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The world is an UN-holy mess

When Germany takes its seat on the UN Security Council, the country must save and expand the UN Charter. Three proposals

Read this article in German.

In all probability, Germany will be elected to the UN Security Council as a non-permanent member for 2019 and 2020. It looks like these will be extremely tough years. The chances of the United Nations being completely marginalised and of us going down the dark path to a world where only national interests, despotism and the law of the jungle count have risen to an alarming degree.

The 'high-level' UN General Assembly on 24 and 25 April of this year was not a good omen for the future of the organisation. Surprisingly, the tensions flaring up between the great powers, the many unresolved internal wars and the rise of foreign military interventions were not addressed at the General Assembly, despite the topic being peace. The focus was essentially on the internal reorganisation of the United Nations; no mention was made of new approaches to solving long-standing bloody conflicts in countries such as Afghanistan, Iraq, Yemen, Congo, Libya, Mali, Somalia, South Sudan, Syria, Central Africa or even the Ukraine, to name but the worst.

The debate in the General Assembly seemed to have hardly taken any notice of this unpleasant reality. It was a sad example of the United Nations attempting to avoid controversies between important member states rather than concentrating on the conflict-laden business of preventing wars. This gives rise to a bitter question: to what extent are the United Nations still relevant for global peacekeeping?

A new Cold War in the Security Council?

Things are looking even bleaker in the Security Council, the UN's main decision-making body. Caught in a vicious circle of mutual and often questionable accusations, the trust between the permanent members

China, France, Great Britain, Russia and the United States seems to be in a state of breakdown that we have not seen since the darkest hours of the Cold War. Not only have the debates on the Syrian conflict deteriorated into a farce; previously undisputed mandates such as the extension of the UN missions in Haiti and Western Sahara are now being questioned. And this comes at a time when the Security Council is facing an even more crucial test. The nuclear deal with Iran was met with a rare level of unanimous support and international approval at the time. The USA's unilateral pull-out from the deal is also a blow against the credibility of the UN Security Council and could result in a transatlantic rupture on top of the existing conflict between the West, Russia and China.

Considering the problems in the General Assembly and the Security Council, a far more fundamental question arises: To what extent is the UN Charter still valid international law? The Charter prohibits unilateral military interventions and threats of military violence, and yet they are once more part of international politics. What is more, neither the latest report of the Secretary General on sustaining peace nor the debate in the General Assembly made any mention of the Charter.

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How is that possible at an assembly of the United Nations that focuses on the topic of peace? After all, the Charter is the fundamental and universally valid treaty signed by all member states, binding them to endeavour to maintain global peace. The Charter is the linchpin of the United Nations; without it, there will be no United Nations. The authority of the Security Council, of which Germany will now be a member for a time, is also based solely on the joint acknowledgement of the Charter. Without it, human rights, the Convention on Refugees and international humanitarian law, even international law per se are ultimately being called into question. To make matters worse, this development could undermine the trust in the international treaty. And without mutual trust, there can be no framework for peace.

We in the West may complain about this, as Chancellor Angela Merkel recently did at the German Roman Catholic gathering (Katholikentag). But what does such a loss of trust imply for countries in Latin America, Africa and large parts of Asia, i.e. countries that hardly have the military capacity to protect themselves and thus have to rely on the guarantees of

the UN Charter? After all, these are the countries in which the vast majority of people live who are largely excluded from the disputes of the permanent members of the Security Council. A breakdown of the UN Charter would not only give global powers free reign to enforce their goals with military help, it would also encourage more and more regional powers to also employ military means in the pursuit of their goals.

Given that the United Nations are in such poor condition and conflicts have escalated to such an extent, something has to be done. Perhaps now is the time – similar to the end of the Cold War – to pluck up the courage and take a step forward to restore trust in the United Nations' collective approach to security. I would like to offer three proposals for discussion on how to help the UN Charter regain the attention it deserves as a fundament of international peace settlement:

Preservation of the universal application of the UN Charter

The UN Charter is one of humankind's greatest accomplishments in terms of the development of civilisation. When, in the face of 55 million war dead, millions of people expelled from their homes, horrific crimes against humanity and cities razed to the ground, the founding members agreed in the UN Charter to never again use or even threaten to use military force to enforce their political goals, they broke with the age-old conviction that wars are inevitable and that security can be ensured only by means of military power. The Charter provided military power with a counter-example in the form of a model of international cooperation and collective security.

Unfortunately, it seems like not much of that is left. Unilateral military interventions are occurring at an ever increasing rate, and nations are once again threatening to use military action to destroy their enemies without even the slightest qualm. Countries are again investing in military armament and the development of new weapons – allegedly in the interest of security. Even in Germany, calls for rearmament and even the use of military force can be heard among politicians, and even more so in the media. We hardly ever hear voices reminding us of the normative accomplishments of the UN Charter.

If the UN is to remain relevant in the future, the Charter must take internal conflicts into

And yet, refraining from using military force to solve conflicts should be of even greater importance today than it was 70 years ago. The destructive power of modern weapons is many times higher today, and an increasing number of

countries have access to weapons of mass destruction. The argument that modern weapons can be used with great precision, allowing us to wage "clean" wars, is nothing but a fairy tale. It doesn't take much for a war to escalate. We should see the conflict in Syria, which has likely cost the lives of hundreds of thousands of people, as a warning of how quickly an internal conflict can turn into a war between global and regional powers.

Expanding the UN Charter to include internal conflicts

The general security situation in the world has undergone a fundamental change. Nations hardly ever wage war on each other anymore; it is armed conflicts within countries that dominate today. Of course, there were already internal conflicts when the United Nations was founded. However, it was assumed back then that these conflicts affected only the region and had no impact on global peace. In the wake of the two world wars, the UN Charter was focussed exclusively on preventing wars between nations. The UN Charter categorically rules out any form of interference with internal affairs on the part of the United Nations. The fact that it does not include the intervention in internal armed conflicts has contributed to many difficulties with regard to solving conflicts such as those is Bosnia and Herzegovina, Rwanda or currently in Syria.

If the UN is to remain relevant in the future, the Charter must take internal conflicts into account. On the one hand, the member states would have to agree on general standards with regard to domestic order. Important steps have already been taken with the implementation of human rights and principles such as the 'Responsibility to Protect' the civilian population. On the other hand, foreign military interventions in internal conflicts or the right of local governments to invite foreign militaries to fight against internal opposition groups must be subject to collective safety rules. The same must apply to foreign support of conflicting parties in the form of weapons and money. Furthermore, rules would have to be made to regulate how to support fragile member states and how to handle armed non-governmental players.

Such an expansion of the UN Charter to include internal conflicts would certainly be a controversial, yet necessary, step. While it would constitute a form of interference in the national sovereignty of member states, it would also protect them against arbitrary military interventions.

Democratisation of collective decisions under the UN Charter

The five victors of the Second World War essentially still call the shots in the United Nations. Three of the permanent members of the Security Council, France, Great Britain and the USA, make up only around six per cent of the global population today. As the world's population continues to grow, this number could fall to around four per cent by 2100. With Russia as the fourth permanent member, the Security Council is still dominated by the former colonial powers of the "white man". In order to uphold the credibility of the United Nations as a forum for collective security, the decision-making processes stipulated by the UN Charter would have to be democratised and adapted to the current geopolitical situation.

While Germany was excluded when the United Nations was founded, the country could now take on a pioneering role.

In the past, many attempts to implement changes to the membership on the Security Council and the power of veto have failed. This will not change in the near future. But perhaps there is a different solution to this problem. One possibility would be to strengthen the mandate of the Peacebuilding Commission (PBC) and grant this commission a say when it comes to preventing and containing all internal conflicts. The PBC could be tasked with coordinating the various political, social, economic, humanitarian and human rights-related aspects of international peace efforts, while the superordinate right to decide on civil and military interventions would remain with the Security Council.

Given that almost all conflicts are internal these days, the PBC would thereby take on an important and extremely substantial role. It would help to prevent the fragmentation of decisions in the many administrative councils of the UN and bundle the various aid programmes and financial support. With its 31 members that are selected on the basis of different criteria, the PBC is also considerably more representative than the Security Council.

The German government likes to talk about Germany taking on a greater responsibility on the world stage. This usually refers to expanding the role of the German armed forces (Bundeswehr). But wouldn't it be a worthwhile opportunity to demonstrate greater responsibility in the non-military field of international diplomacy as a member of the Security Council? After all, the UN Charter was created in response to the

Second World War, which was started by Germany, and the crimes committed during this time. Germany should therefore have a particular obligation to preserve and expand the UN Charter. Perhaps the German government could revive the United Nations in the context of a European project. It is highly likely that five of the 15 members of the council will be member states of the European Union next year.

Just a small step

Such a three-pronged proposal for reform would most likely be met with a great deal of scepticism at first. Under the given circumstances, the member states could consider it unrealistic due to the lack of political will to strengthen the UN. But is that really the case? When the founding members agreed on the UN Charter in 1945, this constituted a far more radical break with the past than the three proposals made here. If you look closer, there are already quite a few approaches in this regard. Considering that the UN Charter was ratified by each member state, there is no reason to be against preserving the principles of the charter. And there are already many standards that define the relationship between the state and its citizens, such as the human rights, the responsibility to protect the civilian population, as well as international humanitarian law. Then there is also the Peacebuilding Commission, which is far more representative. What's missing is mutual trust – and political will.

Moreover, the differences between the five victors were far greater after the Second World War than they are today. Back then, the Soviet Union was ruled by a mass murderer, China was represented by a general who ordered prisoners to be shot during the civil war; then there were France and Great Britain, two colonial powers who believed at the time that they had the right to rule millions of people in other parts of the world, and there was the United States, a country that still held on to a strict apartheid regime in large parts. And yet, these fundamentally different governments were able to overcome their differences in 1945 and agree on one of the most humanitarian, future-oriented and progressive documents in human history in order to preserve peace.

So why should it be impossible to take a far smaller step in 2020? It will be the year the United Nations celebrates its 75th anniversary. It would be a perfect occasion for a fresh start. While Germany was excluded when the United Nations was founded, the country could now take on a pioneering role.



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Wien

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