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An opportunity the United Nations and its Secretary-General must not miss | View

COMMENTS

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By *Michael von der Schulenburg*

Behind the doom and gloom over mounting great-power tensions, fading hopes for a liberal world order, a decline of multilateralism there might be a unique opportunity to reposition the United Nations. Today's fast-changing geopolitical landscape is creating an environment in which a return to the collective security system of the UN should be attractive to great and small powers alike. The Secretary-General must seize this opportunity.

But time is of the essence. The UN's 75th anniversary will be in one year. By this time, a new political consensus for the role of the UN in a future World Order must at least emerge. If not, the UN would be further marginalized and suffer a loss in credibility from which it may not recover any time soon. This places great responsibility on the shoulders of the Secretary-General. He must try to broker this new consensus, even at the risk of failing. However, his chances to succeed might not be all that bad.

What has changed?

First, the World Order is changing. The **post-Cold War** era that was dominated by the West led by a single superpower, the United States, is coming to an end. With it, hopes are waning that, with the fall of Communism, the Western liberal democracy would spread and become the unifying world-wide political system. Whether we want it or not, we have entered a new **post-post-Cold War** era in which the West will have increasingly to share power with other global and regional powers, many of them with different political systems of government.

No longer will any single power or political system be able set global norms and rules and ensure their implementation. This calls for a return to a collective security system. The UN is the only world forum in which various global and regional powers can come together to agree on global norms and rules to preserve global peace. With its Charter and Universal Declaration of Human Rights, the UN provides the foundations on which to build a new consensus across different political systems. Had the membership of countries that are not liberal democracies once been regarded by the West as a drawback, it could now become the UN's decisive advantage.

Second, the character of wars and armed conflicts is changing. Wars between nation-states have virtually ceased to exist while **intrastate armed conflicts between governments and**

armed non-state actors dominate. But the UN had been created to prevent interstate wars and not to intervene in intrastate armed conflicts. There is presently no comprehensive normative – or even operational – global framework to deal with the problems of failing states and the rise powers of belligerent non-state actors, and the resulting intra-state armed conflicts.

No single power could solve the many intrastate armed conflicts, avoid the collapse of nation-states, check the rise of belligerent non-state actors and prepare the world to care for a population of soon 11 billion people.

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The increase in world population, scarce resources, climate change, social and economic inequalities, and a widespread loss in state authority may further drive intrastate conflicts. No single power could solve the many intrastate armed conflicts, avoid the collapse of nation-states, check the rise of belligerent non-state actors and prepare the world to care for a population of soon 11 billion people. To prevent this from ending up in a global chaos, international cooperation is needed – including among great powers. Only the UN provides the right global umbrella for such cooperation.

Why now?

It may be President Trump's policies that have accelerate a geopolitical transformation that may necessitate a return to a collective security. He is, for lack of any better term, the first **post-post-Cold War** US President (1) who, with his "America First" policy, de-facto accepted that the US, though still the most powerful country, is now part of a multipolar world. By questioning global free trade agreements, transatlantic relations and even NATO and by returning to a security policy of containment, the USA increasingly reacts to a changing reality in which the US is no longer the only economic and military world power. The recent flare up of great-power rivalries is a result.

Today's great-power rivalries are different from those after WWII that led to the Cold War. Despite their aggressive talk, military posturing and bickering in the Security Council, the USA, China, Russia and the EU have more in common today than at any time since WWII. They no longer present mutually exclusive ideologies or run irreconcilable economic systems. Instead, their economies are increasingly integrated. Neither promotes any world revolution. There are no longer pro-Communist or pro-Maoist parties and there are no longer two military blocs threatening each other with mutual destruction. Ultimately, these countries have more to lose than gain from further deterioration of international relations. It may, therefore, be likely that Trump will eventually make deals with Russia and China (2).

The problems of weak states that may force strong states to cooperate

President Trump's withdrawal of US troops from Syria and negotiations to withdraw also from Afghanistan, as well as attempts to disengage from the war in Yemen and his hands-off from the Libya quagmire are signs that US military interventions in intrastate armed conflicts

around the world may come to an end. Unless Western interests are directly threatened, it is increasingly unlikely that the US, NATO or any other Western country would engage in new foreign military operations at the scale of Kosovo, Afghanistan, Iraq, Syria, Libya or Yemen.

A US withdrawal from intrastate conflicts will create a power vacuum. To prevent leaving a chaos in which emerging global or regional powers take advantage of interfering militarily in local conflicts, the USA should now be interested in international norms regulating the use of foreign military interventions in intrastate armed conflicts. Turkey's invasion of Northern Syria is an example for this. Managing intra-state armed conflicts may hence require setting other norms collectively that mattered less in interstate wars such as the legitimacy of governments, the status of armed non-state actors, defining national self-determination, the application of humanitarian and human rights law – and ultimately questions of national versus state sovereignty.

The West, despite its mounting disagreements regarding global affairs, should have an interest to renew the universal application of the UN Charter and to expand the Charter's mandate to intra-state conflicts (3). Europe, being geographically so close to most of today's trouble spots in the Middle East and Africa should be keen in promoting such solutions. Both Russia and China may welcome a return to the UN Charter. Russia would see this as an opportunity to be accepted and end its relative isolation. China, to lower tensions, might be ready to discuss the sovereignty issue under the condition that international interventions remain a strictly collective security issue (4).

Also, up-coming powers such as India, Indonesia, Nigeria, or Brazil should have an interest in containing intrastate armed conflicts, the collapse of nation-states and the rise of belligerent non-state actors – in large part because they are affected themselves. Smaller countries will, most probably, welcome this as a relief and a protection from being arbitrarily invaded (5). And all SC members must be interested in preventing local conflicts from turning into global confrontations among them. Who wants another Syria?

What to aim for

An initiative to seek a consensus among Member States on the future of the UN in intrastate conflicts must not follow a track of the very public events that characterized the preparations for the Paris Accord on Climate Change or the 2030 Agenda for Sustainable Development. This will require quiet diplomacy, at least initially.

The Secretary-General should use his convening powers to hold consultations with Member States on preparing for the 75th anniversary of the UN. This could provide a sufficiently discreet environment for a frank exchange of views that could even develop into a broader debate over the new World Order, international relations, new types of security threats, the role of collective security and the UN. Already holding such discussions would be a success.

Such consultations should be informal and open-ended. This would allow the SG to consult specific groups such for example the US, China and Russia, the three countries that, more than others, may decide the outcome. He may seek greater European support, his potential allies, to such an initiative. It may also allow him to bring into the debate emerging Southern powers and regional organizations, hence responding to a more general global shift in power from the Western to a non-Western world.

However, to be able to steer the debates, the SG should develop his own ideas of what he wants to get out of those consultations. I would suggest that he aims for three outcomes that could flow into a consensus document at the 75th UN anniversary:

1. Renew the universal application of UN Charter

The core question for 2020 is: do Member States still accept the UN Charter as the core of international law? In particular, how do they stand to their pledge in the Charter to *refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state (6) and replace this with international cooperation, the respect for human rights and the promotion of social progress and better standards of life in larger freedom (7)*. Without clarifying Member States' position on the Charter, there will be no UN.

2. Expand the UN Charter to apply to intrastate armed conflicts

Influenced by the two World Wars, the UN Charter was uniquely meant to prevent wars among Member States. Although intrastate armed conflicts existed in 1945, they were then considered local matters that are not important for maintaining global peace and security. This has changed; today, intrastate armed conflicts have become the dominant global security concerns. We must develop international norms and sharpen collective intervention mechanisms to be able to deal with these kind of new global security threats.

This would require an adjustment to the UN Charter and a wider review of operational aspects of UN conducted interventions (8). Such attempt may be difficult, but it is not impossible! Amendments to the Charter have been made before, although this would be the most substantive revision since the foundations of the UN in 1945. Why not try? The world has changed in the last 75 years and so must be the UN Charter.

3. Democratize decision-making among UN Member States

Membership to the UN Security Council (SC) no longer reflects geopolitical realities. But it is unlikely that the membership in the SC can be changed any time soon. There may, however, be a way around this problem by enlarging the mandate of the UN Peacebuilding Commission (PBC). Membership to the PBC far better reflects geopolitical realities. The PBC should not replace the SC. The SC would continue, as described in the Charter, to be the primary UN body *to ensure prompt and effective action by the United Nations ... for the maintenance of international peace and security (9)* while the PBC could be made responsible to review, promote and coordinate international responses to all intrastate armed conflicts once decided by the SC. The PBC could also serve as an early warning and conflict prevention forum.

As nowadays almost all conflicts are intrastate, and any solution would require collective actions of strengthening functioning nation-states (10). Responses to intrastate armed conflicts will always involve many operational aspects from mediation to peacekeeping, from human rights promotion to humanitarian aid, from development assistance to state building. This would place the PBC at the center of coordinating decisions and activities by various UN agencies, programmes, funds as part of UN interventions in intrastate conflicts.

Why the Secretary-General?

The Secretary-General seems to have an ideal personality for such a quiet diplomacy. He has kept a relatively low and quiet public profile and appears not to be a friend of flashy public statements that could antagonize one or the other Member State. He does not try to outshine senior political leaders of Member States, nor does he seem to pursue a personal political agenda. The fact that he may not seek reelection would give his efforts greater credibility. At the same time, he is the Secretary-General with the longest and most senior political career. All this should give him gravitas.

In 2016, Russia and China had supported Guterres' candidature to become Secretary-General although he came not from the Eastern European Group whose turn it was to nominate a candidate for the next Secretary-General. And they supported him despite having been Prime Minister of a NATO country. Was this intended as a signal to the West that he was expected to build bridges? The 75th anniversary of the UN would give him this opportunity.

(1) Henry Kissinger, asked by the Financial Times about President Trump, replied: *"I think Trump may be one of those figures in history who appears from time to time to mark the end of an era and to force it to give up its old pretenses. It doesn't necessarily mean that he knows this, or that he is considering any great alternative..."* FT, 20 July 2018

(2) President Trump tweeted on 3 December 2018: *"I am certain that, at some time in the future, President Xi and I, together with President Putin of Russia, will start talking about a meaningful halt to what has become a major and uncontrollable Arms Race. The U.S. spent 716 Billion Dollars this year. Crazy!"*

(3) Another Republican President, Richard Nixon, during a visit to Moscow in May 1972, stated in a speech on Soviet radio and television that *"...with great power goes great responsibility"* and further declared: *"As we look at the prospects for peace, we see that we have made significant progress at reducing the possible sources of direct conflict between us. But history tells us that great nations have often been dragged into war without intending it by conflicts between smaller nations. As great powers we can and should use our influence to prevent this from happening. Our goal should be to discourage aggression in other parts of the world—and particularly among those smaller nations that look to us for leadership and example."* This was at the height of the Cold War; the Soviet Union had invaded Czechoslovakia only four years earlier and the USA was still deeply involved in the Vietnam War. Why should it not be possible to get the great powers to agree on such an approach now that tensions among them are far lower?

(4) China had agreed to the R2P principle in the 2005 World Summit Outcome Document.

(5) Several regional organizations, such as the AU or ECOWAS, foresee already the possibility of collective interventions among their members.

(6) UN Charter, Chapter I Purposes and Principles, Article 1/4.

(7) Texts in italics are taken from the Preamble of the UN Charter.

(8) See my paper 'Global Peace Needs an Up-dated UN Charter', PeaceLap Bloc, 11 September 2018.

(9) UN Charter, Article 24

(10) See my paper 'Why Global Peace needs Nation-States' *Journal for international Politics and Society*, 22 Sept. 2018



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