



India's Response to the Libyan Crisis



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April 13, 2011

Summary

Since there was no clarity about the end goals of this operation, it would have been difficult for the Indian government to communicate and justify its support for this resolution to its domestic constituency. Nevertheless, India's abstention cannot be viewed as opposition to the resolution. In practical terms, by abstaining, India did not pose an obstacle but rather cleared the way for the UNSC to take action against Gaddafi's regime. It may be recalled here that India had voted in favour of the earlier UNSC resolution 1970, which was about taking tough measures against the Gaddafi regime as well as referring the matter to the International Criminal Court. Therefore, India's concerns about and opposition to the threat posed by the brutal Gaddafi regime to common civilians in Libya cannot be questioned.

India decided to abstain on UN Security Council Resolution 1973, which approved the 'no-fly zone' over Libya and authorised members to take "all necessary measures" to protect civilians in Libya from the brutal Gaddafi regime.¹ The statement released by the UN Security Council on March 17 noted:

"Demanding an immediate ceasefire in Libya, including an end to the current attacks against civilians, which it said might constitute "crimes against humanity", the Security Council this evening imposed a ban on all flights in the country's airspace – a no-fly zone – and tightened sanctions on the Qadhafi regime and its supporters. Adopting resolution 1973 (2011) by a vote of 10 in favour to none against, with 5 abstentions (Brazil, China, Germany, India, Russian Federation), the Council authorized Member States, acting nationally or through regional organizations or arrangements, to take all necessary measures to protect civilians under threat of attack in the country, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory – requesting them to immediately inform the Secretary-General of such measures."²

Earlier, however, India had voted in favour of UNSC Resolution 1970, which called for tough measures against the Gaddafi regime as well as referring the matter to the International Criminal Court.³ The UNSC statement released on February 26, 2011 noted:

"Deploring what it called "the gross and systematic violation of human rights" in strife-torn Libya, the Security Council this evening demanded an end to the violence and decided to refer the situation to the International Criminal Court while imposing an arms embargo on the country and a travel ban and assets freeze on the family of Muammar Al-Qadhafi and certain Government officials. Unanimously adopting resolution 1970 (2011) under Article 41 of the Charter's Chapter VII, the Council authorized all Member States to seize and dispose of military-related materiel banned by the text. It called on all Member States to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in



¹ "Security Council Approves 'No-Fly Zone' over Libya, authorising 'All Necessary Measures' to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions," Security Council 6498th Meeting, Department of Public Information, March 17, 2011, available at <http://www.un.org/News/Press/docs/2011/sc10200.doc.htm>.

² Ibid.

³ "In swift, decisive action, Security Council imposes tough measures on Libyan regime, adopting resolution 1970 in wake of crackdown on protesters, Situation Referred to International Criminal Court; Secretary-General Expresses Hope Message 'Heard and Heeded' in Libya", Security Council 6491st Meeting, Department of Public Information, United Nations Security Council, February 26, 2011, available at <http://www.un.org/News/Press/docs/2011/sc10187.doc.htm>.

Libya and expressed its readiness to consider taking additional appropriate measures as necessary to achieve that.”⁴

The Libyan Crisis

The popular uprising for democracy in Libya was to be expected given the widespread protests in parts of the Arab world against the decades-old dictatorial regimes. But unlike Ben Ali in Tunisia and Hosni Mubarak in Egypt, Gaddafi refused to step down and make way for democratic reforms. Instead, he opted to take the bloody path of crushing the movement in Libya. When loyalist forces were on the verge of entering Benghazi, the rebel capital, Gaddafi, in a March 17 radio address declared: “It’s over. The issue has been decided...we are coming tonight... we will have no mercy and no pity.” He also said that his forces would go door to door to kill the rebels,⁵ thus making it imperative for the UNSC to take steps to prevent a massacre in Benghazi. Earlier, on March 12, 2011, the Arab League held an emergency meeting in Cairo to discuss the Libyan crisis and officially requested the UN Security Council to impose a ‘no-fly zone’ over Libya.⁶ Under these circumstances, the decision taken by the US-led coalition forces with the support of the Arab League and the UNSC mandate, was indeed correct.

The West would, however, be making a grave mistake if the operations launched by US-led forces in Libya were to continue for much longer. President Obama would not like to repeat the blunder committed by his predecessor, George W. Bush, in Iraq. Even for NATO, which has since taken over the command of military operations in Libya, a lengthy operation would be unsustainable in view of its involvement in Afghanistan.

Stand Taken by UNSC Members on UNSC Resolution 1973

The UNSC resolution 1973, proposed by the United Kingdom, France and Lebanon with the support of the United States, was adopted by a vote of ten in favour to none against. France, Lebanon, the United Kingdom, United States, Bosnia and Herzegovina, Colombia, Portugal, Nigeria, South Africa and Gabon voted in favour of the resolution. Five nations – Brazil, China, Germany, India, and the Russian Federation – abstained.⁷ Before the voting, fourteen out of fifteen representatives at the UNSC (the exception being the representative of Gabon) explained their positions on the resolution.

⁴ Ibid.

⁵ “U.N. approves military force; Gaddafi threatens rebels,” *Reuters*, March 18, 2011, available at <http://in.mobile.reuters.com/article/worldNews/idINIndia-55670020110318>.

⁶ “Arab League urges UN to impose no-fly zone,” *Gulfnews.com*, March 13, 2011, available at <http://gulfnews.com/news/region/libya/arab-league-urges-un-to-impose-no-fly-zone-1.775506>.

⁷ “Libya: UN backs action against Colonel Gaddafi,” *BBC News*, March 18, 2011, available at <http://www.bbc.co.uk/news/world-africa-12781009>.

Alain Juppe, the foreign minister of France, said that the world was experiencing “a wave of great revolutions that would change the course of history,” as people in the Middle East and North Africa are demanding freedom of expression and democracy. He cautioned that “we have very little time left – perhaps only a matter of hours” for action against the Gaddafi regime. Nawaz Salam of Lebanon said that the Libyan authorities had lost all legitimacy and the resolution was aimed at protecting Libyan civilians. Pressing for the early adoption of the resolution, Mark Grant, the UK representative, said that NATO and the Arab League were now ready to act to support the resolution. Susan Rice of the United States said that the Security Council had authorised the use of force, including enforcement of a no-fly zone, to protect civilians and civilian areas targeted by Gaddafi and his mercenaries. But she also stressed that the future of Libya has to be decided by the Libyan people. Ivan Barbalik of Bosnia and Herzegovina believed that the resolution was the correct response to the Libyan people’s legitimate call and the call of regional organisations like the Arab League. Nestor Osorio of Colombia asserted that the best way to ratchet up the pressure on the Gaddafi regime was to impose a no-fly zone, as sought by the Arab League. Jose Cabral of Portugal supported the resolution because the attacks against civilians had continued even after the passage of the previous resolution, and conditions were deteriorating. U. Joy Ogwu of Nigeria said the resolution had been necessitated by the persistently grave and dire situation in Libya. According to Baso Sangqu of South Africa, the Council had acted responsibly in responding to the call of the Libyan people. He hoped the letter and spirit of the resolution would be implemented in full.

Peter Wittig of Germany said that decisions regarding the use of military force were always extremely difficult to take, and warned that those participating in the operation could be drawn into a protracted military conflict which could spread to the wider region. Manjeev Singh Puri of India said that the resolution was based on limited information, including a lack of clarity as to who was going to enforce the measures, and that political efforts must assume priority in resolving the situation.⁸ Maria Viotti of Brazil was not convinced that the use of force, as provided for in operative paragraph 4 of the resolution, would lead to the realisation of the common objective i.e. the immediate end of violence and the protection of civilians. Vitaly Churkin of the Russian Federation questioned as to how the resolution would be enforced and by whom, and what the limits of engagement would be. Security Council president Li Baodong of China (who is also the president of the Security Council) said that his country was against the use of force when other means had yet not been fully exhausted. And he added that since specific questions raised by China had not been answered, it had reservations about the resolution.⁹

⁸ Note 1.

⁹ Ibid.

India's Decision to Abstain on UNSC Resolution 1973

One major reason attributed for India's abstention on UNSC resolution 1973 is domestic socio-political realities. Every nation's foreign policy is ultimately determined by its domestic constituency. This does not, however, prevent the ruling elite from being imaginative, pragmatic and bold in its decision making and communicate and convince citizens about the correctness of the decision taken. But it is also true that in a coalition government it becomes more difficult to convince allies and supporters. The domestic debate on the India-US civil nuclear deal was one such glaring example in recent years on which the UPA-I government had to face a no-confidence motion in parliament and survived it only by a narrow margin of 275-256 votes.

As a multi-cultural, multi-religious and multi-ethnic society, India entertained apprehensions that its support for UNSC resolution 1973 may be perceived negatively by its Muslim citizens. As Kanti Bajpai wrote: "Politically, while many Muslims are calling for Gaddafi to be stopped, there are also many others fearful of what an intervention by largely Western forces will mean politically." But Bajpai also pointed to the other aspect underlying the Indian decision. Namely, "Libya could become an unending military quagmire and help radicalise many Muslims who will increasingly see intervention as a West-versus-Islam war, if it drags on. India will not be helped by a world in which Islamic extremists gain ground."¹⁰ These sentiments were also reflected by G. Parthasarathy who observed: "India is concerned that the military intervention in Libya is going to result in a prolonged stalemate and growing radicalisation in West Asia. It will inevitably be perceived there as an attempt to partition an oil-rich Muslim state."¹¹

Since there was no clarity about the end goals of this operation, it would have been difficult for the Indian government to communicate and justify its support for this resolution to its domestic constituency. While explaining the country's abstention on UNSC resolution 1973, India's deputy permanent representative to the UN Manjeev Singh Puri stated: "There must be certainty that negative outcomes were not likely before such wide-ranging measures were adopted."¹² It should be noted here that US and British intervention in Iraq had been perceived negatively and harshly criticised by the domestic constituency in India.

¹⁰ Kanti Bajpai, "The Logic Behind the Libya Decision," *The Times of India*, April 2, 2011, available at http://articles.timesofindia.indiatimes.com/2011-04-02/edit-page/29371009_1_colonel-muammar-gaddafi-voting-indian-diplomats.

¹¹ G. Parthasarathy, "India, no rubber stamp for West," *The Hindu*, March 31, 2011, available at <http://www.thehindubusinessline.com/opinion/columns/g-parthasarathy/article1585292.ece?homepage=true>.

¹² Note 1.

Nevertheless, India's abstention cannot be viewed as opposition to the resolution. In practical terms, by abstaining, India did not pose an obstacle but rather cleared the way for the UNSC to take action against Gaddafi's regime. It may be recalled here that India had voted in favour of the earlier UNSC resolution 1970, which was about taking tough measures against the Gaddafi regime as well as referring the matter to the International Criminal Court.¹³ Therefore, India's concerns about and opposition to the threat posed by the brutal Gaddafi regime to common civilians in Libya cannot be questioned. As Ambassador Parthasarty noted, "Muammar Gaddafi knows that India is not exactly pleased by his use of airpower against his own people."¹⁴

Meanwhile, the government of India successfully evacuated its citizens within a limited time bringing nearly 17,000 of them safely back to India, while the rest stayed on for personal reasons.¹⁵ Neither was this a factor behind India's abstention, since by March 17 most Indian citizens had been evacuated from Libya.

It may also not be precise to suggest that India abstained because of the challenge posed by internal dissidence and having to face a situation similar to the intervention in Libya.¹⁶ In this regard, it is important to remember that India is a pluralistic democracy where rule of law prevails and it is also a rising global power. What India has consistently advocated is that the sanctity of Libyan sovereignty and territorial integrity must be respected. India advocates these principles not due to any fear about setting a precedent for similar interventions in India, but because it believes that they are essential elements of a stable international order.

India's foreign policy and its abstention on UNSC Resolution 1973 in particular have been sharply criticised as "a policy of inaction" which "reflects poorly on its ability and unwillingness to shoulder key global responsibilities and duties."¹⁷ However, the fact remains that India has taken a clear stand on contentious issues in recent years. Its decision to vote against Iran's clandestine nuclear weapons programme at the IAEA in November 2009 was a clear reflection that, as a responsible member of the world community, India

¹³ "In swift, decisive action, Security Council imposes tough measures on Libyan regime, adopting resolution 1970 in wake of crackdown on protesters, Situation Referred to International Criminal Court; Secretary-General Expresses Hope Message 'Heard and Heeded' in Libya", Security Council 6491st Meeting, Department of Public Information, United Nations Security Council, February 26, 2011, available at <http://www.un.org/News/Press/docs/2011/sc10187.doc.htm>.

¹⁴ Note. 11

¹⁵ "Back on home turf after 38 years in Libya," *DNA*, March 19, 2011, available at http://www.dnaindia.com/india/report_back-on-home-turf-after-38-years-in-libya_1521896.

¹⁶ Note 10.

¹⁷ Sumit Ganguly, "Enlightened self-interest or moral outrage?," *The Asian Age*, March 24, 2011, available at <http://www.asianage.com/columnists/enlightened-self-interest-or-moral-outrage-933>.

would never support proliferation of nuclear weapons. This was India's third vote in the IAEA against Iran, the last two votes being in September 2005 and February 2006.¹⁸ Despite criticism within the country on these votes, the government has been able to successfully communicate the correctness of its stand to its domestic constituency.

These facts and realities must be taken into consideration before drawing negative conclusions about India's foreign policy as well as about its willingness to play a constructive role in global affairs. It would be inappropriate to view India's abstention on UNSC resolution 1973 as a return to the non-alignment era or as unwillingness or incapability to play the due role in international affairs or adopting an anti-West stand. As C. Rajamohan has noted,

"At the other end of the spectrum, there are those who believe India is ready to march back to the sterile posturing of the past. They hail India's decision to sit on the fence as a triumphant return to good, old non-alignment. That India found itself with China, Russia and Brazil on the UNSC on the Libyan question is being heralded by some others as the first step towards building a new block against Western hegemony. These ideologues might be in for disappointment."¹⁹

At present India has maintained an average annual GDP growth rate of 8 per cent over the last decade, which is expected to grow in the current decade. Its defence capabilities are rising, its core values are respected in the international community, all of which are resulting in the country's growing influence in world affairs. India is also aspiring to become a permanent member of the UN Security Council, and has received the endorsement of four of the five permanent members. It is presently a non-permanent member of the UNSC, which it won with an overwhelming majority. Given all this, India is being repeatedly urged to take clear positions on international issues. To do this, the domestic constituency must be prepared through intense parliamentary and public debates on foreign policy issues. This necessitates the evolution of efficient processes, resources and mechanisms for better communication with the domestic constituency on foreign policy matters.

It is unlikely that India's abstention will have a negative impact on the developing India-US strategic partnership. Given the existing geo-political realities, shared values, interests, opportunities and challenges, the two democracies are set to emerge as 'indispensable partners' in the 21st century. It would be inappropriate to conclude that abstention on UNSC resolution 1973 by a partner like India or a NATO ally like Germany would

¹⁸ "India votes against Iran's nuclear plan," *Deccan Herald*, November 27, 2009, available at <http://www.deccanherald.com/content/38273/india-votes-against-irans-nuclear.html>.

¹⁹ C. Raja Mohan, "It's not West vs the rest," *Indian Express*, March 22, 2011, available at <http://www.indianexpress.com/news/its-not-west-vs-the-rest/765551/0>.

destabilise their relationship with the United States. President Obama's remarkably successful visit to India in November 2010 and the overwhelming response he received from Indian society as well as from the political class clearly point to a brighter strategic partnership in the future. However, the two partners must understand the other's limitations and take corrective measures to reduce any friction so as to consolidate this partnership.

Finally, India should gear itself to play its due role in a possible transition towards political reconciliation and democratic institution-building in Libya²⁰ It should also participate in relief, rehabilitation and reconstruction operations if so required.

²⁰ Ibid.