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## ORAL HISTORY

# *India: The Trendsetter in Humanitarian Intervention*

Virendra Dayal

*Virendra Dayal, the former Under- Secretary-General, UN and Chef de Cabinet to the Secretary-General, narrates his experiences and India's contribution in setting the global agenda for humanitarian intervention through various instances that are not generally remembered.*

**Indian Foreign Affairs Journal (IFAJ):** Under-Secretary-General Mr. Dayal, thank you very much for agreeing to talk to the Journal. You have vast experience of the United Nations' operations in various fields. We are sure that during your tenure you must have seen India's engagements in various activities of the UN. We would be grateful if you kindly share your experiences particularly on such sensitive issues like refugees or human rights.

**Virendra Dayal (VD):** Thank you very much. I would like to start with the subject of human rights, because it is closest to my heart. It is the issue with which I have been involved in all of my work, in all of my life in the UN. After I returned home in 1992, I was fortunate to serve in the National Human Rights Commission of our country for ten years from the date it was established.

Looking back at my working life, I would say that there were essentially two lessons that I learnt. They are fundamental to my view of the world. The first was the message of the Charter of the UN: there can be no lasting peace among nations unless the rights of all countries, large and small, are equally respected. That is the central message of the Charter. The second great lesson which I learnt was that there could be no real peace within a country unless the rights of all of those who dwell within its boundaries are equally respected, whether they be large or small, rich or poor. That is the lesson of the Universal Declaration of Human Rights and, indeed, of the Constitution of our Republic. These two compelling lessons have determined the way in which I look at issues and measure policies, politicians and acts of governance, or misgovernance.

There is another factor that has played heavily on my mind. That is the

human capacity to destroy and hurt its own species. I am not here talking about the damage that we are doing to our own ecological system, the suicidal destruction of our planet. I am talking about our unique capacity to destroy other human beings, the cruelty of human beings to each other. No other living species rationalises cruelty and murder as we do.

After I left the UN, I was a member of a group called the Carnegie Commission on the Prevention of Deadly Conflict. It was chaired by Cyrus R. Vance, a dear friend of mine and a former US Secretary of State and David Hamburg, who was President of the Carnegie Corporation. In the course of our research, we came to the grim realisation that the twentieth century was, by far, the bloodiest in human history. It saw the killing of some hundred million people in acts of war. In addition, approximately 105 to 110 million people were killed on grounds of race, religion, national characteristics, ethnicity and the like. At the start of the twentieth century, 95 per cent of the casualties during times of war were of soldiers in uniform. At the end of the twentieth century, the situation was reversed – 95 per cent of the casualties were civilians.

Facts such as these have determined the way in which I look at the political and diplomatic world and the kinds of issues that should concern us. I believe it is such facts that should govern our way of looking at the state of our planet, and guide the role that our country should play in the global scheme of things.

**IFAJ:** Has the UN been sensitive to the human rights issue in a consistent manner or have there been ups and downs?

**VD:** Unfortunately, the human rights situation, like most others, is greatly politicised and there is an almost ferocious lack of consistency. "Human rights" are invoked even to justify acts of war that are patently illegal and that undermine the sovereignty of states in ways contrary to the Charter. Yet here I would like to say something which may appear to be contrary but which is not: the defence of human rights is no less essential to the well-being of our planet than the defence of the boundaries of a state. To me, it appears illogical – and untenable – to expect that a state can, somehow, live in peace within secure boundaries if it has insecure people living within those boundaries, unsure of the protection of their own government. The insecurity of groups or individuals is an invitation to violence. It invites external intervention and internal subversion.

The security of states requires the strong defence of borders. It also requires the strong defence of human rights within those borders.

**IFAJ:** Sovereignty should be no excuse for ignoring human rights … .

**VD:** In my view the walls of sovereignty should not provide an alibi or cover for the violation of human rights either by the State or by non-State players – who often act with the complicity of the State. The days are over when governments could assume that they would be secure, behind the walls of sovereignty, to destroy the rights of those whom they have the responsibility to protect. To the contrary, if governments fail to exercise that responsibility, they must be held accountable for their actions in a manner that is governed by law, both domestic and international.

And here I would like to reflect on what, to my mind, is the true legacy of our country. There have been, at least, three instances in the past decades, which are not generally remembered by people involved in diplomacy, when India set the agenda for the need to intervene when human rights were egregiously violated.

The first two instances were actually before India became independent, when we still had an Interim Government with Pandit Nehru as Prime Minister. You will recall that India is unique in having become a member State of the United Nations even before it became independent. We signed the Charter in San Francisco on 26 June 1945, as a founding Member, over two years before freedom. Well, on 2 November 1946, it was India, together with two Central American countries, that introduced a resolution in the General Assembly calling, for the first time, for an international convention to prevent and punish the crime of genocide. It wasn't any European country that did so. It wasn't those who were still shell-shocked by the horrors of the World War II and the Holocaust. It wasn't the Soviet Union or China. It was India that carried the flag. I think we did it because, in the course of our national movement, under Gandhiji's leadership, we had developed a deep affinity for those who had suffered, who had been grievously wronged. Genocide was the ultimate crime, in the minds of the world and of our national leaders. So India took the lead in calling for international action to prevent and punish this crime. This was the high purpose to which India committed itself, even before we unfurled the national flag on the Red Fort.

The second instance was also in 1946 when, again, the West was initially silent, as was much of the rest of the world. It was the Indian delegation in the General Assembly that raised for the first time the question of the treatment of Indians in South Africa and the status of those who were , somewhat oddly, still called the 'coloured people' of South Africa. The story is interesting. Vijayalakshmi Pandit was heading the Indian delegation which tabled an agenda item on the "Treatment of Indians in the Union of South Africa". The great Boer general and philosopher, Field Marshall Jan Smuts, a friend of Gandhiji, said to Vijayalakshmi "Listen, if India presses this matter, the consequences will be grave. I know my own Afrikaan people: they will dig in their heels, and, instead of easing racial segregation, they will make it worse." Smuts subsequently proved to be right on this specific aspect of the matter. However, he went on to take the plea, "If India raises this matter in the General Assembly, it would be acting in breach of article 2(7) of the Charter, which prohibits the UN from interfering in matters that fall essentially within the domestic jurisdiction of a State". In raising the issue of domestic jurisdiction and sovereignty, he also appealed to Mrs. Pandit to send a message to his friend, Mahatma Gandhi, requesting Gandhiji to intervene to prevent the Government of India from pressing this matter any further. Mrs. Pandit dutifully was in touch with her brother, Pandit Nehru, who was then Prime Minister of the Interim Government. Panditji checked with Gandhiji, and sent back an instruction to Vijayalakshmi to this effect: "Gandhiji would like you to tell his friend, Jan Smuts, for whom he has the highest respect, that this is a moral and ethical issue and his conscience would not allow him or his country, to remain silent". So India pursued the matter. It was a path breaking intervention. The General Assembly went on to reject South Africa's contention that the matter was within its domestic jurisdiction. So we must remember our own past and the historicity of events. That intervention by India was the beginning of the pursuit of equal rights for "People of Colour" and the Black population of South Africa. India, under Gandhiji's inspiration and Nehru's leadership started the process. Next, on 12 July 1948, in a letter to the Secretary-General, India made the first formal challenge in the United Nations to reprehensible policy of apartheid. That date is vividly remembered in South Africa. It was a turning point in their history, and in their relationship with India.

**IFAJ:** In fact, India reinforced its position on South Africa after independence, which it took in 1948 ….

**VD:** Absolutely… this was not entirely coincidental or fortuitous. We, at that time, were ourselves grappling with the nature of the country that free India should be. Many great Indians were, simultaneously, involved with the drafting of the Universal Declaration of Human Rights and the Constitution of India. The remarkable Shiva Rao and his brother, Sir B.N. Rao, were involved with both processes and ideas which were germane to our own sense of nationhood influenced both efforts. That is how great ideas and concepts develop and influence each other. I have always felt that it is the overlapping principles of the Universal Declaration and Parts III and IV of our Constitution that should govern the outlook and behaviour of our country.

The third instance was even more startling. This was after the death and destruction in East Pakistan in 1971, when some ten million refugees crossed over into India. There was havoc in East Pakistan. Of course, there were a variety of reasons for India wanting to end that disastrous situation, which had grave consequences for India itself. The presence of that vast number of refugees on our soil posed an intolerable burden on our country, undermining its safety and well-being. But there was another element, as well, that India could not tolerate: it was the "ethnic cleansing" and the genocidal activity next door, that was unacceptable. The consequences of those acts, appalling in themselves, were spilling over our borders posing a threat to our country no less serious than military aggression.

**IFAJ:** We were pitted against the opinion of the whole world community… .

**VD:** Precisely…. And our motives for intervening were, of course, many and mixed, when we finally sent our troops into East Pakistan. We took the position, at that time, that we were exercising our legitimate right to self-defence under the Article 51 of the Charter. Furthermore, we argued that we could not be a silent witness to genocide, and what are now described as "ethnic cleansing" and "crimes against humanity". We were criticized then. But, historically speaking, we were in the vanguard of the defence of human rights, and our actions would now probably be viewed quite differently by those who then criticised us.

**IFAJ:** It is interesting because the world body by objecting to this was actually

ignoring its own principles and in a way reasserting the sovereignty principle against the human rights principle.

**VD**: You are right. The whole question of the balance between "sovereignty" and the "responsibility to protect" is, still, an uneasy one. It has been a relationship which has, on occasion, led to actions, which were illegal and unjustified and, at other times, to actions which are both legal and required. Only gradually are generally acceptable rules of engagement being evolved. But, certainly in 1971, India was more or less alone and severely criticised. The world has since changed. It has begun to come to terms with what Kofi Annan described as the concept of "dual sovereignty" – the sovereignty of the state, yes, but also the sovereignty of the individual.

After 1971, the next instance of humanitarian intervention was, again, by a country of the "South". In 1978, Vietnam sent its troops against Pol Pot both to protect the Vietnamese ethnic minority in Cambodia and to end the genocidal regime of the Khmer Rouge which was responsible for the death of some 1.6 million people.

The third instance was in 1979 when Tanzania, which was being flooded with refugees from Uganda, then brutally ruled by Idi Amin, felt compelled to send its troops into Uganda to end Idi Amin's murderous rule which was causing havoc not only in Uganda, but in Tanzania as well.

Looking back on these three interventions, Kofi Annan observed, in a lecture in the Ditchley Foundation in June 1998: "These actions were justified in the eyes of the world – even if not the General Assembly – by the internal character of the regimes that the intervening States acted against…." "And history," he added, "has by and large, ratified that verdict".

**IFAJ:** You are making a very interesting point. Let me link it up with the UN mood these days because the "R2P" (Responsibility to Protect) is conceptualised only in the last four or five years and now the UN is thinking of using force or legitimising humanitarian intervention. How do you explain this shift which has taken place in the UN from the sovereignty-thrust to the human rights-thrust and what is the guarantee that this is not being done for strategic or political reasons?

**VD:** I think what has happened is that the repetitive quality of human cruelty and the repetitive acts of genocide – in Cambodia, in the Balkans, in Rwanda –

have taken so heavy a toll on the conscience of humanity that States have come to the conclusion that it is impossible to remain silent in the face of such desolation. The brutality and scale of killings, and the crimes against humanity that the twentieth century saw, and that, frankly, the start of twenty-first century is also seeing... . We have not been immune to such sorrows in South Asia either... .

**IFAJ:** Do you see change of the heart of the West on this issue or is it a strategic premise?

**VD:** I see it as both. I see there is a change of heart not only in the West, but globally. I think human beings have begun to see that "sovereignty" should not be used, forever, to provide an alibi for states complicit in destroying their own people. That has happened just too often. I fear, though, that "humanitarian intervention" has also been invoked on occasion to justify actions that are, decidedly, less humanitarian than political. In such circumstances, it becomes essential that the "rules of engagement" be absolutely clear, and understood by everybody in the same way. And it is also essential to ensure that the "responsibility to protect" is not misused to wage war, arbitrarily, against the less powerful by the more powerful, or to provide a cover for aggression or other acts that are contrary to the UN Charter.

**IFAJ:** One issue is generally raised in this debate. Is it because of the compulsion of the unipolar world or global governance that intervention becomes a very powerful instrument and, in order to justify intervention, humanitarian intervention is being used either as an alibi or as a pretext?

**VD:** I think that is a very valid concern. There are very good reasons for people to be anxious that the idea of humanitarian intervention, and the responsibility to protect, are not misused by the powerful in a manner that is maverick, illegal and self-serving.

**IFAJ:** With your vast experience can you suggest how to curb this abusive tendency?

**VD:** A lot of thinking has been done on this matter. A High-level Commission was put together by Secretary-General Kofi Annan, of which our distinguished compatriot General Satish Nambiar was a member, which came up with certain parameters under which humanitarian intervention could justifiably take place.

The Secretary -General further reflected on those ideas and refined them. He then brought them before the Millennium Summit of the United Nations when they were taken on-board by all the Heads of State and Government who were present. In other words, the basic concepts of the "responsibility to protect", and when and when not to intervene, are now enshrined in a consensus of the UN, attained at the highest political level. And we have to make sure that those rules of engagement are now observed in the letter and spirit in which that consensus was reached. In other words, we should no longer have capricious examples of unilateral or multinational intervention, which lay claim to be taken on behalf of the world as a whole, but which are guided by narrower interests.

**IFAJ:** Or we would say group of countries… .

**VD:** Quite right. Ideally, "humanitarian intervention" should be sanctified by the decision of a legitimate body. At the moment, that has to be the Security Council or the General Assembly. Of course this immediately raises the question of the present composition of the Security Council. Does it itself have adequate legitimacy? The answer is that its membership needs to be broadened. India has a perfect reasonable desire, as do other countries, to see this broadening in membership, so as to secure better global representation and democratisation of that body. This is an absolute necessity. But I will say that it is not the number of states in the Security Council which will determine whether the Council truly acts in the interest of the world. It is not as if the Council's expansion from fifteen to twenty-one or twenty-two will, of itself, change its character for the better. The essential character of the Council will change only when the Council's members respect the purpose for which they have been elected to it and function in the manner expected of them under the Charter. Now what does the Charter, in essence, say about the responsibility of members of the Security Council? The Charter, in essence, says that "a member of the Council acts on behalf of the membership as a whole". In other words, membership of the Security Council is not meant to safeguard or further the parochial interests of one or more of its members. It is meant to further the purposes and principles of the Charter, in the interest of all of the member states of the United Nations.

A Similar issue arose in the course of the growth of parliamentary democracy in Britain. You might remember, there was a remarkable speech of Edmund Burke to the electors of the Bristol, when he was being criticised by

them for not doing enough for his constituency. He replied in effect, that he had been elected to Parliament to serve the interests of his whole country, the general good of the whole community, not of his constituency alone. He should be representative, not delegate, he added. In the same way, once a nation is elected to the Security Council, the interests of the membership as a whole must transcend its own interests. In other words, the responsibility of the United States, as a member of Security Council is as great to India, as India's would be to the US or to the smallest country of the world, should India be elected to the Security Council.

**IFAJ:** …We are still travelling in a very subjective world.

**VD:** Yes, we are travelling in a subjective world. But the beauty and the despair of this remarkable enterprise, the United Nations, is precisely this: it envisions the fulfilment of great and sometimes seemingly unachievable objectives. But it is that vision that has to govern the conduct of member states. If that vision is lost, the whole enterprise fails. In this connection, one of the articles which comes to my mind quite often, of which most people – including diplomats – have little idea, is 27(3) of the Charter. It basically says that if a dispute comes to the Security Council, and if a member of the Council is party to that dispute, it should abstain from voting, if a decision to be taken under Chapter VI of the Charter having to do with the Pacific Settlement of Disputes. It should recuse itself. This has, unfortunately, not been observed in the last sixty years. To the contrary, both permanent and temporary members have not hesitated to participate in votes when matters in which they were involved have come before the Council. This has blurred the vision of the Council and debated the quality of its decisions. To my mind, it is necessary to cleanse the vision of those who hold high responsibility, whether they be in the Security Council, or in individual countries. Those who lead must lead in the spirit in which they are expected to lead. Otherwise they do not really lead. They just bully…and occasionally, bluff.

**IFAJ:** Well, let us hope that it evolves as a very healthy and powerful consensus so that states cannot easily violate it.

**VD:** This will not be easy. The whole enterprise requires fidelity to the Charter, learning, and evolution. The UN was not heaven-born. It was born of human suffering and is man-made. It is a work in progress.

**IFAJ:** Would you like to add anything more to the human rights issue involving UN or India for that matter?

**VD:** I think it is time that those involved with government, whether our own or others, stopped being suspicious or frightened of human rights. I would like to see the human rights factor playing a more central role, both in dealings within the UN, and in the workings of our own country and other countries, whether in their diplomacy or in their domestic policies and behaviour. And I am not thinking of civil and political rights alone, critically important as they are. I am thinking no less of the whole range of economic, social and cultural rights, respect for which is central to the attainment of peace, not only within nations but globally as well. We need to proceed beyond exhortatory proclamations. It is not enough to be clever about the "right to development" in a North-South debate. That right has serious implications in respect of how we conduct our own policies, not only internationally but domestically as well. Take for instance the related subject of the Millennium Development Goals. It is not enough to say "What a great idea". We have to implement them in practical terms, allocating adequate resources for the purpose. In a country like ours, where our Prime Minister has been a signatory to the Millennium Development Declaration, we owe it to the whole world, apart from ourselves, to fulfil our part of those goals. We cannot say "we are sovereign" and will, or will not do, as we choose. We have a duty not only to our own people, but to the rest of the world, to shoulder that part of the responsibility that falls on us. States are now answerable beyond their own borders. That is the way the world is going.

**IFAJ:** You have handled very delicate situations of Tibetan and Bangladeshi refugees from the UN side and you have also seen India working on these issues. Could you kindly share your experience?

**VD:** Certainly. First, let me say as an Indian, I am very proud of the tradition of our country of being generous to persons who have sought refuge or asylum in our land. This is not a recent tradition; this is inherent in our way of looking at the world, in our way of life, since time immemorial. Leaders of the Parsi community recall how their ancestors landed on the shores of Gujarat and sought asylum. The local king initially sent them a cup of milk, full to the brim, implying there was no room in the Kingdom. The Parsi elders reportedly sent

back the cup, after adding sugar to it. The milk did not overflow, it was sweetened. The Parsis stayed, and added glory to their country of asylum. That is our tradition, whether it was the Zoroastrian community or the Jewish community, who arrived here after the destruction of the second temple. Refugees have enriched India and were honoured by her. We never practiced anti-Semitism. It is that tradition of tolerance and hospitality which, to my mind, is central to our world-view. That tradition continued after Independence. In the terrible suffering and exchanges of population in 1947–48, millions of people moved each way. But the refugees who came from Pakistan were not treated as strangers. They were our brothers and sisters, our kin. The people of Delhi, never, for a moment, said "Punjabiyon ko nahin aana chaahiye" (Punjabis should not come). Everybody's home was open. The parochialism we witness these days, in respect of migrants from one state to another, is therefore aberrant, unworthy, and untrue to our own traditions as a nation.

**IFAJ:** We have refugees from Tibet, Vietnam, Sri Lanka, Afghanistan and so forth.

**VD:** Precisely, the tradition endures, as I believe it should.

**IFAJ**: Which refugee problems did you handle?

**VD:** Let me start with my youth. I joined the Indian Administrative Service in 1958. Soon after, I was posted in Rampur in Uttar Pradesh. There was still a steady influx of refugees from what was then East Pakistan. The major movement from Punjab was over by then, the populations had been exchanged. But from East Pakistan the haemorrhage continued and people kept coming from there. Panditji initially settled them in the Dandakaranya area of Orissa. But there were so many to be accommodated. So new lands were to be found and the Tarai, which was a malarial forest but also rich in wild life, had to be harnessed to provide living possibilities to those who needed to survive. I had the responsibility of helping tens of thousands of Bengali refugees to settle. Many of them were fishermen, who had never engaged in agriculture before. But as it happened, the refugees made a great effort to adapt to the situation, and the government responded with care and diligence, so things settled down. It was that experience, as a young man, that gave me an opportunity to join the office of the UN High Commissioner for Refugees (UNHCR) in 1965. I owe my whole professional career, in a sense, to the refugees. I was privileged to settle

in Rampur when I was twenty-five. I have never forgotten the debt of gratitude I owe to them.

**IFAJ:** Did they come to Rampur from East Bengal?

**VD:** Yes, Rampur, in Rohilkhand, Uttar Pradesh. They were settled there, in the Terai. In the mid 1960's, UNHCR needed someone from Asia to join the office, as there was no Asian serving in its staff. My name was one, among others, that was suggested by the Government of India. I was interviewed and asked to join. That was the start of my professional life with the UN. One of the first things I had to do after I joined UNHCR was to help to get the UN involved in the work for Tibetan refugees in India. That was in October 1965.

**IFAJ:** Did India allow UNHCR to get involved with the Tibetan refugees? It is known that India developed reservations subsequently… .

**VD:** Yes, I will tell you what happened. India was initially hesitant to involve UNHCR, as that office was viewed by Government of India as Eurocentric and an instrument of the West in Cold War. Our Kashmir experience had made us generally wary of UN involvement in matters we considered politically sensitive. And there was, of course, extreme sensitivity in our relationship with China. On the other hand, there was a pressing humanitarian requirement to help those who came to our country in search of refuge.

**IFAJ:** If I am not incorrect we handled a bit of this situation in Korea also… .

**VD:** Yes, India was involved with refugees in Korea, but the context there was rather different. After a series of discussions, in which I was involved on behalf of UNHCR, the Government of India gradually began to feel "let the UN help", in a low key way. The decision was taken quietly, without fanfare, so as not to aggravate the political situation. It was emphasised by all concerned that the granting of asylum should be seen as a humanitarian and non-political act. It should not be seen as an unfriendly act. That indeed, is a central premise even of the Universal Declaration of Human Rights, which stresses that every person has a right to seek asylum. While a state may or may not have an obligation to provide asylum, everybody nevertheless has a right to seek asylum. The right to asylum, and the granting of asylum, is dealt with in various international instruments. The underlying thought has been that the granting of asylum should be viewed as a humanitarian and non-political act, it should not be considered an

unfriendly act.

**IFAJ:** Do you think UN really has enough political clout and economic resources to meet the expectations of refugees?

**VD:** Yes, indeed. The UN has helped millions upon millions of refugees over the last sixty years and the work of the High Commissioner has been very highly regarded. Countless lives have been saved, the world over, by UNHCR's interventions, both through the legal protection it has provided and through its programmes of material assistance.

**IFAJ:** Has there been any resource constraint?

**VD:** There have been constraints, as most of its resources have to be raised through voluntary contribution. Nevertheless, these voluntary contributions have, each year, been in the hundreds of millions of dollars.

**IFAJ:** Do they come out of the UN budget in a way?

**VD:** Some of the staff costs come out of the regular UN budget. But all of the assistance programmes have been based on voluntary contributions from governments and the public at large. As I said, the work of the High Commissioner has been most highly regarded. It is the only UN institution that has not once, but twice been awarded the Nobel Prize for Peace. The first time was in 1954, for its work in Europe. The second instance was for its work around the world, especially for the "Boat People", after the end of the Vietnam War in 1981. I was serving with the UNHCR at the height of that crisis, as Executive Assistant to the High Commissioner.

**IFAJ:** You also had experience with the UN when it was awarded the Nobel Peace Prize ... .

**VD:** That's right. After serving with UNHCR for fourteen years, I spent the rest of my UN life on the 38 floor of UN Headquarters, in the Office of the Secretary-General, where I was involved – among other things – with peacekeeping. In 1988, the UN was awarded the Noble Prize for Peace for its peacekeeping operations. I was honoured to accompany Secretary-General Javier Perez de Cuellar and my friend, the legendary UN peacekeeper, Sir Brian Urquhart, to Oslo for the ceremony.

**IFAJ:** Probably it is for the delivery of these activities that the prizes went to the UN… .

**VD:** The UN needs outstanding leadership, of vision and integrity. But it is not about "prima donas". In every major UN activity, numerous persons, from many states, are involved. Since the UN was established, over a million people have worn the Blue Beret in over sixty peacekeeping operations. Over 2,300 young men and women from around the world have given their lives in the cause of peace while serving in these operations, among them many valiant Indians, who have made the ultimate sacrifice, illuminating the world with their courage and sense of duty.

**IFAJ:** But not every operation gets recognition … .

**VD:** That is true. Let us come back to the Tibetan issue. The UN did help for a few years but then, somewhat abruptly, withdrew its assistance programme, to the deep regret of the Government of India which had good reason to feel aggrieved. This affected relations between the High Commissioner for Refugees and the Government of India. At the same time, UNHCR encouraged a massive fund-raising campaign in Europe for Tibetans, principally in the Netherlands, which then saw the channelling of those funds through various non-governmental bodies to the refugees in India. It was a very successful effort. Subsequently, the UN was deeply involved in the 1971 Bangladesh refugee crisis, when it provided literally hundreds of millions of dollars in assistance.

**IFAJ:** But India was also doing it bilaterally.

**VD:** Yes indeed. The response of the Government of India was magnificent, far greater than that of any other party. At the time of the Bangladesh crisis, India was the country that received close to 10 million refugees. It was a huge burden in every respect, calling for an immense deployment of resources and manpower. It was one of the worst refugee crises that the world has ever seen.

**IFAJ:** Now in your hindsight, if it is a pertinent question to ask you to compare the two operations – India helping Bangladesh and UN helping Bangladesh – in terms of their impact as you have seen them very closely.

**VD:** Bilateral programmes are always handled differently to multilateral ones. Each has its own dynamics, its strengths and limitations, and its politics.

I think the Bangladesh effort was successful because there was strong multi-bilateral quality to it. The crisis posed an impossible and unfair strain on India, which legitimately felt it should not be left alone to deal with it, that the world as a whole should help.

**IFAJ:** In a way these two processes were supplementing each other.

**VD:** Yes. That was the nature of the engagement there. When major bilateral and multilateral efforts are simultaneously carried out in the same area, obviously some sensitivities, and occasional differences of view, come to the surface. This happened, from time to time, during the Bangladesh refugee crisis. Later, when Bangladesh became independent, the UN was operating in Dhaka and I served as Special Assistant to the Chief of the UN Mission. At the same time, a very large Indian bilateral programme was underway. On the whole, they complemented each other very well, in spite of the large number of possible areas of friction and misunderstanding.

**IFAJ:** But the political basis was different… .

**VD:** Yes indeed. It was a sensitive situation, requiring careful diplomacy. There was need to function with skill and sensitivity. I was a young man then, and my good friend and batchmate, Mani Dixit, was the Deputy High Commissioner of India. Subimal Dutt was the first Indian High Commissioner in Bangladesh and Arundhati Ghosh was starting her career. So Mani and I often met, and if there were incipient problems between the UN and Government of India, we would try to sort them out before they came to a head. Sometimes we politely disagreed with each other, because that is in the nature of things in complex situations. But, on the whole, things worked very well indeed. In retrospect, the multi-bi-effort in Bangladesh remains an outstanding example of cooperation and a major achievement in the humanitarian field.

**IFAJ:** Did it handicap you, as an Indian, being in the UN programme? Were there objections or reservations?

**VD:** Actually, to an Indian, working in the UN comes in many ways quite naturally, for all kind of reasons. We are born and raised in a pluralist atmosphere. From the day we see light, we are used to listening to a variety of opinions. Our own family system makes us listen to dozens of people rather than to one or two each day, and as a country we speak in far more languages than

the official languages of the UN. We thrive in contradictions, and we hear countless voices. That is the nature of our lives. So for an Indian to serve in the UN is genetically comfortable. This is one reason why India's contribution to UN, both on the governmental side and through Indian nationals serving in the Secretariat, has been, if I may say so, unusually good. In the overall scheme of things, others, we have made a major contribution, both as a member state and through our nationals who have served in the UN. I think that is generally recognised and I do not think I am being self-serving when I say so. We have done the UN some service.

Having said that, I am sure that, at various stages of my life with the UN, being an Indian helped me because of the nature of our country's policies and the perception of India. It helped a great deal, for instance, that I was an Indian, when the UN wished to get involved with the Tibetan refugees, when it was involved in Bangladesh, when it organised an exchange of populations between Bangladesh and Pakistan after the 1971 war – the UN moved a quarter of a million people by air between those two countries, even before the Shimla Agreement was signed. That was the largest humanitarian air-lift in history and I was deeply involved with that effort. It had never happened before, and I hope it will never be required again. It was a phenomenal achievement to move a quarter of a million people by air, each name cleared by two governments, using hundreds of flights over specially devised routes. Not a hitch occurred, nor one person rejected. In each instance doors opened for me, not least because I was an Indian and my country was held in high regard.

**IFAJ:** Did the Chinese have no problem with you handling the issue of Tibetan refugees?

**VD:** Well, I was very young at that time and the People's Republic of China had not taken its rightful place in the UN in 1965. But I will say that it is in my work with the UN that I found that the Chinese delegation was always exceedingly understanding of my efforts and encouraging of them. It was invariably supportive, and it was the same with my Chinese colleagues in the Secretariat. I treasure the friendship that I received from both the Chinese delegation in New York and from my Chinese colleagues. The only time that I personally accepted an invitation to visit a country as a state guest was when I went to China a few weeks before I left the UN. The illustrious Qian Qichen was Foreign Minister.

My term was finishing in the UN and I was coming home. So I asked Secretary General if I could accept the Chinese invitation. I was very touched and impressed by the way the Chinese government received my wife and me, and by the serious and forthcoming manner in which our talks were conducted.

However, there were times, of course, when I came under fire for being an Indian! There was the instance when the then Secretary-General asked me if he should propose my name to serve as the UN High Commissioner for refugees. Somewhat to my bemusement, I suddenly found a multitude of telegrams descending on the Secretary-General from all corners of the world in identical language saying that, as an Indian, I shouldn't be considered for the job. How could an Indian be trusted when there was a problem in Kashmir, a problem in Punjab? How could an Indian be trusted to look after refugees? Such things happen in life … they are more amusing in retrospect.

**IFAJ:** Does "identical language" mean that they were of same origin?

**VD:** Yes, I am afraid so. One can assume the provenance with a certain degree of certitude. The orchestration was evident.

**IFAJ:** It must be politically motivated … .

**VD:** Yes, it was politically motivated. There was something absurd about the situation, since all mail to the Secretary-General came to me first, as his Chef de Cabinet. I used to arrive in the office in the morning before anybody else, which I had to do, and leave late in the evening, after everybody else had left. I would find, on arrival, a huge bag full of mail about myself … all hostile! I would take the bag to the Secretary-General on his arrival and he would say "Viru, put it somewhere and forget about it!"

**IFAJ:** They probably exposed the people who were writing … .

**VD:** One can only surmise who it was. But by and large, serving as an Indian with the UN was to serve in an atmosphere that was thoroughly congenial. The UN has always appreciated the role of Indians working in its Secretariat. That is why it is essential for all Indians to serve with the highest degree of integrity and ability. It is profoundly depressing when some of our compatriots have, mercifully most infrequently, failed to live up to the standards expected of them.

**IFAJ:** We are one of the largest groups in the UN.

**VD:** Yes. Certainly in matters like peacekeeping, India's involvement with the UN has been among the most illustrious. Going back to the earliest years, my distinguished uncle, Ambassador Rajeshwar Dayal was asked by Dag Hammarskjöld to serve as one of his "Three Wise Men" in the Lebanon in the 1950s and then as his Special Representative in the Congo. That was the largest, most complex, peacekeeping operation that the UN had ever undertaken until then. Outstanding Indians like General Thimayya, Premchand and Rikhye, and, more recently General Nambiar, have been UN Force Commanders. They are among the legendary figures of UN lore, examples of rectitude and ability.

**IFAJ:** Did you serve in the Namibia operation?

**VD:** Well, I was a sort of "quarter-back" at UN Headquarters and was intimately involved with the evolution of Namibian independence. It was a great opportunity to be on the side of history. It was a memorable experience. Namibia's independence was a curtain-raiser for the transformation of Southern Africa. The countdown to independence was brilliantly managed, despite initial hiccups. The lead-up to independence had been prolonged, but the process ended ideally. Elections were conducted with the utmost fairness and impartiality and a result was obtained that was ideal for the country. The Force Commander for the UN Operation was our General Premchand. Mr. Martii Ahtisaari, who later became President of Finland, was the Special Representative of the Secretary General. I frequently traveled between New York and Windhoek, trouble-shooting, as they say.

The Namibian question was my first close exposure to the National Party of South Africa. Earlier, I had, of course, a great deal to do with the ANC and PAC who would appear before the Organisation as petitioners. Many who came were leaders and human beings of great stature: Desmond Tutu, Oliver Tambo, Thabo Mbeki and others. It was an honour to know them and support the anti-apartheid cause. But I had little contact with the National Party because, for many years, the Government of South Africa was barred from participating in the UN meetings. In any case, as an Indian I would have been suspect to them. Indeed, even during the Namibian count-down, I remember an occasion when the Secretary-General was speaking long distance over the telephone to Roelf Frederik "Pik" Botha, who was the Foreign Minister. Apropos of nothing in particular, Botha suddenly launched into a violent tirade against "that" Indian

who was Chef de Cabinet, saying he was thwarting progress in the negotiations. As it happened, I was listening into the conversation and taking notes for the Secretary-General, who thought the situation was quite comical.

But everything changed after Namibia gained independence; when I was later asked to serve as Special Envoy of the Secretary-General to South Africa, when the constitutional talks had installed. Pik Botha was my daily interlocutor from the side of the then Government and National Party, and a mutual respect developed between us. From the ANC side, Thabo Mbeki was my interlocutor. He was extremely supportive and understanding throughout. Each evening they would separately update me regarding how the constitutional talks were going and what the impediments were. Each night I would keep awake, wondering what suggestions to make to them to resolve points of dispute, and each morning I would call them with my ideas on how to move forward. Fortunately everything worked out, the impediments were removed and the constitutional talks proceeded to a successful outcome. Whenever I had problems either at Thabo's level or that of Pik Bothas', I would go to see Mr. Mandela in Shell House in Johannesburg, and FW de Klerk in Pretoria. Matters would then get sorted out.

**IFAJ:** Mr. Botha must have regretted his earlier behaviour … .

**VD:** You know, it was very interesting because he gradually grew to trust me. Once, during that mission, Pik said to me "Well brother, why don't we meet in my office in the World Trade Centre outside Johannesburg? We are having the Annual Convention of National Party over there". As I entered that building I had to pinch myself in disbelief. Could it be possible that I, an Indian, was walking into a National Party convention to meet Botha, the Foreign Minister of South Africa? I had been fighting apartheid for thirty years, and he had been very much on the opposite side. Yet now he was inviting me to meet him in his office, at a time when the convention of the National Party was going on. I said to myself "Is this real?" When I met Botha I asked him "Pik, am I asleep or awake? How can it be that we are meeting in a place and a time such as this?" We had a good laugh together because, by then, all the passion, all the hatred had, in a sense melted away. Namibia had been brought to independence in a perfectly lucid, clear, and open way with everyone cooperating. Now the UN

was trying to help with the ultimate transition – the replacement of apartheid with black majority rule in South Africa.

It was most interesting to have a hand in removing the grave obstacles that were holding up the transition. As a human being, it was for me, wonderful to have a small part in radically altering the situation for the better.

If I have a single memory of my life in the UN, which I treasure above all, it was of my last mission to South Africa. The day I finished my mission, I went to see Mr. Mandela in Shell House in Johannesburg and I said "Mr. President, my work is finished and I don't see any more impediments. I think it is time to return. I have promised my family that I will be back in India before Diwali. I have been away from India for thirty years and I must now go home". He said, "Dr. Dayal, (he used to call me Dr. Dayal for some strange reason) do you really have to go? Suppose fresh problem arises …?" I said, "No problems are going to arise because all the impediments have been removed". The great Mandela asked "Suppose I need you to come back, will you come?" I said, "Of course I shall. But you are not going to need me. But if you do, then all you have to do is call Mr. Boutros-Ghali, and I would come on the next plane, because I love your country and everything it stands for." He said, "Will you give me your phone number in Delhi?" I said, "Yes I have a phone, but I am sure it will be working when you call … here is my number". Nelson Mandela wrote down my phone number on a pad that was beside him, on that sweet note I bade farewell to him and came home. That was the last thing I did for the UN. I treasure the memory because of the company in which I was fortune enough to be. I treasure it for the purpose that was served: a new South Africa, freed of apartheid. Of course, Mandela is one of the towering figures of our times. It was a privilege to have worked with him. He was the soul of goodness and decency. I was greatly impressed by the practical idealism in the South African leadership. It reminded me of the leadership of our own country, at the time of Independence – great causes bring out great qualities in human beings.

**IFAJ:** Very unusual and unconventional thinking in the African context… .

**VD:** Yes, amongst the remarkable leaders of Africa who were involved in the struggle for human dignity and peace, two have moved me greatly – Nelson Mandela and Desmond Tutu. The circumstances of their lives have enhanced their character in extraordinary ways. In a sense, they have transcended

themselves as individual human beings. They have come to personify what they stood for. They have become what they believed in. It is impressive to see such a transformation in a human being. The nature of responsibility can transform a person, if that person so permits. It can change a personality altogether. Aung San Suu Kyi is another such person. She has become her cause.

**IFAJ:** India has been hesitant on the application of international refugee laws and operations of the UNHCR when it involves situations within India. Do you think we will be able to change our stand? What are the reservations? Why are we so?

**VD:** I think we have an apprehension of other people looking over our shoulders. We are inclined to argue that, since our aims and objectives are honourable, why shouldn't we be left in peace to get on with what we are doing anyhow. In a way, this is a perfectly legitimate way of looking at things. However, I see things slightly differently, with all due respect. I think India should not be hesitant in its engagement with others, and particularly with the United Nations, its agencies and programmes. I think India should be in the forefront of encouraging international cooperation in matters great and small. The work of the UN relates to matters of great importance to our country, whether this be in respect of economic, social, or humanitarian issues, including those relating to refugees. In other words, to my mind, India should be a creator, a supporter and the leader. It should be in the forefront on all of these matters. India should not be afraid, or shy away from engagement. It should not be timorous or defensive. Why should a country like India be defensive, when its actions have been magnanimous, and often great, throughout its history? Is it worried that someone in the UN will criticise the actions of some petty official in some remote part of the country? Well, if the official does something wrong or capricious, he deserves to be criticised. Why should we shelter an act of arbitrary behaviour that is not consonant with law? That does no honour to our country or its traditions.

**IFAJ:** Do you think these criticisms are inevitable?

**VD:** Every country can be criticised for some act or the other, including India. We are engaged in a societal transformation of historical dimension and scale. As part of that transformation, I would like to see India dealing with its problems and facing the world with confidence. It should be in the forefront of

issues having to do with human rights because that, I think is our true tradition. If we are timorous, I believe we are being out of character.

**IFAJ:** Is it due to lack of confidence in ourselves?

**VD:** I think our experience with the UN on the Kashmir issue has affected us in ways which it should not have... .

**IFAJ:** In regard to Kashmir we had a bad experience with the UN involvement… .

**VD**: Forgive my saying so, but I am not about to start criticising Punditji on that decision. What was so bad about the experience? After all, the resolution of the Security Council required that the views of the people of Kashmir should be ascertained after Pakistan withdrew its troops. They never did so. And so we went ahead and held election after election in Jammu & Kashmir. We must never forget that, during three wars, the people of Jammu & Kashmir stood steadfastly with us. Not a bridge was mined, not a life of an Indian soldier was taken in anger by the people of the State. We all know when the problem started, and the reasons, why it started. I realise that it is now fashionable to say this was a major error of Panditji. I am not altogether convinced of that. In fact, what people might consider Panditji's naiveté, I see as an attribute of a different kind of character. He had an open and trusting character, though it boomeranged sometimes. But he was a patriot above others, and he was the architect of modern India.

**IFAJ:** It is because the Cold War politics was there and the trust was misused to some extent… nothing wrong with the decision per se but the way it was handled… .

**VD:** Yes, that is true. And these things happen in life. But all of that being said, I think our true character, as a nation, is to be open and expansive, to welcome and to give. In matters of international cooperation, India should be in the lead. It should not be in the backyard, it should be the vanguard of change. At least, that is how I see the essential character of our country.

**IFAJ:** Mr. Dayal, you have been very kind with your time and we really benefited from your views. Thank you very much.

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