

THE CHANGING NATURE OF PEACE AND SECURITY

The UN Security Council and Chapter VII of the UN Charter

*Seminar (Course No. 096925)
Summer Semester 2024*

The United Nations, founded in 1945, today has 193 Member States. Tasked with the maintenance of international peace and security, the Security Council of the United Nations plays a prominent role in the United Nations as system of collective security. It is the Security Council's responsibility to react to international crises by either peaceful means (Chapter VI of the UN-Charter) or even forceful measures (Chapter VII of the UN-Charter), once it has determined a breach or threat to peace and security.

This class takes a closer look at Chapter VII and especially Article 39 of the UN-Charter. It asks if the content and meaning of "international peace and security" has changed over the years, especially in light of the growing influence of international human rights. Is peace just the absence of war or are there more elements to take into consideration? How does the Security Council define "international peace and security" and a breach or threat thereof? As the determination of the Security Council of a situation as breach or threat to peace and security leads to wide-ranging competences according to Chapter VII of the UN-Charter, the aforementioned question is of crucial importance. At the same time the questions arise: what if the Council does not act, f.e. because of the blockade by a veto-holding member; or: who controls the decisions of the Council?

The class will start with introductory classes on the United Nations, the Security Council, and Chapter VII of the Charter of the United Nations. Participants are expected to choose from one of the following topics (max. two persons per topic = team work!), prepare an 8-10 page summary (plus bibliography) on the subject and present it to the class via Powerpoint (or other) Presentation. Also, they are asked to take over a commentary for a different topic. The class will be held in English on Wednesdays, 16.00 – 18.00 h (c.t.). Successful participants will receive 5 ECTS-credits and a "Proof of Legal Language Skills in English" pursuant to § 8 para. 2 of the study regulations for the study of law with the first legal examination of 25 March 2015 – *Fremdsprachenfachkompetenz*. The final grade will be determined according to the summary paper, the handout, and the presentation, additional points can be achieved through an active participation in the discussions and the commentary.

If you are interested in International Public Law and have a good command of the English language, please register with [Campus Management](#). **In addition**, please send **three choices of topics** via Email until **15 April 2024** to Peggy Wittke (peg@zedat.fu-berlin.de).

Topics

1. The Humanitarian Tragedy in Somalia: Resolution 794 (1992) of the Security Council (Summary and Presentation due on 12 May, via Email)
2. The Genocide in Rwanda (1994) (Summary and Presentation due on 12 May, via Email)
3. The Debate over Accountability: The Massacre of Srebrenica (1995) (Summary and Presentation due on 20 May, via Email)
4. The Deadlocked Security Council I: The Case of Kosovo (1999) (Summary and Presentation due on 26 May, via Email)
5. Chapter VII, Article 51 and Attacks by Non-state Actors (Summary and Presentation due on 2 June, via Email)
6. The Fall of Saddam Hussein: The US-Iraq War (2003) and Its Implications for International Public Law (Summary and Presentation due on 9 June, via Email)
7. The Responsibility to Protect: An Emerging Norm? (Summary and Presentation due on 16 June, via Email)
8. No-Fly Zones in Libya (2011) – Regime Change or Responsibility to Protect? (Summary and Presentation due on 16 June, via Email)
9. MINUSMA and fighting international terrorism in Mali (2013) – Robust Mandates for Peacekeeping Operations (Summary and Presentation due on 23 June, via Email)
10. The Deadlocked Security Council II: The War in Ukraine (since 2022) (Summary and Presentation due on 30 June, 12.00 h, via Email)
11. Who is controlling the Security Council? The Competences of the International Court of Justice (Summary and Presentation due on 7 July, via Email)
12. The Security Council and the COVID-19 Pandemic (Summary and Presentation due on 14 July, via Email)
13. The Security Council and Climate Change (Summary and Presentation due on 14 July, via Email)

Preliminary Schedule

Class takes place Wednesdays, 16 - 18h (c.t.), Room 4404 (Bo3)

	Date	Session
1	17 April 2024	Introduction to the United Nations System <i>Peggy Wittke</i>
2	24 April 2024	Peace and Security I <i>Peggy Wittke</i>
3	1 May 2024	<i>No class due to May 1 Holiday</i>
4	8 May 2024	Peace and Security II <i>Peggy Wittke</i>
5	15 May 2024	The Humanitarian Tragedy in Somalia: Resolution 794 (1992) of the Security Council <i>Comment</i> The Genocide in Rwanda (1994) <i>Comment</i>
6	22 May 2024	The Debate over Accountability: The Massacre of Srebrenica (1995) <i>Comment</i>
7	29 May 2024	The Deadlocked Security Council I: The Case of Kosovo (1999) <i>Comment</i>
8	5 June 2024	Chapter VII, Article 51 and Attacks by Non-State Actors <i>Comment</i>
9	12 June 2024	The Fall of Saddam Hussein: The US-Iraq War (2003) and Its Implications for International Public Law <i>Comment</i>
10	19 June 2024	The Responsibility to Protect: An Emerging Norm? <i>Comment</i> No-Fly Zones in Libya (2011) – Regime Change or Responsibility to Protect? <i>Comment</i>
11	26 June 2024	MINUSMA and fighting international terrorism in Mali (2013) – Robust Mandates for Peacekeeping Operations <i>Comment</i>
12	3 July 2024	The Deadlocked Security Council II: The War in Ukraine (2022) <i>Comment</i>
13	10 July 2024	Who is controlling the Security Council? The Competences of the International Court of Justice <i>Comment</i>
14	17 July 2024	The Security Council and the COVID-19 Pandemic <i>Comment</i> The Security Council and Climate Change <i>Comment</i>