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## Luncheon

William Luers

Sir David Hannay

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# Luncheon

DOUGLASS CASSEL:

¶1 Consistent with our practice of referring you to the written biographies of the speakers, I am not going to give Ambassador Luers the introduction that his distinguished career deserves, but I will incorporate by reference the written biography and simply indicate to you that we are honored to have a luncheon address by the President of the United Nations Association of the United States of America.

¶2 We are also very grateful for all the support we have received in putting together this event by the Midwest Chapter of the United Nations Association whose president, Gabriel Buckley, is here. Gabriel, thank you very much for all of your support.

¶3 Ambassador Luers, we are delighted to have you here, and we look forward to your remarks.

WILLIAM LUERS\*:

¶4 Thank you, Doug, for inviting me to this. I have not been within Northwestern University for, believe it or not, fifty-three years, when I studied here. I came here having studied math and chemistry most of my career in college. I came to Northwestern with the idea of being a chemical engineer, and it turned out that I was not very good at it.

¶5 My good fortune was to audit two courses that changed my life. One was taught by Richard Ellman, one of the great world scholars on James Joyce. The second was one of the University's most popular courses taught by Bergen Evans, a witty and not-always-conventional scholar of American history.

¶6 This period at Northwestern was important to me because I went through many changes in the way I think about my life. I left science, mathematics, and engineering and went to philosophy at this University. I took myself very seriously. I listened to a lot of jazz and I drank a lot.

¶7 I am delighted to be here with Sir David Hannay, and my old pal Richard Williamson, who was on my Board at UNA-USA. Rich and I were colleagues as

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Ambassadors in Central Europe. I am also pleased to see here Gabriel Buckley of the Chicago UNA chapter, which has been strong once Gabriel got in the chair. I feel humbled being here with these gents who know so much about the UN.

¶8 I thought I would break my remarks into four parts. First, those aspects of the High-Level Panel Report that I believe and hope the United States Government will find most compelling and important. Second, those recommendations that seem to be addressed directly to the US Government. Third, a few issues that I believe still need to be addressed to improve the work of the United Nations. And lastly, the UN's role in the future.

¶9 Let me begin by talking about what seemed to me to be those aspects that reflect US interests in this report. The most important message and challenge for the United States Government in this bold report has to do with the report's title, A More Secure World: A Shared Responsibility.

¶10 Will the Bush administration pursue policies that recognize the fact that the United States shares responsibility with other nations? And does sharing responsibility imply sharing in common norms of international behavior? The defining principle and impressive accomplishment of this report is to extend and to modernize the concept of collective security, which we heard a lot about this morning.

¶11 This new vision is to redesign the pillar on which the United Nations was founded sixty years ago: a threat to one is a threat to all, and states must work together to respond to threats.

¶12 You have already been through the broader definition that the Panel describes, about recognizing no borders, mutual vulnerability and no state, however powerful, can make itself immune from these threats.

¶13 The first two principles – no boundaries and the mutual vulnerability – have been partially recognized by the Bush Administration in its national security strategy, and in the national strategy for combating terrorism. The big question is – does the Bush Administration accept the notion that no state can unilaterally make itself completely secure from these threats? Not even the US with its unequaled military and economic strength can insulate itself from the threats that have been described in this report.

¶14 The President's top advisers have repeatedly stated that the US will not hesitate to act alone in the interest of American society and security. The Administration's actions in the first term seem to reflect a sense that American power enables it to pursue multilateralism à la carte with no negative consequences.

¶15 Yet, President Bush recently said that the important foreign policy goals of his second term would be building effective multinational, multilateral institutions and supporting effective multilateral action. These remarks suggest that there may be hope on this score. The question, of course, to paraphrase President Clinton, is, "What does the President mean by effective?"

¶16 How will the US Government develop its response to the Panel's report? I have been in close contact with a number of people at the National Security Council, and I am absolutely convinced that they are taking this report very seriously. I agree with David Hannay's proposition that, if the United States Government does not take these reforms seriously, the report is probably dead on arrival. But, my sense is that the National Security Council has established an intergovernmental working group which is putting together some reactions to this report. In fact, today Foreign Secretary Straw and

Condoleezza Rice will be meeting to have one of their first exchanges on many issues, one of which will be UN reform and the Panel's report. The US has an agenda for conducting similar discussions with other members of the Security Council and other friendly nations.

¶17 Although I strongly endorse the proposition that these reforms should be bought as a package, it is worth recognizing that there are certain elements in the report that seem particularly helpful for the United States' interests. First, the report has several constructive proposals on how to manage or fight terrorists. That was talked about a good deal this morning. I will not review all of those proposals but certainly the breakthrough definition of terrorism could enable a lot of work to be done in the United Nations that was not done before.

¶18 Secondly, the recommendation that the Secretary-General develop a comprehensive UN strategy to combat terrorism is positive from the standpoint of the US Government. There is also interest in Washington in the proposal that would strengthen the counterterrorism committee of the Security Council by establishing a capacity-building trust fund under the counterterrorism executive director. This trust fund will help other governments develop their own tools for tracking terrorists and combating them.

¶19 The second issue of interest to the US in the security area is the highlighting of efforts to keep weapons of mass destruction out of the hands of terrorists and strengthen the non-proliferation regime. Naturally, the US Government is pleased that the Proliferation Security Initiative (PSI) was specifically recognized by the Panel since this was a US Government proposal in the first place. My sense is that there is not enough there on non-proliferation specifically and that the US Government will have more to say on this subject.

¶20 Third, the report reaffirms that all states have the right to self-defense as articulated in Article 51, including the right to preemptive action in the face of imminent attack. It does not, however, as you know and as was mentioned, give support to military action in cases when no attack is imminent.

¶21 Then, there is another large set of proposals dealing with economic and social development in the High-Level Panel Report, which are appealing to any US policymaker right now in the US Government. But the question will come down to, what is in the details and particularly how much will it cost? Any time you talk about UN reform with the US Government, the Americans think about saving money.

¶22 This is a serious concern, and the question is whether some of these development matters that are of considerable interest to the United States Government will be able to be carried out. Certainly, as was discussed this morning, the promotion of economic and political development is the first line of defense against the entire range of security threats. UNA-USA will be holding a conference in Washington this spring which draws from the 9/11 Commission report and compares what the 9/11 Commission said on these issues to what was proposed in the High-Level Panel's report.

¶23 Clearly, economic development should be on the US agenda, even as it becomes intertwined with Jeffrey Sach's effort on the Millennium Project Goals report.<sup>1</sup> I can understand why the High-Level Panel did not try to put a dollar number on the ambitious

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<sup>1</sup> UN MILLENNIUM PROJECT, INVESTING IN DEVELOPMENT: A PRACTICAL PLAN TO ACHIEVE THE MILLENNIUM DEVELOPMENT GOALS (2005), available at <http://www.unmillenniumproject.org/reports/fullreport.htm>.

development agenda, but this, obviously, is going to present a problem for the US Government.

¶24 The Panel's call for rebuilding a global public health system as a defense against deadly infectious disease as well as against bioterrorism will come with a hefty price. But the value to US interests is evident, and I am persuaded that there will be some effort to respond to this proposal.

¶25 Then, there is the whole question of the enlargement of the UN staff, the creation of a Peacebuilding Commission, the establishment of a new Deputy Secretary-General, and a number of other worthy and important positions that are to be created. An expanded bureaucracy is not appealing to the US Congress. I would not go so far as to say an expanded UN is simply expanded deadwood as US congressmen would say. I was in the US Government for thirty-five years, and I know what deadwood is. The question of how large a UN staff is needed will be looked at very closely by the US and other governments.

¶26 Perhaps the most complex issue for the US Government with regard to the success of this reform package will be the inevitable disputes and discord over the Security Council enlargement. I will not say much more about that since that ground was covered well by other speakers this morning. But, some arrangement must be made to get Japan, India, Brazil, and South Africa in that body. One could argue that three Europeans are too many, but I would certainly argue that it would be unfair to leave out Germany. So, if we must have the British and the French, I guess that is the way it is going to have to go.

¶27 Finally, on the recommendation on the Human Rights Commission, I share the general view that the Panel's proposal is probably incomplete. The job of finding the right solution to the structure of that Commission has not yet been completed. Take Sir David's comments about this committee that would be composed of all 191 member states: I believe we would be going in the wrong direction by creating a new commission of all the member states. The US Government will have a number of comments on that and similar proposals on the question of human rights.

¶28 Now let me turn to discuss those recommendations that are likely to provoke a negative US Government response. Indeed, several of the Panel's recommendations seem designed to do that. This group of proposals constitutes strong, yet occasionally subtle messages to the United States and other member states.

¶29 I will list a few of the most obvious proposals in this category. First, the call to the US and Russia to take measures to reduce the risk of nuclear accidents and disarm their strategic nuclear weapons. Second, the call on all states to sign the Biological and Toxic Weapons Convention<sup>2</sup> and to negotiate a credible verification protocol without delay. Third, the call to the Security Council to use its authority to refer cases of suspected crimes against humanity to the International Criminal Court (ICC) and calls on all states to sign and ratify the Rome Statute that established the ICC.

¶30 Anyone who has been dealing in foreign legal affairs knows that John Bolton, former Under Secretary of state, had taken it as his mission to unravel the ICC. That US

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<sup>2</sup> Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Apr. 10, 1972, 26 UST. 583, 1015 UNT.S. 163, available at <http://www.opbw.org/> (last visited Sept. 12, 2005).

Government strategy is helping to unravel our relationship with many of the countries in the world who signed it and believe in it.

¶31 The call on member states to conclude legally binding agreements on marketing and tracking as well as brokering and transferring of small arms and light weapons. The recommendation that states should provide incentives for further development of renewable energy resources and phase out environmentally harmful subsidies for fossil fuel use. And the urging that the states begin new negotiations to produce a new long-term strategy for reducing global warming beyond the period covered by the Kyoto Protocol.<sup>3</sup> The call on all nations to abide by the Geneva Conventions.<sup>4</sup>

¶32 And finally there is one recommendation that was a hot button for the Clinton Administration – the specific reminder to all leaders that when the genocide began in Rwanda, troop contributors withdrew peacekeepers and the Security Council, bowing to the United States’ pressure, failed to respond. That part of the Rwanda story is not talked about enough.

¶33 Of course, I mentioned earlier the Panel rejects the use of preventative force when the threat is not imminent. We can recall that John Kerry, the Democratic presidential candidate, as well as the President said, “I will not ask permission from anybody to protect American security,” which poses the issue incorrectly, it seems to me.

¶34 I would like to hear a President say, “I will do what I can to seek the broadest possible coalition of support for whatever acts the United States feels it must take to protect the security of the United States.” That makes an important distinction. It places the United States on the side of a multilateral approach to this delicate issue of the use of force.

¶35 Now, I would like to turn to discussing those reforms that I would like to see happen but that were not mentioned or not really dealt with in the High-Level Panel Report in any detail. There are three such issues I would like to address.

¶36 First is the UN Security Council relationship with the Secretariat. Improving relations between the Security Council and the Secretariat and making that relationship more transparent is an essential reform that must be addressed. The report states that the US was the member state specifically responsible for the Council’s refusal to send additional peacekeepers to Rwanda to stop genocide.

¶37 The Secretariat is reluctant ever to point a finger at a member state, never mind its largest donor, for erroneous decisions or tragic failures, thereby leaving the door open for others to make the UN a scapegoat or blame it for its actions. More often than not, the Secretariat becomes the guilty party. There must be an effort to make the relationship between the Security Council and the secretariat more transparent and comprehensible to the world, and particularly the American public.

¶38 If there is one thing I hope we learn from the Oil for Food fracas, it is that the relationship between the Secretariat and the Security Council is muddy, ambiguous, and fraught with potentially dangerous miscalculations. Most of the key decisions on the Oil

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<sup>3</sup> Kyoto Protocol to the United Nations Framework Convention on Climate Change, Dec. 10, 1997, U.N. Doc. No. FCCC/CP/1997/L.7/Add.1, *available at* <http://unfccc.int/resource/docs/convkp/kpeng.html> (last visited Sept. 12, 2005).

<sup>4</sup> Geneva Convention Relative to the Treatment of Prisoners of War, Aug. 12, 1949, 6 U.S.T. 3316, 75 U.N.T.S.135; *see generally* Society of Professional Journalists, Reference Guide to the Geneva Conventions, *at* <http://www.genevaconventions.org/> (last visited Sept. 12, 2005) (providing additional information on the Geneva Conventions).

for Food (OFF) were made and overseen by members of the Security Council, including the full awareness and general approval of the oil smuggling.<sup>5</sup>

¶39 Moreover, most or all of the corruption issues were either known by the members of the Security Council or brought to their attention by the Secretariat. The Secretariat did not always have a clear understanding of what was being decided in the 661 committee<sup>6</sup> which dealt with the Oil for Food program, nor did the Secretariat receive full guidance as to what it should do to fulfill its responsibility to manage OFF. This is just one of the examples where a lack of transparency in a defined relationship creates problems for the UN and for the rest of the world.

¶40 I have talked to Paul Volcker about his investigation of OFF. Although he is very careful about how he phrases issues with me because he is in the middle of this investigation, he says that he has learned a great deal about the relationship between the UNSC and the Secretariat and how critical it is to the proper functioning of the UN as a whole.

¶41 My second pet project deals with how the UN learns from the past. The Secretariat also will need to learn from the Oil for Food problem, and I believe they have. For example, the essential need for regular audits and transparency with regard to financial dealings and managed resources. The audits must be conducted at all levels of an operation, and any flaws discovered along the way need to be followed up immediately, which did not happen in the case of Oil for Food. The Secretary-General's decision to bring in outside auditors at the beginning of the vast, UN-coordinated tsunami relief effort is most heartening and is a lesson earned.

¶42 And then thirdly, I would like to see the Panel address professional development of UN staff. Professional development needs to be a part of the broad reform within the UN system. The Panel's report contains recommendations for giving the Secretary-General the authority to renew his staff on a one-time basis, to add to his staff, and to set up a system of training for his special representatives, SRSGs, in the field.

¶43 There is no effort to require a comprehensive strategy for establishing selection criteria for senior or middle level officials and no permanent program of professional development and training. The only way in which the UN staff can enter this modern era better prepared for new challenges is through a comprehensive look at how its professionals and highly motivated staff is trained and reviewed for appropriate tasks.

¶44 This has been a concern of mine for many years, and I hope that there can be, although it is costly, professional programs that allow the UN staff periodically to renew its capacities and study the lessons that have been learned in the field.

¶45 And the final issue on my wish list is finding a better strategy and more capacity to develop the rule of law. As the UN mandate has expanded, it should not pretend to do everything in this complex world of regional organizations, nations, international institutions, and voluntary associations. It should concentrate its efforts on those tasks in which it has comparative advantage and tasks that others cannot do better.

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<sup>5</sup> S.C. Res. 661, ¶ 6, U.N. Doc. S/21441 (Aug. 6, 1990) (establishing a committee consisting of all members of the Security Council); S.C. Res. 986, U.N. Doc. S/RES/986 (Apr. 14, 1995) (establishing the Oil for Food program to be subject to the “[a]pproval of the Committee established by resolution 661 (1990)”).

<sup>6</sup> *Id.*

¶46 One of the areas which the UN should develop more fully is the development of objectives on rule of law, particularly in post-conflict environment. The breakdown of police, criminal codes, and judicial and prison systems are often the first casualty of civil conflict and by far the most difficult to rebuild. Iraq is only the most recent example of that which we have experienced over the last twenty years. Yet, more often than not, rebuilding the rule of law is often one of the last issues faced in reconstruction efforts.

¶47 Now, my final remarks are just on the future of the UN. Doug asked me to say something about it, and I am always delighted. What is the UN's relevance looking forward in today's world of terrorists, weapons of mass destruction, and a world in which sovereign states become the victims of non-state actors?

¶48 Kofi Annan called 2004 an *annus horribilis* for him and the United Nations. I could agree with that characterization but I would go further. I would say that if the past year was pretty awful for the UN, it was probably worse for the world. This was an *annus horribilis* for all nations, and when the world has a bad year, it is reflected in the UN.

¶49 Critics that rail against the UN are essentially railing against a world in disarray and against an international community that is no longer working together. Nations are not working together and non-state actors, natural disasters, disease and poverty are dominating the list of threats, and they are winning. Since the traditional wars among states are less common threats, nations are confused as to how to organize themselves in the current, probably more dangerous, security environment.

¶50 The UN seems fractured today because the world community of nations is fractured. The Panel Report points out that the nations of the world need to work together and, under this new definition of collective security, renew their commitment to collective action to combat today's threats. Until the US commits to uniting its allies and expanding its network of friends and proceeds to divide its enemies, the world will continue to be difficult to live in and the UN will not have the role it should have to play.

¶51 I dislike the cliché that, "if the UN did not exist, we would have to invent it." You could not invent this body today. It is the last chance we have. We have to work with what we have. We have to work with what this Panel has said, and we have to find ways to make this organization work better despite its flaws.

¶52 I also do not believe that the alternative is to create a UN of democracies only. The unique nature of the UN is precisely its universality where all nations and all peoples can come together whatever their ideologies, political systems or ethnic/religious backgrounds. It is an idea and an ideal that has been made real. Now it must be made to work.

¶53 What specifically does the UN do in this fracturing world? It is a place for all nations to meet to debate and discuss their problems, to resolve their problems via treaties and international agreements. In addition to being a place, it is a framework for reaching agreement on norms of international behavior and for renewing commitments to international cooperation. Just take a look at the millennium development goals, financing for development, and the Universal Declaration of Human Rights.

¶54 It is also an environment for diplomatic as opposed to military interaction of nations. Just look at the list of arms-control agreements and peacekeeping accords that have been reached in that building.

¶55 Also, it is an organization that can help resolve or manage thousands of conflicts, emergencies and human tragedies that often appear secondary to the powerful nations in the rush of world events. Most of Africa has witnessed this. While the great power interests are fleeting in Africa, the UN stays engaged.

¶56 Jimmy Carter had an interesting reaction several years ago to my complaining about the fact that in January 1979 we had a chance to get Somoza out of Nicaragua. I was deeply involved in that effort. But, that same month the Shah fell in Iran, and we signed a major agreement with China. And President Carter told me, he said, "Look, Bill, we can only do one or two things at a time." And that has to be understood. I was in Washington during the Vietnam War, and by the end of the Johnson administration, you could think and talk about nothing but Vietnam.

¶57 This may happen in Iraq. With the ambitious agenda the President has, there is no way, it seems to me, that he can have a coherent strategy for the rest of his foreign policy until this situation in Iraq is resolved.

¶58 And, the UN stands by to think about those many countries in Africa, to be able to manage, and to have the capacity to manage and coordinate the work after the tsunami disaster. They have to be around because the great powers can only focus on one or two issues at a time.

¶59 The UN is a multinational universal body of civil servants who are welcomed into virtually any country of the world to carry out work that in any other place would be seen as interventionist, if it were done by the United States, for example, or by Russia.

¶60 Only look at what happened in China to stop the SARS epidemic. It was the World Health Organization that managed to go in and that was acceptable to the Chinese Government. Had the US Centers for Disease Control tried to do it, they would have been thrown out of the country. That is what the UN can do. It is a respected body that can be turned to by any nation for help, detached expertise, and judgment.

¶61 Even the US went to the UN for help to organize the Iraqi interim government last spring. Brahimi was on the front lines in Iraq every day putting this together, and we needed him. When we needed him, we needed him badly.

¶62 For the life of me, I cannot see an exit strategy for the United States in Iraq without a political action on the part of the United Nations. The UN is the universal enforcer that can impose sanctions, authorize the use of force, and impose the will of many nations on governments who have chosen not to protect their own people or who have harmed a neighbor.

¶63 Once more, the UN via the International Criminal Court and the World Court, is an international legitimizer of action taken to suppress injustice and to bring justice to individuals or nations who violate international laws and commit crimes against humanity.

¶64 Overall, the United Nations and its agencies are broadly respected and supported around the world precisely because they do not represent great power, because they are universal in their makeup, and because they are not threatening to the national security of any nation. This very lack of power is the strength of the United Nations. In 2005, we have an opportunity with this impressive report that has been prepared by the Secretary-General and with Jeffrey Sachs' preparation of an effort to re-energize the millennium

development goals.<sup>7</sup> I would like to say maybe this year we will be able to call *annus mirabilis*, a year of wonders.

¶65 In this year of the 100th anniversary of the birth of the UN's first great leader, former Secretary-General Dag Hammarskjöld, I would like to leave you with his words that ring as true today as they did decades ago: "The UN must rely for the present on the process of negotiation, persuasion, and consent to accomplish its purposes, and above all, on the exercise of enlightened and moral leadership by those in positions of responsibility." Thank you.

DOUGLASS CASSEL:

¶66 We will take a few minutes for questions now.

TREVOR ULBRICK:

¶67 Thanks for so much for coming.

¶68 What do you think should happen in the case where there is genocide or atrocities happening within the borders of a sovereign nation but the Security Council is deadlocked, as was the case with Kosovo?

WILLIAM LUERS:

¶69 Are you talking about Darfur or Kosovo?

TREVOR ULBRICK:

¶70 Potentially Darfur although it has not come to that yet.

WILLIAM LUERS:

¶71 I guess I have a slightly dissident view on exactly what happened in Kosovo. I did not favor the NATO decision to go in despite or without addressing the Security Council interest.

¶72 With an historical perspective, we cannot know how wise that was. With my many years of experience, I am increasingly opposed to the use of military force unless it is absolutely necessary. I am not convinced that the action in Kosovo was necessary, and I think the residue of that action in the Balkans is profound and not all positive.

¶73 I do not know what will happen in Kosovo. That dispute has not been changed. It is still very much alive, and I think it will be with us for a long time. We did great damage to Serbia, and I am just not convinced yet that that was the right move. So where would I go? I guess I would say there may be some wisdom in the wisdom in which the UN Security Council cannot or will not decide.

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<sup>7</sup> UN MILLENNIUM PROJECT, *supra* note 1.

¶74       Somebody mentioned the train wreck over the UN Security Council's failure to support the war in Iraq. Without going over that history, whose train wreck was it is what I want to know. I am not sure it was the UN Security Council's train wreck.

DOUGLASS CASSEL:

¶75       I will ask a question while we are waiting. Ambassador, we are honored here by the presence of General Romeo Dallaire, who was in charge of UN forces in Rwanda in 1994 and who will be speaking tomorrow morning in regard to Rwanda. General Dallaire blew the whistle at the time, unfortunately unsuccessfully.

¶76       Earlier, you made a reference to the Panel's suggestion that it was the United States Government that blocked the military force necessary to prevent the genocide in Rwanda. Of course, that was done by a very different administration than this one; this would be a Clinton Administration issue.

¶77       What lessons would you draw from that and what recommendations would you make to the Bush Administration based on that what I would characterize as a colossal failure by the Clinton Administration?

WILLIAM LUERS:

¶78       The Secretary-General, when he came in to be Secretary-General after having been head of peacekeeping, appointed a Panel chaired by a judge from Sweden to look into what happened. What is interesting is that the Panel had full access to the UN documents – not to the Security Council documents, but the UN generally. The report found a lot of errors in the decision-making process, but no finger was pointed at the US Government or at the other great powers, the other four permanent members of the Security Council.

¶79       The group that made the study tried to get interviews with the US Government. Secretary Albright, who had been Ambassador to the UN at the time and at that point was Secretary of State, would not talk. It is part of the, I think, the untold story that is out in books but not out in official reports, the role the permanent members played in failing to make a commitment. Whether that would happen again and whether there is any chance of seeing that would happen again, I do not know.

¶80       With all the heritage, action has not been taken in Darfur because Darfur is such a complex issue, and I understand it is very difficult to move on Darfur. Therefore, I think that the fact is the United States under this administration and maybe under future administrations will not put troops on the ground in Africa. They had the chance in Liberia, they did not take it. It was a logical thing that should have happened: the US should have gone in as the British had done in Sierra Leone and the French before in Cote d'Ivoire. I think that if the African Union can develop a sufficiently strong military force to be called on, I suspect the United States and Britain and France and Russia, China, will say, "Go ahead." But it is a tough situation, and it goes to the point that Ian Hurd was making that this is still not a collective security body. It is a body dominated by great powers. And until they decide to do it, it will not happen.

DOUGLASS CASSEL:

¶81       Okay.

## AUDIENCE MEMBER:

¶82 My question is about the Security Council and who is going to be a member of it. A good number of conflicts that happen in the world happen in Africa, and there is a recognition that the Africans themselves need to be involved in this process. President Clinton went there to invoke and invigorate the African response system. And in relation to Darfur, I think the UN has also demonstrated that more of what resolved that conflict needs to be basically the United Nations systems supporting the African nations.

¶83 So, I was wondering also in that sense, when you look at the recommendation of the High-Level Panel, we are still coming short in terms of the number of permanent members to the UN Security Council. I was wondering if maybe putting more of the Africans nations on the Security Council to take part in these decisions could solve the problem, or is it just a question of, "Of course, we do not have it so we will not be part of that?"

## WILLIAM LUERS:

¶84 I am sure David has a better answer than I would have to that, but I guess I would say that one proposal, of course, would be that South Africa be a member, a permanent member in either the fuzzy sense or the real sense, and that Nigeria also have frequent participation on the Council.

¶85 No question there needs to be larger African representation, which would come from a twenty-four-member Security Council. Whether that would help a great deal in actually encouraging the Security Council to take more resolute action in Africa when it is required, I do not know.

¶86 And one would have to find out what structures are built to enable peacekeeping to be undertaken in Africa without the five permanent members being represented. Because I do not think it is likely that you are going to see much of the developing world participating in ground action in Africa. I may be wrong, but it has not happened very much except in the case of Great Britain in former colonies, as well as France.

¶87 So the question is, how can you get the African Union to get much greater support and whether or not other countries who have traditionally been supplying military force to Bangladesh, India, and to some degree Pakistan, whether they will be willing to be a part if asked specifically by African members of the Security Council. We will just have to see how that goes.

## DOUGLASS CASSEL:

¶88 I would like to offer Sir David Hannay a chance to comment on a point or two.

## WILLIAM LUERS:

¶89 Whoops. I am in real trouble now.

## SIR DAVID HANNAY:

¶90 On Rwanda, I actually was not totally happy with the reference in the Panel's report which, I thought, excessively characterized the United States as responsible for that debacle. I was on the Council throughout the proceedings, and it was an agonizing process, as you can imagine.

¶91 It is true that Madeleine Albright received some extremely stupid instructions on the day the killing started to pull the whole UN mission out, which she declined to act on with a good deal of encouragement from me. She questioned her instructions, and the result was that they were changed to the position which was what I call the default option, to keep the remaining peacekeepers that were there, to keep them there, and General Dallaire knows this story much better than me. It was a totally inadequate response, but it was better than the response that she was originally instructed to take.

¶92 The reality about Rwanda was that it was not only the five permanent members that were not prepared to send anyone to Rwanda. No one was prepared to send anyone to Rwanda and it proved absolutely impossible to get any African contingents in for – I do not know how long it was – but until long after the worst of the killing had taken place.

¶93 It was, therefore, a collective failure, and I do not think myself that it is right to pick out the United States quite as clearly as it has been picked out in that respect.

¶94 You also have to remember that one of the reasons it happened as it did was Somalia. It was the memory of Somalia, not just on the United States, but on all the Africans, many of whom had participated in the Somalia operation, and who had seen it collapse, who were traumatized by this. When people say “never again” about Rwanda, I wish I believed it. But I do think people will remember the shame of it and, I hope, draw the right conclusions.

¶95 Just in final point on Africa. Bill, I think you were a bit too pessimistic. There is an answer to the African dilemma of needing more help, and that is the recommendations of the Panel, which are pretty far-reaching, frankly. If the Security Council and the General Assembly start to contribute to financing for African Union peacekeeping operations, that is a major step forward. I do not know what the Appropriations Subcommittee of the House and Senate will say, probably quite a lot and not all of it positive, but if they are not prepared to produce any troops themselves, this is the only way to do it.

¶96 It would radically change the situation if African countries were prepared to put troops in, because it would mean that they would be getting the financing they needed. It would mean that they would not be at risk of having sent their troops a thousand miles away and then finding that they have no financial support at all.

¶97 So, it is an important recommendation. The short-term answer, about intervention, like the one in Sierra Leone or the one that ought to have been in Liberia, the European Union battle groups are a very important initiative in that respect.

¶98 And if other countries were to similarly put to the use of the Secretary-General, for a short-term insertion into a situation where there is a temporary lull in the fighting or cease-fire, troops which would actually be capable of defending themselves, this could make a very big difference to African peacekeeping. It is a stabilization of the situation in those very first days after a lull which is the only chance you may have to stop things getting worse. It is the sort of thing that might have made a very big difference in Rwanda if they had been available.

¶99 Now, the European Union is not yet deploying battle groups, but it is getting quite close to it and they are working on it very seriously. The Panel Report says that other countries should join in. You can think of countries like India that could possibly send troops rapidly. These are not blue helmets. These are troops ready for battle if they have to defend the mandate they have been sent with. So I think there is some hope there. I think that Africa is going to be a crucial place where the United Nations really has to work because, let's face it, no one else is going to do it.

WILLIAM LUERS:

¶100 I could listen to David Hannay for hours, and I think I have, but he is so good and so right about so much of what he brings to the table on the subject of the UN. But, I would agree that in the case of Africa, the recommendations that have carried through which will offer great hope, but let us look for *annus mirabilis* in 2005.

DOUGLASS CASSEL:

¶101 Let us reconvene in fifteen minutes.