



SOVEREIGNTY AND COERCION

The United Nations in the Web of Power Politics

EXPOSÉ

The armed conflicts in Europe and West Asia have again made painfully obvious the United Nations Organization's inability to fulfill its basic purpose, "to maintain international peace and security." The Security Council's paralysis in disputes that touch upon the vital interests of a permanent member is not by accident, but by design. While affirming the principle of "sovereign equality of all its Members," the organization's Charter nonetheless puts a small group of states virtually above the law. Using the provisions of Article 27, the four states whose governments drafted the Charter plus France (the P5) are able to protect themselves and any of their allies against the coercive power of the Council, the very body that was meant to take "prompt and effective action" for the maintenance of international peace and security. This has been the reason why never in the history of the world organization any of those states was held accountable for breaches of the peace.

Thus, the authority vested in the Security Council under Chapter VII of the UN Charter has been compromised for the sake of the power politics of its permanent members. For the P5, and for them alone, sovereignty means the **right to coerce**, combined with the **privilege not to be coerced**, while all the others must put up with the fact that they are subject to the supreme authority of the Council – effectively of the P5. The *inconsistency* between the Charter's principle of sovereign equality and these countries' voting privilege has led to a – *de facto* and *de jure* – system of "**sovereign inequality.**"

Following up on last year's roundtable in Vienna (Austria) on "Responsibility in International Relations," the International Progress Organization would like to focus on the contradiction in the UN Charter between these foundational principles and norms of the Charter and discuss the implications for world order. The notion of an *international rule of law* cannot be upheld and credibly defended as long as the Charter, by granting virtual impunity to the most powerful states, introduces a *jus ad bellum* through the back door. Prohibition of the use of force – according to Article 2(4) – is meaningless if it is made to "coexist" with the provisions

of Article 27(3), dictated by *realpolitik*. As history has proven, this state of affairs encourages reckless use of power and undermines the *raison d'être* of the organization.

While the indefinite perpetuation of a (for them) favorable balance of power may have been one of the principal considerations of the organization's founders in drafting the voting provisions of the Charter, the United Nations is now faced with a situation where world order appears to change in the direction of a multipolar constellation that is essentially different from that of 1945. The inability, due to Article 108, to constructively react to this tectonic shift and adapt the Charter – in particular its Chapter VII – to the new reality has become the basic predicament and challenge of the world organization in the new millennium.
