

Key Statements

Gender

Jayantha Dhanapala, "Gender and Disarmament", Keynote Address at the Fourth Annual Women Waging Peace Policy Day, John F. Kennedy School of Government, Harvard University, 8 November 2002

<http://disarmament.un.org/speech/statements.htm>

UN Reform

Jayantha Dhanapala, "Foreword", in Vijay Mehta (ed.), The UN and its Future in the Twenty-First Century (Nottingham, England: Spokesman Books, 2005). (ISBN 0 85124 707 5). Not on web; text –

THE UN AND ITS FUTURE IN THE TWENTY-FIRST CENTURY

I never had the privilege of knowing Erskine Childers. To my mind he represents a significant part of the rich Irish contribution to international peace and security in general and the United Nations (UN) in particular together with Frederick Boland, Connor Cruise O'Brien and others. It was the famous Irish UN General Assembly Resolution that formed the genesis of the Treaty for the Non-proliferation of Nuclear Weapons (NPT). The reputation of Childers both within the United Nations (UN) system and in the sphere of international relations was formidable enough for me to follow his writings with close interest – especially on the UN. In view of my own commitment to multilateralism and deep convictions on the need to strengthen the UN, I had avidly read the report on "Renewing the United Nations System" which he had co-authored with another redoubtable UN veteran – the distinguished Sir Brian Urquhart. Its remarkable clarity, the holistic scope of the recommendations and the fusion of idealism and practicality stood out. On the eve of the report of the Secretary-General's High Level Panel on "Threats, challenges and Change" and our celebration of the Sixtieth anniversary of the UN it is appropriate for us all to revisit the Childers/Urquhart report.

An Ethical Foundation for the UN

It is in this context that we must reflect on how our world body can be reformed to face the challenges of the future based on the experience of the past. We must begin with a foundation of ethical values that we can share. The use of the term "Ethics" for a set of moral principles presupposes that we are all bound by a common understanding of what we mean. In a very broad sense, we are talking about the absolutely irreducible minimum of humankind's cultural, moral and spiritual achievement over centuries of civilization. It is not only what distinguishes the human species from other living beings, but also the soul of humankind. It is the quintessence of all religious philosophies and the highest common factor among all cultures.

Ethics *per se* would be of little value if it did not have a practical propensity to be applied to human affairs and the improvement of the human condition. It is widely, but wrongly, assumed that the realm of ethical values and the world of pragmatic politics are wide apart and that never the twain shall meet. The achievements of the UN illustrate that there can be a fusion between ethics and policy, and it is this fusion that contributes to the betterment of mankind and to peace.

We are still in the early years of the first century of a new millennium in the human saga leaving behind the bloodiest century of all time. There is a unique opportunity for us to use the indisputable authority that the UN wields to shape a world order that is built more solidly on ethics than on the pursuit of individual profit or national self-interest. In the year 2000 the largest ever gathering of Heads of State and Government met at the United Nations in New York and issued the historic Millennium Declaration. Significantly, before the Declaration embarks on setting objectives in respect of the different areas of peace, security and disarmament including the elimination of weapons of mass destruction especially nuclear weapons; development and poverty eradication; human rights, democracy and good governance including the Millennium Development Goals; protecting the vulnerable and meeting the special needs of Africa, it addresses the issue of fundamental values underpinning international relations in the twenty-first century. That demonstrates a remarkably sound judgment of priorities. If the leaders of the world cannot agree on the ethical values that bind them together, they are unlikely to agree on common goals and common strategies to overcome what Secretary-General Kofi Annan has called “problems without passports”.

It is relevant for us therefore to review these shared values set out in the United Nations Millennium Declaration as a common ethical base. They comprise six of the most basic aspirations of humankind – freedom, equality, solidarity, tolerance, respect for nature, and shared responsibility. From each of these fundamental values we draw our guidance for the specific action plans that the international community committed itself to in the Millennium Declaration. It is a moral compass for us all. Individually these values represent powerful forces that have inspired and motivated humankind throughout millennia of history. They have been accelerators of human progress. Collectively they represent the benchmark against which we must judge our performance as individual nations and as the world community in taking humankind forward to a better and safer world.

- **Freedom** – was the spur that rid the world of slavery, colonialism and apartheid: it is the ethical value that protects men, women and children from fear, exploitation and abuse, from injustice and deprivation and from want and hunger.
- **Equality** – is what drove societies to abolish discrimination on the basis of colour, creed, wealth, ethnicity, aristocratic origin and gender: it is the ethical value that empowers individuals in society and nations in the international community whether big or small, rich or poor, mighty or meek.
- **Solidarity** – is the sense of a common identity as one human family with reciprocal duties and obligations that has led to social contracts and social security within countries and to the aid and assistance of the wealthy and developed countries to those who are stricken with disease, disaster and endemic poverty: it is the ethical value that must ensure the elimination of injustices, asymmetries in globalised development and absolute poverty.
- **Tolerance** – is the glue that has bonded us together as human beings with mutual respect for each other despite our astonishing diversity both within nations and the international community: it is the ethical value that will prevent ethnic and religious conflict within nations and the ‘clash of civilizations’ on a global scale ensuring instead a ‘dialogue among civilizations’ and the celebration

of human diversity as an endowment.

- **Respect for nature** – is what has preserved the available and potential natural resources of our planet Earth and our ecological system as our common heritage to serve the genuine needs and not the greedy wants of humankind: it is the ethical value that will guide us to sustainable development managing our consumption of resources equitably and wisely so that we pass on the world which we occupy as a trust, to generations to come in at least as healthy and wholesome a state as we received it from preceding generations. Finally,
- **Shared responsibility** – is the common realization that we are one brotherhood and sisterhood placed together in a world that is more integrated than ever before through the processes of globalization and that the management of public goods has to be achieved optimally through participatory, people-centred endeavours and good democratic governance at the national level and through multilateralism and international organizations – with the United Nations at its apex – in the collective response to global challenges to international peace and human security: it is the ethical value that will prevent humankind from anarchy and self-destruction through selfishness and profligacy and the insurance policy to achieve a rule based international order founded on the bedrock of international law, human rights, equity and justice.

The translation of these ethical values in the daily world of human interaction – to do the right thing for the right reason – presents all of us with an enormous challenge. No government or group can claim a monopoly over wisdom. Nor can they claim to be the sole interpreters of the national or global interest. Those with experience of working in the UN, as Erskine Childers and Sir Brian Urquhart were richly endowed with, can contribute towards the public discourse on national and international policy by emphasizing the ethical dimension. Already there are danger signals that illustrate an erosion of the ethical base we have in the world. Terrorism, nihilism and anarchism are ominous symptoms. Are they the result of perceptions that the policies pursued in the past have been divorced from ethics? Or are they the emergence of a new threat for which our collective response must not be militarism but a return to implementing our shared value base of ethics – honestly, transparently and consistently?

It would help our task if we had a barometer to measure the performance of all our leaders in the achievement of implementing ethics as policy. The world has seen the evolution of numerous indices for human progress. We have economic and social indicators ranging from Gross National Product in quantitative terms to the Human Development Index in qualitative terms. There are other more specific indices such as a Corruption Index from Transparency International, a Freedom Index from Freedom House and there is even a Happiness Index! I would hope that research organizations, think tanks and NGOs would combine their efforts to devise an Ethical Policy Index ranking countries in accordance with their adherence to a commonly accepted set of ethical values such as those enshrined in the Millennium Declaration of the United Nations. That will contribute to some pressure on Governments to be accountable to their people in adopting policies that will be of widespread and durable benefit. It is but one of many tools we can propose in the quest for a greater role for ethics in the formulation of policy to respond to the new threats to security and to the other

challenges facing humankind today. It is an urgent task to preserve and develop the mainsprings of our common humanity for a new and glorious chapter of human history.

The concept of Collective Security

In his statement to the United Nations General Assembly on 23 September 2003 Secretary General Kofi Annan described the situation of the UN following the controversy over the invasion of Iraq as " a fork in the road ... no less decisive than 1945 itself when the United Nations was founded." While some may disagree with this over dramatization of where the world body is today, the Secretary-General used the opportunity to appoint a sixteen member High Level Panel of eminent personalities to examine current challenges to peace and security; identify the contribution collective action can make in addressing these challenges; and recommend changes in the principal organs of the UN and elsewhere to ensure effective collective action. [Note: this report was published as a UN document in December 2004.

The concept of collective security forms the bedrock of the United Nations Charter and has served the international community well for several decades. However all concepts and systems must be re-appraised from time to time and adapted to serve new realities.

Secretary-General Kofi Annan's primary rationale for the appointment of the High Level Panel is that the consensus underpinning collective security, which had been recently restated in the Millennium Declaration, had broken down in the wake of sharp disagreement over military intervention in Iraq last year. Unilateral military intervention is not new in the post World War II history of global events. What is new is that, after the events of September 11, 2001 and the alarming revelations of clandestine weapons of mass destruction (WMD) proliferation to states that had legally renounced such weapons as well as to non-state actors, pre-emptive unilateral action even with WMD is being asserted as justifiable – ostensibly in the exercise of the right of self-defense. The legitimacy conferred on armed intervention by the Security Council and, consequently, the universal support that such action enjoys is thus sacrificed for the freedom of unilateral action in pursuit of individual national interest. In the pre-UN era nations waged wars self-righteously claiming their justness whatever the circumstances. To do so today without Security Council authority undermines international law and the unity of the UN system and opens the way to an anarchic global society with no internationally accepted norms.

The problem lies perhaps in the evolution of the global system from a bipolar one to a unipolar system and the exceptionalism demanded for some forms of unilateral action. It also arises from the inroads being made into the theory of state sovereignty as an absolute. The controversial 'humanitarian intervention' speech of Secretary-General Kofi Annan in 1999 led to the International Commission on Intervention and State Sovereignty whose report was published at the end of 2001. It asserted that state sovereignty implied a responsibility to protect its citizens and that where a state was unwilling or unable to provide that protection the principle of non-intervention yielded to the international responsibility to protect. However guiding principles and criteria were carefully described in terms of international law and the circumstances warranting action and the procedure for obtaining authority set out. The obvious limitation of this approach is that in the selective application of new principles the powerful states will ensure that their state sovereignty will not be compromised thus provoking the charge of double standards.

Any changes that we propose must discourage unilateral action and seek to facilitate multilateral consensus through UN mechanisms that are palpably effective. No one seriously questions the virtue of co-operative action in the defense of collective security. Empowering one state or a group of states to be the global gendarme without Security Council authority undermines this. How do we therefore strengthen UN institutions to serve collective security in the current context?

I believe it is essential that we agree on three basic principles before we proceed to consider specific institutional reforms.

- Firstly it is my deep conviction that the founders of the UN intended that there should be equilibrium among the principal organs of the UN for the purposes and principles of the world body to be implemented. Admittedly the Security Council is vested with the primary responsibility for maintaining international peace and security but that is a task performed on behalf of the entire membership of the UN, all of whom have citizens with equal human rights even if the principle of the sovereign equality of all its member states (laid down in Article 2:1 of the UN Charter) has become one of the more glorious myths of the UN today. Today the system is in disequilibrium not only because the Security Council is the overwhelmingly dominant organ but also because of disequilibrium within the Council. How do we restore equilibrium within the system while accepting the realities of power asymmetry in the world?
- Secondly, in the functioning of the UN system for over six decades there has been an unhealthy compartmentalization of programmes and a lack of co-ordination even after two waves of well-intentioned reforms launched by the present Secretary General. This arises partly from major powers and major contributors to the UN budget demanding that their nationals be placed in positions of authority and that their agendas be implemented if not through the regular budget then through tied extra-budgetary resources (which are actually more than regular budget resources and finance the larger percentage of UN Secretariat posts). It also arises from the bureaucratic corrosion that accumulates in any large organization. Thus the principal organs of the UN are not adequately linked depriving the organization of valuable cross-fertilization of ideas and sharing of information that could lead to collective action. Cross cutting issues appear to be dealt with on a system wide basis through inputs from the various departments, agencies and programmes which focus on demonstrating what has been achieved individually and not on synergetic action.
- Finally, we are all aware that the concept of security has expanded vastly. It is no longer possible to regard national or international security in purely military terms. We have a wider view which embraces political elements, economic and environmental factors and social and cultural aspects. The Security Council has recognized this by considering women's rights, AIDS and other non-conventional issues as security issues. Clearly more needs to be done to link the Security Council more closely with the Economic and Social Council and other principal organs, with the work of the specialized agencies and regional economic commissions and by calling for action oriented reports on particular aspects of

security related issues where the authority of the Security Council could ensure the attainment of goals such as the Millennium Development Goals (MDG).

The Environment

Jayantha Dhanapala, "The Agenda: Ecology, Poverty Reduction, Disarming," International Herald Tribune, 23 May 2001, p. 8
<http://disarmament.un.org/speech/statements.htm>

Arts & Culture

Jayantha Dhanapala, "The Diplomat as a Creative Writer: Pablo Neruda," E.F.C. Ludowyk Memorial Lecture, University of Peradeniya, Peradeniya, Sri Lanka, 25 November 1997. Professor E.F.C. Ludowyk (1906-1885) was a distinguished Sri Lankan scholar specializing in English, Shakespeare, and the history of Ceylon. Not on web; text –

THE DIPLOMAT AS A CREATIVE WRITER – PABLO NERUDA

I have often, in my recently concluded diplomatic career of thirty-two years, reflected on what it was in my Peradeniya undergraduate education in the Department of English, or my "formation" as the French put it more aptly, that equipped me to face diplomacy's challenges and opportunities. I have no doubt that others have asked themselves the same question on the relevance of the study of English Literature to life after Peradeniya. For myself the question is framed in terms of whether my training in literary criticism and English literature in fact built a reservoir for me to draw upon in my work of representing Sri Lanka's national interests abroad.

A training in reading with discrimination and practical criticism is an obvious asset when confronted with the subtle propaganda not only of foreign governments but also your own. Acquiring the skill of writing with clarity, cogency and concision is also an enormous advantage. Beyond that there is also a more profound impact on our approach to life and society – our world view and our values. Godfrey Gunatilleke, one of the more illustrious products of the Ludowyk era, has written in the 1984 publication of a collection of essays *Honouring E. F. C. Ludowyk*, that the study of English literature "became a doorway to an immensely rich body of knowledge" as we explored the milieu of the writers we read – quaintly described, in my time, by such courses as "Eighteenth Century Background". I have wondered myself what, after all, are the bonds linking the magical world of the creative imagination of poets, playwrights and novelists and the mundane world of realpolitik and diplomatic negotiation in the management of relations among independent states.

The kind invitation of the annual Ludowyk Memorial Lecture organizers to be this year's speaker provides me with a fortuitous opportunity to undertake a deeper and more serious probing for the answers to these questions – an opportunity which I grasp eagerly both as, perhaps, a self-serving exercise in introspection as well as, more extrovertly, a long overdue act of homage to Peradeniya and my teachers.

Except for a memorable month in my junior year, Lyn Ludowyk was not among my teachers in the English Department in Peradeniya. He had left, reportedly because of the ill health of his European wife and in a mood of disenchantment with the political trends in the country, the year before I entered this fabulously beautiful campus with soaring

adolescent aspirations. But I had read and heard enough of Ludowyk's prodigious contribution to the worlds of scholarship, letters and theater and had reverentially pored over his *Marginal Comments* to be awestruck by this legendary Peradeniya figure. In my final year in school I had, as an aspiring Thespian, watched Ludowyk's farewell production of *Androcles and the Lion* spellbound – a rare theatrical experience matched a little later by another masterly Peradeniya production Sarachchandra's *Maname*. I also recall Ludowyk's wry sense of humour as he defused the tension surrounding the "fast unto death" of a fellow Peradeniya don with the question "But why on earth the archaism?" In 1960 Ludowyk returned to Sri Lanka on a sentimental journey and for a month he brought *Macbeth* to life for me as no other teacher before or after has done, teasing out bidden gems of finely nuanced interpretation through his dramatic reading and his perceptive commentary.

Years later, as a neophyte diplomat on my first posting, I carried a letter from Hector Passe to Ludowyk at his London fiat. He generously took me under his wing and, learning of my strong interest in China and Chinese culture, invited me to lectures and other cultural events on China held in London. I never met Ludowyk after I left London on my transfer to Beijing in 1968 although his books, especially those on Sri Lanka, have been my constant companions.

There is an inescapably mordant tradition amongst Sri Lankans to be self-denigratory and in that spirit it has seemed to me that we are often perversely unable to recognize, and honour "prophets" in our own land. Professional rivalries and other petty considerations frequently prevent us from throwing bouquets as enthusiastically as we throw brickbats. I am, therefore, happy that another great adornment in our intellectual life, the distinguished bibliographer Ian Goonetilleke, has generously endowed this series of annual lectures to commemorate the life and work of Professor E.F.C. Ludowyk. May it survive, long after the generation that knew Ludowyk has passed on, as a shrine to the eternal values that Ludowyk represented and his deep love for this land and her people.

My twin and life-long interests in literature and diplomacy have led me to a fascination with those in the diplomatic profession who have succeeded in retaining the creative spark under the carapace of protocol; to evoke through metaphor and imagery the kaleidoscope of different countries and cultural experiences they are privileged to live through forsaking the jargon of diplomatic dispatches and reportage; and, to remain sharply sensitive and emotionally responsive to the universality of the human condition unencumbered by nationalistic posturing and representational zealotry. And yet, both the diplomat and the creative writer must possess an acute sensibility and must be able to communicate. Sharp observation and the ability to register experiences and convey them are also shared virtues. But while the creative writer explores subtle shades of thoughts and emotions, the diplomat has to be precise and unambiguous in conveying situations or encounters.

And so I have read with enjoyment the novels of the British diplomat Lawrence Durrell's tetralogy – *The Alexandria Quartet* – and its evocation of the exotic and unique atmosphere of that Egyptian city; savoured the poetry of St. John Perse (the pseudonym of one of France's greatest diplomats Alexis Saint-Leger Leger) who was awarded the Nobel Prize for Literature in 1960, and the plays and symbolist poetry of his French compatriot Paul Claudel who was France's Ambassador to Japan, the USA and Belgium. Also from Europe is the Yugoslav diplomat-novelist Ivo Andric who won the Nobel Prize for Literature in 1961 and whose historical trilogy on Bosnia including *The Bridge on the*

Drina which has, in the context of the ongoing tragedy in the Balkans, acquired a special importance. From Latin America there is the haunting fusion of reality and fantasy in the fiction of the Mexican writer-diplomat Carlos Fuentes and the insightful depths in the literary work of his compatriot Octavio Paz who was concurrently accredited as Mexico's Ambassador to Sri Lanka from New Delhi.

My focus of attention will be on the poet Pablo Neruda who was Chile's Consul in Rangoon (now Yangon), Colombo, Batavia (now Jakarta), Singapore, Barcelona, Madrid, Paris and Mexico City in his early years from 1927 to 1940 and who was later to be the Chilean Ambassador to France from 1970 to 1972 during which time he was awarded the Nobel Prize for Literature. I have no doubt that there are many others who have combined creative writing of varying quality with the active pursuit of the diplomatic profession both as career and non career diplomats, including our own Ediriweera Sarachchandra from whose sojourn as our envoy in Paris we have his English novel *With a Begging Bowl*. The larger the canvas the broader my brush strokes must necessarily be. And so, prudence and economy dictate that I confine myself to the work of Pablo Neruda – alas, only in its English translation – in order to discern, more clearly, the fusion between the worlds of the creative writer and the diplomat.

Another compelling rationale is certainly the fact that Neruda lived in Colombo from 1929 to 1930 while in his early twenties. Chile, until recently, imported large quantities of tea from us and this explains the reason for a Chilean consulate in Colombo although Neruda also attributes the network of Chilean consular posts to "the fights of fancy and self-importance we South Americans generally indulge in." He refers in his *Memoirs* to his friendship with Lionel Wendt "the central figure of a cultural life torn between the death rattles of the Empire and a human appraisal of the untapped values of Ceylon" who "got into the extravagant and generous habit of every week sending to my house, which was a good distance from the city, a cyclist loaded down with a sack of books." Lodowyk was in Cambridge during these years, which explains why, to my knowledge, there is no record of the two of them meeting. Ian Goonetilleke, in his *Lanka, their Lanka* provides us with a vivid and detailed account of Neruda's stay in Sri Lanka and its impact on him and on his poetry. Neruda left Colombo for Jakarta with his Sri Lankan domestic aide Bhrampy and his pet mongoose Kiria. He revisited the country in the 1950s recalling that he had "... lived a lonely life in Ceylon, writing my bitterest poetry there, surrounded by the beauty of nature's paradise ... I found none of my old friends. And yet the island knocked on the door of my heart again with its sharp sound, with its immense scintillation of light."

Born in 1904 in Parral in central Chile and named Neftali Ricardo Reyes Basoalto, Pablo Neruda – the name he assumed at the age of 16 – belonged to a small farming community. His father moved after Neruda's mother died, within a month of his birth, to become a railroad worker in the southern town of Temuco. Publishing his first poem at the age of 13 Neruda moved to the capital Santiago to study at the Teachers' Institute while continuing to write and publish his poetry. He came to diplomacy as a poet hoping to influence the authorities to send him to Paris – then very much the vortex of cultural currents for aspiring Latin American writers. He finally opted for the vacancy in Rangoon, which he had never heard of before. He did get to visit Paris, en route, traveling by ship from Chile to Burma finding a rather unique use for his newly acquired diplomat passport as a security deposit for an unpaid restaurant bill. So began Neruda's first phase as a diplomat.

The influence of his stay in Asia was manifold. He was encountering colonial societies and although Chile had been an independent country since 1818 for Neruda the wounds of Spanish colonialism were still unhealed. His perspective was distinctly that of what we call the Third World or the developing South today. He has been described as the "conscience of a continent" and his poems often express rage against the exploitation of the indigenous Indians in Chile.

As a Chilean Neruda was better equipped to empathize with the people of Asia. We see this in his *Memoirs* as he writes of his Rangoon days where the British boycotted him:

This boycott couldn't have pleased me more. Those intolerant Europeans were not really interesting. And after all, I had not come to the Orient to spend my life with transient colonizers but with the transient spirit of that world, with that large hapless human family.

Later in Colombo he writes of stopping off to listen fascinated by the beautiful singing and drumming in a humble home on his way to a posh dinner-party and eventually telling his British dinner companions of the reason for his late arrival --

They, who had lived in Ceylon for twenty-five years, reacted with elegant disbelief. Music? The natives had musicians? No one had known about it. This was news to them. This terrible gap between the British masters and the vast world of the Asians was never closed. And it ensured an inhuman isolation, a total ignorance of the values and the life of the Asians.

Neruda was perceptive enough to recognize exceptions to this and mentions Leonard Woolf who stood out.

The creative writer in Neruda recognized the universality of the human condition and the need to reach out to all segments of the society he lived in. In Michael Radford's enchanting and luminously beautiful film *Il Postino* or "The Postman", produced a few years ago, the relationship between Neruda and a simple Italian village postman who delivered letters to the poet in exile is sensitively explored.

The professional diplomat similarly has to be able to mix with the elites and the masses if he is accurately to interpret the country of his accreditation to his government. Finely honed antennae and a wide range of contacts from all walks of life are essential also in enhancing your country's image abroad. The occupational hazard of being in self-imposed confinement with the elites in foreign countries occurs not only in colonial and authoritarian regimes but also in democratic societies. Cosmopolitanism is not the superficial ease with which one slips into the sophisticated drawing room conversations in the capital cities of the world or the cultivation of epicurean tastes but rather the genuine appreciation and understanding of the diversity of peoples and cultures.

Neruda was comfortable writing in the language of his colonial legacy. He once said "What a great language I have. It's a fine language we inherited from the fierce Conquistadores. They carried everything off and left us everything. They left us the words." It was those words that Neruda used magically to become the voice of his continent. Neruda's unique contribution was to take the use of the metaphor in Spanish

poetry to new heights. Critics have said that Neruda's poems were always "spoken poems" and that one had to listen to the poet himself recite them to grasp their meaning completely.

There is an anecdote illustrating the remarkable impact Neruda had in his continent. On a visit to a Latin American country Neruda was requested by a member of the audience to recite one of his more popular poems. Neruda hesitated, having momentarily forgotten the words; whereupon the entire audience rose to its feet to recite the poem in unison! How many poets in the world enjoy that kind of public acclaim? He used the Spanish language to articulate his thoughts and emotions to the entire world.

As a diplomat the careful and sensitive use of language as a vehicle of communication by speech and in writing is crucially important. A fluent use of internationally spoken languages – Neruda spoke Spanish, French and English – is an undoubted asset for diplomacy. Sri Lankan diplomats are fortunate to have ready access to English and, since we regained our independence in 1948, several Sri Lankan diplomats have distinguished themselves, especially in multilateral conference diplomacy, through their mastery of the English language used in the initial drafting of conference resolutions and declarations. Like Neruda we should shed the emotional baggage or the "hang-ups" – such as the concept of English as a "kaduwa" – in our post-colonial society. All Sri Lankans should have equal opportunities to learn and exploit the language we were left with by the British colonial administrators as a tool in our constructive engagement with the global environment for the benefit of our people while, at the same time, fostering our national languages and indigenous culture.

No diplomat can succeed unless he is deeply rooted in his country and his culture. Neruda, both as a diplomat and a creative writer, remained rooted at all times in Chile where the indigenous Araucanian Indian, Chango and Friegian cultures remained distinguishable amidst the majority mestizo and Christianized population. He was proud of his Chilean origins as is evident in these lines from the poem "The XIX" in the 1969 publication *World's End* –

*How long is it been since Verlaine
rained over us? How long since
the umbrellas of Baudelaire
accompanied us in the glare of the sun?
Where are the Araucanian pines
in my Chile of yesteryear,
the evergreen oaks of the twentieth century,
and where are the hands, the fingers,
the gloves of our century?
Walt Whitman doesn't belong to us –
that's called the nineteenth century! –
yet he keeps tracking us down
because no one else cares for our company.
And now, over that desert Sputnik
has scattered the red of its pollen
between the stars.*

The final lines refer cynically to the Soviet launched satellite.

By 1940 Neruda had reached the end of his diplomatic: tether and resigned his position as Consul General of Chile in Mexico City impatient with his bureaucracy and the racism of the Chilean elite. It is a small wonder that his artistic sensibility put up with it for so long. As Sir Harold Caccia said while being the British Ambassador in Washington, "If you are to stand up for your Government, you must be able to stand up to your Government."

Neruda's "diplomatic suicide", as he described it, resulted in a return to Chile which Neruda welcomed. He wrote in his *Memoirs* –

I believe a man should live in his own country and I think the deracination of human beings leads to frustration, in one way or another, obstructing the light of the soul.

I can live only in my own country.

I cannot live without having my feet and my hands on it and my ear against it, without feeling the movement of its waters and its shadows, without feeling my roots read down into its soil for maternal nourishment.

It is all too frequently assumed that the life of a diplomat abroad is a bed of roses especially if the diplomat is from a developing country posted in a developed country. Living apart from one's country for an extended period can be as harmful to a creative writer's sensibility as it is to a professional diplomat. There is ultimately the isolation the diplomat experiences in a foreign country however gregarious he may be and, like the creative writer he must have the inner resources to fall back upon. Both need the nourishment of their soil and their cultural roots to continue their work productively. This is truer of diplomats from developing countries where the pace of political and social change is greater and where budgetary constraints prevent more generous home leave visits.

The diplomat, especially when located in a foreign assignment, is very much in public life and yet must jealously retain his private persona and sensibility in the same way as a creative writer. In another context Auden speaks of "this nightmare of public solitude". Neruda's loneliness in Colombo in his period as Consul continued to be reflected in his later poetry as these lines from "That Light" in his 1964 publication *Memorial de Isla Negra* ("Black Island Memorial") reveals –

*The light in Ceylon that was life to me
was living death to me too – for to Live
in a diamond's intensity
is a lonely vocation for corpses.*

The poem ends with the words – "Suckled by light / I live as I must."

We all do – live, as we must. To do so, however, retaining one's individual identity as fiercely as possible, despite your representational capacity as a diplomat of your country, is not easy. Compromises in the pursuit of principle and firmly held beliefs must necessarily be internalized as diplomats conscious, of permanent national interests are

constrained to defend transient government policies and rationalize the venality of their political leaders. The diplomat who is a creative writer has a release – an escape valve – through his writing. Some other write their memoirs as an act of expiation for the bruising of the soul they have experienced in their working lives. Material comforts in a foreign country do not alleviate the loneliness of the soul and I am not surprised that alcoholism has been the refuge several diplomats have misguidedly sought. The strain of the nomadic life a diplomat must lead comes out in Neruda's poem "Goodbyes" –

*And, newly arrived, promptly said goodbye ...
Left everywhere for somewhere else ...
It's well known that he who returns never left.
...growing used ...
to the great whirl of exile,
to the great solitude of bells tolling.*

Neruda also wrote, "poetry is an act of peace. Peace goes into the making of a poet as flour goes into the making of bread." For the diplomat committed to peace and security internationally, peace within oneself can be achieved, as Neruda did, by creative writing. Perhaps Neruda was seeking in poetry the truth he could not find in diplomacy where national interest, as the "realist school" of international relations theorists tells us, is the only morality. One of Neruda's American translators, William O'Daly, said of the poet, "He came to see poetry as a moral act, with personal and communal responsibilities."

Neruda joined the Chilean Communist Party in 1945 after the first phase of his diplomatic career and while being an elected Senator in his country. It is outside my purview here to explain Neruda's political philosophy. It certainly led him to persecution and even exile from Chile as a consequence with the long arm of the Chilean Government even attempting to reach him in France and India. Neruda's Communism did not blind him to the defects of the former Soviet Union. He recognized its dogmatism in the arts and the absurdity of the personality cult.

He wrote in his *Memoirs* – "...We know that life is stronger and more obstinate than precepts. The revolution is life; precepts prepare their own grave". On his second visit to China he was revolted by the mindless adulation of Mao Zedong by the people waving Mao's little red book of quotations and recalled guiltily –

In Stalin's case, I had contributed my share to the personality cult ... And now, here in plain sight, in the vast expanse of the new China's land and skies, once more a man was turning into a myth right before my eyes ... I could not swallow that bitter pill a second time.

A mind unshackled by dogmatic beliefs provides the creative writer with the intellectual suppleness to absorb fresh ideas and new experiences. As a diplomat scrupulous objectivity is essential in approaching other ideologies. Filtering impressions of other governments and their policies through preconceived notions or beliefs would be a dereliction of the duties of diplomatic reporting. Blinkered visions and allegiance to personality cults, which can exist even in democracies, are serious impediments both for the creative writer and the diplomatic observer.

Neruda's *oeuvre* was as vast as it was rich and diverse. In a life of 69 years (1904 -73) he published over thirty volumes of poems beginning with the 1923 publication of Crepusculario. He died of cancer in the very week of the CIA orchestrated overthrow of his friend Salvador Allende. The range and depth of Neruda's poetry is astonishing. From the brooding melancholia of his early poems through the passion of his love poems and the *Residencia en la Terra/ Residence on Earth* (1925-45) written during his Asian sojourn. Neruda's is a quest for fulfillment in his relationships with women and with Nature escaping the drab mediocrity he saw himself surrounded by. It is not my intention here to "deconstruct" Neruda's poetry or to analyze his poetic achievement as I attempt to trace the links between his diplomatic persona and his identity as a creative writer.

Some critics see several Nerudas in his poetry. He approached poetry as a means of understanding the world around him and wrote --

*Poetry is pure white,
It emerges from water covered with drops,
is wrinkled, all in a heap.
It has to be spread out, the sea's whiteness...
pure innocence returns out of the swirl.*

Among the many Nerudas in his poetry there was also Neruda the politician. The poems of his volume Canto General are his most political in which he denounces the corrupt leaders of Latin America. Here he describes the history of his continent – a primeval paradise, where man and nature were one, destroyed by colonialism and reborn and liberated through the elemental energy of nature. An important poem in this collection, and widely regarded as perhaps his best, is “The Heights of Machu Pichu” describing the spectacular fortress city of the Incas in the Peruvian Andes and now it establishes a link between Neruda and his ancestors:

*We come upon permanence; the rock that abides and the
word the city upraised like a cup in our fingers,
all hands together, the quick and the dead and the quiet;
death's plenitude holding us there, a bastion, the fullness
of life like a blow falling, petals of flint,
and the perduring rose, abodes for the sojourner,
a glacier for multitudes, breakwater in Andes.*

More trenchant is his denunciation of American capitalism in his continent in the poem “The United Fruit Co.” –

*When the trumpets had sounded and all
was in readiness on the face of the earth,
Jehovah divided his universe:
Anaconda, Ford Motors,
Coca-Cola Inc., and similar entities:
the most succulent item of all,
The United Fruit Company Incorporated
reserved for itself: the heartland
and coasts of my country,
the delectable waist of America.*

*They rechristened their properties:
The "Banana Republics."*

The profession of diplomacy perhaps more so than any other vocation embraces a large slice of life providing the creative writer in diplomacy with unique access to a wide gamut of experience with different social and professional groups. In the interpretation of the policies of a country one to another and the filtration of cultures, the diplomat is an important conduit. The success with which this function is performed depends very much on the sensibility and professionalism of the individual. This can of course be enhanced through training and experience but an innate intelligence and sensitivity remains the irreducible basis. The diplomat who pursues cultural interests outside of his purely official duties will find the opportunities abundant apart from the obvious one of foreign travel and the fresh stimuli that every change of environment brings with it.

Neruda had his talent for poetry before he embarked on a diplomatic career that gave him the stuff of life from faraway lands to write about. Towards the end his life he published a volume *Plenos poderes* – the title being a pun on the plenipotentiary powers of the Ambassador. A poem in that volume is entitled "The Poet's Obligation" – where he restates his purpose of being a voice for those who have no voice:

*To whoever is not listening to the sea
this Friday morning, to whoever is cooped up
in house or office, factory or woman
or street or mine or dry prison cell
to him I come, and without speaking or looking
I arrive and open the door of his prison,
and a vibration starts up, vague and insistent,
a long rumble of thunder adds itself
to the weight of the planet and the foam,
the groaning rivers of the ocean rise,
the star vibrates quickly in its corona
and the sea beats, dies, and goes on beating.
So, drawn on by my destiny,
I ceaselessly must listen to and keep
the sea's lamenting in my consciousness
So, through me, freedom and the sea
will call in answer to the shrouded heart.*

An equally ambitious obligation may well be set for the diplomat as he endeavours to open doors for his government and the people he represents so that we may all live in a better and safer world. The world needs both the diplomat and the creative writer. Where the two identities merge in one individual there are clearly mutual benefits. But there are tensions as well. And it is perhaps these tensions that have produced the high quality of creative writing in Neruda and other diplomat-writers.

Development

Jayantha Dhanapala, "The United Nations Millennium Declaration and South Asia", The University of Georgia, Athens, Georgia, 7 February 2001

<http://disarmament.un.org/speech/statements.htm>

Globalization

Jayantha Dhanapala, "Globalization and the Nation State," Conference on "A Cartography of Governance: Exploring the Role of Environmental NGOs", University of Colorado Law School, University of Colorado at Boulder, Boulder, Colorado 7 April 2001
<http://disarmament.un.org/speech/statements.htm>.

The Rule of Law

Jayantha Dhanapala, "International Law, Security, and Weapons of Mass Destruction," Showcase Program, 2002 Spring Meeting of the Section of International Law and Practice, American Bar Association, New York, NY, 9 May 2002
<http://disarmament.un.org/speech/statements.htm>.

Peace Building & Ethics

Jayantha Dhanapala, Mohamed Sahabdeen Awards Lecture, Galle Face Hotel, Colombo, Sri Lanka, 28 June 2005. Not on web; text –

PEACE BUILDING AND ETHICS

Honourable Minister, Guest of Honour Dr. Weeramantry, Deshamanya Dr. Sahabdeen, members of the A.M.M. Sahabdeen Trust Foundation, distinguished fellow recipients of the Mohamed Sahabdeen Awards, Ladies and Gentlemen.

I begin by thanking the Sahabdeen Trust Foundation for this award. Honours in my own country are more warmly appreciated by me than the accolades I have been privileged to receive in foreign countries. Receiving such an honour as the Sahabdeen Award from a highly respected civil society organization, also creates in me a deep sense of humility because of the past recipients of this award and the eminent company that I am in this evening. To be honoured together with the distinguished scientist Professor Narlikar of India and with two of Sri Lanka's most prominent intellectuals and role models – Kumari Jayawardena and Godfrey Gunatilleke – has set the bar so high that I seriously doubt I have been able to vault over it.

I owe Dr. Sahabdeen a special word of thanks. A brilliant student of Philosophy who succeeded in entering the prestigious and elitist Ceylon Civil Service, comparable to France's "Enarques" – or the Ecole Nationale d'Administration (ENA) alumni – he retired prematurely to devote his time to academic pursuits and, to what I can best describe as, being a good citizen. Amidst the raucous noise and violence we hear and see, it is people like Dr. Sahabdeen who leaven and dignify our society. He reminds us, silently and unostentatiously, of the basic moral decency that continues to be the cohesive glue in our country and the heights of cultured living and selfless philanthropy that we as Sri Lankans, of all ethnic and religious groups, are capable of. As the famous Thirteenth Century Sufi poet Jalalud'din Rumi (well known to Dr Sahabdeen) once wrote -

*What will our children do in
the morning
if they do not see us
fly?*

I wish Dr.Sahabdeen and the Sahabdeen Trust Foundation many more years of service to our country.

Ladies and Gentlemen, the invitation card to this event indicates that I am receiving my award for "Peace and International Understanding". My work in international affairs, in fact, is inextricably interlinked with my current task of achieving national security through a negotiated political settlement as a lasting healing process of the conflict that remains an open wound with the ceasefire agreement as a mere band-aid. For the security of all nations contributes towards international peace and security and in today's highly integrated world we are more inter-dependent than we realize. The High Level Panel on Threats, Challenges and Change, which reported at the end of last year to the Secretary-General of the United Nations, has stated "Today, more than ever before, threats are interrelated and a threat to one is a threat to all. The mutual vulnerability of weak and strong has never been clearer."

And so, whether it is the attacks in the USA on 11 September 2001 which increased the number of people living in poverty by 10 million and cost the global economy more than \$80 billion or the potential of a disease being spread from one state through any one of 700 million international airline passengers to cause millions of deaths in a number of countries, we are faced again and again with the incontrovertible fact that global security is both collective and multi-faceted. Our own insecurity and our instability have an impact on regional and global security. It is a shared responsibility, which explains the interest and concern of so many members of the international community in helping us overcome our problems. The xenophobic reaction of some sections of our community to this fails to understand that in today's world the co-operation of other states is indispensable for our security. The violence, which has torn our country apart, stems from a fundamental failure in good governance and political management throughout our post-independence history. It was not initially caused by anyone but ourselves. It is therefore we alone who bear the primary "responsibility to protect" our people of all groups from a resumption of hostilities with all the suffering, death and destruction that will surely follow.

With the memories of the genocide of Rwanda and the massacre of Srebrenica haunting the conscience of the world, the influential and far-reaching report of the Canadian-sponsored Commission on Intervention and State Sovereignty of December 2001 recommended the basic principle that state sovereignty implies responsibility and the primary responsibility for the protection of its people lies with the state. However where a population is suffering serious harm as a result of internal war, insurgency, repression or state failure and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention in the internal affairs of states – a long hallowed principle of international relations upheld by Non-aligned countries like ours – yields to the international responsibility to protect. The latter responsibility has to be exercised by the UN Security Council in accordance with the Charter and prescribed procedures. This concept of "responsibility to protect" has gained wide acceptance and has undoubtedly influenced the reports of the High Level Panel and the UN Secretary-General which form the basis of the discussions going on the United Nations General Assembly today. It is however a principle viewed warily by a number of developing countries who see it as a form of neo-colonialism which will also not be implemented even-handedly as for example, with oppressed minorities in larger and more powerful countries.

For us in Sri Lanka, it is still within our hands to remedy our problems through a negotiated political solution within the framework of a united, democratic and pluralist Sri

Lanka where all religious and ethnic groups can live together in peace, equality, dignity and freedom. The international community and its institutions are ready to help us in this long overdue task of peace building for the cause of remaking our nation. A central truth that emerges from the UN Secretary-General's important report of 21 March, 2005 entitled "In Larger Freedom" is this – "...we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights. Unless all these causes are advanced, none will succeed." As we engage in the complex task of peace building in Sri Lanka, let us ponder on the wisdom in these words.

Ladies and Gentlemen, it is not only our national peace and security that is challenged and faces many threats. International peace and security is likewise under a great strain from a host of challenges and threats. The Stockholm International Peace Research Institute in its latest Yearbook has noted that in 2004, 19 major armed conflicts took place in 17 locations and all of them were intra-state conflicts. Happily Sri Lanka, because of its ceasefire – however often that may be violated – is not among these conflicts. In the recent past, over 40 countries have been ravaged by conflicts displacing some 25 million people. Another alarming statistic is the fact that global military expenditure in 2004 is estimated at being US \$ 1035 billion in current dollar terms. This corresponds to \$162 per capita and 2.6 per cent of world GDP. The top 100 companies in the arms trade registered arms sales to the value of \$236 billion in 2003. Nuclear weapons arsenals, among the 5 nuclear weapon states recognized within the Non-Proliferation Treaty (NPT) and the three outside the NPT, number over 30,000 many of them on ready-to-launch alert status. The danger of terrorism has been aggravated by the possibility of terrorists gaining access to weapons of mass destruction.

But the threats and challenges are not confined to the commonly known military area of security. Today they abound in the non-military area through poverty with over one billion people living below the poverty line of one dollar per day and 20,000 dying from poverty each day; pandemics like HIV/AIDS which have killed 20 million and infected 40 million more, environmental degradation, climate change, natural disasters like the tsunami that we faced in December 2004 and a host of other economic, social and even cultural dangers.

An attempt was made in the Millennium Summit of the UN General Assembly of 2000 to address the urgent issues facing the global community in a collective response. That led to the adoption of the Millennium Declaration – a landmark document adopted by the largest assembly of Heads of State and Government ever to meet at the UN. Since then we have had the deeply divisive controversy over the invasion of Iraq in 2003 by a group of states led by the US without the formal sanction of a UN Security Council resolution. This affected the concept of collective security on which a consensus had existed. Seeking to restore this consensus, a High Level Panel was asked to make recommendations. These recommendations are now in. We also have the UN Secretary-General's own report based on the report of the High Level Panel and the report of Professor Jeffrey Sachs on the implementation of the Millennium Development Goals. The delegations in the UN General Assembly are discussing a draft document for adoption by the Heads of State and Government in September this year. This is a critical exercise and NGOs as well as Governments are actively involved in shaping the outcome although, most regrettably, there has been very little public discussion of this in Sri Lanka. It is an opportunity in the sixtieth anniversary year of the UN to redesign a

world body more suited to the challenges of the Twenty-First Century. The task ahead involves more than the reform and enlargement of the Security Council although that is certainly an important element. Specific recommendations have been made in the political, economic, human rights and institutional areas. They include the forging of a security consensus; conflict prevention; the establishment of a standby capacity for rapid deployment of UN peacekeeping; the creation of a Peace building Commission with a standing fund and a Peace building Support Office; agreement on the use of force in maintaining international peace and security; the elevation of the Commission on Human Rights into a standing Human Rights Council and a series of economic measures linked to the Millennium Development Goals and recent UN Conferences. This debate will go on in the next few weeks and the outcome will have a major impact on the UN and all our countries in the next few years.

As we reflect on how our world body can be reformed to face the challenges of the future based on the experience of the past, we must begin with a foundation of ethical values and principles that we can share. The use of the term “Ethics” for a set of moral principles presupposes that we are all bound by a common understanding of what we mean. In a very broad sense, we are talking about the absolutely irreducible minimum of humankind’s cultural, moral and spiritual achievement over centuries of civilization. It is the quintessence of all religious philosophies and the highest common factor among all cultures.

Ethics *per se* would be of little value if they did not have a practical propensity to be applied to human affairs and the improvement of the human condition. It is widely, but wrongly, assumed that the realm of ethical values and the world of pragmatic politics are wide apart and that never the twain shall meet. The achievements of the UN illustrate that there can be a fusion between ethics and policy, and it is this fusion that contributes to the betterment of mankind and to peace.

We are still in the early years of the first century of a new millennium in the human saga, leaving behind the bloodiest century of all time. There is a unique opportunity for us to use the indisputable legitimacy and authority that the UN wields as a norm-building body, to shape a world order that is built more solidly on ethics than on the exclusive pursuit of individual profit or national self-interest.

The shared values set out in the United Nations Millennium Declaration serve as a common ethical base. They are reiterated in the draft document before the General Assembly. They comprise six of the most basic aspirations of humankind – freedom, equality, solidarity, tolerance, respect for nature and shared responsibility. From each of these fundamental values we draw our guidance for the specific action plans to which the international community must commit itself. It is a moral compass for us all. Individually these values represent powerful forces that have inspired and motivated humankind throughout millennia of history. They have been the accelerators of human progress. Collectively, they also represent the benchmark against which we must judge our performance as individual nations and collectively as the world community in taking humankind forward to a better and safer world.

The values are, firstly,

- *Freedom* – the spur that rid the world of slavery, colonialism and apartheid: it is the ethical value that protects men, women and children from fear, exploitation and abuse, from injustice and deprivation; and from want and hunger.

Secondly,

- *Equality* – is what drove societies to abolish discrimination on the basis of colour, creed, wealth, ethnicity, aristocratic origin and gender; it is the ethical value that empowers individuals in society and nations in the international community whether big or small, rich or poor, mighty or meek.

Thirdly,

- *Solidarity* – is the sense of a common identity as one human family with reciprocal duties and obligations that has led to social contracts and social security within countries and to the aid and assistance of the wealthy and developed countries to those who are stricken with disease, disaster and endemic poverty: it is the ethical value that must ensure the elimination of injustices, asymmetries in globalised development and absolute power.

Fourthly,

- *Tolerance* – is the glue that has bonded us together as human beings with mutual respect for each other despite our astonishing diversity both within nations and in the international community: it is the ethical value that will prevent ethnic and religious conflict within nations and the “clash of civilizations” on a global scale ensuring instead a “dialogue among civilizations”; and the celebration of human diversity as an endowment.

Fifthly,

- *Respect for nature* – is what has preserved the available and potential natural resources of our planet Earth and our ecological system as our common heritage to serve the genuine needs and not the greedy wants of mankind: it is the ethical value that will guide us to sustainable development managing our consumption of resources equitably and wisely so that we pass on the world which we occupy as a trust, to generations to come in at least as healthy and wholesome a state as we received it from preceding generations.

Finally,

- *Shared responsibility* – is the common realization that we are one brotherhood and sisterhood placed together in a world that is more integrated than ever before through the processes of globalization and that the management of public goods has to be achieved optimally through participatory, people-centred endeavours and good democratic governance at the national level and through multilateralism and international organizations – with the United Nations as its apex – in the collective response to global challenges to international peace and human security: it is the ethical value that will prevent humankind from anarchy and self-destruction through selfishness and profligacy and the insurance policy

to achieve a rule based international order founded on the bedrock of international law, human rights and justice.

The translation of these ethical values to the daily world of human interaction – to do the right thing for the right reason – presents all of us with an enormous challenge. Already, there are danger signals that illustrate the erosion of our ethical base. Terrorism, nihilism and anarchism are ominous symptoms. Are they the result of perceptions that the policies pursued in the past have been divorced from ethics? Or are they the emergence of new threats for which our collective response must not be militarism but a return to implementing our shared value base of ethics – honestly, transparently and consistently?

It would help our task of rebuilding a consensus on common security if we had a barometer to measure the performance of all our leaders in the achievement of implementing ethics as policy. The world has seen the evolution of numerous indices for human progress. We have economic and social indicators ranging from Gross National Product in quantitative terms to the Human Development Index in qualitative terms. There are other more specific indices such as Corruption Index from Transparency International and a Freedom Index from Freedom House. I would hope that research organizations, think tanks and NGOs would combine their efforts to devise an Ethical Policy Index ranking countries in accordance with their adherence to a commonly accepted set of ethical values such as those enshrined in the Millennium Declaration of the United Nations. That will contribute to some pressure on governments to be accountable to their people in adopting policies that will be of widespread and durable benefit. It is but one of many tools we can propose in the quest for a greater role for ethics in the formulation of policy to respond to the new threats to security and to the other challenges facing humankind today. It is an urgent task to preserve and develop the mainsprings of our common humanity for a new and glorious chapter of human history, which Sri Lanka can enjoy along with other members of the international community.

A return to basic ethical principles and values are no more urgently needed than in our own country where advocates of exclusivism, prejudice, hate and violence stand in the way of rebuilding a peaceful and prosperous nation.

Let us remember the words of Buddha, as recorded in the Dhammapada:

The others know not that in this quarrel we perish. Those of them who realize it, have their quarrels calmed thereby.

It is time we calmed the quarrels among ourselves – lest we perish as a united nation.

Disarmament

Jayantha Dhanapala, "A Future Arms Control and Disarmament Agenda", 1999 Olof Palme Memorial Lecture, Stockholm International Peace Research Institute, Stockholm, Sweden, 30 September 1999 <http://disarmament.un.org/speech/statements.htm>.

Jayantha Dhanapala, "A Disarming Proposition: Meeting the Challenge of Sustainable Disarmament," *Harvard International Review*, Summer 2001, vol. XXIII, no. 2, p. 48-52 <http://disarmament.un.org/speech/statements.htm>.

Terrorism

Jayantha Dhanapala, "WMD and Terrorism: Can the UN Help to Keep the Genie in the Bottle?", in Paul Heinbecker and Patricia Goff (eds), Irrelevant or Indispensable? The United Nations in the Twenty-First Century (Waterloo, Canada: Wilfrid Laurier University Press, 2005), Chapter 8, p. 79-88
Not on web; text –

WMD AND TERRORISM: CAN THE UN HELP TO KEEP THE GENIE IN THE BOTTLE?

On 13 April 2005, the United Nations General Assembly adopted by consensus an international treaty against nuclear terrorism. Thus the Nuclear Terrorism Convention (NTC) will open for signature on 14 September 2005 and enter into force after twenty-two states ratify it. This step coming after seven years of negotiations and less than a month after the report of the Secretary General, *In Larger Freedom: Towards Development, Security and Human Rights for All*, issued on 21 March, is a happy augury for more decisive action by the UN to ensure that nuclear, biological, and chemical weapons, i.e., weapons of mass destruction (WMD), do not fall into the hands of terrorists.

The Secretary General's report contains a warning of the dangers of "catastrophic terrorism." This warning has been repeated with increasing levels of urgency in the policy making community especially after the events of 11 September 2001, since it is well known that groups such as Al Qaeda have had plans to acquire WMD. The report recommends measures to be adopted by member states, such as the recommendation that negotiations for an international convention for the suppression of nuclear terrorism be completed. However no other specific tasks or reforms of the United Nations (UN) have been recommended to ensure that the UN is able to play a significant and effective role in the prevention of WMD terrorism.

The High-level Panel, appointed by the UN Secretary General to assess current threats to international peace and security, came out with a report that has addressed the issues of WMD and terrorism separately. While warning about WMD proliferation, making a specific identification of the threat of WMD terrorism, and recommending that the UN and specialized agencies take preventive action, the link between WMD and terrorism has been clearly established. Paragraphs 135 to 138 make the link explicitly. Paragraph 135 proposes urgent "short-term action" to defend against the "possible terrorist use" of WMD through the consolidating, securing and, when possible, eliminating of hazardous materials and implementing effective export controls. The Global Threat Reduction Initiative is welcomed by the Panel but the time line for its implementation is recommended for halving to five years. The Security Council, acting under resolution 1540, is urged to provide states with model legislation for action on WMD materials and the establishment of minimum standards by 2006 and a permanent liaison between the committee implementing Security Council resolution 1540 and the International Atomic Energy Agency (IAEA), Organization for the Prohibition of Chemical Weapons (OPCW) and the Nuclear Suppliers Group (NSG). In dealing with a definition of terrorism, the problem of WMD terrorism is clearly kept in mind. While all these are laudable recommendations they do not by themselves ensure that the UN will be at the centre of global efforts to counter the threat of WMD terrorism nor that it will be the most effective body in this task. More will have to be done to identify the actual

threat and keep it under review and devise defenses against these threats. To do that we must review what the UN has said and done in the past.

Speaking at the UN General Assembly on 1 October 2001, Secretary General Kofi Annan said, "It is hard to imagine how the tragedy of 11 September could have been worse. Yet, the truth is that a single attack involving a nuclear or biological weapon could have killed millions. While the world was unable to prevent the 11 September attacks, there is much we can do to help prevent future terrorist acts carried out with weapons of mass destruction." He went on to propose strengthening the global norms against the use or proliferation of WMD by redoubling efforts to ensure the universality, verification, and full implementation of key treaties relating to WMD; promoting cooperation among international organizations dealing with these weapons; tightening national legislation over exports of goods and technologies needed to manufacture WMD and their means of delivery; and developing new efforts to criminalize the acquisition or use of WMD by non-state groups.

More recently, on 10 March 2005, Secretary General Annan in his "five Ds" speech in Madrid said, "Nuclear terrorism is still often treated as science fiction ... That such an attack has not yet happened is not an excuse for complacency. Rather it gives us a last chance to take effective preventive action." He went on to identify biological terrorism as a threat against which state capacity had to be built up with local health systems at the front line.

In the almost three-and-a-half years between the two statements, the UN has acted to prevent WMD terrorism as the global appreciation of the extent of the problem increased. It is useful to describe this action briefly as well as the current estimates of the threat of WMD terrorism before we identify ways and means for the UN to act more effectively.

What the UN has done so far

The threat of WMD terrorism predated the terrorist attacks in the United States on 11 September 2001. Events such as the 1995 use of sarin gas in the Tokyo subway had already alerted the world to the possibility of WMD terrorism, which several instances of the theft of WMD material and the likelihood of WMD technology experts being lured by non-state actors only served to underline. Many experts in the field had already written extensively on the subject and individual countries had taken measures to prevent the threat from materializing. The US Nunn-Lugar legislation, which grew into the Co-operative Threat Reduction program, was one example where US concerns about the safe custody of nuclear materials and the future of the nuclear scientists in the countries of the former USSR were translated into a practical program of action which was later supported by the G-8. The UN's Department for Disarmament Affairs kept these developments under regular review. The adoption of Security Council resolution 1373 (2001) provided a broad framework within which the UN could now act under Chapter VII. Strengthening the capacity of member states was a priority and with the Counter Terrorism Committee (CTC) in place and headed in its first few years by the very effective UK Permanent Representative, Sir Jeremy Greenstock, the prevention of WMD terrorism was also addressed. Revitalized through Security Council Resolution 1566 (2004), the CTC established an Executive Directorate to enhance its co-ordinating function in implementing resolution 1373 and in capacity-building.

In August 2002 the Secretary General published the report of his Policy Working Group, which made several recommendations including the biennial publication of a report on WMD terrorism; development of the technical capabilities of the IAEA, the OPCW, and the WHO to provide assistance to states in the event of the threat or use of WMD; arrangements to develop and maintain adequate civil defence capabilities through the same organizations; the creation of codes of conduct for scientists aimed at preventing their involvement in terrorist activities and the restriction of public access to expertise on the development, production and stockpiling and use of WMD. There is no indication that any of the recommendations have been pursued energetically although an enhanced level of inter-agency coordination has certainly begun.

The Security Council has undoubtedly been the engine room where much of the action on combating terrorism in general and WMD terrorism in particular has been taken. The CTC has been crucial in this, but beyond making assessments of state capabilities to prevent and respond to WMD terrorism no measures had been initiated within the UN system to enhance the capacity of the organization to respond to the challenge. The major achievement which changed this has, of course, been the adoption by the Security Council on 28 April 2004, of resolution 1540 under Chapter VII of the Charter as a comprehensive ban on support to non-state actors in the development or acquisition of WMD. The resolution is a call to all states to adopt measures for the safe custody of WMD materials and more proactive measures to prevent proliferation of WMD. Most importantly a Committee of the Security Council was established to report on the implementation of the resolution and national control lists were requested from member states. This resolution greatly empowers the UN to act decisively on WMD terrorism and provides a mechanism to coordinate action within the UN system and with member states. It is too early to assess how effective the resolution and the Committee established to oversee its implementation has been.

The parameters of the problem

The need for a pragmatic balance between panic-driven reactions and smug complacency is self-evident. Deconstructing WMD terrorism is also vital because the nature of the weapons grouped under WMD varies greatly and the threat assessment of terrorist acquisition and use of these weapons also differs. All three categories of weapons have the potential of inflicting a scale of death and destruction higher and more long-lasting than conventional weapons as well as the capacity to terrify and coerce populations. Conflating nuclear, biological, and chemical weapons as WMD is misleading because of the distinct physical and political effects of these weapons. Some experts add radiological weapons as a separate WMD category, despite its close link to the nuclear weapon category.

Nuclear weapons are the greatest threat because of the lethality of the weapons, their long-lasting effects on the environment, and the danger that a nuclear exchange would lead to the devastation of large areas of the world. The easy availability of the technology on how to manufacture nuclear weapons is well-known, so much so that experts have concluded that any intelligent student of physics could acquire the knowledge of how to make a nuclear weapon. The access to nuclear weapon material, whether enriched uranium (HEU) or plutonium, in sufficient quantity to make a nuclear bomb, is also well-documented. HEU is more sought-after because of the ease of making a gun-type device. The startling revelations of the nuclear bazaar run by the

Pakistani scientist Dr. A.Q. Khan and his network have proved how widespread the illicit trade in nuclear materials has been. And yet experts doubt the capacity of non-state actors to organize the elaborate infrastructure necessary to manufacture nuclear weapons in a clandestine fashion, undetected by the national technical means of major states through satellite surveillance and through intelligence agencies. This may still be possible either in a failed state or in a state that permits this kind of activity unless inspection under IAEA safeguards recently enhanced by the Additional Protocol is taking place. This conclusion refers to nuclear weapons similar to what states require, whereas non-state actors are more likely to seek more crude and improvised nuclear devices (IND). The absence of an international norm banning nuclear weapons heightens the risk of nuclear terrorism. Nuclear terrorism can also take the form of a terrorist seizure of a nuclear weapon that has been made in a nuclear weapon state or the bombing of a nuclear installation as a deliberate attempt to disperse radioactive material.

Biological weapons are the next greatest threat because pathogens or toxins can be easily made in a small area and if spread in sufficient quantities could cause widespread deaths causing harm and panic. Biological weapons are banned by the 1972 Biological Weapons Convention (BWC), but the absence of effective verification measures and an organization to implement the BWC are serious inadequacies. The developments in biotechnology, easy availability of materials needed for biological weapons, and the possibility of their manufacture being undetected has heightened the fears of this category of WMD terrorism more than any other. The yet undetected perpetrator of the anthrax letters in Washington, DC, in late 2001 and the earlier 1984 contamination of salad bars in Oregon with the non-lethal salmonella pathogen are examples of how biological weapons can be used to cause panic. Biological weapons can not only be used against humans but also against crops and livestock adding to social disruption. Some microorganisms can attack physical infrastructure by degrading plastics. Biological agents -- bacterial organisms, viruses, or toxins -- have to be weaponized to cause harm. They have also, as with nuclear weapons, to be delivered. And yet the psychological consequences of the threat or actual use of biological weapons is great. Most experts believe that terrorist use of biological weapons is more likely than nuclear weapons despite problems in growing bulk quantities of biological seed stock, weaponization and delivery.

Chemical weapons have been banned through the Chemical Weapons Convention (CWC), which entered into force in 1997 and has effective verification measures implemented by the OPCW in The Hague. This is an effective bulwark against the likelihood of terrorists using this category of WMD. Effective control and supervision of supply of precursors of chemical weapons, arrangements for assistance in the event of a threat or use of chemical weapons and provisions for notice inspections have built confidence among state parties in the CWC. Nevertheless, the CWC is not universal and has 167 parties. Moreover chemical weapon stocks have still to be destroyed in many countries and their safe custody is doubtful. The extent of damage that can be caused by chemical weapons is regarded as less than by nuclear or biological weapons.

Radiological weapons have been identified as a more likely weapon to be used by terrorists. Simple high-explosive bombs can be used to disperse radioactive material such as the cobalt used in industrial plants. This device, or "dirty bomb," would be

difficult to handle safely, but it could still cause widespread deaths and damage, spreading panic. The scale of death and destruction would still be much less since the radiation would not spread beyond the blast area. The reports of thefts of nuclear material make this form of terrorism likely.

Finally, WMD terrorism would require delivery vehicles in the form of missiles or airplanes to be really effective. However, IND could be assembled on site and/or delivered in a truck or van. Small quantities can of course be smuggled in through airports and seaports or across borders. Increased surveillance, through improved technology, minimizes the risk but does not eliminate it.

Constructing UN barriers against WMD terrorism

There is no doubt that the international community regards WMD terrorism as a threat to international peace and security. It follows that the UN must be at the centre of all efforts to combat this danger. It is a danger that can be controlled through effective cooperation by all member states if cooperative security is to be a meaningful concept. Prevention of the danger of WMD terrorism is obviously better through peaceful means than through pre-emptive action of a military nature. Military action to destroy suspected WMD-capable sites could carry greater risks to life and can create the very panic that one seeks to avoid.

A number of proposals have been made, both within the existing treaty regimes and outside, for the international control of WMD proliferation in general, such as the Proliferation Security Initiative (PSI) -- which will of course; reduce the danger of WMD terrorism. Some are specific to the type of WMD involved. For example the latest report of the Carnegie Endowment for International Peace on "Universal Compliance -- A Strategy for Nuclear Security" recommends six obligations:

- Making non-proliferation irreversible by tightening the controls on the production of fissile material and rules for withdrawal from the NPT;
- Devaluing the political and military currency of nuclear weapons;
- Securing all nuclear materials by adopting more robust standards;
- Stopping Illegal Transfers with national legislation to implement UNSC resolution 1540 etc.;
- Committing to conflict resolution since non-proliferation measures alone are not enough; and
- Solving the problem of the three states with a nuclear capability outside the NPT by persuading India, Israel, and Pakistan to accept the same non-proliferation obligations of the nuclear weapon states within the NPT.

The above recommendations, *mutatis mutandis*, could apply to the other categories of WMD. They could also be adopted with the active assistance of the UN and/or the respective treaty bodies involved. The Madrid Agenda of 11 March 2005 also contains specific recommendations on WMD terrorism.

It is logical that the UN, as the only universal body legitimately empowered by its 191 member states to maintain international peace and security, should be at the forefront of the global effort to combat the threat of WMD terrorism as an important component of the campaign against terrorism. This task has to be undertaken in a coherent

manner without duplication of other efforts and without overlap with the work done by existing treaty regimes, multilateral groups, and Interpol.

The definition of terrorism proposed by the High-level Panel and fully endorsed by the UN Secretary General in his report has important consequences for states apart from the (now fulfilled) obligation to conclude the protracted negotiation of a convention to prevent nuclear terrorism. The reference to the Geneva Convention implies adherence to the humanitarian principles of war. The International Court of Justice's 1996 landmark Advisory Opinion ruled that the use of nuclear weapons was generally contrary to the existing humanitarian principles of war. Thus the proposed definition effectively places a legal obstacle against state use of all WMD including nuclear weapons. While this would be logical for state parties to the BWC and the CWC it would universalize the actual ban on the use of biological weapons and chemical weapons to non-state parties as well. More importantly, it would apply to nuclear weapons where there is no legal ban on the actual use of these weapons. Thus states whose defence doctrines are predicated on the use of nuclear weapons either as a weapon of last resort or for pre-emptive use even as "bunker busters" would feel restrained by this definition and may be reluctant to accept it in its present form. A comprehensive convention on terrorism is certainly desirable in the ban on WMD terrorism but doing so without also addressing the larger issue of the elimination of all WMD, whether by states or non-state actors, would cause great difficulty. A universal norm needs to be established if WMD possession by non-state actors is to be effective. To argue that possession by some states is permissible would be difficult to sustain. Nor is it logical to regard the proliferation of WMD and their use by non-state actors as a threat to international peace and security while nuclear weapon possession by some states continues.

There are, however, many other proposals to prevent WMD terrorism, which can and must be implemented. They include the implementation of the recommendations of the UN's Policy Working Group referred to earlier. The strengthening of the NPT regime has been proposed by many through a number of measures to be implemented especially by the IAEA in respect of its responsibilities for safeguarding nuclear material and making the transition from peaceful uses of nuclear energy to nuclear weapon production more difficult.

The existing export controls of nuclear and chemical material are implemented by the Nuclear Suppliers Group and the Australia Group outside the UN. They are viewed as discriminatory and a dialogue within the UN of suppliers and recipient states may help to increase understanding regarding the paramount need to prevent WMD terrorism through tighter export controls. At the same time, in line with the Trilateral Initiative, the IAEA, Russia, and the US should place more nuclear materials under controls. This initiative could be extended to other nuclear weapon states. A series of other proposals have been made for the UN to establish stronger barriers against WMD terrorism. They include those that have already been mentioned in the body of this paper, plus:

- The strengthening of the capacity to verify the leakage of materials and technology such as through the institutionalization of the existing expertise in UNMOVIC as far as biological weapons and missiles are concerned;

- The mandatory requirement for Non-Proliferation Treaty (NPT) state parties of signing and ratifying the IAEA's Additional Protocol in order to qualify for supplies for the peaceful uses of nuclear energy;
- The framing of a code of ethics for scientists in the defence sectors and in research establishments ensuring the non-transfer of knowledge to non-state actors;
- Strengthening the IAEA's Convention on the Physical Protection of Nuclear Materials;
- Providing all member states with stakeholder status by creating a separate Commission on Terrorism under ECOSOC or the UN General Assembly (UNGA), using Article 68 of the Charter, where WMD terrorism can be discussed. Sharing of intelligence will also be necessary; and
- Criminalizing the illegal possession of WMD material through national legislation.

This is by no means an exhaustive list. Accountability by member states is finally the only means of ensuring that non-state actors are prevented from using WMD for terrorist purposes.

Civil Society

Jayantha Dhanapala, "Global Security and Civil Society", Statement before the Threshold Foundation, New York, 7 November 2002

<http://disarmament.un.org/speech/statements.htm>.