN peacekeeping operations particularly in difficult missions in Africa. Governments of the 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 - that is, to complement UN peacekeeping operations rather than being part of such operations.

In the context of the ready availability of forces for UN peace operations, the only real answer for meeting crisis situations that call for the speedy deployment of military forces, civilian police, some civil affairs, and humanitarian aid personnel for the maintenance of international peace and security within days, if not hours, of a UN Security Council decision, is to raise and maintain a Standing United Nations Rapid Deployment Force of appropriate dimensions. Manned by selected volunteers in the various categories, suitably equipped and trained under the aegis of the UN, and positioned at an appropriate location, possibly in Africa. Such a force, or elements of it, deployed for a mission should be replaced as soon as feasible by forces deployed under current arrangements, and pulled back into reserve status for redeployment again, or for providing immediate reinforcements to existing missions should the necessity arise. Such volunteers must be on a fixed non-extendable tenure of two to three years, to be replaced by fresh volunteers on a staggered arrangement. They should not be allowed to become 'indispensable' gladiators, as much of the current UN secretarial staff consider themselves to be.

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Reforms: A Must to Make the UN Relevant Today

Asoke Kumar Mukerji*

The UN was created to foster international cooperation in implementing the objectives of the UN Charter. The 75th anniversary of the founding of the UN this year is an appropriate moment to look back at the major successes and failures of this multilateral institution. It is also a time to discuss how the UN must function in the foreseeable future to remain relevant in the face of rapid changes in international affairs.

The biggest change since the UN Charter was signed in 1945 is the fact that the vast majority of the member-states of the UN today are "developing" countries of the "Global South". Among the outstanding successes of multilateral diplomacy over the past seven and a half decades are issues spearheaded by the Global South, like decolonisation, sustainable development, initiatives to uphold human rights, and an ongoing process to bring about the democratisation of international relations. Yet, it is the Global South which today bears the brunt of the biggest failure of the UN, which is its inability to maintain a supportive framework of international peace and security that is essential for sustainable development.

Decolonisation

When the UN Charter was signed by 51 member-states (including India) 75 years ago, its provisions could not have foreseen the momentous political changes that would accompany the end of the Second World War. More than 750 million people lived under colonial rule across the five continents in 1945. By 1960, when the UNGA unanimously adopted its historic Decolonization Resolution, that number had dwindled to 50 million. Today, there are 193 member-states in the UNGA, including many countries that achieved independence from colonial rule. The process of successfully

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integrating the populations of these newly independent former colonial countries into the UN must surely rank as a major achievement of the multilateral system since 1945.

Sustainable Development

The UN process was launched by the Declaration by United Nations, adopted by 26 Allied nations (including India) after the January 1942 Washington Conference. As part of efforts to "sustain" the peace after the Second World War, a set of multilateral institutions was conceptualised. These included the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (World Bank), created by the UN Monetary and Financial Conference at Bretton Woods in July 1944. The UN Charter in 1945 made a commitment to "promote social progress and better standards of life in larger freedom". Between 1945 and 1960, the bulk of the UN's reconstruction and development activities, supported by the Bretton Woods Institutions, focused on the war-ravaged economies in Europe and Japan.

It was only after 1960 that the UN expanded its activities to developing countries in response to two major developments within the UNGA. The first was the creation, in September 1961, of the Nonaligned Movement (NAM) by a group of 24 UN member-states, including India. The NAM currently has 122 UN member-states, with its Coordinating Bureau located in New York. The second was the establishment of the Group of 77 (G-77) in 1964 by seventy-seven developing countries of the UNGA. India became the first Chair of the G-77.

The UNGA established the UN Development Program (UNDP) in 1965 as a global developmental network in response to the demands of the G-77. Today, the UNDP is active in over 170 UN member-states. The convergence of the twin goals of socio-economic development and environmental protection in the UN between 1972 and 2015 led to the universally applicable ground-based sustainable development framework under the UN's Agenda 2030 for Sustainable Development. This ranks as a major success of the UN, as it impacts on every aspect of human endeavour today.

Human Rights

The UN Charter reaffirms "faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of

nations large and small". After its creation, the UN proceeded to give substance to these objectives. In the popular narrative of this phase of the UN's history, the unique contribution of developing countries like India is often overlooked.

In June 1946, India initiated a UNGA process to outlaw racial discrimination in South Africa by inscribing it on the UNGA agenda. This became the global anti-apartheid movement and concluded in April 1994 with the election of Nelson Mandela as the first President of a multi-racial South Africa. India co-sponsored the UNGA resolution in 1946 (with fellow developing countries Panama and Cuba) that led to the negotiation and adoption of the first UN legal convention outlawing mass atrocity crimes, the 1948 Genocide Convention. India's delegate, Hansa Mehta, is credited by the UN for integrating gender equality into Article 1 of the Universal Declaration of Human Rights in 1948, which laid the foundation for the UN's subsequent activity on the empowerment of women world-wide.

This trend has continued. During the past two decades, India has used the UNGA to underscore the relevance of her civilisational values to give meaning to the UN Charter. In 2007, India sponsored the unanimous UNGA resolution with 140 co-sponsoring member-states to declare Mahatma Gandhi's birth anniversary on 2 October every year as the International Day of Non-violence. This initiative converged with the UN's recognition of the contributions of Martin Luther King Jr. in the USA and Nelson Mandela in South Africa in recent years, placing emphasis on UN Charter's commitment to settle disputes by "peaceful means."

On 11 December 2014, the UNGA unanimously adopted a resolution declaring 21 June every year as the International Yoga Day (IYD). With a record number of 177 co-sponsoring countries, the resolution was adopted just 75 days after the proposal had been made by India's Prime Minister, Shri Narendra Modi, in his maiden UNGA address. Since 2015, the IYD has become a major global event emphasising the universal relevance of global health, harmony, and peace.

Democratisation

Currently, 134 developing country member-states of the UNGA are members of the G-77, adopting common positions on the socio-economic agenda of the UN. Its numbers provide it with a two-thirds majority in the UNGA and have been instrumental in ensuring that UNGA decisions reflect their shared interests. On the other hand, decision-making on political issues in the UN is

controlled by the five permanent members (P5) of the UN Security Council (UNSC). This reflects a mixed success of the UN, which needs to extend the provisions of Article 18 of the UN Charter giving each member-state one vote to the entire UN system, including the UNSC, to consolidate the "democratization" of international relations.

International Peace and Security

The major failure of the UN during the past 75 years is in the malfunctioning of the UNSC, which has the "primary responsibility" under Article 24.1 of the UN Charter for maintaining international peace and security. The ineffectiveness of the UNSC is due to Article 27.3 of the UN Charter, which stipulates that UNSC decisions can only be taken with the "concurring votes of the permanent members". This is popularly referred to as the "veto" power.

The UN's negotiating history confirms that the "veto" provision was not proposed during the San Francisco Conference that created the UN. It emerged from secret negotiations between the USA, the UK and the Union of the Soviet Socialist Republics at Yalta in February 1945. The Republic of China and France became "free-riders" in the UN system when the "veto" privilege was extended to them in the draft of the UN Charter.

At the San Francisco Conference, despite the criticism led by Australia of this anomaly in decision-making in the draft UN Charter, the veto provision was retained in the treaty as a quid pro quo for ensuring the participation of the P5 in the newly formed UN. The consequence is the parallel existence of two processes of decision-making within the UN. The UNGA enshrines the core democratic principle of decision-making through majority vote. The UNSC's decisions are taken by the self-selected P5, who arbitrarily approve or block decisions to maintain international peace and security. This glaring anomaly in the UN Charter is the single biggest challenge for the UN to address as it marks its 75th anniversary in September 2020.

Three ongoing global crises illustrate how the veto privilege makes the UN ineffective in international affairs today. These crises are the current Covid-19 pandemic, the use of UN peacekeeping for prioritising political solutions to crises, and countering terrorism.

Covid-19

Since March 2020, when it was presided over by China, the UNSC has been unable to hold a substantive meeting on the Covid-19 pandemic, which has

disrupted normal life in most UN member-states and infected millions of people. The UNSC's inaction illustrates the way a permanent member can use its undemocratic veto power to obstruct a major UN body from providing significant political support to the work of the UN to confront and counter a pandemic. None of the other four permanent members have been able to overcome China's obduracy. The contrast between the response of the UNSC to previous challenges posed by viruses - such as HIV/AIDS in 2000, and Ebola in 2014, when it adopted unanimous resolutions to support the UN effort - and its lack of response to Covid-19, speaks volumes of why the veto power of the P5 needs to be reviewed.

UN Peacekeeping Operations

UN peacekeeping operations (PKOs) were conceptualised since 1948 as a mechanism to provide space for the political resolution of conflicts. Four priorities were agreed to by the UNGA in 2015 when it adopted the Ramos Horta High-Level Independent Panel on Peace Operations (HIPPO) report to achieve this objective. These were to prioritise the primacy of a political approach to resolve conflicts through negotiation and dialogue; to integrate peacekeeping with peace building activities as a holistic approach to "peace operations"; to work with regional and international bodies in a multi-stakeholder partnership to maximise the impact on the ground of UN PKOs; and to make multilateral responses to violent conflicts people-centric.

Here again, veto-wielding permanent members of the UNSC who draft PKO mandates as "pen-holders" have continued with a "business-as-usual" approach. The ineffectiveness of the UNSC to deploy PKOs effectively encourages the violation of the fundamental human rights of civilian populations in these conflict zones, including women and children caught up in the violence. Despite the UN's four largest PKOs being deployed in Africa (consuming US$ 4.54 billion of the US$ 6.5 billion PKO budget, and accounting for 54,295 of the UN's 95,536 peacekeeping troops), there continues to be no equitable African participation (as advocated in UNGA negotiations on UNSC reforms) in drafting these decisions.

Countering Terrorism

Over the past twenty-five years, the impact of terrorism as a major threat to international peace and security has grown exponentially. Terrorism is a direct threat to global peace and development. Since 1999, the UNSC has adopted

more than 50 resolutions to counter terrorism. However, by prioritising their political interests while implementing these resolutions, the P5 have made the UNSC ineffective in countering terrorism.

Countering terrorism in Afghanistan/Pakistan provides a good example of this. The UNSC initially listed the Taliban using a rigorous legal process to draw up the sanctions list of Resolution 1267 of October 1999. The intention was to fetter terrorist entities and individuals. However, in June 2011, the P5 unanimously agreed to adopt Resolution 1988 to allow them to calibrate lifting these legal measures for the political objective of "integrating the Taliban" into a political endgame in Afghanistan. Despite this, the UNSC continues to be unable to prevent continuing terrorist activities by the Taliban. At the UNSC's Sanctions Committee level, China has publicly acknowledged using its arbitrary veto power between 2016 and 2019 to prevent UNSC sanctions against self-proclaimed terrorist entities and individuals, like Masood Azhar of the Jaish-e-Mohammed based in Pakistan.

Reforming the UNSC

Making the UN relevant today requires prioritising necessary reforms of the UNSC. A unanimous 1988 UNGA resolution set the threshold for taking any decision on UNSC reform at two-thirds majority vote in the 193-member UNGA, that is, requiring the approval of a minimum of 129 member-states.

World leaders agreed unanimously in September 2005, during the 60th anniversary Summit of the UN, for the "early reform" of the UNSC. Their objective was to make the UNSC "more broadly representative, efficient and transparent and thus to further enhance its effectiveness and the legitimacy and implementation of its decisions."

In September 2015, world leaders unanimously highlighted in the Preamble to Agenda 2030 for Sustainable Development that there "can be no sustainable development without peace and no peace without sustainable development". This implicitly linked the UNSC's decisions with the broader UN global activity.

In 2007, the UNGA unanimously decided to create an Inter-Governmental Negotiations (IGN) platform, open to all member-states, for reforming the UNSC. In 2008, the UNGA unanimously agreed on five areas for reforms, viz. categories of membership; the question of the veto; regional representation; the size of an enlarged UNSC, and the working methods of the Council; and the relationship between the Council and the General Assembly. In 2015, the

UNGA unanimously decided to move to text-based negotiations, using written proposals on these five areas submitted by 120 UNGA member-states.

The P5 (including China) have been party to all these unanimous UNGA decisions. Yet, China has led a determined effort to derail the progress made in the IGN since 2016, without any opposition from the other four permanent members of the UNSC. By insisting on "political consensus", China has sought to undermine the UNGA's right to take decisions by majority vote on UNSC reform. At the heart of the opposition of the P5 to UNSC reform is the potential loss of their veto privilege. On the other hand, the overwhelming majority of UNGA member-states would support the replacement of the veto with majority voting on decisions which do not enjoy consensus in the UNSC.

UNSC Reform and India

Why is UNSC reform important for India? As the world's largest functioning democracy, which applies the principle of one-citizen one-vote, India has led the campaign to extend this principle to the UNSC. In November 1979, India's envoy Brajesh Mishra, along with 9 other envoys of the Global South, inscribed this issue on the agenda of the UNGA. Beyond principle, India has today significant economic and political interests on the ground in which the UNSC's decisions play a major role.

Agenda 2030

The transformation of India is linked to the successful implementation of Agenda 2030, especially its economic SDGs. The ability of the UNSC to effectively maintain international peace and security is critical for the success of India's national governance mission to implement Agenda 2030. This process is being monitored by NITI Aayog under the leadership of Prime Minister Narendra Modi.

The India-Pakistan Question

Since August 2019, China has unilaterally attempted to resurrect "The India-Pakistan Question" that questions India's territorial integrity in the erstwhile Indian Princely State of Jammu and Kashmir. This needs to be countered directly by India within the UNSC. The India-Pakistan bilateral treaty (Simla Agreement) of July 1972, which is registered under Article 102 of the UN Charter, makes the presence of this item on the UNSC agenda redundant. None of the P5 have shown interest in removing this item from the UNSC agenda. Only India's participation in UNSC decision-making as an equal member can ensure the issue is removed from its agenda.

The Indo-Pacific

India today has specific maritime strategic and economic interests in the Indo-Pacific region. These interests include upholding the freedom of navigation along the sea lanes of communication (SLOC) in the Indo-Pacific region. These SLOCs play a vital role for India's national strategic and economic interests, including trade, energy, and digital data flows. The UNSC had undertaken an enforcement action through UNSC resolution 1851 adopted in 2008 to counter piracy in the Indian Ocean. Currently, the polarisation of relations between the permanent members of the UNSC makes it unlikely for the UNSC to play such a role voluntarily. India's presence in a reformed UNSC with equal decision-making rights will be necessary for using this body in the Indo-Pacific framework to meet her security and economic interests.

Counterterrorism

India has been consistently seeking to enforce international legal provisions to counter terrorism through the UNSC's enforcement powers under Chapter VII of the UN Charter. However, within the UNSC, the political interests of its permanent members have prevented the Council from playing such a robust role, which would include imposing sanctions on states for sponsoring terrorism. Becoming a member with equal power in UNSC decision-making on counterterrorism is manifestly in India's national interest.

The Way Forward

In the face of open and hidden opposition from the major powers of the UNSC to such reform, how can the UN be made 'fit for purpose' to respond to the myriad challenges from member-states and non-state players in the 21st century? So far, the expectation within the UNGA membership was that an outcome from the IGN on UNSC reforms would catalyse a review of the UN Charter. This appears no longer possible due to the P5's convergence in protecting their veto privilege in the UNSC. Therefore, the logical way forward would lie convening a General Conference to review the UN Charter to revitalise the UN.

Article 109 of the UN Charter provided for such a General Conference to be held before the tenth annual session of the UNGA to review and amend the Charter. The Article also stipulates that if this Conference has not been held before the 10th UNGA Session, then the proposal to call for such a Conference should be placed on the agenda of the UNGA, and the Conference "shall be

held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council". The first window to raise this issue will present itself between 15 and 18 September 2020 at the meeting of the UNGA's General Committee when the agenda of the 75th UNGA Session will be finalised.

How can India, as a founder-member of the UN, contribute to the outcome of such a Conference? In 2021, India will become a non-permanent member of UNSC for a two-year term. In 2022, India will assume the Chairmanship of the G-20. It would be appropriate for India to set in motion a process to revitalise the UN and review the UN Charter by making "reformed multilateralism" the theme of her prestigious Raisina Dialogues from January 2021. The outcome of this process would provide Indian diplomacy with a blueprint for action by a UN General Conference convened under Article 109 of the UN Charter.

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The UN @ 75: In Need of an Equitable Restructuring

T. P. Sreenivasan*

The advent of COVID-19 has completely transformed the context in which the UN @75 is being debated. "The evil that men do lives after them; the good is oft interred with their bones," said Shakespeare. This may not be the time to count the good and evil that the UN has done. However, being on a life support system awaiting a new post-COVID-19 global order, this is the time to revisit its past, even though all the perfumes of Arabia will not wash away the guilt of its last act of betrayal: its tardiness in rescuing the world from the biggest threat to international peace and security in human history. With a single act of dealing with the pandemic on a war footing as thousands of lives were being lost by the hour, the UN could have atoned for all its omissions and commissions of the last 75 years. Instead, the UN Security Council haggled over definitions, modalities, and the possible dangers of intervention - the games it plays in normal times - and became guilty of a criminal and unforgivable dereliction of duty in the face of the fight with an invisible microbe.

The debate today should be whether there is any value in giving a new lease of life to the UN in its present form, or whether an alternative should be found without the infirmities of an organization designed by the victors of the Second World War. In the post-Corona world, there will be no victors, only losers. Victory may be claimed by those who lost the least number of lives; but that should not be the yardstick as every life lost in the pandemic has been a failure of the country concerned. It is the failure of governance, of medical science, of welfare measures, of environmental protection, and of the protection and promotion of human rights. So far, the UN has only been accused of not preventing war. Now, it stands accused of failure in every department of its activities. The atomic clock continues to tick, while Mother

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(This opinion piece was received from the author on May 2, 2020)

Earth has struck back earlier than expected. Only a global order which can deal with this dual danger can do justice to humanity.

Needless to say, it is unfair to condemn an organisation which has survived for 75 years with the support of the international community for one tragic flaw, however grave and irresponsible it has been. It had a rationale of its own: its membership grew from 50 to 193; it served as a forum for "jaw-jaw" rather than "war war"; it dealt with conflict situations through preventive diplomacy, peacekeeping, peacemaking, peace building and even peace enforcement whenever the interests of the permanent members coincided and generally gave some hope to humanity that a truly universal international organisation was keeping an eye on the world within the purposes and principles of the Charter. The UN has proved resilient enough to expand its agenda to meet emerging situations which were not anticipated in 1945, such as terrorism, environmental protection, HIV-AIDS and other epidemics, and issues relating to the Global Commons. The Millennium Goals and Sustainable Development Goals gave a sense of direction to the world.

The UN has had some notable achievements: like decolonisation, significant steps towards arms control and disarmament, standardisation of human rights, establishing some semblance of equity in economic development, attaining some fundamental agreements on the protection of the environment, etc. It established some parameters in the Arab-Israeli conflict, and began the end of apartheid and racial discrimination. With all its deficiencies and failures, the UN was an indispensable player in world affairs. The world would have been poorer without the UN.

What we consider as the fundamental flaws of the UN today are the very factors that enabled the founders of the UN to reach agreement on a complex document. Judged from the point of view of the situation obtaining at the time, the UN Charter is an astonishing composition. It resolved the contradictions in international relations which were in a state of flux when many countries were still in the flush of victory, and some others in a state of despair. It was fundamental for the winners of the war to affirm their victory and to perpetuate their dominance. The veto was, therefore, a necessary evil, which the others had to swallow. Equally indispensable was the "enemy clause", which has now become anachronistic. "Sovereign equality" too was indispensable as the UN had to be a guarantor of the sovereignty and equality of member nations. Any indication of even the surrender of a fraction of sovereignty for the sake of the common good would have been anathema to the many newly independent countries which saw the UN as the protector of

their sovereignty and independence. The provision for non-interference in the internal affairs of states was of particular importance to them.

The general sentiment among the members of the UN is against the veto; but it has served a useful purpose. It maintained a balance between extreme positions during the Cold War. The world had many disputes and conflicts; but the lack of unanimity among the permanent members prevented UN action, and the parties concerned were encouraged to negotiate and settle matters with the assistance of ceasefire and peacekeeping in some cases. India has benefitted from the veto of the Soviet Union in crucial issues such as Jammu & Kashmir, Goa, and Bangladesh. However, the rare unanimity among the permanent members was not always entirely beneficial to the world. The Gulf war went beyond its original mandate to liberate Kuwait, and went on to destroy Iraq in the name of disarming and defanging Saddam Hussein. Many of the resolutions passed at that time by the Security Council went against some of the basic concepts of the UN - like introducing disarmament and humanitarian assistance into security issues.

The virtual 'unamendability" of the UN Charter was also a part of the anxiety of the winners of the war to protect their special place in the global hierarchy. So far, the amendments have been only to increase the membership of the Security Council and the Economic and Social Council. A two-thirds majority of the UN General Assembly and the positive vote of the permanent members are essential for any amendment. Consequently, no amendment has been attempted to remove even anachronistic provisions in the Charter. According to the Charter, a permanent member of the Security Council is still the Union of the Soviet Socialist Republics. The "enemy clause' - which denies the protection of the Charter to the "enemy countries" - is still in the Charter as a vestige of historical prejudices. The extinct provision for a Military Staff Committee is simply ignored, and the Trusteeship Council is still described as an important organ of the UN.

The UN has not saved succeeding generations from the scourge of war. There have been 800 minor and major wars since the UN was established. The UN does not take any credit for preventing a Third World War; but this cannot be proved either way. In reality, the UN has remained focused on peace and international security. It has acted as the conscience of mankind to bring hot spots to the attention of the world, and played a supporting role for the parties in conflict. UN Peacekeepers have lost lives in different theatres of conflict. Peacekeeping operations remain in former hotspots because such operations cannot be started or ended without the consent of the parties concerned.

The end of the Cold War provided an opportunity to review the functioning of the security aspects of the UN. The Security Council held a meeting in January 1992[1], at the Heads of Government level, and passed a resolution mainly on disarmament, on which India expressed general reservations as disarmament was not a part of the mandate of the Security Council till then. Even a more serious effort was made by the then UN Secretary General, Boutros Ghali, who presented an 'Agenda of Peace' to the General Assembly to refashion the UN for the emerging new world. The basic thesis of the proposal was that the time of absolute sovereignty was over, and that the UN should have greater powers to work for humanity. He even suggested that the Secretary General should have UN troops under his command for deployment in emergencies. The direct answer he received was that he should continue as Secretary General, and not turn into a General.

Apart from that controversial suggestion, most of his reform proposals were politely considered but diluted to such an extent that nothing changed in substance. Moreover, the Secretary General was asked to produce an 'Agenda for Development' to balance the UN perspective. After 9/11, increased focus was given to terrorism; but neither was terrorism defined nor was the Indian proposal for a Comprehensive Convention on International Terrorism adopted. The war on terrorism was taken over by the USA and its allies. However, today, the US is struggling to withdraw from Afghanistan by negotiating with the terrorists.

When Secretary General, Ban Ki Moon, was asked about the greatest achievements of the United Nations to date, he said the UN had saved millions of lives by immunizing the world's children against infectious diseases. Indeed, it is the work of the Specialized Agencies in various areas that has made the UN indispensable, and not its promise to save the succeeding generations from the scourge of war. The development activities of the UN are irrelevant to the powerful nations because they are constantly asked to spend without its projects being of any use to their own economic growth. The only way they benefit is by getting jobs with these Agencies and consuming the administrative expenses. But, even after incurring such losses in implementing development projects, the poor countries do benefit by the work of these Agencies. Agencies like the UNDP, UNICEF, UNESCO, WHO, ILO, WIPO, IAEA, etc., do remarkable work in the developing world. The USA and others monitor their work, and make sure that funds are made available to them only for the activities they approve of, and even hold up their contributions from erring Agencies. For instance, some of them left UNIDO, alleging that industrial development in the developing world would adversely affect their

own business interests, even though the whole budget of UNIDO may be less than that of a modest western industrial unit. The IAEA can get any amount of money for safeguards, but not for the technical cooperation for which the IAEA was established. The assistance for peaceful uses of nuclear energy keeps dwindling despite the promises held out by the NPT. For political reasons also, Agencies have been left starving occasionally, as in the recent case of WHO at the time of the pandemic. But all said and done, the development work of the UN deserves to continue even after it is restructured.

The Human Rights record of the UN has been controversial. However, the standardisation of human rights norms, the building up of awareness, and the formulation of various conventions which are implemented by a large number of countries, are creditable achievements. But the politicisation of human rights, first against the Communist countries and now against dictatorships, has destroyed the impartiality of human rights judgements of the Human Rights Commission, and now the Human Rights Council. Singling out nations for punishment on human rights violations did not lead to the promotion and protection of human rights. Over enthusiastic activists came into the Human Rights structures of the UN, and rode roughshod over the rights of independent countries. Human Rights led to UN wrongs, like when the present UN High Commissioner of Human Rights sought to be a part of a Supreme Court of India procedure on a purely internal constitutional matter. The US effort to make the Commission a Council to enforce Human Rights ended up with the US delegation voting against its own resolution!

UN reforms of a cyclical nature have been taking place right from the beginning, and many diplomats, leaders, and statesmen have brought in changes to improve its functioning and increase its effectiveness. But fundamental changes were not possible in keeping with the changes in the world. Some changes were engineered to stem the flow of new ideas which did not suit the permanent members. Even the impact of the collapse of the Soviet Union was neatly contained in a conspiratorial manner. Working methods for greater transparency made no difference to the pursuit of power by the major countries. National positions changed dramatically after the Cold War; but no major structural changes took place even after the adoption of the "Agenda for Peace" and the "Agenda for Development."

Some stirrings about an expansion of the non-permanent membership of the Security Council began within the Non-aligned Movement in the late seventies, basically because the ratio between the GA members and the Security Council had changed as a result of the exponential growth of the membership of the UN. An item entitled "Equitable representation on and increase in the

membership of the Security Council" to consider the idea was inscribed on the agenda of the General Assembly in 1979 by India and some other non-aligned countries. It set the East River on fire because the permanent members reacted violently to the very idea of starting a debate on the subject, and they made strong demarches in New Delhi. Under pressure from them, the sponsors agreed to postpone the consideration of the issue after a brief discussion year after year.

In the 1990s, Brazil proposed the idea of expanding the permanent membership of the Security Council. Although there was stiff resistance from the permanent members and others, a process of formal and informal consultations was initiated, which have continued till now without any agreement. At one point, the USA proposed a "quick fix' by adding Japan and Germany as permanent members. However, the non-aligned countries strongly opposed it. Since then, there have been many proposals, including two options that Secretary General Kofi Annan suggested on the basis of the report of a High Level Group. But, there is no formula that can meet the requirement of two thirds majority of the General Assembly as well as the unanimous approval of the permanent members.

The debate on the expansion of the Security Council for the last forty-one years has shown that it cannot take place through the procedure established for the amendment of the UN Charter. The story of India's quest for a permanent seat on the Security Council has been marked alternately by joy and despair. The reason for joy is that the need for expansion has been recognised, and it has also been established that India is eminently qualified to be included, if ever an expansion takes place. But the despair is our awareness that nothing will happen any time soon. The Wikileaks revealed the US policy on expansion in a secret cable in 2007:

> We believe [that the] expansion of the Council along the lines currently discussed will dilute the US influence in the body. On most important issues of the day – Sanctions, Human Rights, [the] Middle East, etc. – Brazil, India, and most African states are currently far less sympathetic to our views than our European allies.[2]

Moreover, it is clear that even if the permanent members agree on a formula, it will be difficult to obtain a 2/3 majority in the General Assembly. The permanent members would rather abolish the veto than give the power to more countries.

If Covid-19 forces fundamental changes in the United Nations in 2021, it may be established that a reconstitution of the Council is necessary to make it

more reflective of the realities of the new power equations as well as become more credible and effective. India has made its case strongly, and its capabilities have been well established. India should focus on building its economy and military strength, extend support to multilateralism as well as international and regional cooperation, and wait for our turn. A permanent seat on the horseshoe table of the Council should not appear to be the Holy Grail that Indian diplomacy is searching for.

Ambassador Syed Akbaruddin, India's Permanent Representative to the UN, summarised the Indian position very well in an interview recently:

> One of those aspirational goals was, is and will remain [the] permanent membership of the Security Council, because we feel by any present day calculus, we would qualify. Now, the issue of the expansion and reform of the Security Council is not an India-centric issue. It is an issue which entails a whole host of teams, because, as I told you, everybody acknowledges that India is *sui generic*. A billion-plus people not being permanently in an organisation which starts with, 'We the peoples of the United Nations'. You can't have that dichotomy between an organisation, which says, "I'm ready, I work on behalf of the peoples of the world," and keeps such a big country representing more than a billion people out."[3] (*The Hindu* 29 April 2020).

"The India-Pakistan Question" is still on the agenda of the Security Council, and India taking the issue to the UN is considered a mistake. India took the UN at face value, and thought its case was constitutionally and legally sound. But, it turned out that it played into the hands of the big powers, who saw it as an opportunity to deal with the "unfinished agenda" of the Partition. India's positions and approaches on international issues at the UN were conditioned by this issue for a long time; but it has overcome that situation recently, and moved on. The attempts made by China and Pakistan to hold meetings of the Council on the issue have turned out to be futile.

India's abiding faith in multilateralism and the UN, its contribution to some of the international body's seminal resolutions, its active participation in peacekeeping operations, its ratification of most of the International Treaties, Conventions, and Protocols have made it a particularly loyal member of the UN. India's basic approach is to contribute to the common good of the world rather than to gain anything for itself.

In the 74th Session of the UN General Assembly, Prime Minister Narendra Modi stated,

> All our endeavours, are centred on 1.3 billion Indians. But the dreams that these efforts are trying to fulfil, are the same dreams that the entire world has,

> that every country has, and that every society has. The efforts are ours, but their fruits are for all, for the entire world. And this conviction of mine, gets stronger every day, when I think of those countries, who, just like India, are striving for development, each in their own way. The efforts are ours, but their fruits are for all, for the entire world. And this conviction of mine, gets stronger every day, when I think of those countries, who, just like India, are striving for development, each in their own way. When I hear about their joys and sorrows, when I get to know about their dreams, my resolve to develop my country at a faster pace gets even stronger, so that India's experience can be beneficial to these countries.[4] (PM's Address to the General assembly 2019)

It remains to be seen whether the post-COVID global order will be more democratic and just. The key will be the restructuring of the UN on an equitable basis, and bring back international cooperation to the centre stage. The change required is fundamental and not merely window dressing. India has a window of opportunity to play a role in the process; but it is too early to say what configuration will emerge in the end.

Notes :

1 https://www.un.org/en/sc/repertoire/89-92/Chapter%208/GENERAL%20ISSUES/Item%2028_SC%20respons%20in%20maint%20IPS.pdf, pp 813

2 https://wikileaks.org/plusd/cables/07USUNNEWYORK1225_a.html

3 https://www.thehindu.com/opinion/interview/by-any-calculus-india-qualifies-for-unsc-permanent-seat-syed-akbaruddin/article31465932.ece

4 https://mea.gov.in/Speeches-Statements.htm?dtl/31878/Prime_Ministers_address_to_the_UNGA

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Indian Foreign Affairs Journal Vol. 14, No. 3, October–December 2019, 336-345

BOOK REVIEW

Dilip Sinha, ***Legitimacy of Power: The Permanence of Five in the Security Council,*** (New Delhi, VIJ Books (India) Pty Ltd, 2018), Pages: (HB) 332, (PB) 321, Price: (HB) Rs. 1.250.00, (PB) Rs. 595.00[*]

If one sentence could sum up the well researched work by Dilip Sinha on the "Legitimacy of Power: The Permanence of Five in the Security Council", the sanctum of multilateral diplomacy, it is in his own words as "the story of the saga of the United States and its four allies from the Second World War, Russia, Britain, France and China - their cooperation and tribulations". If one message that the reader draws from the author's searching enquiry of the UN's entire political record is that its reform, particularly of the Security Council, is no longer an option but essential for sustaining its own legitimacy in the global order, the book would have more than served its purpose

The pithy conclusion is based on an in-depth study of the evolution of the UN's security system, the Security Council's performance, the control of the Permanent Five over it, the military actions taken by them on its behalf, and the legitimacy that it has acquired as an essential tool over the last more than seven decades. Sinha brings out the irony that those entrusted with the special responsibility to maintain international peace and security through the Security Council have based their claim to this authority on their military power and not on their commitment to democracy, rule of law, human rights, and other values that the UN seeks to promote.

The author traces the genesis of the creation of the Security Council in the new international order back to the traditional thinking in Europe of international peace as being best preserved by a group of strong and responsible powers working together. The highest organ of the UN was, thus, conceived as a small body of members in which the wider membership reposed their faith for securing international peace. The dynamics of the San Francisco Conference and negotiations on the UN Charter recalled in the book are instructive for an insight into the blatant intent behind its provisions on the peaceful settlement of disputes, sanctions , military action, and the veto power.

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[*]*This book review was earlier published in Volume 14, No. 1 of the journal, at Pages 74-78. It is re-published here, being a review of a book on the subject of this special issue - viz. India and the 'UN@75'.*

Created by the victorious states, these were all aimed at a greater concentration of power in their own hands, and to underscore the primacy of the Security Council in the UN system.

The Security Council was and remains as the only international body where the use of force can be legitimately authorised. Having won the War and seamlessly transformed itself into a peacetime organisation, the UN embarked on its journey as the guardian of world peace and security in pursuit of the Charter's lofty affirmation of collective determination to save succeeding generations from the scourge of war.

According to the author, the effectiveness of the Security Council's authorisation of military action is a mixed one, and which continues to be debated. It evolved erratically, and varied widely in content, in different situations. The mandate was precisely defined in some instances, and left vague in others. All resolutions were based on the determination by UNSC that there existed a threat to peace and security, but its restoration was not the stated objective of all. He rightly reminds us about the equally relevant concerns about the Charter - that the compatibility and legality of these military actions have never been independently examined. In the absence of a judicial review, rightly emphasised by the author, questions remain whether the Security Council's actions meet the tenets of international law. It is also not without significance that all military actions were taken by Western countries led by the USA and NATO. Britain and France participated in most, while the Soviet Union and China stayed away from all.

Evaluating the Security Council's performance since 1945, Sinha identifies four distinct phases of two decades each. The first under Western control; the second under the Soviet Union working with the South; the third led by the West with the cooperation of Russia and China; and the fourth in which the East-West divide has come back.

The book examines a range of case studies of how the Security Council has acted in critical moments since its inception, both from the political and legal angles. The overview is based on debates in the Security Council and the General Assembly, UN documents, archival material, and authoritative commentaries. This academically sound methodology has the added advantage of a practitioner's perspective on the real world give and take in negotiations. The added significance of Dilip Sinha's study lies in his objectivity to draw hard conclusions on salient patterns, and his intellectual candour in throwing light on systemic flaws in the functioning of this apex body.

The review starts with some initial successes enjoyed by the Security Council in the early years, such as its ability to select its headquarters, elect Norway's Foreign Minister in exile, Trygve Lie, as the first Secretary General. It mediated ceasefires in Palestine and Kashmir even though it could not resolve the disputes, and tasted its first success in mediating Indonesia's independence when the Dutch tried to reoccupy it after Japan's defeat. But, as the unity of the principal allies started unravelling, the UN's goalposts started receding. The Rules of Procedure of the UNSC could not be finalised, and the P-5 could not reach an agreement in the Military Staff Committee on the UN military force. A serious lacuna continues to be the absence of any reference to a quorum, and any automaticity in convening a meeting of the Council when asked for by a member. Likewise, the idea of a standing UN military under the command of the Council, pushed vigorously by the Americans in the early years, was revived several times after the end of Cold War, but met no success. Yet, Kofi Annan's attempt to bring a closure in 2005 to abolish the military staff committee was blocked by the P-5 who were not ready to make an admission of failure.

Korea remained one of only two instances of the Security Council authorising military action by member states. But, the Korean operation was a hurried response to an emergency, made possible by the Soviet boycott, and could not become a paradigm for future action. The other was an issue related to Britain, which was authorised to enforce sanctions against Southern Rhodesia in 1966. However, within four years after the War, the Allies were split in two rival camps. The formation of NATO in 1949 marked the end of cooperation among the three main founders.

Peacekeeping as an 'innovative compromise' has emerged as the singular contribution of Security Council to maintain international peace and security. Interestingly, though now seen as a regular feature of the UN, it does not figure in the Charter. A reader of the book will discover the genesis of this idea: it was initiated by UNSG Dag Hammarsjkold. Faced with a deadlock in the Council, he devised this mechanism by using troops from neutral or non-aligned countries, and got it approved through the General Assembly. He deployed it successfully in the Middle East and the Congo. The Peacekeeping agenda was modified by Boutros Boutros-Ghali in his Agenda for Peace when he sought to reorient the United Nations towards human security. But, under Kofi Annan, robust peacekeeping was revived once again.

The Suez and Hungary crises in 1956 exposed the variable standards applied by the permanent members (France, Britain, and the Soviet Union) in two concurrent and parallel situations. These also defined the limitations of

the Security Council in dealing with military aggression by a permanent member. Such conflicts had not been envisaged in the Charter, and the Council was not designed to deal with them.

The collapse of the Soviet Union gave the Western countries full control of the Security Council. With no Soviet veto to restrain them, the USA revived the Korean model of authorised military action to enable its forces, and those of its allies, to invade Iraq and compel it to withdraw from Kuwait. Its success emboldened them to more such operations, though with mixed results. The authorisation for the invasion of Libya in 2011 was particularly controversial. Russia blocked further military actions, except for two in Africa. The USA failed to get authorisation for coercive action in Syria despite repeated efforts.

The UN also expanded the machinery for implementing its newly acquired powers - international criminal tribunals for trying individuals; peacekeeping operations with Chapter 7 powers; and international transitional administrations. The Charter injunction against interference in the internal affairs was gradually side stepped by the Security Council in cases of 'grave humanitarian threat'. Once it became politically convenient for the big powers, state sovereignty came to be viewed as an impediment to global governance and, in this new era of activism, humanitarian intervention was turned into the responsibility of the international community. The concept of R2P is intended to make the UN the protector of the people of countries ruled by repressive regimes, and can be invoked for committing any of the four identified international crimes agreed at the World Summit in 2005. But, the R2P enthusiasts are not averse to including Human Rights in this list.

The author makes a trenchant critique of the addition of these new mandates without an amendment to the Charter. He rightly argues that, "if the Security Council deserves the power to intervene in domestic matters of a state to perform such functions as enforcing human rights or delivering humanitarian assistance, the UN Charter should be suitably amended". Moreover, the link between human rights violations with international peace and security itself has remained ambivalent even in Resolution 688(1991) on Iraq, which is considered to have drawn such a link. Although projected as one of the pillars of the UN, the permanent five have vetoed human rights resolutions against their allies and friendly states.

Based on his study of the Security Council in different eras, a deliberate expansion of its mandates without amending the Charter, and the lack of public support for such interventions in the countries championing these powers, Sinha concludes how a divided Council can no longer exercise the

powers that were given to it by the Charter to fulfil its primary mandate. The fundamental assumption that the Council will be operated by the permanent members acting in unison made its functioning hostage to equations among the Permanent Five. Over time, this has led to inaction or the refusal to provide troops, compelling the Council to resort to outsourcing military action. Even more confounding is the revelation about the Security Council's deviation from the original intent of its founding fathers, when it started lending its brand equity to endorsing military action by member states due to "the Organisation's incapacity for decisive intervention in and control of international relations". Sinha does not hesitate to describe this new trend as the "franchising of military action by the Security Council to powerful member states".

Clearly much needs to be done to bridge the gap between what the Security Council is expected to achieve, and what it has accomplished on the ground. It remains as a reflection of an outmoded Cold War order in which many important players justifiably complain about being left out. The argument is clear for reform and the restructuring of the Security Council which has been talked about since its inception. On the reform debate, the author comes to the conclusion that it is a struggle over political turf, where there is little incentive for the permanent membership to open the door for new members, and for the other members of the UN to vote them in. But, by bringing a spotlight on its mixed record during critical moments in its history of more than seventy years, the book serves to underline the urgency of the much needed change of the Security Council for it to better serve its mandate.

The book is highly readable, and a valuable addition for an insight into complex issues in multilateral diplomacy for scholars, practitioners, and students of international relations. A multilateralist himself, and with long standing experience of working in the UN in senior positions at headquarters and as India's Permanent Representative in Geneva, Dilip Sinha's informed assessment and experienced voice brings the force of conviction to the widely held view on the urgency of the reform of the Security Council. The book makes a compelling case for the international community to think back on how the UN was set up, how its apex body was constituted, and why it must be adapted to meet the challenges of today if it does not want to end up undermining the primary purpose for which it was created.

Ambassador Neelam D. Sabharwal
Former Ambassador of India to the Netherlands and, to UNESCO
Former High Commissioner of India to Cyprus

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Hardeep Singh Puri, ***Perilous Interventions: The Security Council and the Politics of Chaos,*** (Noida, India, 2016, Harper Collins), Pages: 264, Price: Rs 599.00*

Article 108 of United Nations (UN) Charter states that the Charter can be amended if it is adopted by two-third members of the General Assembly and ratified by two-thirds of the members of UN, including the five Permanent Members, also known as the P-5. Changing international dynamics and the need for including hitherto unrepresented quarters further call for the restructuring of the United Nations Security Council (UNSC). The role of UNSC has changed over the years and Hardeep Singh Puri's book discusses the role of UNSC in resolving the crisis spanning Asia and Europe. As a former Indian Foreign Service officer who chaired the Security Council in 2011-12 during his tenure as the Permanent Representative of India to the UN, he had access to the first-hand account of the deliberations taking place on the ongoing crises in Libya, Syria, and Yemen. He has collated these experiences in Perilous Interventions: The Security Council and the Politics of Chaos, giving readers a glimpse of the workings of the UNSC from within. Puri's interviews and conversations with the Ambassadors, High Commissioners, and other political representatives in the UNSC enrich the discussions in various chapters, and provide an insight into the formation of the Council's policies and decisions. He has used conflicts in Libya, Syria, Yemen, Ukraine and Sri Lanka to showcase the inefficacy of UNSC and emphasise on the need for reform.

Puri defines 'perilous intervention' as whimsical and reflexive decision making, which has a far-reaching impact without being mindful of the consequences. Sincere and trained diplomats are co-opted by the system and make such decisions succumbing to short-term pressures. States use collective responsibility and noble intent to cloak decisions that lead to loss of human lives and wastage of billions of dollars. The actual intent behind these decisions range from geopolitical domination to curtailing an opponent's hegemony. Sometimes, unseating an undesirable regime and establishing a more favourable one is the main motive; often cloaked in virtuous motives of global economic stabilisation, stopping genocide, and destroying weapons of mass destruction

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(WMD). The role of the UN is important in allowing such interventions, though states have not always toed the line prescribed by the UNSC endorsing Vattel's Law of Nations (1758)[1] and the Brezhnev Doctrine (1968).[2] The P-5 get away with actions that suit their interests while vetoing otherwise; this is even as non-permanent members are demanding a restructuring of UNSC and representation for Africa and South America in the Council. Puri argues that if the UNSC is allowed to function as it is currently, it will bring further discredit to the cause of peace and security (p. 3).

The author gives a detailed account of the 2011 military intervention in Libya and mentions that Gaddafi's lack of regional allies led to it. Permanent representatives from the United Kingdom (UK) and France were compelled to take a stand against Gaddafi due to the systematic demonisation of the Libyan President in the mainstream Western media (p. 66). The UK tabled Draft Resolution 1970 allowing use of all necessary means to contain Gaddafi. The United States (US) substantially changed the draft, emphasising on the authorised use of force. The resolution was passed by the UNSC after the US agreed to remove the amended paragraph that shifted the focus of the draft from Article 41 to Article 42. This was because Article 42 had the potential of being read as 'authorized use of force' (p. 69), whereas Article 41 authorised the UNSC to decide on measures that did not involve use of armed forces.

Brazil, Russia, India, China, and Germany abstained, while Arab Gulf countries like Saudi Arabia, Qatar and Yemen supported the intervention. India chose to be circumspect but was concerned about its citizens working in the region. Indeed, India's primary concern during the Libyan crisis was to put an end to the killings. The role of Bernard Henry Levy, a noted intellectual, in influencing France's position on Libya cannot be ignored. He organised a meeting between former French President Nicolas Sarkozy and Mustafa Abdul Jalil, the head of Libya's National Transition Council, on the precondition that France would support the rebels. In the meeting, Sarkozy promised that he would either gather international support and work towards obtaining a UNSC resolution on Libya or go ahead with the mandate of the UK, the Arab League, the European Union, and the African Union.[3] Following this, Sarkozy recognised the opposition as the legitimate government of Libya without consulting with the French Foreign Ministry or taking Alain Juppe, then Minister of Foreign Affairs, into confidence (p. 75).

As far as Syria is concerned, it appeared in the beginning that the Libyan model would be followed, and that Assad would meet Gaddafi's fate as well. However, the Syrian case was distinct and, according to Puri, the reduced bonhomie between the US and Russia was one of the major factors that

prevented sanctions (p. 109). He mentions that a lack of appetite in the US for military intervention, the reluctance of China and Russia to sanction use of force in Syria, and historical factors, including the Hama massacre (1982) and sowing seeds of discontent through Sykes-Picot (1916) and San Remo (1920) agreements, prevented intervention in this case (p. 111–13). However, Russia's Aleppo offensive of December 2016 changed Assad's fate and the course of the Syrian crisis. India presided over the UNSC in 2011 and managed to obtain a unanimous presidential statement for ceasefire and an all-inclusive peace process. The arming of rebels by external actors caused extensive damage to Syria. An IBSA (India, Brazil and South Africa) delegation found that Assad was ready to engage with rebels and reconsider the uncalled reaction. However, the opposition was not willing to meet Assad halfway as it was emboldened by the support of external actors (p. 125).

The UNSC has also been disregarded, abused, and violated a number of times. For example, when Saudi Arabia intervened militarily in Yemen, with American support, in the beginning of 2015 on the pretext that Yemeni President Abdrabbuh Mansur Hadi had requested help, it was not an anomaly. Saudi Arabia invoked Article 51 of the UN Charter to justify its intervention in the neighbouring state of Yemen. According to Puri, first, the justification was erroneous as Article 51 deals with threat from outside and Hadi had lost his legitimacy by that time, as he had already resigned and fled Yemen. Second, Hadi's request for help contradicted Articles 37 and 38 which necessitate parliamentary approval and a decision by National Defense Council presided by the elected President of Yemen. Third, the use of illegal weapons by Saudi Arabia violated the 'laws of war' and demonstrated complete disregard for the UNSC (p. 143). Moreover, as a consequence of the internationalisation of the conflict by Saudi Arabia, al-Qaeda's hold in the region strengthened. The passive and inert role of the UN in this context is worth analysing. The UN appeared helpless and incapable of adopting a stricter stand against unlawful intervention and ended up siding with the aggressors by adopting UNSC Resolution 2216, reiterating its support for efforts of the Gulf Cooperation Council (GCC) in assisting political transition in Yemen (p. 151). Instead of penalising Saudi ruler Mohammed bin Salman, who had tied his political future with Operation Decisive Storm, the UN established a partnership with the King Salman Humanitarian Aid and Relief Centre. The UN relegated itself to irrelevance to an extent that Saudi Arabia did not even seek authorisation for the 'use of force' in Yemen.

Similarly, when Russia intervened in Ukraine, it did not deem it fit to get authorisation from the UNSC. Legally, Moscow breached Ukraine's

sovereignty; however politically, it merely preserved Russia's strategic interests. Putin's disregard pointed to the erosion of the sanctity of Westphalian sovereignty and the passiveness of the UN (p. 163). The UNSC delayed its response and abstained from issuing a press statement at least for a month. Ultimately, it issued a press statement only after the declaration of Crimean independence on 11 March 2014. Seven weeks after Russia vetoed UN draft resolution S/2014/189 aiming to reaffirm Ukraine's territorial integrity, the UNSC adopted Resolution 68/262 derecognising Crimea's new status. Russia exercised its veto power, while Brazil, Russia, India, China and South Africa (BRICS) abstained. Following this, a bloody conflict erupted, but the UNSC remained dormant.

The author concludes that the 'Responsibility to Protect' (R2P), which has been used as a cover for intervening in internal and external matters of sovereign states, does not hold ground as it is mere re-ordering of societies from outside using military force. Bernard Kouchner, former French Foreign Minister, has characterised it as the 'doctrine of humanitarian intervention'. There is also little agreement on how R2P is to be implemented due to the closely related concept of 'Protection of Civilians' that falls under UN's peacekeeping operations. Puri emphasises that if R2P is to form the basis of UNSC, it must be anchored in the concept of 'Responsibility while Protecting' (p. 208). In the end, he calls for an urgent reform of the UNSC and improvisation in composition of permanent and non-permanent categories as per the changed international political and economic dynamics.

In the book, Puri's experienced voice dares to question the motives of intervening powers, be it the US, the UK, France, Russia or regional powers like Saudi Arabia as well as multilateral fora like BRICS. An Indian perspective on the ongoing crises lets the reader gain an insight into our foreign policy and interests in the region. However, the book would have been well-rounded if the author had delved deeper into the solution along with stating and explaining the problem.

Anecdotes in the text enrich the narrative as well raise questions. For instance, when Puri quotes the statement of then Sri Lankan Prime Minister Sirimavo Bandaranaike (p. 170), 'I will call my sister in New Delhi and ask her to look the other way whilst I sort out this Tamil problem', it exhibits how states and head of states behave in international relations and how an individual loses his/her importance as an entity. Interests of the state become paramount and human rights violations are seen through the lens of self-interest.

Perilious Interventions addresses the complicated issue of UN reforms in a lucid manner. The book would appeal to academic scholars as well as

general readers interested in knowing the inner functioning of the UN. The book raises serious questions about loss of lives and human rights violations that follow interventions in the name of noble causes like spreading democracy or finding WMDs. It underscores the need to improve the functioning of the UN and enhance its credibility. It is recommended for those interested in UN reforms and also those who want to understand the politics behind interventions.

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[1] Steven Erlanger, 'By His Own Reckoning, One Man Made Libya a French Cause', New York Times, 1 April 2011, available at https://www.nytimes. com/2011/04/02/world/africa/02levy.html, accessed on 2 January 2019.

[2] Monsieur de Vattel, Law of Nations, Philadelphia, available at http:// www.loc.gov/rr/frd/Military_Law/Lieber_Collection/pdf/DeVattel_ LawOfNations.pdf, accessed on 3 August 2018.

[3] Steven Erlanger, 'By His Own Reckoning, One Man Made Libya a French Cause', New York Times, 1 April 2011, available at https://www.nytimes. com/2011/04/02/world/africa/02levy.html, accessed on 2 January 2019.

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