

## REDEDICATION OF THE LOUIS B. SOHN LIBRARY ISSUE

### REMARKS

#### THE UNITED NATIONS: PURSUING PEACE IN THE 21ST CENTURY\*

*Dr. Kannan Rajarathinam*\*\*

##### *Salutations and Greetings*

In a 1977 interview, Professor Sohn recalled that on his return from the 1945 charter conference, Harvard had wondered if he could come up with a course on United Nations, “because nobody else would teach anything so crazy.”<sup>1</sup>

Dean Rutledge, Associate Dean for International Programs & Strategic Initiatives Diane Marie Amann, faculty, staff, students, ladies and gentlemen, I am sure you would concur with me that the United Nations is certainly not so crazy an idea anymore—for here we are like in other parts of the world marking its seventy years existence!

I am honored to be present at Georgia Law on this seminal occasion of rededicating Professor Sohn’s library. Professor Sohn strode the worlds of International Law and academia like a colossus. The statute of the International Court of Justice, the convention on the Law of the Sea and the

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\*\* Head of Office for the U.N. Assistance Mission for Iraq. PhD, Tufts University, 1993; LLM, University of Georgia School of Law, 1988; BL, BSc, University of Madras, 1986.

<sup>1</sup> Dennis Hevesi, *Louis B. Sohn, Passionate Supporter of the U.N., Dies at 92*, N.Y. TIMES, June 23, 2006, at B7, available at [http://www.nytimes.com/2006/06/23/us/23sohn.html?\\_r=0](http://www.nytimes.com/2006/06/23/us/23sohn.html?_r=0).

countless students whom he took under his wings would forever speak to his legacy.

I was one of those fortunate students. Professors Thomas Schoenbaum and the late Gabriel Wilner's trust in me—a first generation high school graduate from a modest Indian background—made Georgia Law possible for me. I wish to record my deep sense of gratitude to them and the school on this occasion.

### *70 years of Successes and Failures*

Ladies and Gentlemen: At its 70th birthday the United Nations can look back with a certain degree of satisfaction of its contribution to making this world a more agreeable place. Be it defusing the Cuban missile crisis, restoring Kuwait's freedom, the 1992 United Nations Framework Convention on Climate Change, the Millennium Development Goals of 2000 (from this year the Sustainable Development Goals), eradicating small pox, polio, fighting AIDS or Ebola, assisting the 60 million refugees and internally displaced, responding in the tsunami's aftermath, protecting human rights, promoting the empowerment of women or regulating the use of the Internet, the world without the United Nations is likely to be a less orderly place.

Equally, for all the above, I am sure one can draw up a longer catalog of the U.N.'s failures. The more recent and continuing tragedy, Syria, will hang on the conscience of the U.N. for a long time to come. Palestine, Vietnam, Falklands, Afghanistan, and Iran-Iraq war, Rwanda, Bosnia and Somalia—the list would be rather long.

### *Placing the U.N. in Context*

The longer list is only demonstrative of the high expectations that we pin on the U.N. and our disappointment, if not despair for its inability to measure up. But the U.N.'s successes and failures have to be seen in context. The U.N. is not a world government and the Secretary-General is certainly no czar. Founded after the two worst human follies, the two World Wars, the U.N. is a reflection of both our human aspirations and failings and therefore us. It is the only global forum where all nations big and small, wealthy and not so wealthy, democratic and not so democratic, open and closed have the opportunity to meet, discuss and strive for agreement as equals.

Despite these differences member states are fiercely united when it comes to sovereignty and national interests and rightly so. It is their sovereign right to deal with internal and bilateral issues as they deem fit. Northern Ireland is a classic case and it is not clear if the U.N. could ever wield the kind of influence and authority of a major power. The Iran nuclear deal is a more recent example of major powers and a regional body able to reach agreement with a member state with mostly technical assistance from a U.N. organ, the International Atomic Energy Agency.

The U.N., nevertheless, embodies the collective will of the international community. The U.N. Charter, as we know, prohibits military action except in self-defense. Only the Security Council can confer legitimacy when it comes to the use of force. Such U.N. sanction is a result of consensus. When the Security Council is not united the U.N. is left with no substantial role to prevent, defuse or resolve conflict. What we consider as U.N. success is actually a reflection of this harmony. Kuwait remains a shining example. Thanks to the Security Council's unity on Kuwait, close to a million men and women from thirty-four countries were engaged in rolling back Saddam Hussein's aggression in 1991.<sup>2</sup>

When the Security Council fails to act, the Secretary-General steps in to urge and goad the Council to action. And many rightly wonder why the Secretary-General is not more forceful, visible or decisive on issues. In the popular imagination, the U.N. or the Secretary-General should be able to change things or correct their course.

The Secretary-General represents and symbolizes the U.N. more than anyone else. He has no personal agenda. He plays an independent, impartial and catalytic role in promoting the U.N.'s founding goals of a peaceful and a prosperous earth. Consequently, he is the world's conscience keeper imbued with a degree of moral authority and suasion unmatched in the temporal world—a secular Pope, if you may. But much like the Pope, the Secretary-General too has no legions and has to depend on his moral stature, diplomacy and member states' armies to wage peace.

Secretaries-General weigh in with their moral authority carefully when diplomacy fails. Secretary-General Ban Ki-moon for instance expressed “shame” and “anger” at the international community's “impotence to stop the war” in Syria, pretty harsh words indeed, but no less understandable.<sup>3</sup>

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<sup>2</sup> KOFI ANNAN, *INTERVENTIONS: A LIFE IN WAR AND PEACE* 34 (2012).

<sup>3</sup> U.N. Secretary-General, Secretary-General's Remarks at the 26th Ordinary Session of the Council of the League of Arab States (Mar. 28, 2015), <https://www.un.org/sg/en/content/sg/statement/2015-03-28/secretary-generals-remarks-26th-ordinary-session-council-league-ar>

Since then, however, the situation in Syria has become even more complicated. Syria is a reflection of the destruction that human beings are capable of in the name of power and dogma. Half of Syria's 22 million are uprooted; four million are refugees and the sight in September of a dead Syrian refugee child on the Turkish coast moved all except those who could stop the madness.

Yet public preaching does not always serve the cause and can worsen an already difficult situation. More often than not the Secretary-General relies on quiet diplomacy and works behind the scenes. Nonetheless, whether it is a visible engagement as in Cyprus or otherwise, the unwritten code of conduct is for the parties to take credit when things happen and blame the U.N. when they go wrong. As Ban Ki-moon recently said in an interview the acronym "SG" for the Secretary-General has come to mean scapegoat!<sup>4</sup> The U.N. is only stronger because of such self-effacement, and by virtue of having a realistic view of its abilities and role in a world of member states, geo politics, and national interests.

### *Core Principles of Peacekeeping*

Despite its many activities, peace remains the U.N.'s main occupation. Yet peacekeeping itself is not found in the U.N. Charter. Whoever thought of it understood that one could not pursue peace in the midst of active hostilities. Peace was a prerequisite and it had to hold. What better than the presence of unarmed soldiers drawn from elsewhere and therefore impartial to serve as a deterrent and incentive to the parties to hold fire? Peacekeeping was turning soldiering on its head. Trained to fight wars, soldiers in their new roles were to campaign for peace by mainly monitoring, reporting and engaging in small confidence-building roles.

The first blue helmets, or peacekeepers, were ironically a consequence of a U.N. decision in 1947, favoring the partition of Palestine. Soon, war broke out between Israelis and the Arabs.

Sweden's Count Folke Bernadotte, the first mediator in U.N. history, was to "use his good offices" among others to "Promote a peaceful adjustment of

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ab; U.N. Secretary-General, Secretary-General's Message to the Fourth Annual International Security Conference (Apr. 16, 2015), <https://www.un.org/sg/en/content/sg/statement/2015-04-16/secretary-generals-message-fourth-annual-international-security>.

<sup>4</sup> Gillian Tett, *Lunch with the FT: Ban Ki-moon*, FIN. TIMES (Sept. 18, 2015), <http://www.ft.com/cms/s/2/6bb80314-5c72-11e5-a28b-50226830d644.html>.

the future situation of Palestine.”<sup>5</sup> “Good offices” and “facilitation” would become the soul of UN mediation. Additionally, the Count was to supervise a ceasefire with the support of a group of unarmed military observers.<sup>6</sup> United Nations Truce Supervision Organization (UNTSO) or the U.N.’s first peacekeeping mission was born.<sup>7</sup> Kashmir followed; and since then, the U.N. has deployed sixty-eight peacekeeping operations with fifty-six of these since the end of the cold war.

Three core principles guide U.N. peacekeeping:

- Impartiality—the UN is not supposed to take sides;
- Consent of the parties—no consent, no UN engagement save Chapter VII operations, which are imposed on the parties;
- Non-use of force—the UN will not use force except in self-defense.

Needless to say these core principles have been seriously tested over the years as peacekeeping has come to encompass enforcement, humanitarian missions and the protection of civilians.

Impartiality was tested early on when Count Bernadotte was assassinated on September 17, 1949. The death of the first peacemaker made it painfully clear that no amount of U.N. impartiality would be sufficient in the eyes of the parties, and that U.N. peacekeeping risked the peril of being evaluated subjectively and even demanding the ultimate sacrifice. Eleven years later, in the 1960s, the U.N. itself would forsake impartiality in the Congo to protect its territorial integrity.

With the Count’s death his proposals and the early chances of a Middle East settlement also withered away. Palestine, Kashmir, Korea and many such frozen conflicts demonstrate that peacekeeping is no panacea. Durable peace is often the work of the parties themselves.

### *Forcing Force to Retreat*

U.N. resolve to wage war was put to test in Korea. With U.N. sanction, a “unified command” under the U.S. waged war to push back the North. President Truman chose to approach the United Nations. President Bush

<sup>5</sup> G.A. Res. 186, U.N. GAOR, 2d Sess., Supp. No. 2, U.N. Doc. A/555, at 5–6 (May 14, 1948).

<sup>6</sup> S.C. Res. 50, para. 6, U.N. Doc. S/RES/50 (May 29, 1948).

<sup>7</sup> *United Nations Truce Supervision Organization*, UNTSO, <http://untso.unmissions.org/>.

senior would emulate him in the case of Kuwait. Congressional approval would have taken time but the merits of U.N. sanction appear to have weighed in.<sup>8</sup> Ironically, Korea cost Secretary General Trgyve Lie his extension. The USSR felt he had acted beyond his powers. Lie resigned.<sup>9</sup> The Korean War made it clear early on that the UN and its Secretary-General were only as good as the P5 wished them to be. Forty-four years later, in 1996, Secretary-General Boutros-Ghali would experience a similar fate only this time it was the U.S.<sup>10</sup>

### *U.N. Emergency Force – Consent Tested*

Is consent a necessarily good thing at all times? The Middle East would reveal that sovereignty and consent perhaps should be second only to peace. Egypt's nationalization of the Suez Canal set off hostilities. Some 6,000 lightly armed peacekeepers under the United Nations Emergency Force (UNEF) interposed between Israel and Egypt deploying on the Egyptian side to maintain the truce. Israel had withheld consent for troops to be deployed on its soil. The Suez Canal became operational again.<sup>11</sup>

In 1967, Egypt withdrew consent. UNEF had to withdraw even as the six-day war between the Arabs and Israel ensued. The presence of the U.N. forces had hitherto helped maintain a peace, however, surface deep.<sup>12</sup> The hallowed principle of consent had hurt the larger goal of keeping peace. More recently, in 2008 Eritrea's non-cooperation would end the U.N. mission there. In retrospect Eritrea's peace and development would have been better served if the U.N. had continued.

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<sup>8</sup> TRYGVE LIE, *IN THE CAUSE OF PEACE* 334 (1954). Despite seeking U.N. sanction, the U.S. would turn down Trgyve Lie's proposal of a U.N. coordination committee due to a desire to retain operational freedom. *Id.*

<sup>9</sup> *Id.* at 406–10.

<sup>10</sup> Boutros-Ghali would tell Secretary of State Warren Christopher, that the first priority of a Secretary-General is the relationship between the U.S. and the U.N. since "America is the only super power." BOUTROS BOUTROS-GHALI, *UNVANQUISHED* 6 (1999).

<sup>11</sup> *First United Nations Emergency Force*, UNITED NATIONS, <http://www.un.org/en/peacekeeping/missions/past/unef1backgr2.html>.

<sup>12</sup> Blamed later for acquiescing to Egypt, Secretary-General U Thant would be "deeply hurt." KURT WALDHEIM, *IN THE EYE OF THE STORM: A MEMOIR* 55 (1986).

*Congo tests impartiality, non-use of force*

In 1960, Congo would test both the principles of impartiality and the non-use of force. Abandoning impartiality, the U.N. took up arms against the Katanga secessionists under the foreign mercenaries to help maintain Congo's territorial integrity. Also in a first, civilian personnel numbering 2,000 at its height were involved in help resume essential services.<sup>13</sup>

Authoritarianism, weak institutions, insurgency and the fallout of Rwanda saw the U.N. return in 1999 to the Congo. In a historical new and to some extent déjà vu, the Security Council in 2010 provided for the creation of a Force Intervention Brigade to “carry out targeted offensive operations” to neutralize insurgents, among other things, in protection of civilians.<sup>14</sup>

*More Such Tests in Post-Cold War Peacekeeping*

Clearly, peacekeeping is no more limited to Pacific Chapter VI operations, and has evolved to among others protecting civilians. How did we reach here? After the end of the Cold War, a rash of intra-civil wars

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<sup>13</sup> In 1960, the U.N. Operation in the Congo (Opération des Nations Unies au Congo, or ONUC) was established at the request of the Congolese government to oversee the exit of foreign mercenaries and to provide civilian technical capacity to resume essential services. William J. Durch, *The UN Operation in the Congo: 1960–1964*, in *THE EVOLUTION OF UN PEACEKEEPING: CASE STUDIES AND COMPARATIVE ANALYSIS* 315, 316 (William J. Durch ed., 1993). ONUC was established by Security Council, however, the Council transferred the mandate to the General Assembly. S.C. Res. 143, para. 2, U.N. Doc. S/RES/143 (July 14, 1960); S.C. Res. 157, U.N. Doc. S/RES/157 (Sept. 17, 1960). Numbering some 20,000 at its peak, the force also delivered the largest program of civilian assistance until then with some 2,000 experts at its height. *Republic of the Congo: ONUC Background*, UNITED NATIONS PEACEKEEPING (2001), <http://www.un.org/en/peacekeeping/missions/past/onucB.htm>. As the U.N.'s website euphemistically words the peacekeeping force's fight against the Katanga secessionists under foreign mercenaries, “ONUC . . . had to assume certain responsibilities which went beyond normal peacekeeping duties.” *Id.*

<sup>14</sup> In 2010, the U.N. Organization Stabilization Mission in the Democratic Republic of the Congo (Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo, or MONUSCO) was authorized to use all necessary means, among other things, towards the protection of civilians, and to support the government in its stabilization and peace consolidation efforts. S.C. Res. 2098, para. 12, U.N. Doc. S/RES/2098 (Mar. 28, 2013). The Security Council made it clear that this was on an “exceptional basis and without creating a precedent or any prejudice to the agreed principles of peacekeeping.” *United Nations Organization Stabilization Mission in the Democratic Republic of the Congo: MONUSCO Background*, UNITED NATIONS PEACEKEEPING, <http://www.un.org/en/peacekeeping/missions/monusco/background.shtml>.

would break out and the humanitarian dimensions of these conflicts would challenge all core principles dear to peacekeeping.

Also, around the same time a newer player was bearing pressure on the international community. No more could decision making not isolate itself from popular sentiments. For cable television had revolutionized the way the world obtained news—instant and vivid, it came straight to one's living room. Thus, television images of starving children in Somalia where 3,000 were dying daily and skeletal Bosniac men in Bosnian Serb camps moved the world's conscience and the Security Council to mandate humanitarian intervention.<sup>15</sup> However, Somalia was lawless and Bosnia was in the midst of a civil war. Without the member states' willingness to take higher risks, these humanitarian interventions were destined to fail.

Somalia soon turned ugly. Images of a dead U.S. soldier being dragged on the streets of Mogadishu ended the Somalia experiment in 1994. That same year Rwanda happened. The U.N. had not just failed to foresee what was coming there; worse still, it abandoned thousands of Rwandese who had sought its protection.<sup>16</sup> The next year Bosnia took place: there, thousands of young unarmed men were murdered in a U.N. safe area. The U.N. and the larger humanity had woefully failed.<sup>17</sup> These setbacks introduced a huge credibility crisis to peacekeeping. Clearly, no more could the U.N. afford the luxury of "impartiality" if it had to save civilians—when the state was either unable or unwilling to protect. The low moment for the U.N. and its humanitarian values led to the "responsibility to protect doctrine," which proclaimed that only sovereignty well exercised deserved to be respected.<sup>18</sup>

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<sup>15</sup> The consequent pressure that the Cable News Network mounted on the U.N. was such that Boutros Ghali characterized it as the "sixteenth member of the Security Council." LARRY MINEAR, COLIN SCOTT & THOMAS G. WEISS, *THE NEWS MEDIA, CIVIL WAR, AND HUMANITARIAN ACTION 4* (1996).

<sup>16</sup> U.N. Secretary-General, Letter dated Dec. 15, 1999 from the Secretary-General addressed to the President of the Security Council, at 44–45, U.N. Doc. S/1999/1257 (Dec. 16, 1999) (enclosing Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda).

<sup>17</sup> U.N. Secretary-General, Report of the Secretary-General Pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica, at 102, U.N. Doc. A/54/549 (Nov. 15, 1999) ("The mortal remains of close to 2,500 men and boys have been found on the surface, in mass graves and in secondary burial sites.").

<sup>18</sup> The Security Council affirmed the principle of protection of civilians in armed conflict in resolutions 1265 and 1296. *See* S.C. Res. 1265, para. 6, U.N. Doc. S/RES/1265 (Sept. 17, 1999); S.C. Res. 1296, para. 9, U.N. Doc. S/RES/1296 (Apr. 19, 2000). In his memoirs, Kofi Annan offers this explanation on Rwanda: "[I]n 1994, there was simply no culture or precedent in the international system of UN intervention in an internal conflict to use military



In marked contrast to Rwanda and Bosnia in 1999, tens of U.N. staff led by the U.N. envoy stayed behind in a show of solidarity with the East Timorese to act as a “shield” against violence.<sup>19</sup>

The principle would see the U.N. sanctioning military action in Sierra Leone and in Mali on behalf of the government. If those were a government unable, in Libya, the U.N. felt the regime was unwilling and made explicit reference to the Libyan authorities’ responsibility to protect.<sup>20</sup> Days after the Security Council authorization for “all necessary measures,” NATO planes began to strike at Gaddafi’s forces.<sup>21</sup> The rest is well known.<sup>22</sup> In Southern Sudan, as we speak, 200,000 have taken refuge from the civil war in U.N. premises.<sup>23</sup>

### *Challenges in the 21st century*

Peacekeeping will face further challenges. I foresee two such challenges in this century: the first is the threat of global terrorism; the second is the threat to peace if we fail in our mission towards a sustainable planet.<sup>24</sup>

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force decisively to protect civilians.” ANNAN, *supra* note 2, at 74. Annan would later acknowledge that the world had failed Rwanda “at that time of evil.” *Id.* On Bosnia, Annan noted it “would take another war, and the deaths of thousands more civilians—this time in Europe—for the world to take sides.” *Id.* at 77 (referencing Srebrenica).

<sup>19</sup> ANNAN, *supra* note 2, at 109. The Brahimi Report, issued in the wake of Rwanda and Srebrenica, said that peacekeepers should be able to stop violence against civilians “within their means.” U.N. Secretary-General, Identical letters dated Aug. 21, 2000 from the Secretary-General to the President of the General Assembly and the President of the Security Council, at 11, U.N. Doc. A/55/305 – S/2000/809 (Aug. 21, 2000) (enclosing Report of the Panel on United Nations Peace Operations).

<sup>20</sup> S.C. Res. 1970, para. 2, U.N. Doc. S/RES/1970 (Feb. 26, 2011).

<sup>21</sup> S.C. Res. 1973, para. 4, U.N. Doc. S/RES/1973 (Mar. 17, 2011).

<sup>22</sup> The Russians had voiced concerns then that the resolution had been exceeded and considered a model for NATO action. Press Release, Security Council, Security Council Fails to Adopt Draft Resolution Condemning Syria’s Crackdown on Anti-Government Protestors, Owing to Veto by Russian Federation, China, U.N. Press Release SC/10403 (Oct. 4, 2011), available at <http://www.un.org/press/en/2011/sc10403.doc.htm>.

<sup>23</sup> Jenna Stern, *Establishing Safety and Security at Protection of Civilian Sites: Lessons from the United Nations Peacekeeping Mission in South Sudan*, in CIVILIANS IN CONFLICT 5 (Stimson Center, Policy Brief No. 2, 2015), available at [https://www.stimson.org/sites/default/files/file-attachments/CIC-Policy-Brief\\_2\\_Sept-2015.pdf](https://www.stimson.org/sites/default/files/file-attachments/CIC-Policy-Brief_2_Sept-2015.pdf).

<sup>24</sup> In 2004, the High-level Panel on Threats, Challenges and Change listed economic and social threats including poverty and environmental degradation on top of six threats. U.N. Secretary-General, *A More Secure World: Our Shared Responsibility: Rep. of the Secretary-General’s High-level Panel on Threats, Challenges and Change*, 5 (2004), available at [http://www.un.org/en/events/pastevents/pdfs/secure\\_world\\_exec\\_summary.pdf](http://www.un.org/en/events/pastevents/pdfs/secure_world_exec_summary.pdf). Terrorism was listed

First, let me talk about terrorism. Today, more than the threat of one nation invading another—not that these are not taking place—the threat of intolerance induced terrorism is the most formidable danger facing us and the generations to come.

The Kamikazes were honorable. They gave up their lives to take on enemy targets; and yet they were an exception. Until the last decades and especially till 9/11, most assassins wished to save themselves even while they wished death for others. In 1991, a suicide bomber killed India's former prime minister Rajiv Gandhi and fourteen others. At around the same time, the world began to see the phenomenon of suicide bombers promoted by Al Qaeda, and later the Taliban and now the Islamic State, Al-Shabaab and Boko Haram. The world would never grow accustomed to assassins who kill innocent children, women, worshippers and others even if in the process they kill themselves. How does the U.N. counter an enemy who does not wish to preserve himself?

Not just that. This is a formidable enemy who seems to be mutating and growing from strength to strength. Weak institutions, mal-governance, poverty and the sense of marginalization are a recipe for political instability. However, the recent decades has witnessed radical religious outfits offering solutions and exploiting dissent in these places. Mali is the most recent example. In 2013, French forces acting under U.N. authority beat back Al-Qaeda backed local elements that had taken over parts of the country.

Today, many parts of the world are sadly unsafe. From Yemen to Syria, and Morocco to Nigeria, and Chechnya to France, the ugly face of intolerance has shown it can strike at will. While television and social media have given us a graphic idea of the horrors, the indirect dangers of global terrorism are rarely known. Let me give just one example. The World Bank estimated that the 9/11 attacks increased the number of people living in poverty by 10 million. Another estimate recorded that the world economy lost in excess of \$80 billion.<sup>25</sup>

Today the Islamic State's depravity makes Al-Qaeda and the Taliban look benign. Syria has given us an inkling into their sick ideology and morbid intolerance. A regular struggle for reforms had quickly degenerated into sectarian strife in Syria. While the world continues to bicker on what to do

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as the fifth. *Id.* I would consider that the two foremost threats as terrorism and the threat to a sustainable planet.

<sup>25</sup> U.N. Secretary-General, *A More Secure World: Our Shared Responsibility: Rep. of the High-Level Panel on Threats, Challenges and Change*, ¶ 19, U.N. Doc. A/59/565 (Dec. 2, 2004).

with the regime there, tens of thousands of Islamic State cadres have stepped into the vacuum to impose their intolerant creed.<sup>26</sup> While all those who have not fallen in line have suffered, the plight of the religious minorities has been particularly heartrending.

In August and September alone tens of thousands of Syrians caught between the Islamic State and the regime risked their lives across oceans and countries to reach Europe to preserve whatever was left of their human worth. In neighbouring Iraq, a third of the country is in the hands of Islamic State. The U.S. led sixty state coalition against the terrorist outfit has had limited success so far. Security experts have made it clear that the fight against the terrorist outfit will be protracted.<sup>27</sup>

A U.N. estimate believes that more than 25,000 Foreign Trained Fighters from 100 member states have traveled to Syria and Iraq, Afghanistan, Yemen and Libya.<sup>28</sup> A think tank estimates that the Islamic State could mobilize about 250,000 fighters across Syria and Iraq.<sup>29</sup> Last July, the Federal Bureau of Investigation estimated that dozens of U.S. citizens between the ages of eighteen and sixty-two have travelled to Iraq and Syria to join the Islamic State.<sup>30</sup> Online the Islamic State has nearly 21,000 English-language Twitter followers, thousands of whom could be from the U.S.<sup>31</sup>

### *Causes and the Way to Fight:*

As I said earlier, how do you fight those who don't care to live, and would die and kill for their cause however blighted that cause is? We are in agreement that approaches depending on force alone will not defeat terrorism. This is a war that has to be fought at different levels. These

<sup>26</sup> As early as 2004, the U.N.'s High-level Panel on Threats, Challenges and Change had pointed out that Al-Qaida is "not likely to the last – of an armed non-State network with global reach and sophisticated capacity." *Id.* ¶ 145.

<sup>27</sup> Richard Norton-Taylor, *Syrian President Assad Poses Bigger Threat than Isis, Warns Thinktank*, THE GUARDIAN (Sept. 15, 2015), <http://www.theguardian.com/world/2015/sep/15/syrian-president-bashar-al-assad-bigger-threat-than-isis>.

<sup>28</sup> Ban Ki-moon, *Remarks to Security Council meeting on Threats to International Peace and Security Caused by Terrorist Acts (Foreign Terrorist Fighters)*, UNITED NATIONS SECRETARY-GENERAL (May 29, 2015), <https://www.un.org/sg/en/content/sg/speeches/2015-05-29/remarks-security-council-meeting-threats-international-peace-and#.Vgaeh%20WSqPHw>.

<sup>29</sup> See Norton-Taylor, *supra* note 27.

<sup>30</sup> Lauren Walker, *FBI Director Comey: ISIS Now Bigger Threat than Al-Qaeda*, NEWSWEEK (July 23, 2015, 1:52 PM), <http://www.newsweek.com/fbi-director-comey-isis-now-bigger-threat-al-qaeda-356596>.

<sup>31</sup> *Id.*

proponents of hate and violence have skillfully exploited real and perceived notions of inequality, both social and religious attracting those with an identity crisis and under confidence of themselves and their faith. Even those with good educational backgrounds are trapped in the warped promises of establishing the supremacy of the faith—regretfully not by reason or debates but by the sheer force of violence.

The difficulty is that the moderates of the faith are yet to speak up more vocally or have been silenced. The tyranny of the violent minority seems to have triumphed so far and the burden of combating this intolerant and xenophobic strain is mostly left to those from other faiths whose standing can only be second to those of the faith.

Those few moderate voices need to grow into many so that one day the voice of the extremists and their reach could be eclipsed. They need encouragement and reassurance from all of us. The U.N. could play a major role in fostering tolerance and understanding between civilizations and religions. As it has brought synergies to the issue of climate change, the U.N. should galvanize international opinion on fighting terrorism at the social and intellectual levels. To begin with it might consider declaring 2016 as the year of interfaith dialogue. Secondly, the U.N. might consider appointing a well-respected leader from the Islamic community as the U.N. envoy for inter-faith dialogue. She or he would work closely with religious leaders, civil society actors and community groups and moderate religious forces to counter hate speech and propaganda. This work of the U.N. is important. Many of us not necessarily violent, wish to see our own cultures and values triumph the rest. The U.N. could play a role in making us all understand that such thoughts need not descend to violence and hate. Thirdly, the U.N. should be prepared to take on peacekeeping assignments that will have elements of military counterterrorism. I may add that the report of the High-Level Independent Panel on Peace Operations of 2015 finds this shift inevitable, even if the report does not actually favor such a shift.<sup>32</sup>

The U.N. has already produced a degree of consensus on the dangers of terrorism. In the aftermath of 9/11, the Security Council adopted resolution

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<sup>32</sup> U.N. Secretary-General, Identical letters dated June 17, 2015 from the Secretary-General to the President of the General Assembly and the President of the Security Council, U.N. Doc. A/55/305 – S/2000/809 (Aug. 21, 2000) (enclosing Report of the High-level Independent Panel on Peace Operations). The report also suggested that the core principles of impartiality, consent and non-use of force be interpreted “progressively and with flexibility in the face of new challenges.” *Id.* at 12.

1373 on the threats to international peace and security caused by terrorist acts;<sup>33</sup> resolution 1624 called on states to enhance dialogue and take all necessary measures to counter incitement of terrorism.<sup>34</sup> More recently, in 2014 the council passed resolution 2178 to stem the flow of foreign terrorist fighters.<sup>35</sup>

We will need to be one step ahead of terrorism. So pursuing peace in this century will require of the U.N. newer skills such as intelligence gathering and counter terrorism, and a degree of nimbleness and compromise like never before and in relation to its core principles of peacekeeping.

### *The Second Challenge: Environment*

The second major challenge to peace this century is the threat to the planet and the inequalities that arise because of it between nations.

The unacceptable levels of carbon emissions will continue to bring cataclysmic changes and consequently food and water insecurity. Such insecurity in the twenty-first century would mean chaos and conflict within and among nations especially as we are to grow to 8.9 billion in 2050. The U.N. will need to be better prepared to handle serious bread and water issues within and between nations. I would not be surprised if one day, U.N. peacekeepers monitor the fair distribution of water and food within communities or across nations even as I hope that it never comes to pass.

Until recently, most were simply unaware of the dangers of climate change. The Secretary-General in his characteristic understatement said recently: “It is very important for me to sound alarm bells about climate change.”<sup>36</sup> And the U.N. has done a great job so far. Today, global warming (2014 was the hottest year ever) and the unprecedented changes in weather have made things clear to all.

Two hundred nations are to meet in Paris this December to make binding commitments to keep global temperature rise under two degrees Celsius—above the pre-industrial levels. Most developing countries and especially India need help in balancing growth with the environment and making development sustainable. The U.N.’s role will continue to be crucial in providing a forum for the developed and the developing to engage in

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<sup>33</sup> S.C. Res. 1373, U.N. Doc. S/RES/1373 (Sept. 28, 2001).

<sup>34</sup> S.C. Res. 1624, U.N. Doc. S/RES/1624 (Sept. 14, 2005).

<sup>35</sup> S.C. Res. 2178, U.N. Doc. S/RES/2178 (Sept. 24, 2014).

<sup>36</sup> Tett, *supra* note 4.

dialogue and reach accord that balances their national interests with the future of the earth.<sup>37</sup>

#### CONCLUSION

Human aspirations will be lofty as their craving sometimes low. And the battle between good and evil and want and greed will keep us preoccupied. The U.N. is a lofty ideal and can play an effective role to confront the above dangers to peace in this century. For this it has to become more responsive to higher human aspirations and translate them into action in real time. A huge gulf spawns the positions of the General Assembly and the Security Council. The need for equilibrium between the two bodies is long overdue. One way is to make the Security Council resemble more today's General Assembly. This could ensure that the balance of power is more reflective of today than that of yester decades. Otherwise the U.N. risks going the way of the international monetary institutions, which have, not measured up to the aspirations of the developing world. The BRICs Bank is a warning sign. Let us be sure. A more representative U.N. alone cannot make it a more effective body. Much will continue to hinge on member states' and the enlarged Security Council's ability to rise above national interests.

Also the U.N. as an international civil service ought to be able to attract global talent of a service bent to it. Its recruitment and hiring processes must be better geared and its service conditions fiercely competitive.

Professor Sohn envisaged a time when the U.N.'s budget would surpass \$35 billion, with \$25 billion set aside to ease "the worst economic disparities between nations."<sup>38</sup> The U.N.'s agencies, funds and programs engage in developmental work but it is trickle in the ocean of need. If only defense budgets can go to combat poverty.

He also saw the U.N. in charge of its own peace forces that would number 400,000.<sup>39</sup> Professor Sohn was a dreamer. Although the U.N. does not have its own force and certainly not the size foreseen by him, more than 126,000

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<sup>37</sup> Kevin Rudd, *Paris Can't Be Another Copenhagen*, N.Y. TIMES (May 25, 2015), [http://www.nytimes.com/2015/05/26/opinion/kevin-rudd-paris-cant-be-another-copenhagen.html?\\_r=0](http://www.nytimes.com/2015/05/26/opinion/kevin-rudd-paris-cant-be-another-copenhagen.html?_r=0).

<sup>38</sup> Today the UN budget is 5.4 billion; this does not include the budgets of the agencies, funds and programs. Press Release, General Assembly, Secretary-General Unveils \$5.4 Billion 2014–2015 Budget to Fifth Committee, Net Reduction of Posts Draws Mixed Reviews from Delegates, U.N. Doc. GA/AB/4080 (Oct. 28, 2013), available at <http://www.un.org/press/en/2013/gaab4080.doc.htm>.

<sup>39</sup> Hevesi, *supra* note 1.

military, police and civilian personnel serve in sixteen peacekeeping missions today; and 3,326 U.N. peacekeepers from some 120 countries have died while serving under the U.N. flag.<sup>40</sup>

Their sacrifices should not be in vain. What seventy years of pursuing peace has taught us is that there is nothing more sacred than humanity and the higher humanitarian principles that we are capable of. Thank you.

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<sup>40</sup> *History of Peacekeeping*, UNITED NATIONS PEACEKEEPING, <http://www.un.org/en/peacekeeping/operations/history.shtml>.

