

Statement by Ambassador Asoke Kumar Mukerji, Permanent Representative, at the Opening Session of the Annual Debate of the United Nations Peacekeeping Committee (C- 34) on February 24, 2014

Madame Chairperson,

I would like to thank the distinguished Secretary General for giving us his Report on implementing the recommendations of this Committee dated 10 December 2013, which is before us today in Document No. A/68/652. I would also like to thank the distinguished Under Secretary Generals, Ambassador Herve Ladsous and Madam Ameerah Haq for their leadership of the UN Peacekeeping and Field Services Departments respectively through the year.

2. We have looked forward to participating at this annual debate of the C-34 Committee on Peacekeeping with a lot of interest. Over the past year, since the Committee last met, the situation relating to UN Peacekeeping Operations (PKOs) has deteriorated sharply. The most tragic manifestation of this deterioration is the increasing number of casualties among UN peacekeepers. Troops from India, for example, have suffered seven deaths in the UNMISS alone during the past nine months at the hands of armed groups. This has aroused serious concerns among many troop-contributing countries (TCCs) about the effectiveness and viability of peacekeeping in a rapidly changing and volatile environment.

3. There is an obvious disconnect between the PKOs and the theatres in which they are deployed, especially on the continent of Africa. This has implications for the UN Security Council's primary task of maintaining, and sustaining, international peace and security. There are many reasons for this disconnect, but the overriding one appears to be the mixing up of the traditional mandate of UN peacekeeping with the new mandates relating to humanitarian and governance issues within member-states. Allow me, Madam Chairperson, to outline some concerns with reference to the situation on the ground where we have boots (and, indeed, eyes and ears) on the ground.

Madame Chairperson,

4. Paragraph 89 of the Secretary General's Report on implementing the recommendations of the Special Committee is a good starting point to put our concerns in perspective. As has been stated in this paragraph, and I quote, "United Nations peacekeeping operations are often largely political in nature in that they are truly successful when they help the parties to a conflict along a political path towards durable peace." The Secretary General further states that peacekeeping operations, and I quote, "depend, above all, on the unified support and political clout of the Security Council and the broader will of the international community to advance peace processes."

Madame Chairperson,

5. The Secretary General is to be commended for such clarity on the purpose and underpinnings of UN PKOs. It is the UN Security Council which has the right under the UN Charter to mandate peacekeeping operations. It is accepted wisdom among the membership of the United Nations that three cardinal principles of UN peacekeeping have helped to advance peace processes in many of the areas where PKOs have been deployed over most of the past sixty years. These principles are: consent of the parties to the operations, impartiality, and non-use of force except in self-defence and defence of the mandate. Peacekeeping has never been postulated as an end in itself. It is the means, as the Secretary General has said, to advance the process of peace.

6. However, even as I speak, all three principles underpinning UN peacekeeping operations are being insidiously challenged. These challenges are to the detriment of both the troops on the ground, and the United Nations Charter. What is even more disturbing is that fundamental changes in the way the United Nations uses peacekeeping are taking place without any transparency or discussion, especially with troop contributing countries. We therefore need to ask in this Committee as to who is responsible and accountable for making such changes, which endanger the lives of those valiant troops in far-flung places operating under the Blue Flag?

Madame Chairperson,

7. Peacekeeping operations are now being conceptualized as the one-size-fits-all solution to deep rooted political problems, rather than as a path to restore international peace and security. The headlong rush to deploy UN peacekeepers within the sovereign territories of member states on the plea of foreign humanitarian intervention has not always resulted in achieving the objectives of such intervention. This has been most vividly illustrated most recently in South Sudan, where UN peacekeepers have been caught between elements of the civilian population of that country fighting violently against each other. The job of the peacekeeper to keep the warring parties apart on the basis of a ceasefire agreement between them has been turned on its head, and there is no end in sight. Ironically and tragically, UN peacekeepers are now being accused of being partial by the government of that country, which is a serious allegation challenging the very core principle of UN peacekeeping.

8. Events in South Sudan demonstrate that the primary responsibility for maintaining the peace within the territory of a member-state must be of the government of that member-state, and not of the UN peacekeeper. This is because the root causes of threats to internal peace in the member-state can only be addressed through a political process, in which UN peacekeepers do not, and cannot, have any legitimate role. Nor, in a broader sense, can the broader UN presence, except to provide such assistance as may be requested by the government of the concerned member-state.

9. This analysis applies, Madam Chairperson, to other theatres where UN peacekeepers have been deployed in recent years, and we urge that this be kept in mind as those who wield the pen seek to send those who wield the guns into situations where political, not military, approaches are needed to maintain and sustain international

peace and security. Otherwise, Madam Chairperson, we will become the accomplices of those who want to exploit UN peacekeeping to return us to the pre-decolonization era.

10. This change in the core function of UN peacekeeping is a travesty of the objectives of the United Nations, set out in Article 1 of the Charter, as well as of the provisions of Article 33 of the Charter on the pacific settlement of disputes.

Madame Chairperson,

11. It is our right, as troop contributing countries, in terms of Article 44 of the Charter, to “participate in the decisions of the Security Council concerning the employment of contingents” of the troop contributing country’s armed forces. This provision of the UN Charter has been observed more in the breach. We have not had the opportunity to openly participate in the drawing up of peacekeeping mandates in the Security Council, although the credentials and experience of my country would make our views relevant to this task. After all, India has been among the original drafters of the UN Charter, a founder member of both the League of Nations and the United Nations, and contributed more than 170,000 troops to 43 of the 68 UN peacekeeping missions since the inception of UN peacekeeping more than sixty years ago.

Madame Chairperson,

12. Our specific concerns regarding the operation of UN peacekeeping today can be illustrated on the basis of our experience as a major troop contributor to the MONUSCO peacekeeping operation in the Democratic Republic of the Congo (DRC), the UNMISS peacekeeping operation in South Sudan and the UNDOF peacekeeping operation in the Golan Heights in the past year.

13. MONUSCO is the largest, most expensive UN peacekeeping operation in the world today, costing more than US\$ 1.4 billion every year and requiring the deployment of more than 20,000 troops. This peacekeeping operation began after the Lusaka Ceasefire Agreement in July 1999 between the DRC and five regional States (Angola, Namibia, Rwanda, Uganda and Zimbabwe) with a clear mandate for the observation of the ceasefire, disengagement of forces, and maintenance of liaison with all parties to the Ceasefire Agreement.

14. Since 1999, the Security Council has shifted the focus of MONUSCO from observing the ceasefire to addressing the political problems within the DRC. In March 2013, almost 14 years after the creation of the mission, the Security Council adopted Resolution 2098, equipping MONUSCO with a “robust mandate” and a “force intervention brigade” to take on the responsibility of neutralizing armed groups within the DRC.

15. As one of the troop contributing countries of the original MONUSCO configuration we were not invited by the Security Council to participate in this decision. We were therefore presented with the *fait accompli* of a fractured or dual mandate for

the mission. This meant that our troops, deployed and equipped in an impartial, defensive posture to monitor the Ceasefire Agreement between the DRC and its neighbours, now co-exists with the new troops, deployed and equipped in an offensive, interventionist posture within the DRC.

Madame Chairperson,

16. Both the impartial and the interventionist troops of MONUSCO wear the same uniform with the distinctive UN Blue Helmets. Even a layperson can submit that the mixing of the two mandates will invite retaliation on both the traditional as well as the interventionist UN peacekeeper, though the former may not have provoked such retaliation. If there are casualties among the traditional peacekeepers from action by armed groups in MONUSCO, due to this ill-conceived dual mandate approved by the Security Council, who, Madam Chairperson, will be accountable?

17. Beyond the operational concern, we have unanswered questions regarding the implications of the new interventionist mandate in terms of international humanitarian law. For example, are all the troops deployed in MONUSCO to be considered “combatants”, or only those deployed in the force intervention brigade?

18. It is said that the objective of the “force intervention brigade” of MONUSCO is to reduce the threat posed by armed groups to state authority and civilian security in eastern DRC, in order to make space for stabilization activities. This threat should normally be met by building up the national capacity of the sovereign government of the DRC, for which our heads of state and government agreed in paragraphs 97-105 of the 2005 UN Summit Outcome Document to establish the Peacebuilding Commission with a clear mandate for “post-conflict peacebuilding and reconciliation with a view to achieving sustainable peace”. We have concerns regarding the functioning of the Peacebuilding Commission in the context of the mushrooming calls for UN peacekeepers, especially on the continent of Africa. However, for our meeting today, the main issue is whether we agree to hold UN peacekeeping to account for the failure of the political process?

19. It is in this context that we note the increasing addition by the Security Council mandates to add political agendas to UN peacekeeping missions. I refer to security sector reforms, or SSR, and the disarmament, demobilization and reintegration process or DDR. In the DRC, both SSR and DDR have apparently failed to take root, necessitating robust mandates. Troop contributing countries in MONUSCO would legitimately question why SSR and DDR have failed in the DRC and South Sudan, and who would take responsibility for this failure? Unfortunately, paragraphs 8 and 9 of the Secretary General’s Report do not provide any answer to this question.

Madame Chairperson,

20. The second major concern that my delegation has is with regard to the growing threat to the integrity and effectiveness of UN peacekeeping operations from non-state actors or armed militia groups. In the case of MONUSCO, paragraph 8 of the Secretary General’s Report states that such armed groups will be tackled by the Force Intervention

Brigade and “other units of the MONUSCO force”, although the other units of MONUSCO, as we have stated earlier, do not share the mandate of the Force Intervention Brigade. The Secretary General also states that these armed groups will be tackled by a “reinvigorated disarmament, demobilization and reintegration process”, or DDR. We would like to know from the Secretary General how this objective is to be realized? Once realized, will the robust mandate in operation for a part of MONUSCO be rescinded?

21. In the case of UNMISS, five Indian UN peacekeepers died in April 2013 while escorting and protecting a civilian convoy in an attack by militia groups who were armed with rocket propelled grenades. Two more Indian peacekeepers died protecting civilians sheltering in a UN camp in December 2013. We note with concern that the Secretary General’s Report is completely silent on the threat posed by armed militia groups to UN peacekeepers in South Sudan. Nor is there any analysis in paragraph 9 of the Report of the activities of such armed militia groups against both the UN peacekeepers and the civilians protected by them in that tragic country. We would like to hear from the Secretary General what the United Nations is doing to prosecute and bring to justice those who killed UN peacekeepers in South Sudan, specifically in April 2013 and in December 2013. We would also like to know if the much publicized SSR and DDR strategies of the United Nations have been activated in South Sudan to tackle the challenge by militia groups to UN peacekeeping operations in that country.

22. In the case of UNDOF in the Golan Heights, 21 UN peacekeepers were kidnapped by militia groups in March 2013, and another 4 UN peacekeepers in April 2013. Apparently, these criminal acts were committed by the same armed militia group, and yet the Secretary General’s Report in paragraph 17 does not give any details of these facts, nor of any action taken by the United Nations to prosecute such militia groups. Instead, there is a reference to enhancing the “self-defence capabilities of UNDOF” in the Report.

Madame Chairperson,

23. This really illustrates the confusion within the United Nations, including in the Security Council, on how to deal with the threat to UN peacekeeping operations posed by armed militia groups. We have the robust attack posture advocated in DRC, the ambivalent posture evident in South Sudan, and the defensive posture in the Golan. Which posture is going to be the template of the position of the United Nations to tackle this threat?

24. We request the Security Council to urgently address this problem by invoking applicable international law criminalizing the killing and kidnapping activities of such non-state actors or armed militia groups. If the Council fails to act, we are afraid there will be an inevitable increase of such attacks on UN peacekeepers. This will seriously impair the effectiveness and purpose of the UN peacekeeping operations.

Madame Chairperson,

25. A third major area of concern for India is the disparity between the resources and the demands of peacekeeping operations. As troop contributing countries, we have not been invited to participate in the Council proceedings when ambitious mandates for peacekeeping are drawn up. Therefore, our suggestions on the kind of troops required for the proposed mandate, the nature of equipment required, and the costs of operating in the specific terrain of the theatre of operations, and most important, our national experience in handling situations similar to that of the proposed mandate, cannot be conveyed by us in an interactive manner to the Council. This appears to have impaired the ability of the Council to take advantage of the huge experience that many troop contributing countries have while drawing up peacekeeping mandates. The increasing number of casualties among UN peacekeepers demands that the Council redress this situation and follow the provisions of Article 44 of the Charter in letter and spirit.

26. Paragraph 53 of the Secretary General's Report calls for UN peacekeepers to be properly equipped to respond to the challenges they face on the ground. Yet, though the scale of UN peacekeeping operations during the past year has increased drastically, especially with the creation of MINUSMA and the enhancement of UNMISS and MONUSCO, paragraph 5 of the Secretary General's Report states that there has been a decrease of 5% in the total UN peacekeeping budget over the previous year. This mismatch between demand and supply bodes ill for the future of UN peacekeeping.

27. Paragraph 79 of the Secretary General's Report is somewhat optimistic of how TCCs can address this problem. It feels that these matters will be constructively addressed and resolved in the Working Group on Contingent-Owned Equipment (COE). We deeply regret to share with the Committee today that the meeting of the Working Group held last month revealed the sharp divisions between those who write the mandates for UN peacekeeping and those who provide the troops. Even the requests by TCCs for revision of daily allowances, which have been stagnant for the past twenty years, and rest and recuperation allowance, which have been stagnant for the past ten years, were not agreed to. The Working Group could only agree on an overall increase of 0.75% in COE rates. The challenge facing TCCs cannot be better illustrated.

28. To begin with, the way forward out of this situation lies, as the Secretary General's Report states in paragraph 80, in the consideration of the issues of premium payments for enabling capacities and units operating in circumstances of exceptional risk. We look forward to receiving in the General Assembly detailed proposals on how the Secretariat will implement these premiums.

29. Finally, I would like to refer to Paragraph 71 of the Secretary General's Report, which mentions unmanned aerial surveillance technology. The objective, as we understand it, is to gather information, and then disseminate this information to the command structures of the UN peacekeeping operations to help them implement their mandate. The need for such technology is linked with the changing nature of UN peacekeeping, especially in difficult terrains.

30. The briefing on this issue, provided to the Committee in January 2013, needs to be carried forward. We are aware that the intention is to improve situational awareness. We now need to know whether this has in fact happened in MONUSCO or not. We also need to know whether or not it is proposed to use such technology in operations like UNMISS, for example, where the current situation needs enhanced situational awareness.

Madame Chairperson,

31. To conclude, I would like to suggest to the Committee that we should begin earnest preparations to mark the International Day of UN Peacekeepers on 29 May this year in a special manner, especially due to the severe strains placed on troops serving in mandated PKOs. This will enable us to recall the tremendous sacrifices made by UN peacekeepers, for which they received the Nobel Peace Prize in 1988, and in whose memory a somewhat inadequate and ill-maintained Memorial exists on the grounds of the United Nations. Let us, especially as troop contributing countries, plan to commemorate these heroes of peacekeeping by gathering at the spruced-up Memorial on 29 May 2014, to join the Secretary General and other distinguished dignitaries as a mark of respect to those who have given their lives to enable the United Nations maintain international peace and security.

I thank you.

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