

## **The UN – A Safeguard on Military Action?**

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Responding to the tragic criminal actions that took place in New York and Washington on 11 September, the 2001 Synod passed a comprehensive resolution. As part of this response the Synod resolved “To promote action leading to negotiated justice and to resist calls to engage in war or any associated punitive military action, other than under the auspices of the United Nations, in response to the attacks on the United States of America.” The aim of this part of the Resolution appeared to be to place some level of safeguard on the type of military action that might be taken, if any. However, what the Synod may have unintentionally done is to approve of a system that protects countries allied to the major military powers in the world, with only unaligned countries fair game for UN approved military action.

Military action approved by the UN is approved by the UN Security Council. This body is made up of 15 countries, with five permanent members and ten elected by the UN General Assembly for periods of two years. The five permanent members are China, France, the Russian Federation, the UK and the US. These five have the power to veto any resolution of the Security Council. For military action to be undertaken it requires the approval of the five permanent members and only four of the ten elected countries. The practical result of this system is that the five permanent members and their allies will always be protected from UN approved military action due to their power of veto. Further, if the five permanent members agree to military action against a country, it is almost certain that the military action will go ahead as enough of their allies are likely to make up the other ten countries to ensure four of them will vote with the five permanent members.

Further, the five permanent members will usually have the ability to reward or punish the ten elected countries economically. For example, shortly after voting with the five permanent members of the Security Council authorising the use of military force to drive Iraqi forces from Kuwait, Ethiopia, Zaire and Colombia were granted new aid packages from the US, including military aid in the case of Ethiopia and Colombia. Yemen voted against the resolution and three days later the US Administration cancelled a US\$70 million aid package to Yemen.

The UN Security Council can also be used to ensure that the UN General Assembly is unable to consider a dispute. Article 15 of the UN Charter prohibits the General Assembly from making any recommendation regarding a dispute before the Security Council unless the Security Council requests that it do so.

So far in response to the ‘war on terrorism’ the UN Security Council has passed three resolutions. Resolution 1373 adopted on 28 September 2001 reaffirmed “the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by Terrorist acts”. This vaguely worded statement seems to have fitted with the self-interest of the five permanent members. The Resolution has been seen as a UN stamp of approval for the war in Afghanistan, which has the active support of the US, UK and France. Meanwhile the Russian Federation has quickly adopted the ‘war on terrorism’ language as further justification for its war in Chechnya, where its forces have been responsible for the murder, torture and rape of civilians. China has also adopted the ‘war

on terrorism' language in a further crackdown on the Muslim minority in the Xinjiang Uighur Autonomous Region, which shares a small border with Afghanistan. Amnesty International has expressed grave fears as a result of the crackdown that has been announced. A 1999 Amnesty International report found Muslims living in the region had been subjected to wide scale human rights abuses including torture, arbitrary detention and imprisonment, unfair political trials, arbitrary and summary executions, loss of religious freedom and discrimination in employment and other social services. Other countries, notably Israel, have also been quick to adopt the language of the 'war on terrorism' to justify their own military actions.

A June 2001 report by the Australian Joint Standing Committee on Foreign Affairs, Defence and Trade (made up from MPs and Senators from all the major parties) on "Australia's Role in United Nations Reform" acknowledged the need to reform the UN Security Council. It described the structure of the Security Council as "an anachronism". The report recommended that the number of members on the Security Council be increased. The Australian Government has argued that the number of members on the Security Council should be increased to 25. The report also recommended that Australia support moves within the UN to limit the use of the veto power by the permanent members and that when the veto power is used its use should be justified to the UN General Assembly. It also recommended that the Security Council procedures be made more transparent and that accountability to the UN General Assembly be increased.

The membership of the Uniting Church continues to have a diversity of views on whether it is acceptable to use armed force and when. However, the vast majority of those that support the use of armed force agree that it should be as a last resort. Hence the Synod Resolution attempted to limit the use of military action following the September 11 attacks, by urging that it meets UN approval. However if this is to be the criteria for the approval of military force, the reform of the UN Security Council should be a high priority to ensure that the use of armed force is indeed a last resort and that it is applied justly.