PEACE AND SECURITY

Candice Eleanor Moore
Technical Session 4: Peace and Security

Dr Candice Eleanor Moore
University of Johannesburg
Republic of South Africa
cmoore@uj.ac.za (until 31 March, 2014)

Abstract
This paper analyses the links between development and peace and security, and the potential this relationship holds for the engagements of the BRICS states. In doing so, it highlights the necessity for cooperation on key international security issues of the day, including the fight against terrorism; the enhancement of global and national cybersecurity; and the potential posed by the BRICS armed forces for greater cooperation between the BRICS. The paper concludes with some general recommendations for the BRICS states, including the potential to infuse pragmatism into multilateral discussions on cybersecurity; the ability to strengthen their respective regional responses to terrorism; and, the capacity for strengthening peace support operations in Africa and elsewhere.

Introduction
This year sees the celebration of the 20th anniversary of freedom in South Africa, as we mark, on 27 April 2014, the date of the first democratic elections. This milestone also represents a moment of reflection on South Africa’s foreign relations and strategic gains over the past 20 years. After the imperative to make meaningful connections between the country’s foreign relations and its domestic needs, the central focus of foreign policy has been the regeneration and development of the African continent. At the 2013 BRICS Summit in Durban, South Africa underlined this commitment by inviting as observers, representatives from some of Africa’s regional organisations, and by organizing discussion around the theme “BRICS and Africa: Partnership for Development, Integration and Industrialisation.”

Peace, security and development are two categories that have a long shared affiliation in the histories of all of our countries, and indeed, of our regions. In the Southern African and African regions, this inter-relationship is at the heart of all that challenges the continent. Indeed, as noted by the former President of Brazil, President Luiz Inácio Lula da Silva, at the opening of the General Debate of the 61st session of the UN General Assembly,

There will only be security in a world where all have the right to economic and social development. The true path to peace is shared development. If we do not want war to go global, justice must go global.¹

Indeed, this is a unique strategic view shared by the BRICS states in their engagement as a grouping at the global level: a shared commitment to inclusive and sustainable

development, and the recognition that there is an inextricable relationship between development and peace and security. To this end, there is a strong commitment to multilateralism, and especially to the UN, as the foremost international institution entrusted with "bringing hope, peace, order and sustainable development to the world".\(^2\)

The South African Minister of International Relations and Co-operation, Minister Nkoana-Mashabane, issued a challenge in October 2013, that:

"the UN membership ...celebrate the 70th anniversary of the United Nations in 2015, with a reformed, more inclusive, democratic and representative UN Security Council".\(^3\)

There is the recognition among BRICS that individual states reserve the right to determine their own development paths. This is a powerful dictum in the contemporary international environment: the embodiment of the ‘pluralism’ advocated by one half of the English School of the International Relations Discipline. Robert Jackson, one of the School’s foremost scholars, averred that “a pluralist international society is a practical institutional adaptation to human diversity: the great advantage of a society based on the norms of sovereignty and non-intervention is that such an arrangement is most likely to achieve the moral value of freedom.”\(^4\)

Due to space and time constraints, this statement will not be fully interrogated here, save to emphasise the importance of managing diversity in our contemporary world, and the significant role that BRICS play in this, both through their conscious collective decision to form a grouping that is challenging dominant narratives, and through the development paths each state has chosen to adopt.

Following on from the outcomes of the 2013 BRICS Summit hosted by South Africa, the issues dealt with at this year’s Academic Forum focus on the most salient points raised in the BRICS eThekwini Declaration of March 2013, and the issues raised by BRICS Security National Security Advisers resulting from their meeting in India in January 2013 and revisited in Cape Town earlier this year. Three of these issues in the Peace and Security domain were: the BRICS’ posture with respect to terrorism; initiatives in relation to cybersecurity; and, the role BRICS armed forces can play as a tool for international cooperation. While we as South Africa affirm the importance of these issues, we recognize that there are a number of other issues that would also benefit from greater attention from the BRICS leaders. These include the place of women in peace and security (as detailed in UNSC Resolution 1325 of 2000), which has not yet been mentioned in BRICS’ Summit Declarations.\(^5\) Their role in the prevention and resolution of conflicts and the return to peace was recognized by the Security Council in 2000, but has not found a voice in the BRICS platform.

**Initiatives to deal with terrorism**

In 1998, efforts to update South Africa’s anti-terror legal framework picked up pace with the approval of a new official policy on terrorism. These efforts received new momentum after the 2001 9/11 terror attacks on the United States. Subsequent to this, the UN

\(^2\) BRICS Declaration 2013.


\(^5\) BRICS Summit, Brasilia, 2010 made mention of women in the context of the fight against poverty, as did the Sanya Summit Declaration of 2011. The 2013 Durban Declaration, meanwhile, welcomed the appointment of a female AU Commission Chairperson as an affirmation of the leadership of women.
Security Council adopted Resolution 1373, which obliged each UN member state to create the prescribed legal framework to cooperate fully with other nations on anti-terrorism measures on a global scale.⁶ “This included the criminalization of the financing and other acts of support for terrorism, the freezing of bank accounts, the introduction of effective border controls and other measures to fast-track the exchange of intelligence information.”⁷

In August 2002, a legal opinion on South Africa’s legislative framework for dealing with a terrorist threat was submitted by the South African Law Commission, a statutory advisory body, to the Minister of Justice. The opinion found that South Africa has some way to go toward fortifying its anti-terrorism legislation: “(O)ur law should provide for extra-territorial jurisdiction, the present terrorism offence is too narrow and financing of terrorism must be addressed.”⁸ Any such legislation must of course, comply with the South African constitution. South Africa’s existing anti-terror legislation was designed to manage threats to the state from domestic sources, especially the liberation movements. So, by 2002, efforts were well underway, in response to prompts from the UN Security Council, in the aftermath of the 9/11 attacks on the US, for all states to update and finalise their proposed anti-terror legislation, especially with regard to the financing of terrorist acts.

There are already 14 conventions or protocols to which all states should accede. South Africa is a party to all of these conventions.⁹ According to the Department of International Relations and Cooperation (DIRCO), South Africa was assessed by the UN Security Council’s Counter Terrorism Executive Directorate in 2008 and found to be compliant with international counter terrorism instruments. South Africa was also found to be ‘largely compliant’ with international anti-money laundering and financing of terrorism measures.¹⁰ To date, the main terrorist threats South Africa has faced have been from urban terrorism. South Africa has had in place since 2005 the Protection of Constitutional Democracy Against Terrorist and Related Activities Act. South Africa’s position is that “the fight against terrorism requires a multilateral approach and should be conducted with due regard to international human rights law and respect for the sovereignty of states”.¹¹ Mooted amendments to South Africa’s constitution to respond to the terror threat after 9/11 met with stiff opposition from those who believed such amendments would infringe on personal liberties.

There is understandably, still no universally agreed definition of terrorism, in spite of most states, including the BRICS states, recognizing the seriousness of this problem. It is clear that the UN legal instruments, to which South Africa has acceded, largely deal sectorally with the terrorist threat. No less than five of the UN’s 14 international legal instruments to counter terrorism deal with aviation or aircraft. Recent events, such as the Westgate Mall massacre in Kenya, and transport terrorism in Russia show that these

---

⁷ Ibid.
instruments are being outpaced by events. Terrorists act in smaller groups and may have far humbler, but more destructive, targets than previously. These changes need to be met with the adaptation of national laws to reflect the mobility and flexibility of this new terrorist threat. This means that laws must be enacted that govern the movement of finances in and out of states; as well as the movement across borders of individuals. However, this concern with security must be balanced with the concern to protect the civil liberties of individuals.

What is the position of the BRICS states on the move toward a comprehensive convention against terrorism? The NAM supported this and this is also the preference of the OAU and now the AU. The UN, meanwhile, has had to work for piecemeal progress. According to the BRICS leaders after their 2013 summit,

> We reiterate our strong condemnation of terrorism in all its forms and manifestations and stress that there can be no justification, whatsoever, for any acts of terrorism. We believe that the UN has a central role in coordinating international action against terrorism within the framework of the UN Charter and in accordance with principles and norms of international law. In this context, we support the implementation of the UN General Assembly Global Counter-Terrorism Strategy and are determined to strengthen cooperation in countering this global threat. We also reiterate our call for concluding negotiations as soon as possible in the UN General Assembly on the Comprehensive Convention on International Terrorism and its adoption by all Member States and agreed to work together towards this objective.¹²

The emergence of a clear terrorist threat in Africa could provide impetus to the actions of the BRICS states. The terror activities of Boko Haram in Nigeria, who are reputed to have links with both Al-Qaeda in the Islamic Maghreb (AQIM) and with Somalia’s Al-Shabaab, could pose challenges across North Africa, from Nigeria in the west to Somalia in the east. While South Africa has not been directly affected by the types of terrorist attacks that have been seen in the US, UK, Russia and China, this does not mean that it may not serve as a key location for the planning and preparation of terrorist attacks, or for the harbouring of terrorists. This was shown in a number of past cases, and recently with the news that the so-called ‘White Widow’ British terrorist Samantha Lewthwaite had used a South African passport and had lived in South Africa with her children in the years preceding the Westgate Mall terror attacks on Kenya at the end of 2013. South Africa’s successful prosecution of Nigerian terrorist Henry Okah in January 2013, showed the results of regional cooperation in the fight against terrorism. BRICS have a role to play in engendering the types of regional cooperation that can foster this kind of success.

- It is recommended that BRICS states continue to promote and lobby for a holistic approach to combating the scourge of terrorism, in line with their individual approaches to this problem.
- The BRICS platform should be utilised to establish a framework on regional responses to terrorism, encompassing information-sharing about potential terrorist activity, cooperation between law-enforcement agencies and financial institutions, as well as intelligence.
- This could be supplemented by the creation and funding of a centre to study terrorism.
- While each region may experience terrorist threats in different forms, the design of responses relevant to each context can be led by BRICS states, remaining fully aware of the political sensitivities in each case.

**Cyber Security**

There is a growing recognition of the pivotal role BRICS play and will continue to play in this regard. "The year 2013 (was) a pivotal moment for the Internet as cyberspace [became] an increasingly contested area. The economic and political stakes involved have transformed cyberspace from an issue of low to high-level politics, and the BRICS... countries will play a critical role in determining its outcome."  

In the eThekwini Declaration of 2013, the BRICS states announced that,

> We recognize the critical positive role the Internet plays globally in promoting economic, social and cultural development. We believe it’s important to contribute to and participate in a peaceful, secure, and open cyberspace and we emphasise that security in the use of Information and Communication Technologies (ICTs) through universally accepted norms, standards and practices is of paramount importance.

This was reiterated by the BRICS Foreign Ministers Meeting on the margins of the 68th session of the UN General Assembly in September 2013. Another observer opined that, "(t)he outcome of the struggle over Internet governance and cyber-security between BRICS member states will to a large extent determine the future of cyberspace, and with it, shape a fundamental element of the future world order".

An alternative internet infrastructure project that was announced by Brazilian President Dilma Rousseff in September in 2013; namely, the construction of the ‘BRICS cable’ from Vladivostock to Shantou, to Chennai to Cape Town, to Fortaleza, promised the best avenue for BRICS cooperation on cybersecurity. While there is extensive potential for cooperation among BRICS states on the infrastructure of the internet, an opportunity also exists for BRICS to collectively chart new courses in the governance of the internet, at the national and global levels. This is especially necessary given that the BRICS cable will not deter surveillance, nor will it protect data moving between the BRICS and other states. At the national level, there is much work to be done in securing national systems against attacks.

The rise of largely unregulated electronic currencies such as Bitcoin, for example, is relevant to our discussions here, as well as the development of the anonymous online marketplace known as the ‘Silk Road’ - which was shut down by the U.S. Federal Bureau of Investigation in October of last year. “The BRICS should therefore consider the integrity and security of their respective cyber-networks, through this forum, in order to promote a peer-learning approach toward the protection of critical national physical and electronic infrastructures, and to combat common transnational criminal elements”.

- BRICS can engage in information sharing about good practice on shoring up security against cybercrimes, and in the building of skills capacity to respond to attacks at the national level.

---

13 Ebert, Hannes and Tim Maurer. 2013. “Cyberspace and the Rise of the BRICS”, *Journal of International Affairs*, 1
14 eThekwini Declaration, 2013.
15 Ebert and Maurer, 2013.
16 I am indebted to Mr Priyal Singh for these observations, email.
• Closer collaboration should be fostered between national agencies dealing with cybercrime. The 2013 Norton Report found that South Africa ranks third in the number of cybercrime victims, after BRICS partners, Russia and China. \(^{17}\)
• This is also an issue that could be discussed in our sister forum, the BRICS Business Forum, as the business community can also play a significant role in regulating its activities in this regard.

**BRICS’ Armed Forces as a tool for international cooperation**

Questions about BRICS’ Armed Forces and their potential for international cooperation must be answered in the context of the changing role of BRICS. While we hear and read much about BRICS’ economic impact, we hear less about the roles that BRICS are playing in international diplomacy and military equations.

The first standalone meeting of BRICS’ National Security Advisers (BRICS High Representatives on Security Issues) took place in early January 2013, in New Delhi, India. Syria, Libya and Male came up in their discussions. By issue, cyber terrorism, piracy and terrorism were the main discussion points. Incrementalism and gradualism are the key words in talking about BRICS cooperation and coordination, if we may go so far. No indication was given of any firmer platform for cooperation on security issues. This was derived from the statement of the Indian National Security Adviser after the meeting. Towards gradualism and incrementalism, BRICS’ shared concern over the security of the oceans is a potential area of cooperation that is ripe with possibilities.

The maritime component of military cooperation between the BRICS is an issue on which the leadership have not yet made any declarations. Yet, the governance of the oceans is central to the geostrategic interests of all of the BRICS nations. The Indian Ocean, for one, represents both opportunities and security challenges, posed by global terrorist networks, piracy and drug smuggling. There is scope here for greater collaboration on managing the security of this region, in tandem with efforts to build peace in places such as Somalia.

What must not be forgotten is that the key global instrument and legal focal point of international conflict management is the United Nations system. This is a position underlined by the BRICS, especially in the Joint Declaration of 2010, emanating from the first summit hosted by Brazil. The United Nations has come under increasing pressure in recent years. The organization has had to spread its reach ever further, even while major funders such as the US sought to rein in funding of the UN under the administration of George W. Bush.

Recently, BRICS’ role in helping to steer the international response to the Syrian conflict is instructive. It is, in fact, this Syrian crisis that has prompted wider reflection on the potential political and military roles that BRICS can play. BRICS, through their adamant rejection of any intervention in Syria that is not sanctioned by the UN Security Council, and that is not clear and detailed, have encouraged discussions on how to deal with the crisis away from unilateral military action, in the direction of dialogue and negotiation.

It is worth noting that while the BRICS as individual states may differ in many respects, they are single-minded on the question of humanitarian intervention. On the whole, there is

opposition to the idea that the sovereignty of a state may be breached in favour of intervention to protect the rights of citizens.

A key pillar of non-Western criticism of Western interventions has been that they have been conducted upon the whims of respective Western national interests. What is interesting and consequential about the BRICS position – if there may be termed to be ‘one’ position – is that the power calculus that has so frequently driven UN interventions in the past is now mounting in favour of the so-called ‘emerging powers’. This begs questions, not only of whether they will sanction interventions, modifying their own well-worn stances in the process – but also what these interventions may look like.

A key observation in this analysis is that the question to which there exists anything like a ‘BRICS’ position on humanitarian intervention should be raised. The short answer is, there doesn’t. The only aspects the BRICS agree on are the principles of sovereignty and non-intervention. A close examination of each state’s positions will reveal nuances in their approaches to intervention, ranging from outright rejection, to a preference for dialogue and debate about the place of military action in the menu of options, as well as other criteria for intervention.

Under former president Thabo Mbeki, South Africa crafted a strong and clear stance on humanitarian interventions. The erstwhile South African position was predicated upon the internationalism favoured by the governing party, the African National Congress, and was bounded by the country’s awareness of its late entry into African brotherhood and solidarity. As noted by Kibasomba, South Africa accepted the substantial commitment of pledging to contribute toward a better Africa and a better world, but did so armed mainly with the conviction that peacemaking would be emphasised over peacekeeping. Today, peace support and crisis management form essential components of South Africa’s engagement in Africa. There is thus an important role to be played by BRICS in this regard as each individual BRICS state finds itself in the position to be influential in certain conflict areas in the world, through its relations with one or more protagonists of contemporary global conflicts and crises.

As far as hard power is concerned, all of the five BRICS nations are undertaking military modernisation exercises. This is in stark contrast to the EU paring its military spending, and the US whose budget is enormous but which has also had to begin to think within budgetary constraints following the financial crisis of 2008-9, and changes to deployments following its drawdowns in Afghanistan and Iraq. There is the prospect of greater collaboration among the BRICS states as they seek to modernise their militaries. However, Brazil, as stated in its Defence Review of 2008, is keen to indigenise its arms procurement. Russia and China are two of the top 5 arms exporters over the period 2008-12. India and China, meanwhile, were among two of the five biggest importers.

BRICS can determine modes of engagement in conflict situations that accord with their norms of respect for sovereignty and for the centrality of the UN Security Council in the resolution of international disputes. Individual BRICS states, such as India, South Africa and Brazil have already proven to be prolific contributors to the UN machinery for the resolution

---

19 My thanks to Prof Anthoni van Nieuwkerk for this observation.
of international disputes, whether in military leadership positions, such as Brazil’s role in MINUSTAH in Haiti, or India’s leadership in the supply of personnel for UN missions, or South Africa’s role in assisting in the resolution of certain crises in Africa, including in Burundi, DRC, and Sudan.

• BRICS can strengthen cooperation in maritime governance, especially in the Indian and Atlantic Oceans, in which each state has a stake.
• They can also work to coordinate and strengthen peace support and mediation efforts in crisis zones. This would involve activities as diverse as coordinating positions on key international crises, and providing peace support in conflict areas.

<table>
<thead>
<tr>
<th>Country</th>
<th>Armed forces personnel, total</th>
<th>Military expenditure, 2012</th>
<th>World ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brazil</td>
<td>713,480</td>
<td>1.47% of GDP</td>
<td>64</td>
</tr>
<tr>
<td>Russia</td>
<td>1,364,000</td>
<td>4.47% of GDP</td>
<td>8</td>
</tr>
<tr>
<td>India</td>
<td>2,647,150</td>
<td>2.43% of GDP</td>
<td>32</td>
</tr>
<tr>
<td>China</td>
<td>2,945,000</td>
<td>1.99% of GDP</td>
<td>41</td>
</tr>
<tr>
<td>South Africa</td>
<td>77,582</td>
<td>1.16% of GDP</td>
<td>89</td>
</tr>
</tbody>
</table>

Table 1: BRICS Armed Forces

<table>
<thead>
<tr>
<th>Country</th>
<th>Contributions to UN Missions as at 31 January 2014, Police and Military experts</th>
<th>Contributions to UN Missions as at 31 January 2014, Troops</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brazil</td>
<td>15/24</td>
<td>1,716</td>
</tr>
<tr>
<td>Russia</td>
<td>36/63</td>
<td>4</td>
</tr>
<tr>
<td>India</td>
<td>972/51</td>
<td>6,814</td>
</tr>
<tr>
<td>China</td>
<td>171/35</td>
<td>1,980</td>
</tr>
<tr>
<td>South Africa</td>
<td>61/21</td>
<td>2,105</td>
</tr>
</tbody>
</table>

Table 2: BRICS’ contributions to UN Missions

Conclusion
This note has sought to highlight some of the enduring frames for examining security cooperation within BRICS. These include: the security/development nexus, and the ideal of a pluralist international society. BRICS embody the aspiration for an international system predicated on the rule of law, through their own guidelines for interaction, as they seek to manage diversity within the grouping, while still seeking cooperation on key international issues. While their moves toward security cooperation have been incremental and gradual to date, there exist many opportunities for significant cooperation on a variety of international challenges. BRICS can bring regional coherence and leadership to thwarting terrorist threats; pragmatism to the governance of cyberspace; and, improved governance of the

21 CIA World Factbook and World Bank Data (World Development Indicators)
22 UN Peacekeeping Office, accessed online.
oceans they border, along with better-coordinated peace-support operations in global flashpoints. The place of women in peace and security is an important additional issue that leaders should consider.