International Progress Organization Organisation internationale pour le progrès

«THE BOSPHORUS ROUNDTABLE»

International Roundtable Consultation

SOVEREIGNTY AND COERCION

The United Nations in the Web of Power Politics

Istanbul, Çırağan Palace

12 September 2024

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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.

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(with countries of institutional affiliation)

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(via written contribution)
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CONFERENCE TEAM

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Lukas Köchler (logistics & audiovisual) / **Ramazan Ersoy** (I.P.O. head office)
Gözde Dölük (Ms.) (Kempinski Hotel)

SCHEDULE

11 September 2024

19:00

WELCOME RECEPTION
(Kaftan Room, Çırağan Palace, 1st floor)

12 September 2024

Individual breakfast (Akdeniz Restaurant, hotel section) (from 07:00)

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ROUNDTABLE CONSULTATION
(Bosphorus Room, Çırağan Palace, 2nd floor)

Session I: 9:00-10:45

Coffee break

Session II: 11:00-12:30

Lunch: 13:00-14:00 (Tuğra Restaurant)

Session III: 14:30-16:15

Coffee break

Session IV: 16:30-18:00

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20:00
GALA DINNER
(Ottoman Room, Çırağan Palace, 2nd floor)

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13 September 2024

10:30-12:30
Private Bosphorus yacht tour

PROGRAM

SESSION I

Hans Köchler
Introductory Remarks

Mogens Lykketoft
Observations on the Workings of the UN System,
Based on My Experience as President of the General Assembly

Raul Versan
International Rule of Law:
The Dilemma of Enforcement under Chapter VII of the UN Charter

Chin Leng Lim
The Rules-based Order versus the UN Legal Order

SESSION II

Karin Kneissl
The Concept of Sovereignty: Tension between Normative and Factual Levels

Beatriz Bissio
The Concept of Sovereignty and the Experience of the South

Berdal Aral
The UN Charter's Exceptions to the Principle of Sovereign Equality of States and their Injurious Consequences for World Peace

SESSION III

Daniele Archibugi
What Does the UN Security Council Do?

Bardo Fassbender
The Right of Veto in the UN Security Council:
Original Intent, Present Status and Future Prospects

Hassan Diab
Rethinking P5 Veto Power in the UN Security Council:
A Challenge to Democracy in a Multipolar World

Gabriel M. Lentner
The Inglorious Role of the UN Security Council in International Criminal Justice:
Selectivity and Double Standards

SESSION IV

Said Saddiki
UN Charter Reform: Balancing Sovereign Equality and Effective Functioning

Anja Matwijkiw
The United Nations Organization and the Promise of Progress for Mankind:
The Error of Disregarding Ethics

Deepak Mawar
Liberalism Challenged: UN Security Council and Power Politics in the Populist Era

ABSTRACTS

Berdal Aral

THE UN CHARTER'S EXCEPTIONS TO THE PRINCIPLE OF SOVEREIGN EQUALITY OF STATES AND THEIR INJURIOUS CONSEQUENCES FOR WORLD PEACE

This presentation draws on a number of defects which emanate from the exceptions to the principle of the sovereign equality of states as manifested in the UN Charter system in the field of international peace and security. It focuses on the period after the end of the Cold War.

It first draws on the main articles of the UN Charter, which serve as exceptions to the principle of the sovereign equality of states. It then seeks to understand the primary motives behind the inclusion of these provisions into the UN Charter. This section also discusses, theoretically, various ways in which the Charter exceptions to the equality of states undermine the main goals of the UN Charter, particularly in the maintenance of international peace and security. It seeks to illuminate as to how these exceptions distort the balance of competences between the UN organs.

This presentation will mostly look into the performance of the UN in the aftermath of the Cold War during which time the deadlock that had for long stifled the Council disappeared. After having pointed to the manifest failure of the Security Council in maintaining international peace and security, due, largely, to the creation, in the UN Charter, of exceptions to the principle of the equality of states, this presentation endeavours to unveil the ways in which this has stifled the UN Security Council and/or led to the infliction of serious harm on numerous states through 'effective' resolutions of the Council which seemed difficult to defend upon the principles of international law and justice.

This presentation draws on the grave consequences of the privileges of the P5 for the sovereign equality of states, as has been manifest, *inter alia*, in the decision-making process of the Security Council. The exception provisions have had strong repercussions in the workings of the Council through a number of procedures and mechanisms, which almost create a monopoly of power-sharing among the P5. In particular, they consist of the following: a) Virtual *impunity* of the P5 and their allies from any punitive action by the Council; b) *quasi-monopoly* of the P5: *in the *identification* of threats and actors (states and non-state actors) breaching international peace and security; c) *in deciding *as to whether to take* 'effective' action against actors breaching or threatening international peace and security; d) *in deciding *the types of effective action* (e.g. sanctions or military enforcement action) against 'aggressors'; e) *in deciding *the particular modality and conduct* of military enforcement action against a target state allegedly in breach of international peace and security and/or engaged in military aggression.

It is in this context that this study seeks to understand the variety of ways in which the resolutions of the UN Security Council have undermined state sovereignty and eroded the principle of the sovereign equality of states especially since the 1990s. It seeks to shed light on the following themes which have been taken up by the Council in the last three decades: a) international terrorism; b) alleged proliferation of nuclear weapons; c) failed state paradigm; the right of humanitarian intervention; Responsibility to Protect; d) the issue of nuclear disarmament.

Daniele Archibugi

WHAT DOES THE UN SECURITY COUNCIL DO?

The UN Security Council (SC) has never been able to play the function for which it was created. The veto power of the P5 has more often than not blocked important decisions. Rather than preventing and impeding wars, the SC has been a sort of compensation chamber to prevent the outbreak of direct wars among the superpowers. There were major hopes for its reform after the end of the Cold War in 1989, but unfortunately any attempt has been mortified by the recourse to power politics by the great powers.

Still, even if its maximalist function has not been achieved, it has played a minimalist and important role as a forum where major world issues could be discussed and negotiations could be made. In the absence of the SC, all important events of world politics would have been discussed in the secret chambers of great power summits. The fact that the deployment of blue helmets has substantially increased after the end of the Cold War shows that there has been a commitment to keep at bay at least some local conflicts.

This paper presents some data on the use of SC veto power by the P5, indicating: i) which of the P5 made a more frequent use of the veto; ii) the occasions in which decisions have been blocked by a single permanent member and when there was a larger divide among members.

On the ground of this evidence, the paper will present some realistic options for SC reform.

Beatriz Bissio

THE CONCEPT OF SOVEREIGNTY AND THE EXPERIENCE OF THE SOUTH

In theory, the modern international system consists of sovereign states with exclusive authority within their geographical borders. This, however, is not the historical experience of most of the South, the Third World, as it was called in the 1960s and 1970s.

With few exceptions, the violations of the sovereignty of an independent state that have occurred since the second half of the twentieth century have taken place in the countries of the South. And these interventions, whether by individual former colonial powers or military alliances of several powers, are usually directly related to a sovereign decision by the attacked country on how to use its natural resources. Not infrequently, foreign intervention is dressed up and justified as humanitarian action.

This reality necessarily leads to the conclusion that the principle of equality between UN member states has never been respected by the most powerful.

This presentation aims to study the most representative cases of violations of a country's sovereignty as a reaction to a government's decision to use natural resources for the benefit of its country's development.

In this sense, we intend to show that historical experience obliges us to broaden the concept of sovereignty to include, more explicitly, that a state's sovereignty implies its right to dispose of its own natural resources in order to promote its development.

Alfred de Zayas

THE UN CHARTER AS WORLD CONSTITUTION NEEDS AN ENFORCEMENT MECHANISM

* Written contribution *

The UN Charter, adopted on 24 October 1945, has not lost any of its relevance. In fact, we need the Charter more than ever, as the only rules-based order humanity has. The Purposes and Principles of the Organization are laid down in Articles 1-2. Its three pillars are peace, development and human rights. Among the *jus cogens* obligations assumed by States are the respect for the sovereign equality of States, the recognition of the right of self-determination of peoples, the commitment to settle differences by peaceful means, the prohibition of the use of force and of interference in the internal affairs of States. These are *erga omnes* obligations binding all member States. Only with good faith, a spirit of cooperation and multilateral action can the world solve global challenges including armed conflict, natural disasters, global warming, pandemics and extreme poverty.

Undoubtedly, the United Nations Organization has performed a formidable job of standard-setting and institution-building. The International Law Commission has elaborated treaties and protocols that have been ratified by a majority of UN States members and have contributed significantly to the progressive development of international law. They have defined the law on the responsibility of States, the law of treaties, the laws of diplomatic relations, the law of the sea. We hail the adoption of the Universal Declaration of Human Rights in 1948 and the elaboration of ten core human rights treaties equipped with expert committees mandated to monitor implementation.

In principle, human rights are justiciable and juridical, but are they enforceable? Alas, norms are not self-executing and require incorporation into domestic legislation. In this context the Office of the United Nations High Commissioner for Human Rights, established in 1993 by General Assembly Resolution 48/141 provides advisory services and technical assistance to States that request it. The UN Commission for Human Rights (1946-2006) and the Human Rights Council (2006 to date), established thematic and country mandates to facilitate the implementation of the human rights treaties.

We observe, however, retrogression in the implementation of norms, both domestically and internationally. In particular, wars have given an excuse to curtail rights, hitherto considered *aquis* of civilization. The law on territorial and diplomatic asylum is under attack. The great powers have violated treaties in such number and frequency that one speaks of a culture of impunity, notwithstanding the existence of competent international courts and tribunals. Considering that many judgments and advisory opinions of the International Court of Justice are not being implemented, experts are pondering how to reverse the trend and return to a commitment to enforce these rulings and not just those that governments like.

It is unhelpful for politicians to give lip service to the UN Charter, unless prepared to take concrete action to make enforcement possible. This includes reliable financing of the Organization without strings attached. One of the problems that all UN agencies suffer is the hard-ball blackmail practised by the donors, who pretend to establish the priorities.

As long as the great powers take international law *à la carte*, it will not be possible to enforce the UN Charter. It is time for the global majority in Latin America, Africa and Asia to rise and demand in the UN General Assembly that the great powers abide by their commitments. It is time to reactivate the "Uniting for Peace" resolution and enforce a ceasefire in Ukraine and Gaza.

The UN Charter was never conceived as an instrument of imperialism. It is time to return to the practical recognition of the supremacy of the Charter as laid down in its Art. 103. It is time for the ICJ to rule that the Charter takes precedence over all treaties, including the Treaty of the North Atlantic Treaty Organization that pretends to usurp the powers and functions of the Security Council.

Hassan Diab

RETHINKING P5 VETO POWER IN THE UN SECURITY COUNCIL: A CHALLENGE TO DEMOCRACY IN A MULTIPOLAR WORLD

This roundtable presentation delves into the profound global implications of the United Nations Security Council's (UNSC) structure, particularly regarding the exceptional veto power wielded by its Permanent Five (P5) members – United States, United Kingdom, France, China, and Russia. This presentation examines how the exercise of the veto power has hindered the UNSC from fulfilling its fundamental purpose of maintaining international peace and security. It underscores the inherent contradiction between the principle of "sovereign equality" enshrined in the UN Charter and the privileged position of the P5, whose actions often transcend the spirit of democracy. By scrutinizing significant UN resolutions vetoed by the P5, the paper sheds light on the negative repercussions of this extraordinary veto power, including perpetuating impunity for human rights violations and exacerbating conflicts worldwide. Furthermore, it advocates for comprehensive reforms within the UNSC to ensure greater inclusivity, transparency, and accountability, thereby enabling it to adapt to the realities of an emerging multipolar world order. The presentation urges stakeholders to transcend entrenched interests and embrace democratic principles to restore the UNSC's legitimacy and efficacy in addressing contemporary global challenges.

Bardo Fassbender

THE RIGHT OF VETO IN THE UN SECURITY COUNCIL: ORIGINAL INTENT, PRESENT STATUS AND FUTURE PROSPECTS

In 1945, the UN Charter instituted majority voting in all UN organs, including the Security Council. This step "represent[ed] the completion of a revolution of decisive importance for the future development of international organizations" (C.W. Jenks, 1945). It was unexpected especially in view of the unprecedented powers conferred on the new world organization in Chapter VII of its Charter. Compared to the League of Nations, the UN was indeed "a body very different in character, (…) a body working under a system of majority voting" (J.L. Brierly, 1945). However, according to Art. 27 (3) UN Charter any decision of the Security Council on substantive matters – as distinguished from "procedural matters" in Art. 27 (2) UN Charter – requires an affirmative vote of nine members, "including the concurring votes of the permanent members". This provision is the basis of the famous and often criticized veto power of the "P5", namely China, France, Russia (formerly the Soviet Union), the United Kingdom, and the United States (Art. 23 [1] UN Charter).

The five States who laid claim to the veto carried the freedom they had enjoyed under general international law and in the framework of the League of Nations with them into the new organization. They became part of the collective body only with an important reservation: they cannot be obliged to take action, or to refrain from it, against their will. Although a permanent member of the Security Council numerically has the same voting power as every other member, its right of veto actually enhances this power enormously. A permanent member alone can obstruct a decision, while it needs a negative vote of at least seven non-permanent members to have the same effect. While it is wrong to describe the permanent members' position in the UN as one "above the law" – the P5 are bound by the same rules of the UN Charter that bind any other Member State – the permanent members clearly constitute a distinct category of the UN membership as there is not only a *de facto* but also a *de jure* inability on the part of the Security Council to pass a resolution in non-procedural matters against their will. The right of veto of the permanent members has three major consequences, aptly described by Hans Morgenthau (1948): First, "the veto eliminates any possibility of centralized measures of law enforcement being applied against any of the permanent members." Secondly, enforcement measures are also unlikely to be taken by the Council against any State closely aligned with one of the permanent members. And thirdly, "the veto eliminates for all practical purposes the qualifications by which Art. 51 UN Charter endeavours to subordinate the right of collective self-defence to the centralized enforcement system of Chapter VII." – The veto has considerably hindered the activity of the Security Council. During the Cold War, its use reflected the antagonism between the two blocs. Many Western motions were defeated by a Soviet veto, and *vice versa*. By far, most of the formal vetoes were cast by the Soviet Union, but statistics on use of the veto are problematic because they do not take account of the many cases in which a threat of using the veto was enough to frustrate an initiative or resulted in a draft resolution not being put to a vote.

The criticism that the veto not only paralyzes the Security Council but also is incompatible with the principle of sovereign equality of all UN Member States never fell silent. After the end of the Cold War, many reform proposals addressed the issue of membership in the Council and the veto. A great number of States, among them those united in the Non-Aligned Movement and the African Union, have demanded an abolition or restriction of the right of veto. The present contribution reconsiders and reassesses the political and legal importance of the veto power in the first half of the 21st century, taking into account the arguments pro and con advanced in the reform debate of the past thirty years. Will a continued use of the veto accelerate the legitimacy crisis of the UN? Is it possible to imagine the UN without the veto? Or can an abolition or substantial limitation of the veto only be conceived of as part of a fundamentally different universal organization of States – the establishment of which, however, would presuppose a fundamentally new international system?

Karin Kneissl

THE CONCEPT OF SOVEREIGNTY: TENSION BETWEEN NORMATIVE AND FACTUAL LEVELS

Question: Sovereign statehood versus extraterritorial jurisdiction in times of technical and geopolitical upheavals – who will win?

In principle, the basic concept of the Westphalian Order ex 1648 is still the underpinning of our international order. The General Assembly of the United Nations Organization is the perfect mirror of that fact.

Apart from the other well-known facts that there are always "some more equal" it was the rise of extrajudicial jurisdiction as the complementary instrument to unilateral sanctions outside of the UN-system that has sharply contributed to a partial dismantling of sovereignty.

In the beginning, the Iran and Libya Sanction Act of 1996 (ILSA) by the US-Congress imposed economic sanctions on firms doing business with Iran and Libya. It was one of the contested milestones in enhancing the hegemony of the US in terms for total control over US assets by whoever and wherever.

Nearly 30 years later, we can observe the ultimate backlash of those actions: in response to the "sanctions from hell"[1] scheme against the Russian Federation as of spring 2022, states are reflecting more dynamically on new currency baskets and therefore advancing the process of dedollarization. There is a trend of regaining control over sovereign financial decision-making.

Furthermore, it was more than a decade ago in Russia and China that the notion of "technical sovereignty" entered the international debate on the role of the Internet and of the Big Tech companies. When discussing Taiwan, it should be borne in mind that the debate is a lot about semiconductors and to a lesser degree about the territorial status of the island.

The current tectonic geopolitical shifts, which affect the international system reflected in the UN, take place in times of tremendous technical changes. Artificial intelligence could prove to shake up our traditional notion of territorial statehood.

For reasons that go beyond the momentum of de-globalization, the author expects the nation-state to remain. The reasoning for that will be at the center of her presentation.

[1] Copyright goes to the Republican US Senator Lindsey Graham, https://www.reuters.com/article/usa-russia-sanctions-idUKL5N20F58G/.

Gabriel M. Lentner

The Inglorious Role of the UN Security Council in International Criminal Justice: Selectivity and Double Standards

Historically, international criminal justice has predominantly been exercised by those in power to punish those subject to it. A review of the International Criminal Court (ICC) over the past 20 years reveals little change in this dynamic. Despite optimistic expectations of a gradual shift from power politics to universal justice, a closer examination shows the persistence of double standards and selectivity in the prosecution and enforcement of international criminal law. This asymmetry is also institutionalized through the legal status of the permanent members in the UN Security Council, compounded by the ICC's lack of enforcement powers.

Against this backdrop, this talk aims to demonstrate through critical historical analysis that the reality of power politics in international criminal justice today is subtle and has structural roots. The hegemonic pattern once known as victor's justice is now concealed beneath the laudable principles enshrined in the preamble to the Rome Statute of the ICC. Specifically, the interests of the most influential members of the UN Security Council shape the practice and limitations of the ICC's operations, particularly in situations where the involved states are unwilling to cooperate with the Court. This institutional design is intentional. However, the reality is difficult to reconcile with the idea of universal justice, defined as "a body of norms binding upon all, even the most powerful, and enforced consistently by a permanent and independent court."

Exposing the weaknesses of the institutional framework for universal enforcement of international criminal law, the talk calls for attention to the most relevant aspects of political contestation and institutional reform.

Chin Leng Lim

THE RULES-BASED ORDER VERSUS THE UN LEGAL ORDER

We now hear a lot about a Rules-based International Order (RBO). My first point is that the idea that some states now act outside the UN, and are abandoning the UNLO, is an essentially contested concept. To the RBO's supporters the UN framework ought to support the RBO's liberal values. To the RBO's critics, however, the RBO is not the UNLO but an attempt to exempt oneself from the UNLO, and even to supplant it. At bottom, this is an interpretative dispute, or a series of disputes about, for example, whether Israel has a right of self-defence rather than the legal duties of an occupation force, whether the non-intervention principle trumps human rights, or whether sovereignty claims trump freedom of navigation claims. They involve a level of attention to legal minutiae which even the informed global public may find difficult to follow, and whose controversies have no clear end. There seems to be only endless interpretative dispute. That is the contest between those two meta-narratives, between the RBO and UNLO.

Secondly, while such subjective disputes have grave implications for peace, and while writers, thinkers and philosophers grapple with an insoluble problem, it does not mean that the UNLO's diplomatic machines such as the Security Council or General Assembly have no role or function left.

Thirdly, even if the RBO is defeated within the machinery of the UNLO, which has not happened, if we think of Gaza, it will not just wither away. Thus, absence of UN sanctions against Russia because of the veto saw collective sanctions being taken outside the UN. Saying that these measures are unlawful because they are unauthorised involves an interpretative controversy about whether customary international law allows such collective countermeasures. While at the same time one tries to solve the UN's enforcement dilemma by enlisting the support of the UN General Assembly. Similarly, while it is true that Palestinian UN membership saw 13 Security Council votes face the veto, with one abstention, there is also an effort concurrently to support the population in Gaza by enlisting and utilising the International Court of Justice.

None of this means reform is not desirable, or that the great power veto operates well, or that the enforcement dilemma is not real, or that we are not at a critical moment.

Mogens Lykketoft

OBSERVATIONS ON THE WORKINGS OF THE UN SYSTEM, BASED ON MY EXPERIENCE AS PRESIDENT OF THE GENERAL ASSEMBLY

- Dynamics of the power play in general
- Efforts to increase the relevance of the General Assembly; reform of the procedure to select the Secretary-General; the ever stalled process of reforming the UNSC during my presidency
- The unquestionable importance of the UN as a place for every government to meet and exchange views – and all the good work of all the 50 plus organizations and programs under the UN umbrella
- For the UN to take binding decisions in peace and war, the special position of the P5 in the UNSC requires that at least those five realize that their *common interest* in peace, prosperity and climate solutions is much more important – for themselves as well as the rest of the world – than their *conflicts of interest*.
- This was the case for some years after the end of the Cold War.
- Russia's aggression in Ukraine since 2022 has led to a loss of hope in achieving that kind of consensus now.
- COP21 in Paris 2015 was the last good example of the US and China working together to achieve an ambitious outcome on the existential threats facing humanity.
- The tensions between the US and China may become an even more serious problem for UN authority if they do not try to agree on a new global balance within the UN framework.

Anja Matwijkiw

THE UNITED NATIONS ORGANIZATION AND THE PROMISE OF PROGRESS FOR MANKIND: THE ERROR OF DISREGARDING ETHICS

In terms of its contents, the paper addresses the key stakes *cum* values that guide the 1945 Charter of the United Nations (cf. peace, security and justice), but which also divide policymakers, legal scholars and practitioners into supporters of political realism and pragmatism and, on the other hand, a legally and morally principled approach that is anchored in peremptory norms of general international law (*jus cogens*). A section that briefly explores the notion of *realpolitik* and the "innate conservatism" (here citing Philippe Sand's expression) of even the most idealistically minded proposals for frameworks will clarify the philosophical differences between the two main stances. The section in question precedes a larger section in which doctrine in favor of collective guarantees is outlined with a view to discussing the implications for the current world order. The emphasis will be on an analysis and assessment of the so-called Integrated Approach. The Integrated Approach may and may not accord with the intentions of the Drafters of the 2001 ARSIWA, but its emphasis on fundamental human rights (as corresponding with or constituting peremptory norms of general international law [*jus cogens*]) cannot but weaken state-centric and pro-sovereignty views and, for the same reason, help to fuel non-Westphalian developments whereby the international community is no longer perceived as a community of states, but of mankind as a whole (common humanity). In and of itself, this is a way of ethicizing international relations. As a version of global constitutionalism, however, the Integrated Approach may still have its formal(ist) limits; a fact that would benefit the legal and political *status quo*. That said, global law and global democracy are paired under the doctrine. At the same time, empirical events and idealistic aspirations appear as overlapping phenomena or factors. In the context of United Nations instruments, minimalism is the best description for a democracy-accountability constellation. Furthermore, both preexisting norms and candidates for new norm-recognition are characterized by a narrow crime-typology, as indeed evidenced by the current "ecocide" and "grand corruption" discourse, just as United Nations lawmaking methodology seems to ignore one of the main implications: that the link between crime-typology and regime-typology remains embryonic. Critically, *realpolitik* is arguably an "integrated" way of the United Nations Organization. Norm-recognition and/or identification are a testing stone. That said, norm-enforcement is accentuated in the Integrated Approach. Unfortunately, considerations having to do with collective guarantees of important public interests outside of Chapter VII are, at best, pro-reform signals and, at worst, ineffective tools against the systemic weaknesses of the United Nations Organization, *inter alia*, as consequence of the veto power of the P5.

In the opinion of the author, ethics cannot and indeed should not be disregarded, *as if* formalism trumps proper consideration of "cases which imperil the survival of communities and peoples, the territorial integrity and political independence of States and the environment of whole regions." International ethics is a prerequisite for democracy and the rule of law at the national and international levels.

Deepak Mawar

LIBERALISM CHALLENGED: UN SECURITY COUNCIL AND POWER POLITICS IN THE POPULIST ERA

Realist politics have persistently affected the United Nations Security Council's ability to maintain international peace and security. Whether in the Security Council's more dormant decades during the Cold War era or during the 1990's period of reactivation, power politics has been a determining factor for the work of the Security Council. Therefore, this paper seeks to understand how recent shifts in world politics may shape the Security Council in the foreseeable future. Current political trends demonstrate a challenge to the liberal order with far-right populist politics becoming increasingly normalized and made part of the political mainstream. These particular trends will irrevocably affect the Security Council, especially with several P5 members showing populist trends in their domestic politics. With this challenge on the liberal international order as an imminent possibility, I utilize van den Herik's argument, which urges less powerful states to develop mechanisms to effectively constrain the Security Council. By doing so, they shift the relationship between law and power in favour of the international rule of law and institutional procedures. Indeed, with the increasing challenges to the liberal international order it is imperative to consider how the Security Council can be protected from populist influences in order to ensure that it can maintain international peace and security.

Said Saddiki

UN CHARTER REFORM: BALANCING SOVEREIGN EQUALITY AND EFFECTIVE FUNCTIONING

The Charter of the United Nations, shaped in the aftermath of World War II, reflected the power dynamics of the international system at the time. Despite its inherent inequalities, the Charter functioned within the Cold War balance of power, albeit with limitations on the effectiveness of the Security Council. Although this balance of power spared the world from another global war between the superpowers, it did not prevent the outbreak of many proxy wars that claimed millions of victims.

The end of the Cold War sparked talks about reforming the United Nations. Despite numerous proposals made by officials and academics, the discussion did not yield any results due to the reluctance of the permanent members of the Security Council to give up the privileges acquired after World War II.

However, recent years have witnessed the rise of new global powers seeking a more equitable role in international affairs. This has reignited discussions on UN reform, particularly regarding the Security Council. This paper argues that balancing state sovereignty with UN effectiveness remains a critical challenge. Finding this balance is essential for addressing contemporary global challenges while upholding the principles of equality among nations.

Rauf Versan

INTERNATIONAL RULE OF LAW: THE DILEMMA OF ENFORCEMENT UNDER CHAPTER VII OF THE UN CHARTER

The primary purpose of the United Nations as defined in Article 1 of its Charter is "to maintain international peace and security." In order to achieve this purpose, two means are envisaged. The first relates to the taking of "effective collective measures" – the first reference in the Charter to the United Nations' enforcement power. This power, which is the pillar of the collective security system laid down in the Charter, is described in detail in Chapter VII. The second means is to bring about "the adjustment or settlement of international disputes or situations which might lead to a breach of the peace." The Organization's powers in this regard are described in Chapter VI. The fact that there is a qualifying phrase "in conformity with the principles of justice and international law" with reference only to the peaceful settlement of disputes has led to the argument of whether the Security Council has a free hand in taking collective enforcement measures without recourse to justice and international law whenever it deems suitable. Whether the Security Council is bound to observe general international law is not clearly stated in the Charter, but the discussions during the preparatory works of the San Francisco Conference and the subsequent interpretations of the Charter lend support to the view that international law forms a normative basis of the Charter.

The record of the Security Council in the peaceful settlement of disputes is not an impressive one. The main reason for this is that the political divergencies which exist, sometimes in the extreme, among members of the Council play a frustrating role in the efforts to resolve or, at least, to reduce to manageable proportions, the differences between the contesting parties. Where such disputes exist between the superpowers' respective blocs, the Security Council is hindered from taking action by the use of the veto. A similar situation arises when superpowers have an interest in establishing a sphere of influence in a particular geography, or when acting in favour of a protégé state in the affairs of which they may have a direct or indirect interest.

As regards enforcement action with respect to threats to the peace, breaches of the peace, and acts of aggression, the possibility of military sanctions under Chapter VII – the ultimate means for keeping or restoring international peace and security – has not so far been realized since member states of the United Nations have never entered into any of the special agreements stipulated in Article 43. However, the Security Council can arguably authorize a state to use force, even in situations where the use of force would ordinarily be illegal, provided that the conditions of Article 39 and 42 are met. Such authorization can only be in the form of a recommendation to member states, as member states are not bound by decisions to adopt military measures unless they have consented to them. As for enforcement measures not involving the use of armed force, such may be applied under Article 41, provided that there is a consensus to that effect among the permanent members of the Security Council.

CURRICULA VITAE

Berdal Aral

Professor Berdal Aral completed his PhD on "Turkey and International Society from a Critical Legal Perspective" in 1994 at the University of Glasgow. His main areas of interest, both in his scholarship and teaching, include international law and human rights. He has written four books in Turkish, namely "The Right of Self-Defence under International Law" (1999), "Collective Rights as Third Generation Human Rights" (2010), "From Global Security to Global Hegemony: The UN System and the Muslim World" (2016), and "Perpetual Betrayal: The Palestinian Problem and International Law under Imperialism's Shadow" (2019). He has also published numerous articles, both in English and Turkish, on the topics mentioned above, as well as on international organizations, the search for integration in the Muslim world, and Turkish foreign policy. He wrote an entry for Oxford Bibliographies on International Law in Turkish, which was published online in 2021. Among the journals in which his articles have appeared are *European Journal of International Law, Human Rights Quarterly*, and *Journal of the History of International Law*. Prof. Aral currently teaches at the Department of International Relations at Istanbul Medeniyet University.

Daniele Archibugi

Daniele Archibugi is a Research Director at the Italian National Research Council (CNR-IRPPS) in Rome, and Professor of Innovation, Governance and Public Policy at the Birkbeck Business School. He works on the economics and policy of science, technology and innovation and on the political theory of international relations. He has worked at the Universities of Sussex, Cambridge, London School of Economics, Harvard and Rome LUISS, and gave courses at the SWEFE University of Chengdu and at the Ritsumeikan University of Kyoto.

In the field of international political theory, with David Held he has advocated a cosmopolitan democracy (co-editing *Cosmopolitan Democracy. An Agenda for a New World Order*, Polity Press, 1995; and *Re-imagining Political Community. Studies in Cosmopolitan Democracy*, Polity, 1998; and authoring *The Global Commonwealth of Citizens*, Princeton UP, 2008). He has also worked on a greater involvement of transnational citizens to counter-balance the power of governments in world politics (editing *Debating Cosmopolitics*, Verso, 2003 and co-editing *Global Democracy*, Cambridge UP, 2011). He has also carried out an assessment of international criminal justice (with Alice Pease, *Crime and Global Justice. The Dynamics of International Punishment*, Polity, 2018) and a plea to shape the European citizenship strategy (with Ali Emre Benli, *Claiming Citizenship Rights in Europe. Emerging Challenges and Political Agents*, Routledge, 2017).

Beatriz Bissio

Beatriz Bissio is Vice-Director of the Institute of Philosophy and Social Sciences (IFCS) of the Federal University of Rio de Janeiro and Associate Professor in the Department of Political Science and the Postgraduate Programme in Comparative History at the same university. Her doctoral thesis on classical Arab-Islamic civilization was published by Editora Civilização Brasileira under the title "O mundo falava árabe" ("The world used to speak Arabic"). Beatriz Bissio has worked as an international journalist, as a correspondent for various Latin American media and as the founder, editor and later director of the magazines *Cadernos do Terceiro Mundo* (1974-2006), *Ecologia e Desenvolvimento* (1991-2006), and *Revista do Mercosur* (1992-2006). For three decades she covered events in Latin America, Africa and Asia – especially in the Middle East and Africa (the liberation and independence wars in Angola and Mozambique; the struggle against apartheid in South Africa, the Palestinian-Israeli question, the war in Lebanon, the crisis in Somalia, Iraq, the conferences of the Non-Aligned Movement [Cuba, 1979] and of the United Nations [Beijing, 1995], etc.).

She has interviewed personalities such as Fidel Castro, Omar Torrijos, Velasco Alvarado, Nelson Mandela, Agostinho Neto, Samora Machel, Joaquim Chissano, Julius Nyerere, Robert Mugabe, Yasser Arafat, Muammar Gaddafi, Saddam Hussein, Ben Bella, Xanana Gusmão, José Ramos Horta, Eduardo Galeano, Rigoberta Menchú, Mercedes Sosa, etc. She has published hundreds of articles in various newspapers and magazines in Latin America, Europe, the USA and Africa, as well as collaborating with international news agencies and Latin American radio and TV stations.

Uruguayan and naturalized Brazilian, she has lived in Argentina, Peru, Mexico and Portugal. She has received several awards, including the Vladimir Herzog Foundation and the "Golden Dolphin" for journalism (2000), the "Victory Medal," awarded by the then Minister of Defence, Ambassador Celso Amorim, in 2013 and the Abreu e Lima Medal, from the House of Latin America and the José Martí Institute, in 2015. From 2007 to 2009, she was the International Relations Coordinator for the State of Maranhão, in the Northeast of Brazil, working with the Brazilian Foreign Ministry on international cooperation agreements for the development of that state. In 2011, she entered academic life at UFRJ through a public competition.

Alfred-Maurice de Zayas

Alfred-Maurice de Zayas is a former UN Independent Expert on the Promotion of a Democratic and Equitable International Order (2012-18), senior lawyer with the UN Office of the High Commissioner for Human Rights, Secretary of the UN Human Rights Committee and Chief of the Petitions Department. Zayas grew up in Chicago, studied history and law, holds a J.D. from Harvard Law School and a Dr. phil. in modern history from the University of Göttingen. He was a Fulbright Graduate Fellow in Germany. Retired member of the New York and Florida Bar, author of 9 books and more than 200 scholarly articles. President of PEN International, Centre Suisse Romande, 2006-2009 and again 2013-2017. He is a winner of a 2022 International Book Award for his book, Building a Just World Order, in the category of Law.

Hassan Diab

Hassan Diab is a Lebanese academic, professor, engineer, executive, and politician with over 33 years in academia including almost 20 years in executive roles; leading organizations across government, academic, and non-profit sectors. He served as the 26th President of the Council of Ministers of Lebanon and was the first Prime Minister in the history of the MENA region to form a cabinet with 30% female ministers (6 out of 20). He took on a Herculean task by serving as Prime Minister (19 December 2019 – 10 September 2021) during the worst crisis period in Lebanese history, and managed to pass many decrees and laws on anti-corruption.

On 13 June 2011, he was appointed as Minister of the Ministry of Education & Higher Education (MEHE), the largest ministry in Lebanon. He was a technocrat minister, which was an anomaly in Lebanese politics.

He served as Vice-President (October 2006 – January 2020) at the American University of Beirut (AUB) and as Professor of Computer Engineering (1985-2020) at the Maroun Semaan Faculty of Engineering & Architecture, with 15 years of executive administrative and leadership experience. Professor Diab has over 150 publications in internationally refereed journals and conferences. He is a registered *Chartered Engineer* in the Engineering Council, UK, and a *Fellow* of the Institution of Engineering and Technology (IET), UK. Professor Diab was Founding President of Dhofar University (DU) and Founding Dean of the School of Engineering at DU (2004-06), Sultanate of Oman.

He is Founder and President of the Rifca Taji Foundation Charity and Chairman of IKAR Global & Group Chief Education Officer, IKAR Holding, London. He served on many boards, including of the Global Council for Tolerance and Peace, Academy for Cultural Diplomacy, and the Southern New Hampshire University's Global Education Movement (GEM).

On 21 September 2022, he received the Lebanese Order of Merit: *Grand Cordon Grade* from the Lebanese President.

Bardo Fassbender

Bardo Fassbender is Professor of International Law, European Law and Public Law at the University of St. Gallen. He studied law, history and political science at the University of Bonn (Germany) and holds an LL.M. from Yale Law School and a *Doctor iuris* from the Humboldt University in Berlin, where he completed his *Habilitation* and became *Privatdozent* for the disciplines of public law, international law, European law and constitutional history. He was a Ford Foundation Senior Fellow in Public International Law at Yale University and a Jean Monnet Fellow at the European University Institute in Florence. He advised the Legal Counsel and Under-Secretary-General of the United Nations on the subject of "Targeted Sanctions of the UN Security Council and Due Process of Law." Before joining the University of St. Gallen in 2013, he held the chair in international law and human rights law at the Bundeswehr University in Munich. In the years 2019 and 2020, he was Vice Dean, and in 2021 and 2022 Dean of the Law School of the University of St. Gallen.

His principal fields of research are public international law, United Nations law, comparative constitutional law and theory, and the history of international and constitutional law. His books include *UN Security Council and the Right of Veto: A Constitutional Perspective* (Kluwer Law International, 1998), *Der offene Bundesstaat* [The Federal State as an Open System: Foreign Relations Powers and the International Legal Personality of States Members of Federal States in Europe] (Mohr Siebeck, 2007), and *The United Nations Charter as the Constitution of the International Community* (Martinus Nijhoff, 2009). He edited the volumes *Securing Human Rights? Achievements and Challenges of the UN Security Council* (Oxford University Press, 2011) and *Key Documents on the Reform of the UN Security Council 1991-2019* (Brill Nijhoff, 2020), and co-edited *The Oxford Handbook of the History of International Law* (Oxford University Press, 2012, together with Anne Peters) and *The Limits of Human Rights* (Oxford University Press, 2019, together with Knut Traisbach). He is co-editor of the series *Studien zur Geschichte des Völkerrechts* (Studies in the History of International Law, Nomos).

Karin Kneissl

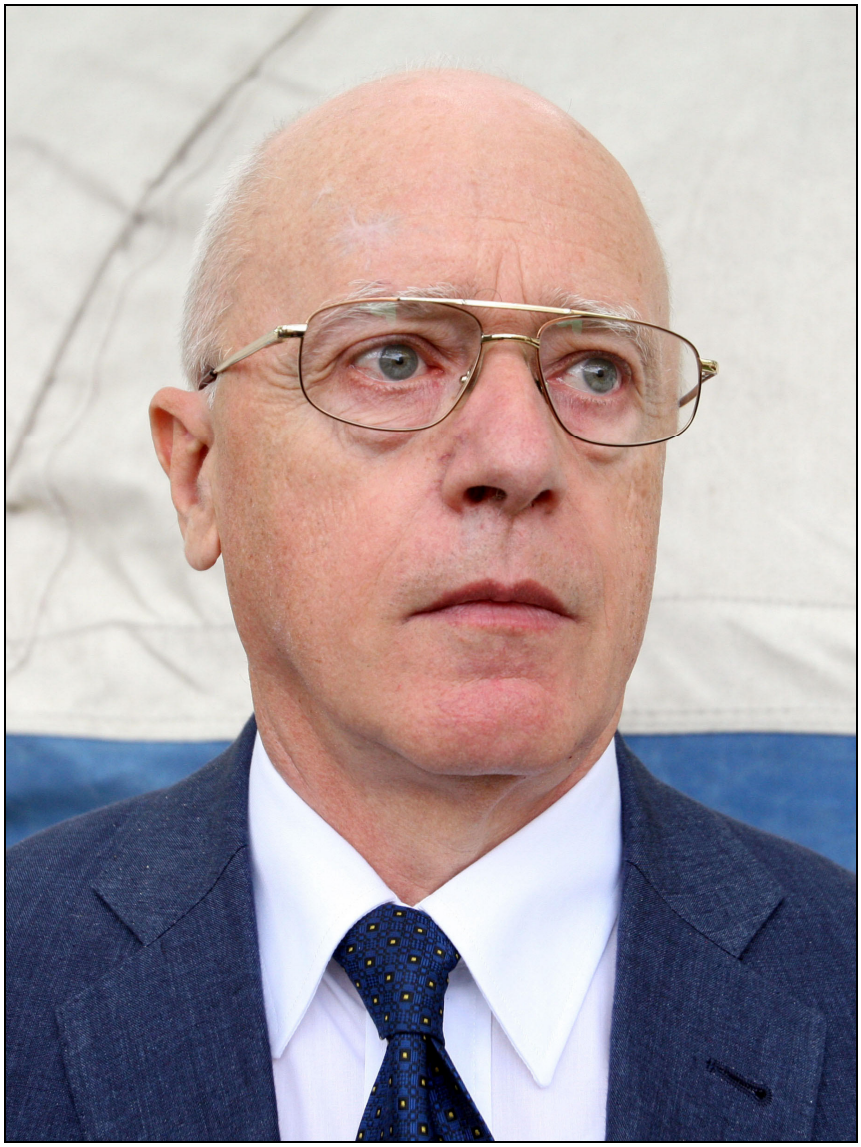
Karin Kneissl is an Austrian author and analyst of international affairs. She served as Foreign Minister of Austria from 2017 to 2019.

Education: 1991/92: Ecole Nationale d'Administration ENA, Paris (Gambetta) – September 1991: dissertation in international law on the concept of borders in the Middle East at the University of Vienna – 1989: Georgetown University (USA), Fellow at the Center for Contemporary Arab Studies – 1991: Fulbright Commission Scholarship – 1988: Postgraduate studies at the Hebrew University of Jerusalem (Israel) in International Relations and at the University of Urbino/Italy in European Law – 1983-1987: Studies of Law and Arabic at the University of Vienna. Graduation with *Magister iuris* and Diploma of the United Nations in Arabic.

Professional career: 1990-1998: Foreign Service of the Republic of Austria, among others in the Political Department (1990/91), Office of the Legal Advisor (1994), and in the Cabinet of the Federal Minister (1993). Served at the embassy of Paris (1995) and Madrid (1996-1998). 1998-2017: Freelance lecturer, speaker and writer; independent correspondent for print media in German-speaking countries and lecturer at the University of Vienna (1995-2004), Diplomatic Academy Vienna (2000-17), European Business School/Rheingau (2007-17), Centre International des Sciences de l'Homme Byblos/Lebanon, Université Saint Joseph Beirut, National Defence Academy and Military Academy (Austria) since 2000 in the fields of international law, history of the Middle East, state implosions, energy market, among others.

2017-2019: Independent Foreign Minister in the cabinet of Chancellor Sebastian Kurz, and in the cabinet of experts of Chancellor Herwig Löger.

Co-founder (June 2023) and head of the G.O.R.K.I Center at St. Petersburg State University. Since the end of the term of the federal government in June 2019, she has returned to freelance work as author, lecturer on geopolitics, energy economics and analyst, regularly commenting on world affairs for the multilingual RT channels. May 2020 – 2022: visiting professor at Moscow University MGIMO.



Hans Köchler

Dr. Hans Köchler is University Professor emeritus of Philosophy and former Chairman of the Department of Philosophy at the University of Innsbruck, Austria. He is the founder and President of the International Progress Organization (I.P.O.), an NGO in consultative status with the United Nations. In 2000-2002, he served as international observer, appointed by the Secretary-General of the United Nations, at the Scottish Court in the Netherlands ("Lockerbie Trial"). Köchler is the author of numerous articles and books on political and legal philosophy, the theory of international relations and the United Nations, conflict resolution, as well as issues of cultural hermeneutics and inter-cultural dialogue. He serves as editor of the series "Studies in International Relations" and member of the Editorial Board of several journals, including "Culture and Dialogue," "Geopolitica," and "Indian Yearbook of International Law and Policy." Köchler is the recipient of numerous honors and awards such as an Honorary Professorship of Pamukkale University (Turkey), an honorary doctor degree of Mindanao State University, the medal "Apostle of International Understanding" (India), the Honorary Medal of the International Peace Bureau (Geneva), and the Gusi Peace Prize (Philippines).

Gabriel M. Lentner

Gabriel M. Lentner is Assocciate Professor of International Law and Arbitration at Danube University Krems where he is also the deputy head of the Department of Law and International Relations. Lentner has also been a Fellow at Stanford Law School since 2014 and was a visiting scholar at the Lauterpacht Centre for International Law of the University of Cambridge and at the Harvard Law School. His research and teaching focus on international law as well as legal theory and philosophy of law.

Lentner is the recipient of the Science Prize of the State of Lower Austria 2020, which he received for his monograph "The UN Security Council and the International Criminal Court." He received his PhD in law at the University of Vienna with the thesis "The Legal Nature of UN Security Council Referrals to the International Criminal Court." He obtained diplomas and certificates from the Harvard Law School & European University Institute in Florence (Law & Logic), the University of Vienna (Concentration in the Law of International Relations, European Studies) and the Central European University in Budapest (Environmental Law, Democracy and Human Rights).

Prof. Lentner is (co-)author of more than 50 articles published (among others) in peer-reviewed journals such as the Leiden Journal of International Law, ICSID Review, British Yearbook of International Law, International Criminal Law Review, and Journal of World Investment & Trade. He has given talks at conferences at Harvard Law School, Cambridge University, Freie Universität Berlin, King's College London, and Seoul National University (South Korea), among many others.

In addition to his research and teaching, Lentner was part of the editorial team of the Harvard International Law Journal (2019) and is a member of the Academic Advisory Board of the Cambridge International Law Journal and a reviewer for, among others, the European Journal of International Law, the Max Planck Yearbook of United Nations Law (Heidelberg), and the Journal of International Criminal Justice (Geneva).

Chin Leng Lim

Chin Leng Lim (C. L. Lim) is a Malaysian national and presently the Choh-Ming Li Professor of Law at the Chinese University of Hong Kong, an *associé* of the Institut de droit international, visiting professor at King's College London, honorary senior fellow of the British Institute of International and Comparative Law and an editor of the International and Comparative Law Quarterly. His 2023 Hague Lectures, "The Aims and Methods of Postcolonial International Law," will appear shortly in Brill/Nijhoff's Hague Academy Pocketbooks Series and the Collected Courses/Recueil des cours; while other more recent books include *Treaty for a Lost City* (Cambridge University Press, 2022); the *Cambridge Companion to International Arbitration* (Cambridge University Press, 2021), as editor; and Lim, Ho and Paparinskis, *International Investment Law and Arbitration* (Cambridge University Press, 2d. ed., 2021). A first book, *The Paradox of Consensualism in International Law, Developments in International* Law No. 31 (Brill Nijhoff, 1998), was written with O. A. Elias as a student. He was formerly Professor of Law and a member of the Court and Senate of the University of Hong Kong, and the inaugural Lionel A. Sheridan Visiting Professor at the National University of Singapore where he had taught for many years. An early career had included serving with the United Nations secretariat in Geneva and as government international law counsel for Singapore. He is now on the European Commission's list of chairpersons for disputes under the EU's bilateral free trade agreements, and served previously on a committee advising Hong Kong's Commerce Secretary and on a governmental expert group on international legal services. Currently he practises as a barrister with chambers in London and has acted as counsel, arbitrator, or expert in various international arbitrations conducted under the ICC (International Chamber of Commerce), UNCITRAL, HKIAC, LCIA and SIAC rules, and he has been nominated to act as presiding arbitrator, co-arbitrator, and sole arbitrator by parties and institutions including the PCA. Lim is also a member of the ICC/UNIDROIT Working Group on International Investment Contracts, and a delegate to UNCITRAL Working Group III.

Mogens Lykketoft

Born in 1946; educated economist in Copenhagen; former Danish Minister of Taxation, Finance and Foreign Affairs; Member of Parliament 1981-2019 (Speaker 2011-2015); Leader of the Social Democrats (2002-2005); President of the 70th United Nations General Assembly 2015-2016; since 2020, Chairman of the Board of *Energinet,* the National Transmission Company for electricity and gas.

Anja Matwijkiw

Education: University of Chicago, IL, USA, PostDoc, Franke Institute for the Humanities, 1998-2002 / University of Cambridge, England, UK, Ph.D. in Philosophy, 1997 / University of Copenhagen, Denmark, Magisterkonferens in Philosophy, 1989. Academic Area/s of Specialization: Human Rights, Ethics, (Philosophy of) Law at the National and International Levels, Post-Conflict Justice. Areas of Competence: Social and Political Philosophy, International Relations.

Academic positions: Indiana University Presidential Arts and Humanities Fellow (2024) / Lund University, Faculty of Law & Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Sweden, U.S. Fulbright Distinguished Chair of Public International Law, 2019-2020 / Indiana University, IN, USA, Professor, Indiana University Graduate School & Philosophy Program, Indiana University Northwest, 2015-present / Copenhagen University Law School, Denmark, Visiting Researcher, iCourts – The Danish National Research Foundation's Centre of Excellence for International Courts, University of Copenhagen, Denmark, 2016-2017 / DePaul University College of Law, Chicago, IL, USA, Research Assistant to M. Cherif Bassiouni (task assignment on philosophical aspects of justice concepts, related to the project: *Globalization: A Theory of Justice*), the Law School, July-Aug. 2010 / University of Chicago, IL, USA, 2000-2003:

- Instructor, Graham School of General Studies (GSGS), Oct. 2001-Aug. 2002.
- Visiting Lecturer, Human Rights Program, Center for Gender Studies, and Department of Philosophy, January 2001-Aug. 2002.
- Faculty Advisor, Center for International Studies, March 2001-December 2003.
- Teaching Assistant for Jacqueline Bhabha, Center for International Studies and the Human Rights Program, March 2000/2001-June 2000/2001 (Spring Quarter/s).

Saint Xavier University, IL, USA, Adjunct Professor, Department of Philosophy, 2002 / Elmhurst College, IL, USA, Adjunct Professor, Department of Philosophy, 2002 / University of Cambridge, England, UK, Carlsberg Researcher, Lucy Cavendish College, 1993-1995; Carlsberg Research Fellow, Lucy Cavendish College (Member of the Governing Body 1990-1991).

Deepak Mawar

Education: PhD Public International Law, King's College London (2014-2020), dissertation: "States Undermining International Law: How the League of Nations, the United Nations Failed the Utopian Goals of International Law." Subject Areas: International Legal History, Legal and Political Philosophy, Global Governance, International Relations, International Organizations, Hegelian Philosophy, Carl Schmitt, Critical Legal Studies, Biopolitics & 20th Century Global History. – LLM Public International Law, Leiden University (2012-2013), dissertation: "Peace and Justice Development in International Law: From a Victorian Tradition to Fragmentation."

Professional Experience: Lecturer, Tilburg University (2021-present); courses: "History of International Law," "Introduction to the Philosophy of Global Law," "World Legal Systems" and "Understanding the Information Society." – Lecturer**,** University of Kent (UK) (2020-2021). – Visiting Lecturer, King's College London (2018-2021).

Publications:

"The Perils of Judicial Restraint: How Judicial Activism Can Help Evolve the International Court of Justice" (2019), in: *Göttingen Journal of International Law*, 425-456.

States Undermining International Law: How and Why the League of Nations Failed the Utopian Goals of International Law. Palgrave Macmillan (2021).

"Realpolitik in Global Governance: Understanding the Competing Realist and Cosmopolitan Narratives of the 19th Century Era of International Law." *International History Review* (Forthcoming).

Road to Large-Scale Crisis: A Prophetic Story of International Law (Working Paper).

Paavola, V & Mawar, D, *The Affirmative Process of State-Creation: A New Standard for Statehood* (Working Paper).

Said Saddiki

Said Saddiki is professor of international relations and international law at Sidi Mohamed Ben Abdellah University, Fès, Morocco, where he heads the Department of Public Law. He received a Doctor degree in Public Law (International Relations discipline) from Mohammed First University in Oujda, Morocco, in 2002. Saddiki served as professor at Al-Ain University in Abu Dhabi, UAE, from September 2012 to July 2019. He is the author of six books, including "World of Walls: Structure, Roles and Effectiveness of Separation Barriers" (2017) and "The State in a Changing World: Nation-State and New Global Challenges" (in Arabic) (2008). He has published several articles in peer-reviewed journals, book chapters and policy papers. He has received a number of international awards and grants, including a Fulbright Visiting Scholarship, Research Fellowship at the NATO Defense College in Rome, and the Arab Prize in the Social Sciences and Humanities. He is currently interested in border walls/fences, foreign policy analysis, international migration, and the Western Sahara dispute.

Rauf Versan

Rauf Versan is emeritus Professor of International Law at the Faculty of Political Science of İstanbul University. A graduate from the Law Faculty of İstanbul University, he undertook postgraduate studies in international law at Downing College, University of Cambridge, UK (LL.B, 1978; PhD, 1986). He served as Research Fellow at the Law Faculty of Heidelberg University and concurrently at the Max-Planck-Institute for Comparative Public Law and International Law at Heidelberg, Germany (1984-1985). From 1986 to 1993, he was Lecturer at the Faculty of Political Science, İstanbul University; *Privat-Dozent* (Associate Professor) (1993-2001); Professor (2001-2021). – *Ad hoc* judge at the European Court of Human Rights (2007-2008). – Member of the Board of Trustees, Turkish Education Foundation.

ACADEMIC TEAM MEMBERS

Joël Christoph

Education:

Ph.D. in Economics, European University Institute, French government doctoral scholarship 2021/08 – Present / M.Res. in Economics, European University Institute 2021/08 - 2022/08 / M.Sc. in Economics, Barcelona School of Economics 2020/09 - 2021/06 / M.Law in Politics, Tsinghua University-Johns Hopkins University SAIS 2019/08 - 2020/07 / B.Sc. in Economics with a Year Abroad, University College London 2015/09 - 2019/07 / University of California Exchange Abroad Program & Summer Mandarin Scholarship 2017/09 - 2018/08 / European Baccalaureate, European School of Munich 2006/09 - 2014/07.

Experience:

Ph.D. Researcher, European University Institute 2021/08 – Present / Director, Effective Thesis 2023/08 – Present / Research Manager, Existential Risk Alliance 2023/06 - 2023/08 / Short-term Consultant, World Bank 2022/12 - 2023/06 / Junior Consultant, International Energy Agency 2023/04 - 2023/05 / Founder and Managing Director, Endeema 2021/06 - 2022/12 / Research Fellow, Nuclear Non-Proliferation Education and Research Center 2022/07 - 2022/08 / Summer Research Fellow, Swiss Existential Risk Initiative 2022/06 - 2022/08 / Summer Research Fellow, University of Oxford's Future of Humanity Institute 2020/07 - 2020/08 / Young Ambassador & Research Intern, Carnegie Endowment for International Peace 2019/10 - 2020/06 / Long-term Research Intern, Energy Aspects 2019/07 - 2019/08 / Innovation Fellow, UCL Arena Centre for Research-based Education 2018/12 - 2019/06.

Select publications:

Cybersecurity on the Edge? Policy, Privacy, and the Networked Future. 2023. InterMedia, the IIC journal.

Towards Reliable Misinformation Mitigation: Generalization, Uncertainty, and GPT-4. 2023. Arxiv.

Small Modular Reactors and Nuclear Non-Proliferation. 2022. In 2022 NEREC Annual Report, pp. 213-226.

The Planet, Europe and I: What All of Us Can Do to Save Our Planet. 2020. IAI Commentaries, 20 (65), Rome.

Davide Sirna

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* Master of Arts (Cultural Diplomacy – International Business), Institute for Cultural Diplomacy, Berlin / University of Furtwangen, Germany (MA thesis: “Cosmopolitan Leadership”).
* Master of Arts (International Relations and European Studies), Centre international de formation européenne (CIFE), Nice (Master thesis: “From Istanbul to Ventotene: How to Tackle Populism in the Case of EU-Turkey relations”).
* BA (Languages/Translation and Economics), Università SSML (Scuola Superiore Mediatori Linguistici), Pisa, Italy (Bachelor thesis in Spanish: “La recaida populista”).

Intern, PPE (European People’s Party Group), European Parliament, Brussels (2016); Political Intern, Royal Embassy of Denmark, Madrid (2020); Internship student, Dante Alighieri Society, Berlin, Germany (2021); Communication Specialist, Council of American States in Europe (2022-2023); Ambassador's personal assistant, Embassy of Cuba, Copenhagen (2022-2023); Moderator, Associazione Diplomatici, United Nations simulation, New York/Rome (2023; Assistant Trade Analyst, Italian Trade Agency, Northern European Office, Copenhagen (2024-).

Selected publications: https://iari.site/author/davide-sirna/.

In the half century since its founding in 1972, the International Progress Organization has witnessed, and consecutively commented on, major tectonic shifts in international relations. A dramatic change of geopolitics occurred with the end of global bipolarity and the end of the Cold War in the years after 1989. The "unipolar moment" of the turn of the millennium, prematurely celebrated by some as the dawn of a "New World Order," has instead led to the gradual emergence of a new multipolar constellation, different from the balance of power that had made possible the foundation of the United Nations after World War II. This development is now, in 2022, threatened by major systemic risks for global order and peace.

Amidst all the turmoil and upheavals of the last fifty years, the focus of the International Progress Organization has remained the same: namely, to contribute to a more critical *self-awareness* of humankind as basis for *peaceful co-existence* among states, civilizations, and peoples.

In the past decades, the International Progress Organization has evolved into a global think tank dealing with crucial issues of global peace and justice. In several instances, the organization was the first to identify problems and propose solutions – in some cases decades before the mainstream catched up with the ideas:

* In 1972, the I.P.O. identified, and analyzed, *"dialogue among civilizations"* as core issue of peaceful co-existence, and approached the UN as well as UNESCO in that regard.

* In 1980, the I.P.O. published an analysis on "*human rights and international law*," suggesting that the basic norms of human rights should be defined as foundation also of the legitimacy of international law, and calling for normative consistency of the international system in that regard.

* In 1985, the organization convened an international meeting of experts in New York City on "*democracy in international relations*," focusing on the need to apply democratic principles also in relations between states. This resulted in the formulation of specific proposals, in 1991, for *reform of the UN Security Council*, especially in regard to the voting procedure and the concept of permanent membership.

* In 1991, the I.P.O. raised the issue of *"economic sanctions and human rights."* At a meeting of the UN Commission on Human Rights in Geneva, the I.P.O. was the first international voice to state that sanctions imposed by the United Nations Security Council must conform to human rights as *jus cogens* of general international law.

* In 1991, the organization published the first critical assessment of the "*New World Order*" that was prematurely declared after the end of the cold war – and that has proven unsustainable in the following decades.

* In the years from 2000 to 2007, the I.P.O. Focused on the conceptual framework for a system of *international criminal justice*, identifying major difficulties in regard to power politics and the assertion of national interests. This initiative stemmed from the nomination, by the Secretary-General of the United Nations, of two delegates of the I.P.O. as international observers at the Scottish Court in the Netherlands ("Lockerbie Trial"). The two analytical reports of the I.P.O., issued after the trial and appeal, had a considerable impact on debates on international criminal justice and the role of "observers" in international trials.