

# **Submission by UNA-UK to the UK government consultation on:**

## **'The Governance of Britain – War Powers and Treaties: Limiting Executive Powers'**

### **WAR POWERS**

The United Nations Association of the UK (UNA-UK) welcomes the opportunity to contribute to the consideration of ways in which the role of Parliament can be made more explicit in approving, or otherwise, decisions by the executive on substantial deployments of British armed forces into potential or actual armed conflict.

In general terms UNA-UK strongly supports the government's intention that Parliament be given a clearer and more explicit role in endorsing such decisions. We believe this will increase the legitimacy of the decisions so taken.

In seeking to develop an appropriate parliamentary mechanism, there is, as the consultation paper acknowledges, a need to ensure that the UK can continue to fulfil its international responsibilities and that it does not undermine its reputation as an active and reliable participant in multinational operations, whether undertaken by the UN, NATO or the EU.

In this regard, UNA-UK believes it is in the UK's national interest to continue to play a strong and effective role in supporting UN peacekeeping operations, in terms of both its assessed contributions to the peacekeeping budget and its contributions of military personnel to such operations.

UNA-UK would like four issues to be given further consideration by the government in its drafting of more detailed proposals for Parliament:

1. We are concerned that there has so far been no specific consideration of the application of any new parliamentary arrangements for war powers to UK contributions to UN peacekeeping operations, apart from the recognition that they would be affected (paragraph 40).
2. The extraordinarily varied nature of UN peacekeeping operations – ranging from the contribution of individual military observers to the deployment of major formations, and from deployments in benign circumstances to those where a real risk of conflict exists – needs to be set out and examined and needs to be taken fully into account in any formal arrangements that are subsequently proposed.
3. UN peacekeeping deployments suffer already from excessive delays with damaging consequences. The UK's parliamentary arrangements should aim to avoid contributing to this problem.
4. UNA-UK believes that, in the development of such parliamentary arrangements, consideration could be given to ways of taking full account of the points set out in paragraphs 1-3 above. The aim should be that the requirement for parliamentary approval does not bring inevitable long delays, that emergency provisions are effective, and that the requirement for parliamentary approval should be carefully worded so as not to apply to essentially peaceful deployments. One option would be to exclude deployments that do not have in their mandate engagement in hostilities (except for defence of oneself and others) and also to exclude the secondment of a few individual servicemen and women to serve with the armed forces of other states or with the UN. Another possible option would be to have a 'lighter option' for parliamentary approval of UK contributions to UN operations, along the lines of the German model as laid out in Annex B of the government's consultation paper.

UNA-UK would welcome an opportunity to discuss these issues with the government in greater detail.

*January 2008*