

## **Chapter 3**

# **Human Security and the UN Security Council**

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### **1. Introduction**

The UN Security Council is the principal organ established under the UN Charter to maintain international peace and security. The decades of UNSC practice ever since the founding of the world organization in 1945 reveal a nearly unbroken pattern of deliberations and decisions relating to a diverse collection of interstate items taken up by the members of the UNSC in fulfillment of their Charter-given task. Only rarely did the SC in the decades of Cold War diplomacy turn to matters that focused on the wellbeing of individuals rather than political communities.

The SC practice in the first half-century of the life of the UN was fully in line with the dominant orientation of international politics as handled by the two Cold War foes and their respective allies and supporters. Sea change only came to the institutions and procedures of multilateralism with the end of the Cold War and the collapse of the bilateral global order. The often-mentioned trend in international relations toward internal conflicts, frequently with ethnic or communal overtones, has initiated a slow but persistent shift in the agendas of global as well as regional intergovernmental organs, primarily the agenda of the UNSC and to a lesser degree the General Assembly agenda.

In an increasingly interdependent world, where the global forces of the market economy, of modern technological progress, of information and media developments, and of mass migration flows have changed the face of the contemporary world, the irreversible rise of individual concerns has taken place. Part of this imperceptible but effective change has been the dramatic redirection of the UNSC focus towards aspects of individual human security. The substantial turn to issues of human rights and

humanitarian concerns in the deliberations of the UNSC has been of such magnitude that it deserves special attention. What has been witnessed is the attention to human security and its embattled condition in a turbulent militarized world as an integral part of the UNSC's contemporary agenda.

While acknowledging that this historic change arrived in the late 90's, it should be pointed out that the term and conception of "human security" was proposed several years earlier in connection with the preparation of the seminal Human Development reports issued by UNDP since the early 90's. The quick acceptance of the notion and its invocation especially by numerous policymakers in many parts of the Western world has helped to cover up the unresolved quality of its terminological and conceptual validity. This discrepancy between analytical flaws and policy relevance has so far not been resolved. But the lingering scholarly debate on the merits and faults of the "human security" concept should not be misunderstood as a reason to abandon a meaningful policy norm. This tension will be briefly addressed in a review of some of the prevailing terminological and theoretical positions taken by several authors in recent years, as academic attention to the "human security" standard has risen.

The gist of the paper is, however, devoted to the treatment of an important aspect of the "human security" conception in the deliberations and policymaking of the UNSC. Special attention will be paid to the Canadian initiative and its reception among the open-minded and willing members of the UNSC and the wider UN membership. A close narrative will be provided to track the moves regarding "human security" concerns and to enable the observer and reader to judge the salience of the UNSC's involvement in these debates. The transformation of a lofty idea into a practical policy guideline is at the center of the following chapters and will terminate in a review of the initial assumptions and the outcomes of the new agenda items and their impact on the international practice of UN operations in field situations.

The chapter is structured in the following fashion: Following a brief review of the origins of the Human Security concept, dealing especially with the impact of the UNDP Human Development reports, a detailed account is provided about the Canadian initiative in the UNSC during its two-year term of 1999 and 2000 and the fall-out within the SC and on the outside, centered on the formation of the intergovernmental Human Security Network. The description and assessment will emphasize the UNSC treatment

of the vital agenda item entitled “Protection of Civilians in Armed Conflict” and related humanitarian concerns. After the close analysis of the widening segment devoted to individual and societal concerns and needs, the whole process is reconsidered in order to measure the relevance of the “human security” norm for major arenas of global governance. While the situation may not amount to a complete paradigm shift, there is no denying the fact that the UNSC in the most recent years has changed direction in crucial ways. The viability of this new thrust cannot be fully measured until years from now.

## **2. Origins of the Human Security Concept**

As scholarly attention has grown in intensity, the concept of “human security” has lost clarity, and its soundness and applicability has been argued about in recent academic analyses and polemics.<sup>1</sup> Specific definitions of the elusive concept abound and diverge, and the doubts expressed by sincere students about the salience of the contested notion must be taken seriously. Despite the arguments about the idea of “human security,” there is little disagreement about the genesis of this new norm. A number of descriptive accounts<sup>2</sup> have brought out the beginnings of the novel approach to security within the preparation and publication of the UNDP Human Development Reports. The explicit invocation and presentation of “human security” as the new referent for contemporary international relations took place in the 1994 Human Development report. The intellectual father of that new viewpoint was Mahbub ul Haq, first team leader for the UNDP reports and principal author of the seminal 1994 report conceived around the term “human security.” The new emphasis helped shape the direction of the subsequent reports filling in the missing elements in a complete overview. The startling success of the UNDP Human Development reports as alternative to the traditional national security focus allows the observer to take the cue from the intellectual treasure emanating from the UNDP efforts since the early 1990’s. Although ul Haq’s definition was not the definitive standard, it is most suitable to establish the general boundaries of this new idea. In the new understanding of security, ul Haq equated security with the security of individuals; he further suggested that a new concept of security needed to be fashioned that was grounded in the lives of the people, not in the weapons of the country. He

believed that human security would be achieved through development, not through arms. This multilateral credo firmly based in modern social science thinking demands serious attention and offers a first insight into the sea changes affecting the instruments of global governance in recent years. A new thinking has taken hold of the policy makers in the key areas of multilateral decision making.

Prior to the detailed look at the understanding of “human security” within UNDP, a further review should encompass some recent argument about the merits of the concept. First of all, one can identify two main interpretations of “human security” proposed by two Governments which have taken the lead in the propagation of this new value. With the former Canadian Foreign Minister Lloyd Axworthy at the helm of the Canadian policy initiative, the argument was put forward that in the aftermath of the cold war, a new foreign policy paradigm was needed. It was postulated as obvious that protection of individuals should be a major focus of foreign policy. In the words of the Canadian Foreign ministry, “human security means freedom from pervasive threats to people’s rights, safety or lives.” Canada shaped five foreign policy priorities for advancing human security: 1. The protection of civilians, concerned with building international will and strengthening norms and capacity to reduce the human costs of armed conflict. 2. Peace support operations, concerned with building UN capacities and addressing the demanding and increasingly complex requirements for deployment of skilled personnel to these missions. 3. Conflict prevention, with strengthening the capacity of the international community to prevent or resolve conflict, and building local indigenous capacity to manage conflict without violence. 4. Governance and accountability, concerned with fostering improved accountability of public and private sector institutions in terms of established norms of democracy and human rights. 5. Public safety, concerned with building international expertise, capacities and instruments to counter the growing threats posed by the rise of transnational organized crime.<sup>3</sup>

Diverging from the Canadian conceptualization, the Government of Japan has also directed its attention on these new aspects of contemporary international relations and proposed the following broader concept: “1. Human security may be defined as the preservation and protection of the life and dignity of individual human beings. Japan holds the view, as do many other countries, that human security can be ensured only when the individual is confident of a life free of fear and free of want.”<sup>4</sup> 2. Japan

emphasizes “Human Security” from the perspective of strengthening efforts to cope with threats to human lives, livelihoods and dignity as poverty, environmental degradation, illicit drugs, transnational organized crime, infectious diseases such as HIV/AIDS, the outflow of refugees and anti-personnel land mines, and has taken various initiatives in this context. To ensure “Human freedom and potential,” a range of issues needs to be addressed from the perspective of “Human Security” focused on the individual, requiring cooperation among the various actors in the international community, including governments, international organizations and civil society.<sup>5</sup>

In between these two governmental positions, the basic definition adopted by the Human Security Network formed by a group of States deserves considerable attention as its emphasis foreshadows the intense concern with human security matters in the UNSC. It reads as follows: “A humane world where people can live in security and dignity, free from poverty and despair, is still a dream for many and should be enjoyed by all. In such a world, every individual would be guaranteed freedom from fear and freedom from want, with an equal opportunity to fully develop their human potential. Building human security is essential to achieving this goal. In essence, human security means freedom from pervasive threats to people’s rights, their safety or even their lives.”<sup>6</sup>

What emerges rather clearly is a minor divergence between the Canadian focus on freedom from fear, whereas the Japanese and Network norms include both freedom from fear as well as freedom from want. This powerful tension cuts across the whole human security movement and has added to some of the terminological confusion prevalent in the governmental and non-governmental circles of the promoters of that new paradigm. It goes without saying that these first definitions are policy-oriented and do not claim theoretical or terminological purity. As the focus of the present review is the UNSC, it would appear meaningful to give the policy debate priority in the survey of the genesis of the concept.

In widening the foundation of the human security concept, a quick look at recent academic papers appears to be a helpful next step. The divergence in the above definitions amounts to rather little, compared to the range of views and definitions found in mainly academic writings. Thus, Kanti Bajpai, professor in New Delhi and, at the time of writing, visiting fellow at the Kroc Institute in spring 2000, suggested:

“Human security relates to the protection of the individual’s personal safety and freedom from direct and indirect threats of violence. The promotion of human development and good governance, and when necessary, the collective use of sanctions and force are central to managing human security...”<sup>7</sup> Lincoln Chen, in an essay entitled “Human Security: Concepts and Approaches,” circumscribed the concept as follows: “The term human security focuses the concept of security on human survival, wellbeing and freedom...human security (is conceptualized) as the objective - the ultimate end - of all security concerns.”<sup>8</sup> In *Migration, Globalization and Human Security*, Graham and Poku argued: “Rather than viewing security as being concerned with “individuals qua citizens” (that is, toward their states), our approach views security as being concerned with “individuals qua persons.”...Human security is concerned with transcending the dominant paradigmatic orthodoxy that views critical concerns of migration - recognitions (i.e. citizenship), basic needs (i.e. sustenance), protection (i.e. refugee status), or human rights (legal standing) - as problems of interstate politics and consequently beyond the realm of the ethical and moral.”<sup>9</sup> In a recent paper entitled “Rethinking Human Security,” Gary King and Christopher Murray introduced a simple, rigorous and measurable definition of human security: namely the number of years of future life spent outside a state of “generalized poverty.”<sup>10</sup> Their suggestion for a parsimonious set of domains for measuring human security would be income, health, education, political freedom, and democracy.<sup>11</sup> Without going further into their finely detailed argument relating to the measurement of human security, it is noteworthy that their list of subjects embraces much of the basic needs catalogue.<sup>12</sup>

Taking their cue from a more medical background, Jennifer Leaning and Sam Arie, in a background document for USAID, stipulated the following points: “Human security is an underlying condition for sustainable development. It results from the social, psychological, economic, and political aspects of human life that in times of acute crisis or chronic deprivation protect the survival of individuals, support individual and group capacities to attain minimally adequate standards of living, and promote constructive group attachment and continuity through time. Its key measurable components can be summarized as: a sustainable sense of home; constructive social and family networks; and an acceptance of the past and a positive grasp of the future....”<sup>13</sup>

Adding more voices to the rising dialogue, George MacLean opined: Human

security recognizes that an individual's personal protection and preservation comes not just from the safeguarding of the state as a political unit, but also from access to individual welfare and quality of life. Human security, in short, involves the security of the individual in their personal surroundings, their community, and in their environment.”<sup>14</sup> Astri Suhrke, in an article from 1999, argued as follows: “Whether the threat is economic or physical violence, immediate protective measures are necessary if longer-term investments to improve conditions can be relevant at all. It follows that the core of human insecurity can be seen as extreme vulnerability. The central task of a policy inspired by human security concerns would therefore be to protect those who are most vulnerable. ... it is self-evident that those exposed to immediate physical threats to life or deprivation of life-sustaining resources are extremely vulnerable. ... Other persons can be placed in equally life-threatening positions for reasons of deep poverty or natural disasters...”<sup>15</sup>

An important author, who has made human security central in her work, is Caroline Thomas who has sought to narrow down the key components of the elusive notion and at the same time set forth her scholarly and philosophical convictions in regard of the meaning and content of human security. In this endeavor, she stated the following points: 1. “Human security describes a condition of existence in which basic material needs are met, and in which human dignity, including meaningful participation in the life of the community, can be realized. Such human security is indivisible; it cannot be pursued by one group at the expense of another.” 2. While material sufficiency lies at the core of human security, in addition the concept encompasses non-material dimensions to form a qualitative whole. ...The quantitative aspect refers to material sufficiency...The pursuit of human security must have at its core the satisfaction of basic material needs of all mankind. At the most basic level, food, shelter, education and health care are essential for the survival of human beings. ... The qualitative aspect of human security is about the achievement of human dignity which incorporates personal autonomy, control over one's life and unhindered participation in the life of the community. Emancipation from oppressive power structures, be they global, national or local in origin and scope, is necessary for human security. Human security is oriented towards an active and substantive notion of democracy, one that ensures the opportunity of all for participation in the decisions that affect their lives.

Therefore it is engaged directly with discussions of democracy at all levels, from the local to the global.”<sup>16</sup>

These noteworthy efforts by a number of academic authors reflect the wide range and lack of clarity of the words, notions and terms employed in different combinations by the writers. Any attempt to decipher a common meaning of the new norm is at present futile. Although commissions, institutes and congresses have dealt with aspects of the problematique, it remains unsatisfactory to find crucial commonalities in the work. Nevertheless, it would be condescending to doubt the merit of these contributions. It might be more appropriate to acknowledge the valiant endeavors and to encourage a further round of questioning and testing of what constitutes human security. In passing, reference should be made to several new writings dealing with human security in a wider context of new dimensions of security and with the difficult task of auditing and measuring the state of human security.<sup>17</sup> Each of these pieces helps open the hidden corners of the evolving human security conception.

An important feature of Astri Suhrke’s essay is that she turned her and our attention on the opposite of “security,” namely insecurity, and then traced the sense of what should be on the active agenda of everybody from local to global levels in fighting the conditions of inequality and insecurity in human communities. Her list of extremely vulnerable persons, victims of war and internal conflict; those who live close to the subsistence level and thus are structurally positioned at the edge of socioeconomic disaster; and victims of natural disasters, assists in establishing priorities for international assistance on many fronts of human strife. Such translation into policy-relevant criteria is eminently useful for the members of international organizations, intergovernmental as well as non-governmental, who have been searching for guidelines and models of effective multilateral assistance.

Having surveyed some of the recent work in academic reflection and having found considerable pluralism, if not anarchy in the many-voiced chorus of scholars and policy advisers, it moves us closer to the key issue of this paper, the engagement of the UNSC, to take a closer look at the specific propositions emanating from the Human Development team over the recent years. Emphasis is first placed on the 1994 Human Development report in which the new dimensions of human security were systematically set out starting from the premise that the end of the Cold War helped

break the hold of the traditional national security thinking and ease the path for a new human-centered emphasis on individual security concerns. “In the final analysis, human security is a child who did not die, a disease that did not spread, a job that was not cut, an ethnic tension that did not explode in violence, a dissident who was not silenced. Human security is not a concern with weapons - it is a concern with human life and dignity.”<sup>18</sup>

Having circumscribed the realm within which human security comes to figure as a significant antidote to the decades of stagnant Cold War military security thinking, the intellectual avant-garde of the new paradigm offered certain insights into the characteristics of human security and into the so-called components of the new key norm.

Starting with the characteristics, the UNDP team described human security as a universal concern, saw its components as interdependent, suggested that it could be more easily ensured through early prevention than later intervention, and emphasized its people-centered quality. Proposing a division between the two main aspects of human security, the authors of the Human Development report 1004 defined them as first, safety from such chronic threats as hunger, disease and repression, and second, protection from sudden and hurtful disruptions in the patterns of daily life. This distinction reminds the astute observer of the above-mentioned divide between freedom from want and freedom from fear. Such a dichotomy enjoys wide acceptance in the academic and policy communities.

Without entering into a detailed discussion of the intrinsic merits of the basic UNDP position, it is desirable to review the threats to human security as conceived by the authors of that seminal 1994 report.<sup>19</sup> Here, the proposition suggests seven main categories, comprised of economic security; food security; health security; environmental security; personal security; community security; and political security. It is always possible to quibble about aspects of some general conception, but in this case it makes sense to accept the list of components for argument's sake, and postpone a general critique to the concluding chapter. With UNDP as the originating office, it should not come as a surprise that the component of economic security gets the largest amount of attention from the authors. The explanation covers the full gamut of contemporary worries from the long-term structural unemployment problem to youth

unemployment, to the insecure and poorly paid work in the informal sector and the difficulties entailed in self-employment situations. Changes in the world of labor away from secure life-long employment to temporary jobs paying low wages and lacking any stability or permanence have exacerbated the condition of economic insecurity and resulted in prolonged painful crises affecting the lives of millions, in developing countries as well as in developed countries. The effect on large segments of the working population is increasing poverty pushing the victims of these economic transformations below the poverty line in their respective communities. The ramifications of the enduring economic crises are much more traumatic than a brief commentary can convey. The data-rich account offered by UNDP in 1994 remains as timely in our time as if it had been written just weeks ago.

Food security, reflecting a universally recognized basic need, is the second component of human security in the UNDP conception. Emphasis is placed on the distribution problem, which frequently creates gaps in the provision of food, still worsened by the frequent lack of purchasing power in many parts of the modern world. Again statistical information is offered to illustrate the claimed emergency situation. The numbers of affected populations are much too high translating into many millions of people around the world going hungry. UNDP points out what tools are required to overcome the food crisis and underlines that access to food comes from access to assets, work and an assured income. These linkages show, on the one hand, that solutions are feasible, but that in reality the end of the food shortages cannot be predicted due to inadequate conditions in economic and governance terms.

Health security is the third component of the UNDP conception. Overshadowed by the global HIV/AIDS pandemic, the inclusion of health in the UNDP approach requires no further explanation. The key points in the description of major health problems around the globe make clear that the health condition of many people in all parts of the modern world leaves much to be desired. Tropical diseases kill many people annually. Small children oftentimes endure shortages in essential vitamins and minerals and suffer life-long impairments in body and mind. Civilizational diseases strike rich and poor alike in highly developed industrial societies as well as in the poorest developing countries. The incidence of cancer is a major scourge of today's humanity, and even obesity is among new health threats competing with the effects of famine and starvation.

The common denominator in all these phenomena is the high level of insecurity and worry prevalent among people in all walks of life. Access to health services constitutes a significant divider between the rich and the poor as well as between men and women. Global statistics tell a powerful language in regard of major deprivations among the slum settlers in the Third World and among many rural residents especially in the developing world. Thus, the whole canvas of the modern health crisis including mental health binds all humans in the painful awareness that they might fall ill from one day to the next and suffer pain and death because of the severity of the illness and the lack of effective medicines to slow down or put a stop to the illness. The recent SARS crisis frightfully revealed the precarious nature of human health.

Another key component of human security deals with human beings in the environment. The emphasis, which UNDP has placed in its 1994 outlook on environmental security, should find ready consent in most parts of the contemporary world. The process of industrialization and the concomitant rapid population growth have placed severe strains on the planet. The familiar division of the ecological crisis addresses the global water shortage, which has steadily expanded in recent decades, and threatens to reach disastrous dimensions very soon. Moreover, the concern about the soiling of drinking water supplies has further cast a shadow over the future availability of a key ingredient of human existence. Air and soil pollution are other elements of the ecological agenda, and the unwillingness of major industrial societies to contribute fully to the limited but persistent campaign to reverse the recent damages and to restore a more balanced environment for mankind's survival in these critical areas of human existence has put a severe damper on an earlier global movement to approach the environment proactively. There is little new that can be added to the accumulated wisdom in the study of ecology, but it is decisive that all governments join hands to advance the environmental agenda in the common interest.

The fourth component of human security in the UNDP tabulation is what is called "personal security" and embraces the security of humans from physical violence. Again choosing a systematic approach, the argument is made that these threats include: i) threats from the state (physical torture); ii) threats from other states (war); iii) threats from other groups of people (ethnic or communal tension); iv) threats from individuals or gangs against other individuals or gangs (crime, street violence); v) threats directed

against women (rape, domestic violence); vi) threats directed at children based on their vulnerability and dependence (child abuse); and vii) threats to self (suicide, drug use). The breakdown of the general component of “personal security” provides compelling evidence that this particular feature may be most significant for individuals and their immediate families, friends and neighbors. The poignant relevance of any and all of these dimensions of individual security renders the concern about human security ever more pertinent. The UNDP narrative on this component, while brief and limited, offers statistical data to validate the assertions in the text. It emerges that “personal security” may be at the heart of what is conceptualized as “human security.”

The next category of “human security” has been designated “community security” by UNDP suggesting to cover under this rubric the protection of human beings by family, organizations, and racial or ethnic groups. The support provided in this sense ranges from cultural and ideational norms all the way to practical measures. Without dwelling on this theme at any length, it can be conceded that the community does indeed constitute the key setting within which humans live and interact, and thus equips the members of these groups with a sense of identity, with fundamental norms and mores and with the necessary shelter for safety and comfort. It is fitting that UNDP addresses under this category the pressing matter of interethnic strife, which has engendered massive situations of total insecurity and helplessness for large population groups, and the related concern with indigenous people and groups where the incidence of violence and severe psychological instability has been uncommonly high.

To complete the UNDP survey, the last component of “human security” is designated “political security” here understood as living in a society that honors the basic human rights of its citizens. While the world has recently seen some progress on that front, there is much at fault in global terms. Political repression, systematic torture, ill treatment or disappearances are still occurring in many countries. Important international human rights monitors, e.g. Amnesty International, have provided substantial information on this most critical frontier of human development. References to these concerns will be found in a range of UNSC debates touching upon the elements of the “human security” agenda that have been selected for consideration by that central UN organ.

In order to round out the somewhat extended look at the philosophy of human

security as developed by UNDP, it seems helpful to render the abstract terminology of the conception more concrete by touching upon the passage on “Global human security” incorporated in the principal essay of 1994.<sup>20</sup> Here, directing the focus into the future, the authors of the 1994 report summarized the real threats to human security in the following manner: It would take many forms: a) unchecked population growth; b) disparities in economic opportunities; c) excessive international migration; d) environmental degradation; e) drug production and trafficking; and f) international terrorism. The brief list strikes the observer as realistic, clear and action-oriented. The meaning of “human security” as propagated by UNDP turns out to be comprehensive, salient, and urgent. It embraces both, the freedom from want and the freedom from fear, and conveys to the political elite and to the general public in all contemporary societies the multiple threats to human security and the still available opportunities to repair the damages and to create a base for a more sustainable life of a growing mankind on this globe. What further emerges from this brief survey is the realization that the conception and terminology of “human security” as publicized by UNDP does not claim special philosophical or theoretical status but has sought to address the policy implications of serving the purposes of “human security” in the practical world of global and regional governance.

### **3. Canada in the UN Security Council**

The protagonist role of Canada in the promotion of “human security” became evident in the years 1999 and 2000 when it served as a nonpermanent member in the UNSC. A very informative volume entitled *Human Security and the New Diplomacy. Protecting People, Promoting Peace* edited by Rob McRae and Don Hubert and published by McGill-Queen’s University Press in 2001, offers detailed testimony about the Canadian initiative in the UNSC and the wider context within which this new policy was actively pursued. As pointed out in more general terms, the task which Canada took upon itself when entering the UNSC in January 1999, was to demonstrate the relevance of human security for practical international politics. The notion of human security was alien to the basically traditional practices of the UNSC where the principles of sovereignty and territorial integrity were paramount and overshadowed the impact of human rights.

Looking at the paradigm of “human security” as a whole, the Canadian policymakers came to the conclusion that the most effective lever for catching the attention of the other members of the UNSC was the issue of the protection of civilians in situations of armed conflict. This initiative could clearly be tied to the Charter-defined responsibilities of the Council and to the more inclusive definitions of “threats to international peace and security” guiding and shaping the Council’s work since the early 1990’s.<sup>21</sup>

It is generally agreed that the UNSC became much more active in the 90’s as it involved itself increasingly in humanitarian crises. The effect of nonmilitary sources of instability had been acknowledged by the UNSC in its fundamental declaration of January 31 1992 and the link to the Council’s principal mandate had thereby been established. Most of the operations ensuing in the subsequent years had prominent humanitarian ramifications: Northern Iraq, Cambodia, Somalia, Rwanda, Bosnia, or Haiti are referred to simply as examples in that connection. The failures in Rwanda, in Bosnia, in eastern Zaire, and the paralysis over the Kosovo crisis document the UNSC’s uneven response and its inadequacy in seeking to deliver humanitarian assistance while refraining from providing the physical safety of the affected people.

In taking up its two-year mandate, Canada chose a strategy combining a case-by-case approach with a thematic one. This was enacted by seeking “operational entry points” for advancing human security in the Council’s numerous decisions on key security issues, peacekeeping mandates, and sanctions regimes. Moreover, Canada also promoted a comprehensive approach to human security through the thematic initiative regarding the protection of civilians in armed conflict. The latter proposal was presented to the other Council members and to important humanitarian agencies in preparation for the first Canadian UNSC Presidency in February 1999, the second month of its term of office. The item “Protection of civilians in armed conflict” offered an umbrella for a number of concerns to Canada, including the humanitarian impact of economic sanctions, children and armed conflict, strengthening peacekeeping mandates, and peace building and conflict prevention, while building on existing UNSC activity. Canada’s aim was to consolidate previous UNSC work and suggest a well-rounded framework for protection-related efforts. The Canadian purpose was also to shift the Council’s focus from satisfying material needs of the victims of armed conflict to the angle of safety for

civilians in war zones. In familiar policy terms, it meant to switch the Council's attention away from humanitarian assistance to the legal and physical protection of innocent civilians in the middle of violent conflict.

In pursuit of this overarching purpose, the Canadian delegation supported by its Mission to the UN established the timetable for the UNSC deliberations during the Canadian Presidency. The opportunity in February 1999 was to be used to schedule a public principal debate about the new agenda item entitled the Protection of Civilians in Armed Conflict. At the conclusion of that first debate, the UNSC would request the Secretary-General to prepare a report with concrete proposals for UNSC action. The matter would again be taken up later in the same year once the report by the Secretary-General had been received with the purpose of shaping possible follow-up action addressing the concerns inherent in the new agenda item. To implement such a game plan requires careful preparation. The Canadian diplomats carried out the necessary conversations, approaches and consultations to gain the agreement and active participation of fellow diplomats, senior Secretariat and agency officials, in particular also the Secretary-General and his immediate aides. The success of the preparations was demonstrated in the flawless course of the public meeting on 12 February 1999 chaired by the then Canadian Foreign Minister Lloyd Axworthy as UNSC President.<sup>22</sup>

The theme of that session, protection of civilians in armed conflict, which had been already alluded to by the Canadian representative at the 3968<sup>th</sup> meeting of the UNSC held on 21 January 1999<sup>23</sup> on the agenda item "Promoting peace and security: Humanitarian activities relevant to the Security Council," presided over by the Brazilian Representative, was taken up in the opening remarks of Minister Axworthy and then further elaborated in briefings by Mr. Sommaruga, the then President of the ICRC, Ms. Bellamy, Executive Director of UNICEF, and Mr. Olara Otunnu, the SG's Representative on Children and Armed Conflict.<sup>24</sup> The three humanitarian officials fully shared with the Canadian delegation the view that it was long overdue for the UNSC to take up this urgent matter of humanitarian protection for the main victims of the many armed conflicts around the world. They laid out in varying ways detailed proposals for the implementation of this protection function and what the UNSC could do to advance this urgent relief agenda.

The direct link between the protection item and the norm of human security was

spelled out at the 3977<sup>th</sup> meeting by the Representative of Slovenia who pointed to human security understood not in legal but physical terms as the basic aim of UN humanitarian action, and referred to the initiative of like-minded States, under leadership of Canada and Norway, which was determined to give full meaning and specific practical expression to the concept of “human security”.<sup>25</sup> Minister Axworthy spoke at the end of the open debate in his capacity as representative of Canada and laid out in full his Government’s conception of this turn to effective physical protection by the UNSC of the weakest and most endangered victims in conflict zones. He appealed to the other UNSC members to join the Canadian Government in the endeavor to safeguard the security of the world’s people, not just the States in which they lived and underlined that the protection of individuals should be a primary consideration in the UNSC activities. He elaborated his philosophy and reminded the Council that the protection of all citizens was the fundamental public good that the State ought to provide. It followed that the responsibility of the Council to protect civilians was therefore compelling from a human security perspective, in terms of fulfilling the Council’s own mandate and in the interest of enhancing state sovereignty.<sup>26</sup>

In the afternoon of the same day, 12 February 1999, the UNSC briefly convened in order to allow the President to make a statement on behalf of the Council. This Presidential statement<sup>27</sup> offered a summary of the Council’s agreed views and, in pursuit of this new debate, requested the Secretary-General, in accordance with the initial scenario, to submit a detailed report with concrete recommendations to the Council by September 1999 on ways the Council could improve the physical and legal protection of civilians in situations of armed conflict. In strong and clear language reflecting the consensus of all Council members, the statement deplored in particular the growing civilian toll of armed conflict, the large-scale human suffering inflicted upon the innocent people, mentioned specifically children, the most endangered group among the civilian victims, condemned in no uncertain terms the deliberate targeting by combatants of civilians in zones of conflict and appealed to all States and political forces to fulfill their obligations at the national level and to ensure full compliance with the relevant legal norms inscribed in the Geneva Conventions and other covenants and statutes of humanitarian law.

The strong positive reaction by the wider UN membership became evident in the

subsequent public meeting of the UNSC held on 22 February 1999<sup>28</sup> and devoted to the continuation of the opening debate allowing non-Council members to state their views about the new agenda item clustering several so far unconnected issues dealing with field conditions in complex operations and with salient provisions of international humanitarian law and human rights law. The immense interest was illustrated in the full-day duration of the 3980<sup>th</sup> meeting started in the morning and carried over into an equally lengthy afternoon session. Altogether, twenty-three delegations took the floor during the 3980<sup>th</sup> meeting revealing strong acclaim for the Canadian initiative.

While the whole debate cannot be summarized here, it is worth noting that several delegations took up explicitly the terminology of human security and its role in the recent endeavor to maximize the UNSC's effectiveness in its crucial peace and security function applied to the prevalent internal conflicts and civil wars. The number of delegates addressing the human security theme was still quite small, but the echo of their voices was strong enough to feed into the following period of preparing the Secretary-General's report in response to the UNSC request. The remarks by Norway, Japan, South Korea, the Dominican Republic and Azerbaijan<sup>29</sup> revealed a worldwide spread of the utilization of the new paradigm and, not surprisingly, related mostly to the sense and application of the norm proposed by the Canadian Foreign Minister. The main exception, strictly in emphasis, was the statement by the representative of Japan who put forth a broader understanding of human security. He emphasized Japan's view of the crucial importance of human security concerns and elaborated that human security should be ensured against menaces that threatened the survival, daily life and dignity of human beings. In view of that conception, Japan joined the other representatives in underwriting the significance of measures to protect civilians in conflict situations as integral elements of the basic human security concerns. As to other delegates touching upon the human security conception, they all viewed its application as including the physical dimensions of protection and not merely a legal or political connotation.

Although the overwhelming near-unanimous view of the prolonged public debate was strongly sympathetic to the Canadian demarche and blueprint for UNSC active involvement in this new area of international work, the lone dissenting voice of the Indian delegation should be referred to. Accurately, the Indian delegate remarked that civilians had always been targets and victims of armed conflict even before the era of

colonialism and that the pattern was never interrupted or broken up. He recalled the cataclysmic horrors of Hiroshima and Nagasaki and urged the international community to address the burning question of outlawing the use of nuclear weapons. In view of the close link between international events and media attention, the protection of civilians had become an excuse for asserting political will and waging war. He appealed to the members of the UNSC to approach these situations in a highly restrained fashion and avoid exacerbating the conflicts through inappropriate international measures. Legitimate concern for the wellbeing of civilian populations should not be used as a cover for intervention by powerful states and alignments.<sup>30</sup>

In fulfillment of the Canadian expectations, the opening debate offered an abundance of useful ideas and suggestions for consideration by the UN Secretary-General and the relevant personnel units in the Secretariat entrusted with the task of preparing a draft. The Canadian delegation and some partner delegations interacted with the Secretariat side during the months leading to the formal issuance of the report. Although innumerable reports are issued in the name of the Secretary-General every year, it can be said that the report on the protection of civilians was one of the most carefully prepared products and also constituted a rather courageous move on the part of the Office of the Secretary-General. The report issued on 8 September 1999<sup>31</sup>(S/1999/957) submitted forty recommendations ranging from traditional diplomatic and political initiatives to more innovative peacekeeping and enforcement operations.

The central theme of the report was the urgency to create a “climate of compliance” with the existing legal norms and standards, which were found to be already in place but still lacking adherence. These principles in international human rights, humanitarian law, and refugee law required only few additions relating to the specific needs of the internally displaced persons, war-affected children, and humanitarian personnel.

The first series of recommendations focused on improving UN conflict prevention mechanisms as the Secretary-General considered conflict prevention the most effective form of protection. The report placed emphasis on the use of preventive peacekeeping deployments, urged that sanctions should be carefully applied to minimize humanitarian impact, and underlined the need to put a stop to illegal trafficking in small arms.

A second batch of proposals dealt with measures to improve the ability of UN peacekeepers to protect affected civilian populations including strengthening the UN's capability to plan and deploy rapidly. Other proposals dealt with curbing the use of hate media and with giving adequate training to the troops in humanitarian law and human rights; specific measures ensuring the civilian and humanitarian character of refugee camps and employing safe corridors and humanitarian zones were mentioned as underutilized and potentially helpful in the protection of civilians in armed conflict.

The last batch of the recommendations was the most provocative and controversial part of the report. Criteria were introduced for when and how to intervene militarily in promoting humanitarian objectives. The Secretary-General suggested five such criteria: the scope of the breaches; the inability of local authorities to protect affected populations; the exhaustion of alternative mechanisms; the ability of the UNSC to monitor the actions undertaken; and the need to guarantee proportionality in the use of force. The important debates in the last ten to fifteen years illustrate why these proposals were bound to disturb a good number of developing States and small States as they look with great misgivings at the juggernaut of military force ready to be deployed at will by the main military Powers of the contemporary international system. Much of what the Indian delegate had invoked already at the 3980<sup>th</sup> meeting mirrored perfectly the deep mistrust in the developing world. For these and related reasons, it was immediately clear that regarding acceptance and implementation of the report's farsighted ideas and moves, there would arise substantial opposition in the subsequent months.

The UNSC convened its 4046<sup>th</sup> meeting on 16 and 17 September 1999 to deliberate about the SG report and what to do with it. Using the form of the public meeting, the Council members maintained the posture from the February meetings. An open debate was seen as the appropriate response to a comprehensive and action-oriented SG report. The special nature of the occasion was demonstrated by the presence and statement of the Secretary-General at the outset of the debate and in the declaration by the UN High Commissioner for Human Rights, Mrs. Mary Robinson.<sup>32</sup> In opening the deliberations, the Secretary-General summarized the report with special emphasis on the forty recommendations contained therein and in conclusion stated that the essence of the UN work was "to establish human security where it is no longer

present, where it is under threat or where it never existed” and called this task the UN’s humanitarian imperative. He further proposed an UNSC mechanism to seek advice on specific issues dealing with legal protection, prevention of conflicts, and physical protection.

In her intervention, Mrs. Robinson echoed the sentiments of the SG about the importance of this complex of issues. She highlighted the massive violations of international humanitarian law and international human rights law and underlined the UNSC obligation to act by pointing to the process leading to the independence of East Timor. Sharing the SG’s viewpoint, she pointed out that human security had become synonymous with international security and that it could be guaranteed through the full respect for all fundamental rights. It was up to the UNSC to enforce accountability for war crimes and put an end to impunity. She urged the Council to develop an enforceable mechanism for the protection of civilians in armed conflict ensuring for them respect, dignity and human rights.

Opening the round of statements by Member States, the representative of Canada reviewed the origins of this new issue and recalled his Government’s role in raising the protection of civilians in armed conflict as a subject for discussion in the Council because of its clear salience for the UNSC. The concerns spelled out by the SG in the report on that whole issue were shared by his Government, which was trying to enhance human security and looked at the Council as paramount in this critical area. His delegation wished to emphasize that the protection of civilians had to be a primary imperative for collective international action. Canada favored the depth and thrust of the SG’s report and wished to help in any way possible to realize many of the specific suggestions. Such concerted action could help bring an end to cultures of impunity employing legal and political means to advance this critical aim.<sup>33</sup>

While the next speaker, the representative of Slovenia, echoed the Canadian emphasis on the core norm of human security, the remainder of the first day of the debate dwelt mostly with the normative and operational aspects of a new forceful promotion of civilian protection in violent conflict situations. Together with the formal discourse at the public meetings of the UNSC, a stream of consultations went on, largely informal and not in the form of consultations of the whole, sorting out which of the Secretary-General’s proposals to accept and which to postpone or possibly turn

down completely. The end result of this multi-track dialogue was the final draft resolution that addressed the agenda item, the SG report and the follow-up to be decided upon and to be undertaken. In all this, one must again note how many non-Council Member States felt called upon to return to the second great debate and make their views known regarding the normative importance of the agenda item and the potential implementation by the UNSC itself and by the Secretary-General. It should be reaffirmed that the conduct of these general public debates has gained in frequency in the late 90s and has restored the Council's standing of a central forum at which to entertain ways and means to exercise the tools of the Charter in the maintenance of international peace.

At the end of the 4046<sup>th</sup> meeting on 17 September 1999, the UNSC unanimously adopted the Canadian draft resolution as amended as SC resolution 1265 (1999). This text responded to the SG report's recommendation, in particular those, which focused on legal protection, but without prejudicing further consideration by the Council of the content of the report. Although traditional concerns about inviolability of state sovereignty had been raised, they were mitigated by the converging acknowledgement of atrocious events in Sierra Leone and Kosovo, the ongoing crisis in East Timor, and the impending issuance of reports about the UN's failure in Rwanda in 1994 and in Srebrenica in 1995. The resolution still put the UNSC on record regarding its commitment to respond where "civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed."<sup>34</sup>

Assessing this first push to put a core aspect of human security on the UNSC agenda and to obtain an accord on pursuing the matter actively in the future, one must rate it as a moderate, but impressive victory for the Canadian initiators. By the time the Canadian tenure on the UNSC ended in December 2000, the agenda item "Protection of civilians in armed conflict" had gained a firm place on the Council's active agenda and was assured of continuing UNSC attention in years to come. If the question is narrowed down and one asks whether the concept of human security had been embraced and accepted by the UNSC and the wider UN membership, one must postpone final judgment. The norm of human security has found much acclaim among UN members, but there is clearly quite a bit of traditional resistance against seeing this norm raised to the rank of fundamental Charter values. This somewhat mixed record is traceable in

carefully reviewing series of UNSC debates touching upon humanitarian and human rights matters. Nevertheless, without overstating the case, the UNSC has been very open in listening to the new arguments and in translating acceptable parts of those initiatives into actionable features in the UNSC's peace and security armor.

The Canadian protagonists have provided the public with an excellent account and analysis of this 1999 operation "human security"<sup>35</sup> They show in carefully balanced words the manifold endeavors to maintain the focus on the civilian protection item and ensure tracking UN actions in this respect through formal and informal mechanisms including an informal working group set up in December 1999 tasked with reviewing the SG report's recommendations and reporting to the Council on proposals for further action during Canada's next presidency in April 2000. In order to close the circle and express the undiminished commitment of the Canadian Government, Foreign Minister Axworthy once again presided over the UNSC at the 4130<sup>th</sup> meeting on 19 April 2000 and used the opportunity to review the whole process started in early 1999 and carried through to the concluding moment resulting in the adoption of the Canadian draft resolution. The authors of the Canadian account inform their readers that the follow-up in 2000 was extremely contentious, although the verbatim record of the 4130<sup>th</sup> meeting does not reflect that element of irritation. The issue of legal protection was eventually taken up by the General Assembly, whereas the theme of physical protection was developed in the UNSC draft resolution sponsored by the Canadian delegation. Due to bitter arguments over the issue of sovereignty in relation to human rights and humanitarian access in an earlier UNSC discussion on humanitarian action, the Canadian submission threatened to fail. In the end, the Canadian draft was adopted unanimously as resolution 1296 (2000) restating and reaffirming the declarations and commitments of resolution 1265 (1999) thus assuring continuity and the chance for deepening the understanding and strengthening tools and procedures for effective civilian protection by the UNSC.<sup>36</sup>

#### **4. The Security Council's focus on Human Security Concerns**

In order to place the civilian protection campaign into the wider context of global political and social changes, notice should be taken of the establishment of the so-called

“Human Security Network” involving Canada and Norway as the principal partners. It is significant to realize that the creation of this intergovernmental network predated the UN campaign by several months. The network grew out of the close partnership that had developed between Canada and Norway during the negotiation of the Antipersonnel Landmines Convention, which was signed in a formal meeting in Ottawa in December 1997. The two key figures, Axworthy and his Norwegian counterpart, Knut Vollebaek, shared the belief and ambition to apply the winning formula bringing about the Landmines Treaty to other urgent international issues. The first step taken was the Norwegian invitation to Minister Axworthy to join in a bilateral retreat in Bergen, Norway, in May 1998. The gathering in the remote location was a great success bonding the two men together and resulted in a joint announcement, the so-called Lysoen Declaration: Canada-Norway Partnership for Action. The opening section spelled out the basic purpose of this new partnership: “Norway and Canada share common values and approaches to foreign policy. With the evolution of international affairs, particularly with regard to emerging *human security* issues, we have agreed to establish a framework for consultation and concerted action.” (italics mine) Shared objectives listed inter alia to coordinate and concert actions with a view to: a) enhancing human security; b) promoting human rights; c) strengthening humanitarian law; d) preventing conflict; and e) fostering democracy and good governance. To achieve the stated foreign policy objectives, the two partners agreed to establish a flexible framework for consultation and cooperation, to include: 1) ministerial meetings at least once a year to review progress, set priorities and impart direction; 2) bilateral teams to develop and implement joint ministerial initiatives; 3) meetings to be held alternately in Norway and Canada or, where convenient, on the margins of relevant international bodies. The declaration ended with a “partnership agenda” containing the following issues: Landmines, International Criminal Court, Human Rights, International humanitarian law, Gender dimensions in peace-building, Small arms proliferation, Children in armed conflict, including child soldiers, Child labor, and Arctic and northern cooperation.

The somewhat detailed summary of the Lysoen Declaration reveals what certain Canadian officials afterwards remarked about the occasion: “For the first time, you could see an entire agenda emerging around the idea of human security, rather than a disparate set of issues.” This perception was shared by other officials elsewhere seeing

here the harbinger of a new international agenda. While officials handled assignments for action plans and joint initiatives, Minister Axworthy himself launched an open-ended diplomatic process in order to draw other countries into the new engagement. He labeled his idea “the Humanitarian Eight or H-8” and juxtaposed it with the G-8 of which Canada is a member itself and compared the very different agendas for the two groups. The intensive efforts to attract other State members was crowned with success and brought about in the end a geographically balanced group comprising next to Canada and Norway Austria, Ireland, Switzerland, Thailand, Netherlands, Slovenia, Jordan, Chile, South Africa. The enlargement of that initial partnership was formalized at another Bergen, Norway, meeting held in May 1999 and chaired by the Foreign Minister resulting inter alia in the official adoption of the name “Human Security Network” The skill and persistence of the two main sponsors shows in the fact that the network established viable relations with many international Non-governmental Organizations and started to collaborate on occasion and when desirable in global and regional intergovernmental meetings including, of course, the UN system. The story of the Human Security Network offers useful background in following the developments in the UNSC on the “human security” and civilian protection fronts.<sup>37</sup>

In the time since the end of the year 2000, the UNSC has taken up the agenda item “Protection of Civilians in Armed Conflict” on numerous occasions, and in consequence of the Council’s deliberations, several new reports have been issued by the Secretary-General dealing with aspects of that issue. The topic of this chapter and the scope of the present investigation forbid a detailed accounting for the continued deliberation in the UNSC context of the core issue as introduced by Canada. But instead, the effort will be undertaken to provide a general summary emphasizing elements that constitute progress in the treatment of the subject matter, and points of agreement and enactment that result in changed procedures of UN agencies serving in the field in relevant missions. In this fashion, the chapter will round out the impressions garnered in the first phase and help to figure out whether the so-called paradigm change as postulated by the Canadian and other State parties really exists and affects policies at least in the multilateral arena, in and around the UN system.

The next important point in the human security trajectory came with the SG’s

response in his detailed report of 30 March 2001 on the protection of civilians in armed conflict.<sup>38</sup>(S/2001/331) In the opening paragraphs he recalled the stark picture he had painted in the report of 8 September 1999, his first one on the issue, and mentioned again the distressing figure of civilians around the world who are caught in the midst of armed conflict and in dire need of protection and assistance. The recommendations, which he had presented to the UNSC in this initial report, had not yet been put into practice. He felt especially the breach of human rights of various kinds and widespread impunity for cruelty and brutality had not in any way been reduced, and he also mentioned the growing threats to the lives of local and international staff members in international organizations and other humanitarian groups. He reminded the UNSC members once again of the enormous percentage of civilians among war victims and stressed in that connection that the civilians tended to be the basic object of the new irregular forces fighting in intrastate wars. In view also of the discrepancy between commitments made in the UN Millennium Declaration (GA res. 55/2) and the lack of forceful implementation by the States individually and in the UN context, the SG suggested that the Member States should work towards creating a culture of protection in which the State parties would comply with their responsibilities under international law and armed groups and other actors would all strive to fulfill their commitments under the international provisions.

Since many States were caught in a gray zone between war and peace, it was evident that protection questions constituted a major task for Governments although they would have to rely on the engagement of non-governmental groups and civil society to share the burden of assistance in these crises. In the midst of this dense action pattern it was clear that the primary responsibility for the protection of civilians rested with Governments in line with the principles of GA resolution 46/182 of 19 December 1991, whereas the armed groups were directly obligated, according to Article 3 common to the four Geneva Conventions of 1949 and to common international humanitarian law, to protect civilians populations in armed conflict. Here, the SG stressed that such protection efforts must be targeted on the individual rather than the security interests of the State, whose principal task was ensuring the security of its civilian population.

In the main body of the report, the SG offered explanatory text on fundamental measures to enhance protection and ended each subsection with highlighted

recommendations for action. These subsections dealt with a) prosecutions of violations of international criminal law; b) access to vulnerable populations; c) separation of civilians and armed elements; and d) media and information in conflict situations. In a further section of that report, the SG took up the issue of entities providing protection, with subsections on a) entities bearing primary responsibility; and b) complementarity of other entities. As in the first segment, this part of the report also offered a most detailed description of a range of political and social entities and presented once again concrete recommendations for action. The main report concluded with final observations summarizing and restating the key arguments put forward by the SG and his aides. He underlined once more the pressing need for effective action by the Member States and referred in this connection to the numerous recommendations from the first report left unimplemented so far. He appealed to the UNSC to help with implementation by installing review processes regarding the recommendations offered in the first and second report. To offer more help, the report contained furthermore two annexes, the first presenting recommendations and general policy directions, and the second offering an accounting of the implementation of the recommendations contained in the SG's report of 8 September 1999, evidently to emphasize the critical remarks made in the main body of the report. It showed a willingness on the part of the SG to collaborate closely with the members of the UNSC in advancing substantially the critical agenda of the protection of civilians in armed conflict.

At the 4312<sup>th</sup> meeting on 23 April 2001,<sup>39</sup> the UNSC took up the SG report and dealt with the content of the report and the underlying recommendations to the Council contained therein. A rather typical pattern can be observed in this as in many other similar settings combining an SG report and the concomitant UNSC debate and decision, namely that the Council members tend to echo important points from the report without, however, moving much beyond it. Considering that the Canadian initiative emphasized the core norm of "human security" and an important aspect of it, namely the protection of civilians, it is quite striking that after the initial opening phase the language of the diplomatic representatives hews very closely to the script of the SG report and refrains from exploring the wider topical arena as it matches numerous other UNSC sessions. Such narrow focus on the message and suggestions from the SG reduces the policymaking role of the UNSC that is independent from, and politically superior to, the

reflections and reporting of the SG.

The 4312<sup>th</sup> meeting is set apart from many other UNSC meetings in that the UN High Commissioner for Human Rights, Mrs. Mary Anderson, had been invited to this session in order to address the UNSC on a set of issues that fell directly within the mandate of the Commissioner's office. This presence had the effect that an even stronger emphasis was placed on the many human rights and humanitarian law provisions that were largely unknown to armed factions and too often not familiar to Governments and their representatives. The legal dimension of the whole cluster of issues was of course of crucial importance as the violation of the fundamental duty to protect civilians in armed conflicts occurred quite regularly in zones of violent conflict around the world. Moreover, the interventions by the Human Rights Commissioner helped fill the gaps in the more general reporting style coming from the SG's office. She could furthermore help to clarify questions about specific situations or about suitable tools to deal with the impunity problem as posed by Government representatives in the public meeting of the UNSC. Her presence in the public meeting further enabled her to press both the collective body of the UNSC and individual Ambassadors to act swiftly to close gaps in the scheme of protection for civilians in the respective forms found in the many field situations under UNSC authority.<sup>40</sup>

The earlier general remark about the nature of the UNSC deliberations at this meeting covers also the Norwegian statement. Although Norway was a leading member of the Human Security Network (see above, p.17), not a word was uttered about the connection with the overarching human security theme. Instead, one notices the most appropriate suggestion by Norway that the international fight against impunity would have to try to establish contact also with armed groups since they were a major factor in the violation of fundamental international legal norms. In that sense, it comes as no surprise that the closing remarks of the British Representative in the capacity of UNSC President are focused on procedural and operational details following basically the line of reasoning introduced by the SG and underlining the frequently invoked need for coordination and the regional context.<sup>41</sup>

While the first session of the 4312<sup>th</sup> meeting gave opportunity to UNSC members to state their views, the resumed session on the same day in the afternoon opened the debate up to non-Council representatives. Furthermore, the meeting was enriched by the

statements of Mr. Oshima, current USG for Humanitarian Affairs (OCHA) who was invited to open the series of statements. He used the occasion to fully endorse the SG report and its presentation to the Council, stressed duly the fundamental humanitarian principles that were affected negatively in many contemporary emergency situations and needed to be repaired and improved in order to help somewhat the suffering civilians in these conflict spots. He amplified his remarks by sharing certain organizational measures instructing OCHA and the humanitarian field operations to improve their own past efforts in dealing with the affected civilian victims. Acting in the capacity of resource person, he was able to clarify questions and criticisms from other speakers later in the course of the discussion.<sup>42</sup>

Since the 4312<sup>th</sup> meeting was the first public session since the end of 2000, the Canadian representative took the floor in the resumed portion and set out once more the initial history of the human security initiative as undertaken by his Government renewing for the Council the linkage between human security and the protection of civilians in armed conflict. Conceding errors and omissions in the brief preparation period for the Canadian initiative, he surmised that much progress had been made in the UNSC since that time including here naturally the enormous achievements as constituted in the contribution from the office of the SG, and emphasized the point that the safety of people had moved from the periphery of the Council's preoccupations to the center. He also took note of the inclusion of specific civilian protection provisions in the mandates authorizing three recent peacekeeping operations and welcomed the appointment of advisers on child protection and on gender as well as human rights officers. He criticized, on the other hand, the exclusion of the protection of the civilian population from the revised concept for the UN Mission in the DRC (MONUC) based on putative "gaps" between ambition and capability as was argued by some and admonished the Council members to use a more general formulation allowing some shortcomings and gaps instead of dropping the provision altogether. Such caveats were much more acceptable than the decision to drop it. The Canadian speaker also emphasized that the protection of civilians was everyone's responsibility and should be addressed in upcoming consultations between the UN and regional organizations. He mentioned the Canadian sponsorship of an international independent commission to examine the issue of humanitarian intervention and State sovereignty and, in recalling

the Brundtland Commission on Environment and Development, hoped that the new body would be able to synthesize the irreconcilable principles mentioned in its name. Last not least, the representative of Canada stipulated that existing resolutions and recommendations on the protection of civilians had to be implemented and pointed to relevant provisions in resolution 1296 (2000) asking the SG to include observations related to the protection of civilians in armed conflict in his regular reports to the Council; the Canadian government insisted that the practice should be systematic and, going further, should also identify cases where particular recommendations for the protection civilians should be acted on especially promptly. Another SG report on this whole issue should be requested in the resolution, and the annual audit idea put forward by the representative of Singapore could also be implemented in this respect.<sup>43</sup>

Showing Canada here in the role of monitor regarding the agenda item reaffirms the previous assessment that the role of one State actor, Canada, and its diplomatic staff must be judged decisive for the promotion of the cause in the UNSC. It should be mentioned that the forceful contribution by Canada apparently effected two briefer and gentler responses during the proceedings at the resumed session. Keeping the focus of this review on the central notion of human security, one should take note of the subsequent intervention by Japan and the Republic of Korea. While fully endorsing the SG report and its recommendations, the Japanese representative reminded the UNSC that Japan had consistently favored a wider concept of human security entailing the protection of the life and dignity of peoples and considered poverty and environmental degradation, terrorism and infectious diseases, such as HIV/AIDS, as falling within the meaning of the term. This expanded scope of human security did not omit or diminish the well-known fact that civilians in armed conflict were the most vulnerable by that standard.<sup>44</sup> At the same meeting, the representative of Korea suggested that the UNSC activities in previous years had addressed the issue of the protection of humanitarian assistance to refugees and others and that the trend since that time had clearly been to recognize that widespread human rights violations warranted the Council's attention and that human security was intricately linked to international peace and security. He further commented that the concern for human security involved not only the UNSC but also other UN organs, i.e. the GA and ECOSOC and subsidiary bodies, and pointed out that some ECOSOC entities had taken up root causes of conflict which often were related to

poverty, through the promotion of economic growth, poverty eradication, sustainable development, good governance and democracy. In light of these promising crosscutting deliberations, he hoped that the UN system would be better able to respond to the multi-faceted challenges of civilian protection in armed conflict.<sup>45</sup> In a subsequent contribution at the same session, the representative of Malaysia felt the need to emphasize that the protection of civilians in armed conflict should encompass both physical security as well as legal protection under international law, thus endorsing the double-sided notion of civilian protection.<sup>46</sup> One can subsume that this perception would also relate to the understanding of human security. At the end of a lengthy statement lamenting the Iraqi situation under UN sanctions, the representative of Iraq concluded by saying that dealing seriously with the issue of the protection of civilians in armed conflict should entail going to the very heart of the matter, namely the causes of conflict which he listed as poverty, underdevelopment, disease, uneven distribution of wealth, hunger, the exploitation and looting of resources, the instigation of ethnic and religious conflicts, the imposition of others' values and interests, aggression and embargoes.<sup>47</sup> The polemical nature of this remark is well understood, but in fairness it must be conceded that the wide net used by the Iraqi spokesman did cover a comprehensive range of factors affecting the condition of human beings. It would not be farfetched to place the Iraqi understanding of human security in close proximity to the more comprehensive Japanese concept. Still, it is fair to sum up the resumed session of the 4312<sup>th</sup> meeting as providing only few morsels relating to the human security norm compared to many more comments about the concrete current operational and policy issues.

What is worthy of attention and explanation is a non-event. Despite Canada's admonishment shared by various other delegations that the UNSC should show its commitment by another formal resolution responding to the elaborate SG report, the long meeting ended merely with the bland statement by the UNSC President, the representative of the United Kingdom, that the Council would decide subsequently in informal consultations the follow-up to this full discussion. This reticence with regard to an intensive dialogue between UNSC and the Secretariat was definitely not welcome to the non-Council delegations attending the resumed session and to other outside interested actors, but the authority to take action lies, of course, in the hands of its

members. However, one thing that can be stated most affirmatively is the conclusion that the introduction of the new agenda item regarding civilian protection had been fully accepted and integrated into the demanding and very time-consuming political agenda of the UNSC. The speed and intensity of this process of adoption must be registered and taken as a sign for the UNSC's ability to become aware of changing political circumstances and to redirect and widen its own de facto list of priorities flowing into the handling of the Council's agenda both in the consultations as well as in its public meetings. This interim assessment can be registered as the survey over the Council's treatment of a key human security component is carried a little more forward on the timeline.

The next step in the UNSC's treatment of the civilian protection item was quite out of the ordinary and exceptional in that the Council, through its President, the representative of Bangladesh, contacted the SG by letter dated 21 June 2001<sup>48</sup> and indicated that further advice of the SG would be useful in the Council's consideration of the SG report of 30 March 2001. The Council further suggested that the report should be distributed more widely within the UN system, and therefore recommended that it be transmitted as an official document to the GA. Then the Council issued specific proposals: 1) The recommendations on the protection of civilians contained in the first SG report (S/1999/957) should be reorganized by the Secretariat into different groups to clarify responsibilities, enhance cooperation and facilitate their implementation by the Council. The recommendations in the second report (S/2001/331) should be reorganized based on SC resolutions 1265 (1999) and 1296 (2000), taking into account the different responsibilities and mandates of UN organs and the need to further strengthen coordination among UN system organizations in order to facilitate further deliberation by the UNSC. 2) The UNSC encouraged the SG to ensure closer cooperation between OCHA and DPKO, including by establishing a cross-cutting team of the Office and the Department, to facilitate consideration of civilian protection needs in the design, planning and implementation of peacekeeping operations. 3) In order to facilitate UNSC consideration, whenever appropriate, of issues relating to protection of civilians in its deliberations on the establishment, change or closing of peacekeeping mandates, an aide-memoire listing the relevant issues should be prepared in cooperation with the UNSC. 4) The Council members would welcome a briefing by the Secretariat on the

status of these initiatives by November 2001 with a view to finalizing them as soon as possible thereafter. Half-day expert-level seminars also were suggested on specific issues to further ensure the necessary interaction between Council and Secretariat. Against this background and invoking the UNSC decisions in this respect, the Council members requested the SG to present a report no later than November 2002 on the status of implementation of the relevant recommendations regarding the protection of civilians in armed conflict, and any other matter he wished to bring to the Council's attention on this subject matter.

Several things are noteworthy about this most unusual letter from the UNSC to the SG. The communication came nearly two months after the April 2001 debate. The UNSC gave very precise and detailed instructions on what it wanted from the SG and the relevant units of the Secretariat. It demanded two major submissions, an aide-memoire in November 2001 and a full report in November 2002, thus establishing a long-term schedule for its own consideration of the agenda item. It was furthermore notable that in the UNSC letter an unmistakable desire for close Council-Secretariat collaboration was expressed and instructions were directly issued to two Secretariat units, OCHA and DPKO, for improvements in their collaboration. Such intrusive directions are quite unusual in that the UNSC has always respected the official rank and status of the SG as Head of the UN Secretariat. The language of the UNSC letter left little room for negotiation or reshuffling by those receiving the instruction. Still, it needs to be reiterated that the UNSC committed itself here in public form to a prolonged consideration of the civilian protection question aware of the pressure from Member States and NGOs for more active engagement on that critical dimension of the wellbeing of individuals worldwide.

The following months brought the fulfillment of the UNSC timetable and work schedule. As intimated in the UNSC letter, the Council convened its 4424<sup>th</sup> meeting on 21 November 2001 to receive the briefing by the Secretariat on the status of the initiatives outlined in the letter. Mr. Oshima, the USG for Humanitarian Affairs and Emergency Relief Coordinator, was invited to address the Council and present the briefing. He opened the briefing by highlighting the issues and challenges addressed in the SG report including the issue of humanitarian access to vulnerable populations; the special protection needs of women and children; safety, protection and security in

camps for internally displaced persons; engagement with armed groups for access negotiations; civil and military relations in the delivery of humanitarian aid; separation of civilians and combatants in camps for internally displaced persons and refugees; and the security and safety of humanitarian personnel. He added that the daily conditions in the field fully reflected what had been communicated in the SG report. In the following segment of his briefing he shared with the Council specific information about the steps taken to carry out what the Council had asked for. In the reorganization of the 54 recommendations of the SG reports, labeled “roadmap,” the Secretariat had set up a matrix for sorting out all the proposals and had consulted with other offices and with the UNSC in designing this new format. As to the aide-memoire, a checklist to ensure that the civilian protection concerns were systematically taken into consideration in establishing, changing or closing peacekeeping mandates, OCHA working closely with DPKO and humanitarian and human rights agencies, had prepared a list of issues for the Council’s consideration and had sent the draft informally to interested Member States for comment. It was suggested that a half-day expert-level discussion with SC members could be organized to review the aide-memoire the following year, in January or February. Concerning the third initiative ensuring closer coordination between OCHA and DPKO, the SG welcomed the idea of a cross-cutting team composed of members of the two units to facilitate due consideration of issues related to the protection of civilians in the design, planning implementation of peacekeeping operations. To that end, OCHA was developing a strategic paper, which would be brought to the attention of the members of the Executive Committee on Humanitarian Affairs and the Inter-Agency Standing Committee for further development and action. In conclusion, Mr. Oshima committed his office to providing within a few months additional information on the status of these initiatives.<sup>49</sup>

In the following question-and-answer period, most delegations asked a variety of questions dealing with the status of work and the effects in specific field situations. In a more critical vein, the representative of Singapore asked whether the thousands of words on the protection of civilians, the protection of children and the protection of women had actually made a difference in terms of deeds on the ground and requested at the next meeting on the subject concrete information, what he called “trend lines”: Could one indicate a change for better or worse: are more civilians really being harmed,

injured or killed? He also submitted that it might be useful to cluster the recommendations so that they could be applied in four related agenda items before the Council. This might save meeting time and costs and help ease the burden especially on the small missions with very limited staff. As a third point, he raised the issue of non-State actors and asked how the norms created by the Council could be applied to those parties without coercion. He felt that the Council really had to commit to this difficult aspect of the problem, which led him to raise the whole problem of the humanitarian intervention.<sup>50</sup>

The UNSC President in closing this special meeting reaffirmed the direct link between the protection of civilians in armed conflict and the Council mandate to maintain international peace and security and, with thanks to Mr. Oshima, mentioned the continued follow-up on this question and another round of meetings in later months.<sup>51</sup>

The dialogue was resumed in March 2002, at the Council's 4492<sup>nd</sup> meeting on 15 March. Again, Mr. Oshima appeared before the Council to update the members on the work done in the past few months on the UNSC initiatives from June 2001. Reviewing several current field situations, such as Palestine, the Sudan, Angola, Liberia, Sierra Leone, Guinea, and the Democratic Republic of the Congo, he stressed how seriously endangered civilians were in those places. He listed important initiatives, which were being developed and were to be completed at the earliest opportunity. In this review, he pointed to the completion of the aide-memoire, serving as a toolkit for relevant situations and provided details regarding close inter-departmental and inter-agency collaboration on those issues, which were shared in terms of mandates and ongoing activities. This full expose of significant efforts and operations to advance the work on behalf of the protection of civilians was indicative of the seriousness, with which the UN entities had pursued the instructions by the Council.<sup>52</sup> After a very constructive exchange of views and responding to numerous questions from Council members, the UNSC President, the representative of Norway, brought the meeting to a close, emphasizing the focus on the protection of civilians as part of the Council's peace work and noted the more than 40 references in previous SC resolutions and Presidential Statements addressing relevant concerns. This body of official declarations of the Council reflected the enormous progress made in the issue of civilian protection and the

tremendous work still to be done to further improve the record.<sup>53</sup>

Following directly after the closure of the 4492<sup>nd</sup> meeting at 12:20 p.m., the UNSC held another official meeting, the 4493<sup>rd</sup> meeting, at which the President read the Presidential Statement<sup>54</sup>, which had been agreed upon in consultations among the members. Herein, the UNSC reaffirmed its concern at the hardships borne by civilians during armed conflict and recognized the consequent impact this had on durable peace, reconciliation and development, and underlining the importance of taking measures aimed at conflict prevention and resolution. The UNSC decided to adopt the aide-memoire contained in the annex to the presidential statement as a means to facilitate its consideration of issues pertaining to protection of civilians. Having read the presidential statement, the UNSC President, in brief concluding remarks, remarked that the innovative manner in which the aide-memoire was developed, through close cooperation between OCHA and Council members, could be usefully applied when the aid-memoire needed updating.<sup>55</sup> The aide-memoire, in the fourth draft revealing the long drafting process, was attached to the Presidential Statement showing the well-structured presentation of the numerous previous references falling into thirteen separate objectives. These were: Access to vulnerable populations; separation of civilians and armed elements; justice and reconciliation; security, law and order; disarmament, demobilization, reintegration, and rehabilitation; small arms and mine action; training of security and peacekeeping forces; effects on women; effects on children; safety and security of humanitarian and associated personnel; media and information; natural resources and armed conflict; and humanitarian impact of sanctions.<sup>56</sup>

This construct offers the full assortment of critical issues surrounding the matter of human security in the midst of danger and violent conflict. It justifies the conclusion that in this agenda item the special efforts to clarify the terminology and apply the scheme to the complex tasks to be carried out in the field had borne rich fruit and lent itself to the challenging work of the individual members of the UNSC and of the UNSC as a collective policy- and decision-maker. In this instance, the road taken by the UNSC and its partners had moved them deep into the field of specific actions in various conflict zones. Moreover, it put the attention for the civilian protection matter into the center of the UNSC's Charter-based work for peace and security.

The climax of the period in which the UNSC made the protection of civilians its

own theme was reached at the end of 2002 when on 26 November 2002 the SG submitted, in accordance with the UNSC's request, the third report on the agenda item.<sup>57</sup> Any more careful reading of the sequence of reports, deliberations and decisions during the three-year period since the inception of the consideration at Canada's initiative reveals a thorough and deepening search for the proper placement of this burning new concern on the UN agenda, in particular the crucial political agenda of the UNSC itself. The SG's report to the Council went back to the beginning and demonstrated to the Council the enormous distance it had traveled from those pristine moments in 1999. The emphasis, which the SG placed on the procedural angle of this immersion, was fully justified as all parties to the new cluster of human security concerns took full part in the endeavor to assimilate the new thinking about human security into the vocabulary of the UNSC and its partners in most of the ongoing field operations under UN auspices. While restating some of the earlier findings, the report was mostly targeted to equip the Council and its members with the tools necessary to carry the process further. Putting this special track of deliberation and policymaking into the wider context of the ever changing UN agenda, the SG rendered thereby critical assistance to the purposeful engagement of the UNSC. Placing the escalating human casualties due to armed conflict and many other known ills as background to his arguments, the SG presented a detailed and highly structured account of the state of affairs confronting the UNSC and its partners in action, and removed any and all excuses for the Council collectively or for individual members to shirk their responsibility towards human survival and wellbeing.

In concluding this seminal report, the SG stressed the changing environment for the protection of civilians. At present, he argued, the durability of peace was dependent on a commitment to the protection of civilians from its very inception. The report outlined practical measures in three key areas relating to transitional peace processes. First, Member States must understand and accept their obligations as well as responsibilities for the protection of civilians in conflict situations. Secondly, a commitment was required to structured and inclusive negotiations on issues of humanitarian access, to the separation of armed elements from civilians, and there was need for a determination to ensure the physical safety of humanitarian personnel and the civilians whom they were assisting. Thirdly, there was the need to appreciate better the

interdependence between humanitarian assistance, peace and development. Finally, the SG called for collective will to address new threats to civilian protection, which were posed by commercial exploitation of conflicts, the sexual exploitation of civilians in conflict and the global threat of terrorism.

Wrapping up this basic review, the SG warmly recommended several practical initiatives that should guide the UN in its daily work on civilian protection. Regional workshops could help in identifying threats to regional peace and security. The Council should consider adopting and using the aide-memoire to develop frameworks and more structured approaches to the protection of civilians by UN country teams in conflict areas. Here, he recalled favorably the review of these new tools in a UNSC workshop on 18 July 2002 on the Mano River region in the DRC. This kind of review should be undertaken periodically to improve key mandates and resolutions where the protection of civilians remained an important challenge. All this would benefit from a continuing and intensifying process of closely aligning the activities of all the UN offices and other relevant UN entities relating to the integration of the protection of civilians into planning frameworks for peace missions and peace processes.

In the Annex to the SG report, the draft “roadmap” was set out in response to UNSC requests in its resolutions 1265 (1999) and 1296 (2000). The version contained a reorganized tabulation of the recommendations along action-oriented themes identified in the round tables and also found in the aide-memoire. Further work on this new format was scheduled in the early months of 2003 to refine the instrument and to make it more useful for the work of the UNSC itself as well as numerous partners in and outside the UN system. This involved also concrete steps taken by ECOSOC suggesting to Member States participation in workshops on the protection of civilians with a view to sharing knowledge and experience and improving practice. These workshops introduced fundamental concepts concerning civilian protection, provided participants with experience in using diagnostic tools and brought a regional perspective to the security threats and the protection of civilians.

A few weeks later, on 10 December 2002, the UNSC held its 4660<sup>th</sup> meeting<sup>58</sup> to take up the important report by the SG on the protection of civilians in armed conflict. The importance of this particular session was indicated by its being held on Human Rights Day and by the presence of the Secretary-General who offered a general

introduction of his new report. He offered his compliments for the Council's impressive record of formulating within a period of less than three years a conceptual framework for tackling the issue at hand. He added that it was most significant to translate the knowledge gained in conceptualization into practical action and a clear path from policy to implementation. In view of the huge number of people falling within the category of civilians in conflict situations, he underlined that the protection needs did not end with a cease-fire, but must extend into the post-conflict period without which peace-building would not become effective. He related this substantial work on protecting victimized civilians to the fundamental aim of the UN, namely to save succeeding generations from the scourge of war.<sup>59</sup> Following the practice of a few earlier meetings, the USG for Humanitarian Affairs, Mr. Oshima, speaking after the SG, shared with the Council members a very detailed and action-oriented overview of the recent activities within the Secretariat and with associated outside partners bringing about a growing tool box available to political organs and international personnel. He held the recent progress in conceptual and programming work against the unacceptably high toll in human life and livelihood and spelled out the dire need for protection and assistance in crisis situations around the world. He mentioned furthermore that the Government of Norway had taken the lead in establishing a support group of Member States to create a broader support base for the protection of civilians in armed conflict, and praised this exceptional step in burden-sharing between the membership and the Secretariat. Summing up, he submitted the three core tasks of the agenda of protection of civilians, namely to advocate, to educate and to implement, and promised that his Office would report on further progress in six months, thus maintaining the forward momentum.<sup>60</sup>

Reflecting the openness of recent UNSC meetings, the current Head of the ICRC then took the floor and enlarged some of the field reports as put forward by the SG and his aide. Using the term "alarming," Mr. Gnaediger expressed his agreement with the tone of the SG's three reports on the issue and pointed out that the global network of the ICRC enabled it to attest to the unspeakable suffering of civilian populations who were frequently the prime targets of these violent conflicts. This suffering included acts of genocide, ethnic cleansing, indiscriminate attacks by regular armies or other armed elements, terrorist acts, starving populations, women having fallen victim to sexual violence, child soldiers, families separated without any news of their loved ones and

forced disappearances. He added that such situations were exactly the subject of international humanitarian law, one of whose pillars was the protection of civilian populations. The absolute prohibition of any violence directed against any and all civilians was firmly inscribed in the 1949 Geneva Conventions and the additional protocols; therefore the main task was not the formulation of new legal principles but instead a concerted international effort to reach full compliance with the existing conventions and statutes.<sup>61</sup>

In the subsequent debate extending into a resumed session in the afternoon of 10 December 2002, a large number of non-Council Members addressed the UNSC on the question of civilian protection. Considering the principal quality of this particular meeting, it should not come as too much of a surprise that the core link between the protection of civilians and human security would be brought back into the public dialogue. Several members of the Human Security Network were among the speakers at the session, among them in particular Norway, which had been instrumental together with Canada to launch the movement for human security, and Austria, not a Council member during that year. As the representative of Norway spoke with great intensity about the urgent issue of improving the protection of civilians, he remarked that his delegation aligned itself fully with the statement to be made by Austria on behalf of the Human Security Network later in the debate. Similarly, the delegates of Canada, Chile, Ireland, and Switzerland associated themselves with the Austrian statement.<sup>62</sup>

The profound importance of the occasion is fully reflected in the emphatic statement by the Austrian representative on behalf of the Human Security Network. The Austrian delegate opened his statement by stating that he spoke in Austria's capacity as current Chair of the Human Security Network, an interregional group of countries also comprising by then Canada, Chile, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Slovenia, South Africa (as observer), Switzerland, and Thailand. For this group of States the protection of civilians was at the core of the Network's endeavors to ensure the security and the rights of the individual. The group aimed to take concrete actions to make the world a place where everybody could live in security and dignity, free from fear and want, with equal opportunities to develop their human potential. These efforts were directly related to what the SG had termed the humanitarian imperative: the very essence of UN work to establish human security where it was under threat, where it was

no longer present or where it never existed. The reality diverged dramatically from this powerful vision. But the Network joined the SG in embracing the goal to develop a culture of protection within and beyond the UN. The members of the group urged the Council to sustain the momentum generated behind the agenda item, and called upon the SG to update the Council regularly on new developments in that field. Specifically, the representative endorsed the proposal to develop measures to raise the awareness of all parties in conflict, including non-State actors, of their responsibilities and of the relevant provisions under international humanitarian, human rights, and criminal law. Regarding displacement of populations, oftentimes result or even aim of current conflicts, the Austrian delegate drew the Council's attention to the ongoing work of the GA and the Commission of Human Rights to formulate legal norms in support of protection and assistance to internally displaced persons, building upon the crucial efforts of the SG's Representative on Internally Displaced Persons. The members of the Network shared the view that sustainable peace could only be achieved on the foundation of an effective and fair administration of justice ensuring accountability for past grave human rights violations, and welcomed the entry into force of the Rome Statute of the International Criminal Court, which marked an important contribution to ending impunity. They further agreed with the SG that reconciliation efforts needed to be carried out in a culturally sensitive way and that relevant education should build tolerance and social justice in communities during and after conflict, with human rights education being especially pertinent. The Network was currently engaged in drafting a declaration on human rights education principles and in producing a manual on that subject. On yet another aspect of the problem, the members of the Human Security Network viewed the widespread use of small arms, light weapons and anti-personnel landmines and their impact on the scope and level of violence as affecting civilian populations during and after armed conflict. In this connection, the representative remarked that a week ago, the fifth anniversary of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and Their Destruction had been commemorated, an initiative that originally had led to the establishment of the Human Security Network. At the end of the forceful declaration, the Austrian representative pledged full dedication of the members of the Network to supporting and promoting the protection of civilians in armed conflict as an

indispensable foundation for peace, security and stability.<sup>63</sup>

Ten days later, on 20 December 2002, the UNSC held a brief evening meeting to allow the President to read out the consensus statement on behalf of the Council.<sup>64</sup> This extensive declaration summarized the main points of the 10 December debate and put the Council and its members on record as to what they acknowledged as fundamental norms and values in the matter of civilian protection and as to what they committed themselves, individually and as a collective, to do in situations constituting a massive and immediate threat to civilian populations. Thus, the UNSC went on record again condemning all attacks and acts of violence directed against civilians and other protected persons. Furthermore, the Council called upon all parties to armed conflict to comply fully with the UN Charter, the four Geneva Conventions and other rules and principles of relevant international law. The UNSC also took note of the aide-memoire adopted in March 2002 and underscored its importance as a basis for improved analysis and diagnosis of key protection issues and committed itself to updating it annually to include emerging trends in the protection of civilians in armed conflict. Acknowledging the severe problems in securing access from non-State actors to civilian populations under their de-facto rule, the Council stressed the importance of the comprehensive framework agreements relating to improved access and encouraged the ongoing work by UN agencies for a manual of field practices of negotiations with armed groups to strengthen the UN capabilities in this respect. In addition, the UNSC issued a strong endorsement regarding the urgency to improve the protection of refugees and internally displaced persons, and in particular to maintain the security and civilian character of camps for these groups in flight. The Council paid attention to the emerging conditions affecting the capacity of Member States to protect civilians, and expressed great dismay about gender-based violence, including sexual exploitation, abuse and trafficking of women and girls, new scourges exacerbating the situation of the unprotected victims; here, the Council advised States to apply the six core principles developed by the UN and other humanitarian partners to prevent or at least remedy situations of sexual cruelty. The concluding paragraph of the Presidential Statement offered the Council's recognition of the importance of a comprehensive, coherent and action-oriented approach to the protection of civilians in armed conflict. The Council encouraged all other partners, Member States and relevant UN offices and agencies, to cooperate on

this critical front of international engagement and drew attention to related recent Council resolutions on women, peace, and security, and on children in armed conflict. In order to stay fully informed and prepared, the Council requested another SG report by June 2004 and invited the Secretariat to continue its oral briefings every six months to report on progress in the roadmap concept as set out in the SG report (S/2002/1300).

If one sees this high point on the three-year time line as the climax and end point in the evolution from an idea to a central norm in the Council's work, the next occasion where the protection of civilians in armed conflict was placed on the UNSC agenda could be described as a postlude. This is not to argue that the story that has been told in a rather simplified way, ended at the December 2002 date. Nevertheless, there is the clear impression that with the deliberations of the 4660<sup>th</sup> meeting and thereafter a process has come to an important fulfillment. What occurs after this point in time is a new phase, in which the Council is handling the agenda item as a regular feature on its long list of issues to be considered. The feeling is generated that nobody questions any more the salience of the concept although differences continue about the description of "human security" as a new paradigm and the civilian protection item as the core of that basic norm.

It appears that the 4777<sup>th</sup> meeting on 20 June 2003 was convened in order to give the USG for Humanitarian Affairs an opportunity to update the Council members as agreed after six months about new activities and achievements, but possibly more important, to allow Mr. Oshima to bid goodbye to the UNSC as his tenure as USG was about to end. It is most probable that this coincidence facilitated the decision to take up the issue of civilian protection again. The opening statement by the Russian Ambassador serving in the capacity of UNSC President made mention of the impending departure of Mr. Oshima from his senior post in the Secretariat. The evidence of the course of the meeting further strengthens the speculation that the intention was to honor the USG in this formal and visible fashion. The statement of assessment and evaluation by Mr. Oshima took a major part of the Council meeting. He offered an overview over main strands of conceptualization and follow-up work carried out in his Office and reflected systematically on the remaining tasks and challenges for the Secretariat after his stepping down from his assignment. In offering his thoughts on the central purpose of the UN Charter and its practice, namely the safety and wellbeing of the human

individual, he warmly endorsed the movement towards the culture of protection, the goal coined by the SG and his principal aides.<sup>65</sup>

The new phase of the Council's involvement with the issue was reflected in the strong recommendation by the UK representative who spoke in favor of "mainstreaming" these issues into the focus of the UNSC.<sup>66</sup> The near-unanimous appreciation of the steady efforts and results of Mr. Oshima's Office by the Council Members shaped the flow and atmosphere of this official farewell. Following in the footsteps of Austria at the earlier occasion, the representative of Chile speaking on behalf of the Human Security Network, affirmed the notion that protecting civilians was at the heart of UN credibility. He gave for the colleagues in the Council a brief recounting of what the purpose of this Network was. Its aim was to change the focus of security, which had traditionally been state-centered, to emphasize the human dimension of security. The concern of his Government and other Member States was directed towards the impact of conflict on real flesh-and- blood human beings. It appeared to his delegation that the concept of human security was directly related to the humanitarian efforts outlined by Mr. Oshima.<sup>67</sup>

The meeting which had been convened due to the President's initiative, was concluded without any formal UNSC action further providing evidence that the basic reason for the gathering was the formal farewell for the USG for Humanitarian Affairs. It should be mentioned in this connection that compared to other UN officials and outside speakers and experts, Mr. Oshima had been much more frequently engaged with the Council, first in several public meetings over the years, and in addition in many informal consultations and working sessions. It also becomes clear that the Council members owed quite a bit of gratitude to Mr. Oshima and his colleagues as they had been in the forefront of filling in the blanks in the introduction and pursuit of the key item of the protection of civilians in armed conflict.

## **5. Human Security and Peace-Building**

It has become clear from the previous argument that human security also falls within the parameters of peace-building. The logic of the relationship emerges from the simple question whether a stable peace can be gained without ensuring human security for the

members of the community in which such a process has been initiated. One can go even further and propose that it is absolutely indispensable to place the assurance of effective human security into the center of the achievement of enduring and stable peace. If we recall the genesis of the term “peace-building” coined and introduced prominently in the 1992 Agenda for Peace, the comprehensive quality of this integral part of the overall peace process strikes us as essential as well as pertinent. The referent for most of the components of what is understood as peace-building has been the individual in his/her community. Whatever needs doing is performed in order to provide to everybody the “freedom from fear” and the “freedom from want.” Much has been written in academic works about peace-building, and therefore there is no compelling necessity to go over those definitional and terminal endeavors again. From the perspective of the main UN organs, especially the UNSC as well as the GA, it is part and parcel of their respective mandates and agendas to establish a record of successful measures bringing the blessings of peace to conflicted communities around the world. One can hear a steady multilateral dialogue that attempts to advance the goal of peace and stability in failed states and civil war situations. The general insight between practitioners and scholars is the requirement of time and of commitment to keep a process of peace-building going. Examples in recent years abound where the elusive goal of durable peace has been delayed if not lost because of impatience on the part of the donor community and due to inadequate material and moral support for the difficult and challenging enterprise; one should name Afghanistan and Liberia as major examples of what is at stake in peace-building operations in major crisis spots. The financial shortfall in most emergencies is so notorious that one must question the underlying commitment to repair and restore those troubled sites.

The brief remarks so far need some expanding as one remembers the basic conceptual gap in the understanding of human security. The contrast is between protection of individuals on the one hand and poverty eradication on the other. The basic question here is whether an individual living in poverty and misery can be seen as “secure” if this miserable condition is not disturbed by violent conflict. One could draw the tentative conclusion that human security is a comprehensive formula and that the eradication of poverty is an integral part of its content. This debate was also briefly touched upon above when the definition of human security was the topic. Putting

human security into the wider context of universal principles as proclaimed by major UN bodies and conferences, there is no denying the fact that protection alone, while worthy and desirable for its own sake, is not sufficient to circumscribe the meaning of human security. Objectively speaking, the goal of human security is valid only in that it addresses all aspects of human depravity and insecurity as conditions to be overcome. Such absolutist premise can be maintained in order to keep alive the flame of vision for a better future for all mankind and not just the privileged few. If nothing else, one can venture the assumption that those who for pragmatic reasons restrict their program of action are still fully aware that the larger agenda of poverty eradication has not been abandoned, but that a start on this long journey had to be made.

That proposition helps to see the major efforts of the UNSC as motivated by Canada and Norway and others in the following light: those limited goals have been set and pursued in pragmatic restraint and have focussed on a few concrete objectives. Ideal notions of the authority of the UNSC must be adjusted downward in view of the political realities surrounding the functioning of this central Charter-body. The collective will of the Council members can affect many things, but it is beyond the capacity of the UNSC as currently constituted to revise the mechanisms of an interdependent world. The Canadian Government and its dynamic Foreign Minister saw the opportunity to launch a major campaign at a rather inactive time of the Council's evolution. Choosing a target that was basically beyond controversy and garnered at least lukewarm support from the most reticent among the Council members ensured that the breach in the wall of past practice created an innovative opportunity. The Canadian initiative gained in a limited period of less than three years a full success ending in the unrestricted acceptance of a new cluster of humanitarian and human rights concerns oriented toward the individual level by a unanimous Council. The victory of pragmatism did not amount to a defeat of principle, but to an implicit phasing-in of that new initiative over a longer period of time. As the Canadian speaker pointed out in 2002, long after its membership in the Council had come to an end,<sup>68</sup> the spectacle of extensive deliberations and a growing set of resolutions and statements on the civilian protection issue by the 15-member body offered the Governments of Canada and of other middle powers and smaller states in and around the Human Security Network tremendous gratification.

As was mentioned in passing above, the sequence on the protection of civilians in armed conflict has resulted in major gains in the Council's policymaking and decision-making posture. Opening the Council regularly to the presence and voices of important humanitarian organizations and UN offices and agencies constitutes a tremendous step forward into the world arena. Getting involved in informal sessions with Secretariat staff and joining those in deliberation and drafting strengthens the bonds between the different elements on the multilateral stage and improves the outcomes. Drafting help becomes more focused and sensitive to the political needs of the Council members and presents a golden opportunity to open up to more substantive help from UN officials and staff, thus lowering the barriers between senior diplomats and international staff. Altogether, the Council has become a more efficient decision-maker while improving transparency and thereby remaining well connected with all the Member States and numerous regional groupings whose interest in UN policymaking continues to be quite intense. The outcome of the last phase in the promotion of the civilian protection agenda item was remarkable as all participants praised the close collaboration and its effects on the matter at hand and on the Council's standing and acting altogether.

## **6. Conclusion**

The review of the UNSC treatment of the innovative agenda item of the protection of civilians in armed conflict has brought a certain amount of clarity as to what can be seen in the policy notion of human security as promoted by Canada, Japan and other States and intergovernmental organizations as compared with a carefully defined theoretical term meeting the refined standards of scholarly examination. The prevailing mix of different understandings is at this point not ready to be settled by some definitive analysis of a philosopher or social scientist. To reject the notion is, however, neither desirable nor necessary. The earlier review of current uses of the term "human security" has exposed a major dichotomy of perception between the group which focuses on the narrow meaning of personal and group "security," whereas the other faction thinks of human security in much wider connotations resulting in the idea that all threats to human well-being should be included in the definition. As pointed out in a reference

above, the tension between “freedom of fear” and “freedom of want” should be amicably resolved. The current Canadian undertaking to collect and publish all data annually relating to threats to human security,<sup>69</sup> while excluding massive data about the huge gap of inequality in the global system and the immense poverty afflicting the majority of the world population, is in and of itself an arguable restriction. For a global perspective of the contemporary world, it is absolutely essential to depict the human community in its painful division between the “haves” and the “have-nots.” The scope of human misery is oftentimes reproduced in annual reports streaming out of the UN system and from many non-governmental organizations. Only a global view will be sufficient to expose the level of inequality and injustice and recommend measures to remedy this scandalous situation. As far as the circulating conceptions of “human security” are concerned, the UNDP terminology, the vocabulary of Caroline Thomas, and the articulations issued by the Japanese Government in recent years include the human misery component in their definition and description. There should be no way around the concession that human survival is the prime factor in what can be called “human security”. If critics claim that the concept is not viable because there are no clear empirical measures for that state of affairs, it must be argued that such stringent criteria need not be met in a policy norm.

Ultimately, and as spelled out a few times above, the focus of this paper is really on a policy standard that will allow operational decisions to be taken and to be carried out as instructed. Looking here once more at the Canadian step of reducing the paradigm debate to a practical guide for relevant political action in crisis-ridden sites all over the world, it is unavoidable to concede that the Canadian plan succeeded beyond expectations. Had the sponsor insisted on an absolute standard, the pragmatic actors in the UNSC forum would have refused joining such futile engagement. Since the shift to human security is presented as a paradigm shift, it creates some confusion to observe that the shift to pragmatic goals emerges from the absolute departure point. Glancing over the developments during the three year period from 1999 through 2002 in the UNSC, one is left with a positive sense of progress in that one could be sure that further difficulties on the protection front would be taken up much more quickly and quite forcefully.

With all the reservations about the current role of the UN and the UNSC, this story

of how the Council was challenged to take up a new and difficult task going far beyond the range of the Cold War period and how it managed to rise to the level of practical policies and effective decisions in many emergencies while establishing a new dimension in its widening agenda for a world in turmoil, is convincing evidence of the impressive vitality and dynamic of the Council. The UNSC underwent this transformation of its mandate and agenda and demonstrated in its tracking record its aptitude in learning. These specific examples of the Council's flexibility and openness have been touched upon earlier. The contributions by numerous Member States, many of them serving only on a nonpermanent basis, deserve to be heralded. This shows in the fact that among members of the informal Human Security Network quite a few have been involved in the UNSC business during these three years. The new evidence furthermore strengthens the viewpoint that initiative and guidance in the UNSC oftentimes come from smaller temporary members. This condition in the working of the Council serves as reaffirmation of the continuing viability and utility of the instrument of the UNSC for purposes relating to peace and security including the central obligation, to ensure the security of the individual in the changing world of today and tomorrow.

## Notes

<sup>1</sup> For a fine example of such an article, see Roland Paris, "Paradigm Shift or Hot Air?" *International Security*, vol. 26, no. 2, 2001, pp. 87-102.

<sup>2</sup> Such descriptive account is e.g. found in the very comprehensive paper by Kanti Bajpai, "Human Security: Concept and Measurement," Occasional Paper #19, Kroc Institute, University of Notre Dame, 2000; esp. pp. 9-17.

<sup>3</sup> See here Foreign ministry website <<http://www.dfait.gc.ca/foreignp/humansecurity/menu-e>>. Further, highly pertinent is the volume issued under the auspices of the Canadian Foreign Ministry, Rob McRae & Don Hubert (eds.) *Human Security and the New Diplomacy. Promoting People, Promoting Peace* (Montreal & Kingston: McGill-Queen's University Press, 2001).

<sup>4</sup> Yukio Takasu, "Toward Effective Cross-Sectorial Partnership to Ensure Human Security in a Globalized World." <[http://www.mofa.go.jp/policy/human\\_secu/speech0006.html](http://www.mofa.go.jp/policy/human_secu/speech0006.html)>

<sup>5</sup> Government of Japan, Ministry of Foreign Affairs. *Diplomatic Bluebook 1999*, Chapter 2, Section 3, from website <[www.mofa.go.jp](http://www.mofa.go.jp)>.

<sup>6</sup> Human Security Network homepage. <<http://www.humansecuritynetwork.org/menu-e.asp>>

<sup>7</sup> See Kanti Bajpai, *op.cit.*, pp1-4.

<sup>8</sup> Lincoln Chen, "Human Security: Concepts and Approaches" in Tatsuro Matsumae and Lincoln C. Chen (eds.), *Common Security in Asia; New Concepts of Human Security* (Tokyo: Tokai University Press, 1995), p. 139.

<sup>9</sup> David T. Graham and Nana K. Poku, *Migration, Globalisation and Human Security* (London: Routledge, 2000), p. 17.

<sup>10</sup> *Ibid.*, p. 585.

<sup>11</sup> *Ibid.*, p. 598.

<sup>12</sup> Gary King and Christopher J.L. Murray, "Rethinking Human Security," *Political Science Quarterly*, vol. 116, no. 4, Winter 2002, pp. 585-610. This article also provides an overview of the whole issue including the Canadian initiative.

<sup>13</sup> Jennifer Leaning and Sam Arie, "Human Security in Crisis and Transition: A Background Document of Definition and Application," Working Draft, prepared for USAID/Tulane CERTI. September 2000, p. 37.

<sup>14</sup> George McLean, The Changing Concept of Human Security: Coordinating National and Multilateral Responses. <<http://www.anac.org/canada/security/maclean.html>>

<sup>15</sup> Astri Suhrke, "Human Security and the Interests of States," *Security Dialogue*, vol. 303, 1999, pp. 265-276.

<sup>16</sup> Caroline Thomas, *Global Governance, Development and Human Security* (London: Pluto Press, 2000), pp. 6-7; Caroline Thomas and Peter Wilkin (eds.) *Globalization, Human Security, and the African Experience* (Boulder and London: Lynne Rienner Publishers, 1999), p. 3; further, Caroline Thomas, "New Directions in Thinking about Security in the Third World," in Ken Booth (ed.), *New Thinking About Strategy and International Security* (London: Harper Collins Academic, 1991), pp. 267-289. Also Caroline Thomas, "Global governance and human security" in Rorden Wilkinson and Steve Hughes (eds.), *Global Governance. Critical Perspectives* (London: Routledge, 2002), pp. 113-131.

<sup>17</sup> See here inter alia the essays by Roland Paris (endnote 1); Pinar Bilgin, "Individual and Societal Dimensions of Security," *International Studies Review*, vol. 5, no. 2, June 2003, pp. 203-222; Jyothi M. Pathania, "Bangladesh: Non-traditional Security," paper no. 751, South Asia Analysis Group, 30.07., 2003; and Barnett Rubin, "Afghanistan and Threats to Human Security," *Social Science Research Council: After Sept.11, 2001*. (6 pages).

<sup>18</sup> United Nations Development Program (UNDP), *Human Development Report 1994* (New York: Oxford University Press, 1994), p. 22.

<sup>19</sup> For the description of the UNDP position, chapter 2: New dimensions of human security, *ibid.*, pp. 22-46, has been the essential source.

<sup>20</sup> *Ibid.*, pp. 34-37.

<sup>21</sup> For fuller accounts regarding the Canadian diplomatic initiative, see Rob McRae and Don Hubert (eds.) *Human Security and the New Diplomacy. Protecting People, Promoting Peace* (Montreal and Kingston: McGill-Queen's University Press, 2001); esp. the Introduction by former Foreign Minister Lloyd Axworthy, and the case study entitled "The Security Council and the Protection of Civilians" by Elissa Goldberg and Don Hubert in chapter 9 (The New Multilateralism).

<sup>22</sup> See her in particular the case study cited above by Goldberg and Hubert. See the 3977th meeting of the UNSC on 12 February 1999, especially the opening words by Axworthy as UNSC President and his lengthy statement in his capacity as

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Representative of Canada, S/PV.3977, pp. 30-33.

<sup>23</sup> UN S/PV.3968, pp. 13-14.

<sup>24</sup> UN S/PV.3977, pp. 2-5 (Mr. Sommaruga); pp. 5-8 (Ms. Bellamy); pp. 9-11 (Mr. Otunnu).

<sup>25</sup> *Ibid.*, pp. 11-13.

<sup>26</sup> *Ibid.*, pp. 31-32.

<sup>27</sup> UN S/PV. 3978. The Presidential Statement was issued as UNSC document S/PRST/1999/6.

<sup>28</sup> It was the 3980<sup>th</sup> meeting recorded in S/PV. 3980 and S/PV.3980/Resumption 1.

<sup>29</sup> UN S/PV. 3980, Norway, pp. 7-8; Japan, pp. 10-11; Republic of Korea, pp. 20-22; Dominican Republic, pp. 24-26; S/PV. 3980/Resumption 1, Azerbaijan, pp. 2-3.

<sup>30</sup> *Ibid.*, S/PV/3980, India, pp. 16-19.

<sup>31</sup> The report was issued as UNSC document S/1999/957.

<sup>32</sup> UN S/PV.4046, Secretary-General, pp. 3-4; Mrs. Robinson, pp. 4-6.

<sup>33</sup> *Ibid.*, Canada, pp. 6-9.

<sup>34</sup> For the full text, see UNSC document S/RES/1265 (1999).

<sup>35</sup> See endnote xix above.

<sup>36</sup> For the full text of resolution 1296, see UNSC document S/RES/1296 (2000).

<sup>37</sup> This account is based on the first-hand case study on “The Human Security Network” by Michael Small, in: McRae and Hubert (eds.), *op. cit.*, pp. 231-235.

<sup>38</sup> The report by the SG was issued as UNSC document S/2001/331.

<sup>39</sup> For the complete verbatim record of the meeting, see UN S/PV.4312 and S/PV. 4312/Resumption 1.

<sup>40</sup> See *ibid.*, pp. 4-7 for Mrs. Robinson’s statement.

<sup>41</sup> For the concluding remarks of the UNSC President, see *ibid.*, Resumption 1, pp. 39-40.

<sup>42</sup> For Mr. Oshima’s remarks, see S/PV.4312/Resumption 1, pp. 2-3.

<sup>43</sup> See *ibid.*, pp. 4-5 for the statement by the representative of Canada.

<sup>44</sup> For the statement by Japan, see *ibid.*, pp. 6-7.

<sup>45</sup> For the statement by the Republic of Korea, see *ibid.*, 9-10.

<sup>46</sup> For the Malaysian statement, see *ibid.*, pp. 19-21.

<sup>47</sup> See *ibid.*, pp. 30-32, for the Iraqi statement.

<sup>48</sup> The letter was issued as UNSC document S/2001/614.

<sup>49</sup> See UN document S/PV. 4424, pp. 2-4 for Mr. Oshima’s statement.

<sup>50</sup> See *ibid.*, pp. 4-5 for Singapore’s pertinent intervention.

<sup>51</sup> See *ibid.*, p. 13 for the President’s closing remarks.

<sup>52</sup> See UNSC document S/PV. 4492, pp. 2-5 for Mr. Oshima’s account to the Council members.

<sup>53</sup> See *ibid.*, pp. 19-20 for the President’s remarks.

<sup>54</sup> The Presidential Statement read on the UNSC’s 4493<sup>rd</sup> meeting was issued as UNSC document S/PRST/2002/6.

<sup>55</sup> See the verbatim record of the 4493<sup>rd</sup> meeting (S/PV.4493) for the brief remarks by the President.

<sup>56</sup> See UNSC document S/PRST/2002/6/Annex for the full text of the aide-memoire.

<sup>57</sup> The third and so far last SG report on the protection of civilians in armed conflict was issued on 26 November as UNSC document S/2002/1300.

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<sup>58</sup> The verbatim record of this extended public deliberation was issued as UNSC documents S/PV. 4660 and S/PV. 4660/Resumption 1.

<sup>59</sup> For the SG's introductory remarks, see S/PV. 4660, p. 1.

<sup>60</sup> See *ibid.*, pp. 1-6 for Mr. Oshima's detailed presentation.

<sup>61</sup> See *ibid.*, pp. 6-8 for Mr. Gnaedinger's intervention.

<sup>62</sup> See *ibid.*, pp. 8-10 (Norway), 13-15 (Ireland), S/PV. 4660/Resumption 1, pp. 7-9 (Switzerland), 9-11 (Canada), and 11-13 (Chile).

<sup>63</sup> See S/PV. 4660/Resumption 1, pp. 16-18 for Austria's important statement on behalf of the Human Security Network.

<sup>64</sup> The Presidential Statement, which was read out at the 4679<sup>th</sup> meeting on 20 December 2002, was issued as UNSC document S/PRST/2002/41.

<sup>65</sup> See the verbatim record of the 4777<sup>th</sup> meeting of the UNSC on 20 June 2003, S/PV. 4777, pp. 3-8 for Mr. Oshima's presentation.

<sup>66</sup> See *ibid.*, pp. 9-10 for the United Kingdom statement.

<sup>67</sup> See *ibid.*, pp. 14-15 for the strong statement by Chile.

<sup>68</sup> See here for the Canadian statement at the 4660<sup>th</sup> meeting on 10 December 2002 UNSC document S/PV. 4660/Resumption 1, pp. 9-11.

<sup>69</sup> Reference here is to the new initiative to issue annually a "Human Security Report" produced by the Liu Institute for Global Issues at the University of British Columbia. The underlying definition of "human security" comprises the protection of communities and individuals from internal violence, as well as the defense of borders against external threats. Thus, this amounts to a conception of 'freedom from fear.