

THE UNITED NATIONS CHARTER

THE WORLD TODAY

THE WORLD FOR TOMORROW

Preliminary note

Currently, there is an intense (I would say unprecedented) worldwide movement to avoid human extermination and the danger of a debacle of the Planet Earth.

Underlying this materiality, there are feelings of insecurity, living instability, suffering due to the harmful material conditions of everyday life, lack of confidence for a better future and a growing tendency towards dehumanization.

Presently, a war, marking the aggression of one country by another (Russia - Ukraine) is being waged, with all the horrors it contains. The negotiations to put an end to it seem far from being a reality. There are also other upheavals in the world. The conflict in the middle east - Israeli / Palestinian - seems everlasting, with emphasis to an utter disobedience to the UN Resolutions. How far can the actual catastrophic situation in Sudan go? Going back in time, the 2nd half of the last century was rich in war like interventions and regional conflicts among numerous countries throughout the world, wherein the negotiating basis or peaceful attempts to settle them were ignored – tragedies as drawn in Iraq, Libya, Syria, Southern Sudan, Democratic Republic of Congo, Somalia and Burundi, Yemen, Western Sahara, Rohingya people in Myanmar consequences of which linger even to this day. The refugee problem and its everlasting rosary of distress and frequently death, seems to be a direct consequence of the insecurity, which the world is dipped into, due to selective racial/religious/social discrepancy or simply the scourge of political intolerance. The so much talked about

climate change, apart the greenhouse effect, seems to be also linked to the insanity and greed of Nations, which years ago had vowed to respect humanity.

In the meantime, miraculous promises for a better world are forwarded, but they have never known any practical fulfillment - being mere good intentions of style, they lead to nothing. When, in mid-January 2023 the UN Secretary General said that *there are no conditions for negotiations concerning the Ukrainian War*, it was a sheer demonstration of the incapacity of this unique international organization to fulfill the objectives it was destined to.

Is the world and humanity destined to be a stake of “homo homini lupus”?

The UN Charter was enacted in the aftermath of the II WW, in force since 24th Oct. 1946. More than a pledge of Nations for a peaceful coexistence, the document expressed the profound longing and wishful expectation of the Peoples of the World, for a *dignified human living, meaning real peace and permanent security*. As such, dispositions and rules held necessary were elaborated as tools to achieve this longing for a decent living and human respect.

The Charter is made up of XIX Chapters – tracing the main targets to be achieved, among which one may distinguish the “Peaceful Settlement of Disputes”; “Regional Arrangements”; “International Economic and Social Council”; “Declaration Regarding non - Self- Governing Territories; “International Trusteeship System”; and “The International Court of Justice”. For this idea-force three key-bodies are engendered – the “General Assembly”, the “Security Council” and the “International Court of Justice” - each one with precise purposes and aims, decisions and deliberations - “Purposes and Principles”- to be achieved by adequate “Action with respect to threats to the Peace, Breaches of Peace and Acts of Aggression”.

The world had just overcome a war, wherein the horrific crime of Holocaust, beside others, were committed. The effects of human suffering and that of material destruction were felt worldwide. The longing for a peaceful living with human respect and dignity was the message that bred from every corner of the world. The governments of the world captured this heartfelt message and transformed it into a written document- The Charter -, with successive subscriptions meaning that it should contain the pledge and guarantee that henceforth the Nations should and would respect the human nature in all its aspects.

The 21st century is not the 20th one. It is well known that war is auto destructive and irrational. There are no justifiable wars. War is, itself, a contradiction – it is sufficient just to see hospitals and wards in full use during armed conflicts, just preparing the wounded to proceed to the battle front in the sense of “flesh for the cannon”! I’m sorry to put this issue in such a horrific way, but this is the reality. And here is the main reason why the Charter, expressing the anxiety of the Nations, expressing the will of its peoples, give vent to dialogue and negotiation in solving the inter-state(s) disputes.

So, how to explain the present-day international instability, in short, the wars and armed regional conflicts, as if the Charter were a “dead script”?

Unfortunately, it is sad to say that the Charter itself seems to contain the ingredients of its operative ineffectiveness, corresponding practically to its own denial. In the first place, it should be mentioned that the VETO privilege has no reason to exist today. If a democratic mindfulness is to prevail, then the motto – one country, one vote – is the answer.

On the other hand, congresses, summits, agreements, pacts, conferences and other movements take place honoring the Charter, in order to make Planet Earth more livable. The reality has witnessed so far that little has been achieved for this goal. But promises do not lack, as, also there is no shortage of protests to prove the vacuity of those achievements and their almost null value. For what reason?

If responsibility is enacted, it involves particularly those who hold the Power. Similarly, it is assumed that the phenomena that tear up and destabilize life in the various countries, and accordingly felt, are well known to the citizens of the world – not only by the suffering lot but also, by those who watch the occurrences, however, powerless to obviate them. The citizens of the world, know the origin of the menace and who to attribute it.

In world events, each participant is limited by the guidelines he (she) takes from the respective government. Thus, he (she) does nothing but represent the political and economic interests at a national level – that is to say, that everything is conditioned by the defense of the respective industrial productivity in a context of intense economic competitiveness. In short, the policy of "the dense smoke of heavy blast factories" overlaps when confronted with the real interest of the people living in the streets, being drowned in the Mediterranean, suffering from famine in many African Countries, being destinies of apartheid, subdued to the prejudice of economic factors, physical defect, religious fanaticism, and personal prejudice due to lack of climate protection.

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It is high time that the Secretary General of the United Nations, the personalities and the respective responsible organizations assume, once and for all, *a pro-active action*, instead of simple critical reports, with *proposals for direct action* to solve positively situations that do not respect accorded international standards.

The purpose of this work is not to accuse, but to contribute in a creative manner to solve this apparent fatality, in order to make life more desirable to live, **wherever one lives.**

The gradual increasing practice of destructive acts, despite all the requests and recommendations for their restraint, proceeds progressively and mercilessly. Its devastating effects are felt daily in the span of human life, signaling the final destruction in a few decades, if this ongoing practice does not stop immediately.

We are entering the 3rd decade of the 21st century and all that is done and practiced is by invoking Democracy and Civilization – an almost unanimous proclamation of Nations. **But the truth is that nothing quantitatively worthy, corresponding to these values has been achieved.** Practically everything is left aside, by way of purposes, alerts, grievances, laments and promises, more seemingly “crocodile tears”. In other words, and gilding the pill, it may be said that, for each gesture apparently leading to counteract the phenomenon of destruction, *n* situations are generated simultaneously in order **to** neutralize that purpose.

A conjectured structural context of the world divided into **2 blocks** is drawn - the capitalist and the socialist ones – presently based on the *appetites for the predominance of economic nature*, however, with a major impact of the 1st one. This is the reality with which we cope up till today. It could not be so if each country confined itself to the economic development of its own people in a rational sharing of the surplus of its wealth with other countries. *But if this occurred the Block policy would be useless!* So, the big question – Who profits with this policy?

The Ukrainian War, other undeclared wars and the violent frictions elsewhere in the world, reflect this fictional existence of Two Blocs, stigmatized by political and economic predominance, - the only way to animate the economic production, namely the highly profiting *arms industry*.

In order to justify this state of things, different theories abound, destined to maximize dangers, which in the long run represent nothing more than adminicular details or simplistic justifications to justify what is unjustifiable. Everywhere, movements and protests abound, against the instability of life, affecting all countries in the world, the populations living in a permanent insecurity and emotional tension,

produced by real regional conflicts and the threat of war that can unexpectedly arise somewhere in the world.

The maxim "homo homini lupus" has never been sneakier lashing human life as it does at present.

What To Do? That is the question.

If the Charter of the United Nations is expected to contribute to solve the problem of the human survival with dignity, it is high time to make effective use of the instruments it is endowed with, stripped of its self-imposed restrictions or limitations; Such as: * the express endorsement by all Nations of the purposes, principles, institutions and methods of the UN; * article 5º - the right to suspend from the exercise of rights by a member against which preventive or enforcement action has been taken; * article 6º - the prediction of expulsion of a member; * article 11º.2 – recommendation to a non-member State to comply with the maintenance of peace; *article 13º.1.3 – on fundamental freedom, irrespective of race, sex, language and religion; * article 19º- payment of financial contributions; *article 25º- Acceptation and carrying out the decisions of the Security Council; *article 26º - formulation -with the collaboration of the Military Staff Committee plans for regulation of armaments; *article 27º.3 – **to be eliminated** – the reference to “Concurring “votes of permanent members; * article 33º - the use of channels of mediation, conciliation, arbitration, judicial settlement or /and other arrangements; *article 34º - investigation by the Security Council of any dispute or situation that may lead to international friction or instability; *article 39º - action of the Security Council against threat to peace, breach of peace or act of aggression; *article 42º - measures to be adopted by the Security Council, such as blockades, demonstrations, or other operations; *article 44º - the use of force by the Security council; 46º - Application of Armed Forces by the Security Council with the assistance of the Military Staff Committee; *article 47º.2-**to be amplified** - activity and action by the Military Staff Committee, which should comprise Chiefs of Staffs of *non-permanent members*; *article 64º- special attention to be given

to reports and recommendations coming from the Economic and Social Council; and article 92º - **to be introduced** - The jurisdiction of the International Court of Justice is extensive to all members, without exempting any situation previewed in the present Charter.

Considering the reality we live in, the results achieved through the efforts of the United Nations and much more that, could be accomplished, I take the liberty to line up a set of *factors* or *conditions*, that have been dealt with individually or *in an isolated form*, as such, losing the impact of a **composite approach**, - factors and conditions - **to be implemented immediately** - essential for a world worth living in.

Concerning the core idea of this work – “Everything, everywhere at the same time”, the Oscar winning movie -2023, translating the ‘animus’ that inspired this script, could well materialize what the Charter of the United Nations should really mean and effectively do.

As has already been mentioned, (and we insist again), in this process of appreciation we will *avoid the temptation for any critical mention* against any organization, or achievement, or personality, or entity involved in this matter, because what is intended, is not to demolish or shun off whatever has been positively done, but to achieve a proactive posture in solving the problems that afflict the threatened mankind. Here they are:

1) Extinction of Military Blocs (War Blocs)

Military Blocs or Pacts assume a *provocative nature*, fostering a permanent state of regional or global political tension. They knock down the essence of the Charter. This policy is sustained by the idea -force that humanity is aggressive in itself. The other view of the Bloc policy is that it becomes contagious as can be proved by the proliferation of these systems throughout the world.

Without ever jeopardizing the existence of a military apparatus for purely *defensive purposes* at the national level of a country, it should be stressed that

presently, the way it is practiced, drags the free choice of an involved country, as far as its sovereignty is concerned.

No country or people wants war. Nobody wants to be killed by his similar. The intellectual evolution of the human society, despite difficulties of daily life, is averse to any war/conflict. War breeds destruction, misery, hunger, disgrace and refugees. The recent past has shown that wherever war took place, it never solved any of the problems that were set to be solved. War or its threat, has always an economic motivation, disguisedly exhibited as ethical, religious, political or ideological, for its acceptance and its message to be more appealing.

The mere existence of military blocs, requiring astronomical sums, assumes an authentic forum of paroxysm. This is the reason why the maintenance or the creation of new military blocs, only contributes for a worldwide disgrace.

So where, does the commitment for the fiction of Military Blocs lie? I defy any Nation to nominate any article of the Charter that sustains Military Blocs.

Had article 46^o of the Charter been enforced, perhaps the fate of the aggression in Ukraine could be another - for the better. The same could be said concerning the recent situation in Sudan.

2) The Fallacious Terminology – “Poor Countries / Rich Countries”

Badly nourished children marked by the sign of misery, people fleeing in despair, insecurity of life and violence generated in the aftermath of provoked wars, migratory movements of uncertain fate, for many people all ending in an ill-fated or murderous hope. This is one of the principal visible consequences of the willful way in which countries, mostly colonized ones are envisaged.

The factors generating wealthy countries have not always been marked by the prism of reciprocity. So, there are no rich or poor countries *by fate*. Historically, mercantilist activity of the 15th century, (which, later, degenerated into colonialism), gave birth to dominant and dominated (*colonized*) countries. This happening has a

negative effect in the productive structure of the exploited country, resulting in unbalanced economies.

Therefore, this silent dichotomy - *dominant country /dominated country* – being the one that best suits today's reality (despite the apparent political 'independence' of the exploited countries) must specifically be eliminated by the Charter, giving birth to a real equality among **all** Nations because all countries are self-reliant and, as such, rich. It is high time that each Nation take full responsibility as a member of the United Nations forwarding with its due contribution, but in turn demanding the fulfilment of the principle of the sovereign equality of all countries (article 2.1), following the procedure of **one member-one vote** (article 18).

3) Suppression of Political Involvement of Religion

The upheavals that religious problems have posted in the domain of the United Nations is well known and felt. The religious prejudice, discrimination or persecution even when some Nations proclaim themselves secular is patent. The problem becomes serious in some countries, when clashes and fights take place between sects. Finally, this unruly behavior reaches its zenith when Theocracies, notwithstanding the discrimination towards other religions claim a democratic status.

The influence of religions in human societies is highly touchy since it escapes the rationalized control of individual or group behavior, when metaphysical considerations mingle with the real act of living. However, this perspective may be acceptable when *not fanaticized or reduced to a social level; but certainly not* when it can generate acts of the purest irrationalism, giving rise to instability, namely, of horizontal effect, such as communalism, fanatic destructive riots, and above all when it comes to sheer denegation of basic human rights. The big issue herein involved is not on religion, but the disrespect or persecution concerning basic human rights (cfr. Article 18^o of UDHR).

In an attempt to avoid friction on such issues an approach of the Heads of theocratic States belonging to the United Nations, including the responsible religious

dignitaries and advisors – generally the real catalyzers of religious persecution – of the respective regional and local communities should be considered such as the ones rehearsed on 1st February 2017 and the one held on 14th July 2017, under the auspices of the Secretary General of the United Nations. The United Nations can always intervene “proprio nomine” to prevent any local (if necessary), bilateral or multilateral conflict in general terms.

4) For a Rational and Ethical Economic Development

For mankind to exist and subsist production of goods must be productive. But produce! How? How much? These questions determine the polarity of consumption and human need.

The history of social evolution tells us that the world economic domination has the path for its hegemonic ambitions almost freely opened.

An overproduction by the highly developed countries manages to increase the state of dependence and control of other countries, thus establishing the necessary state of "tension" to maintain this dominating control.

It is interesting to note how these trends affect specifically the dominated nations (as mentioned in condition 2). Having adopted the economic pattern of the dominant nations, the policy dictated by the local elites end up victimizing their own communities, also controlled through a policy of exploitation (lack of infrastructure, education and other aspects in the general).

Nuclear power plants, high industrial furnaces and their smoking tails, deforestation, the uncontrolled extraction and exploitation of the subsoil are some of the most prominent activities included in this program.

Chapters IX and X of the Charter, starting from article 55^o onwards tackle the interest and importance of this whole issue, whilst considering it a precondition of social stability and higher standard of living, by calling for the joint action of all countries and previewing specialized agencies for this purpose - all this under the

superior control of the Economic and Social Council. *However, The Charter should be more realistic and transform its timid Recommendations into more effective forms of action, namely, Negotiations and coercive Directives, all under strict surveillance.*

5) Protecting Nature Against Harmful Climate Change

The world is full of protests related to climate change, a phenomenon that endangers life in general, with particular emphasis on the survival of animal life. Undoubtedly, the minimum conditions of habitability for the human species are at stake.

Geologically speaking, the planet Earth has always experienced climate change. Natural catastrophes, the nutation movement or the Milankovitch cycles have existed since Earth exists.

However, the basic question is not that of the existence of cataclysms, but **a)** *the frequency, the intensity and the speed with which they have been occurring* and **b)** *mankind's increasing inability and responsibility to nullify their disastrous effects.*

To raise awareness of this cause/effect equation, it is sufficient to pay attention to phenomena such as: the exaggerated increase of carbon dioxide in the atmosphere and the consequent *greenhouse* effect; the evaporation generated, not only from storms, but, in a certain sense, contradictorily, from droughts taking place elsewhere; the progressive extinction of wildlife; the hurricanes and tornadoes; ice melting in the Poles, the intense rainfalls; floods; tsunamis; volcano eruptions; landslides, rising seawater levels, deforestation and so on.

The impact of *the uncontrolled and unmeasured* extraction of oil and natural gas from the subsoil on the geological layers, including its Mantle and the seismic waves, is yet to be measured. For example, it is sufficient to see how the excess of groundwater consumption, through wells, has given way to the drying of lakes.

The assessment of this problem is essentially based on four poles for reference: **1st** – a political will and purpose; **2nd** - the availability of the industrial sector, **3rd** - a supervisory instrument with imposing power, and **4th** - public support.

It is well known that the greatest threat against a balanced human life *stems out from mankind's own action*. Nothing positive will be feasible if the Nations of the world, *with particular emphasis on the more industrially developed ones* do not harmonize and agree definitively to achieve the parameters scientifically assumed as a 'minimum' for a well-toned human living.

In this domain, the fears expressed by the Secretary General of the United Nations are of reduced or zero effectiveness. the mere promises made by the Political Powers of the various Nations assume no value.

Undeniably the United Nations Organization, considering its purpose for a better world, has a crucial stand in this domain. Not that the atmospheric conditions are getting more and more worse, but the big question is what will be left for the future generations, that we're generating. It is essential *that a proactive and a serious political will overlaps the economic domination, through coercive determinations, setting the sustainable limits of the dangers ahead. It is high time that regulatory bodies specifically created by the United Nations control the globalized development ringing it to a sustainable level of utilitarian use.*

6) Respect for the Local Existential Values (cultural, political, religious, social and others)

In the due process of aligning the conditions for a sustainable human life, the *mutual and reciprocal dependence of the seven conditions herein contained become increasingly evident, up to a point that one may turn useless without the implicit intervention of others.* Here're some hints: - does the deforestation process in the Amazon respect the rights of the Amerindians? - Do the "state of tension" and wars contribute for land desertification, for poverty, for migration and the economic dependence of the victimized country? - Doesn't the disrespect of cultural and

religious statute contribute for armed conflicts and barbarism, precisely more devastating and deadly when countries and the population are economically more needy?

Underlying these postures there is a conductive thread that stirs these gestures. *It is the ambition, the anxiety for conquest and territorial appropriation (the so-called 'vital space') and the economic dominance.*

This framework ostensibly violates the principles, the purposes and the aims that the Charter solemnly declares.

In this context, economy and religion merit a particular attention. If, historically, there can be a certain understanding for the excesses committed on their behalf, today, their projection escapes the values achieved by human intelligence - all these guided by *n* canons of coexistence, solidarity and humanism.

7) Fostering the Knowledge and Valuing Nature Through Scientific Supremacy

The knowledge concerning our planet is very meager. For instance, it is still to be known why and what is the "timing" of the tectonic plate's movements, generating earthquakes and the activation of volcanoes. The bottom of the seas and oceans is yet to be explored. The impact of a meteorite can destroy the planet or make its habitability intolerable.

This demonstrates that the state of contingency of the planet Earth cannot be exclusively attributed to *human action* and that there are *factors from nature and the universe*, somewhat external to the human will, which can weaken the planet completely, to an extent where life becomes impossible or extremely difficult.

But human action can shape in a positive manner this conditionality, relieving it from the fright of a dreadful cataclysm. A proactive activity in this regard must be endeavored by **a)** the governments themselves and the support must be given to **b)** NGOs truly engaged in this task.

Scientific research in all fields of human activity is extremely mandatory and the priority of priorities. The CHARTER is there as a superior guideline for the success.

Remarks

The saying goes that *where there is a will there is a way*. This is precisely the case.

From **Ethics** to **Solidarity**; from **Selfishness** to the act of **Sharing**, are the **3 versus 1 MARKERS** that can pave the way for the productive result.

(ETHICS): Can there be ethics in politics? *It is basic for anyone to respect human life and nature. If so, destroying to rebuild is unethical.* For this marker to be relevant, it is essential that its agent stud his actions with the values which underlies it. The natural right to human coexistence cannot legitimize actions that contain the ingredient for the destruction of its species. War is therefore anti ethics, so are the impositions of economic sanctions.

(SOLIDARITY): Solidarity is not charity. The latter presupposes a feeling of superiority with relation to the receiver. The former functions on an equality basis. In this paradigm, the act of solidarity, particularly at the political level assumes a posture of continuity, ethically founded, covering all the situations that demand this attitude. A world, where solidarity among communities and nations comes into existence, is worth living.

(SELFISHNESS): Much of human history has been marked by acts of egocentric voluntarism. All phenomena of exploitation or conflict arise from this individualistic

inspiration. *Up to what extent can a country demand the defense of its interests versus another (country)?* The answer is simple: As far as this defense respects the *sovereignty of this country*, guided by the nuance of international law and the basic principles of communal coexistence.

(SHARING) 'Sharing and not sanctioning' - will have to be the motto of the Charter. The world presents us with two macroeconomic systems – capitalism and socialism, *with their respective nuances. It is up to the political institutions of each country to adopt adequate modality in accordance with the demands of the peoples and communities that compose them.*

The fact of the fundamentals of these two systems being distinct, does not legitimize any attempt to eliminate or dominate the other (system). In the name of what ethical principle can one destabilize the existing minimum balance, when there is no measure to ensure the supremacy of one system over the other?

Sharing is not imposition. Sharing implies the collaboration between the donor and the receiver.

Conclusion

The world as it presents itself, is predominantly contrary to the principles and objectives traced by the Charter of the United Nations. We are in the year 2023. So far, countless summits, conferences, meetings, agreements, seminars and other gatherings under the auspices of the Charter have taken place. But the war still prevails, tens of Resolutions of the Security Council by a Member State are disrespected, arbitrary or unilateral economic sanctions violating human rights prevail, and provocative activity among Nations most of them with common frontiers, with the risk of skirmishes, have turned into real conflicts.

The problem is that the Charter, elaborated at a time when humanity was going through a dreadful life instability and the Nations seeking a precarious existence, contained in itself the seeds of its own vulnerability - the diktat of mere recommendation, the almightiness of the Veto privilege and the frailness of the countries that bypass the respect due to the Organization not contributing for its positional power. Here is the reason for the failure of the results expected from the Charter.

The 3rd decade of the 21st century demands that the *Charter be respected in all its dimension, its principles and objectives, because it continues to be a powerful document for the survival of humanity*. But the force of its actuality can only advance with the clear proactive perspectives of the countries it is composed of and their representations. Cloudy minds, ambiguous positions or irresponsible behaviors can only make inoperative or damage the purposes for which the United Nations Organization was established.

In short, The United Nations has full capacity to be a supreme organization to put order in this despaired world in a civilized way. Notwithstanding that something positive has been achieved by the Organization for 77 years, some small details still lack concerning the minor drafting of some articles, turning them more explicit, determined and modern.

Solutions for the near future, such as, * fostering an urgent special Session of the United Nations, with the presence of the all Nations of the world and the non-autonomous territories at the highest level, solemnly pledging to respect the Charter and the decisions of the Security Council; * fixation of a deadline for the Members to comply with the Resolutions of the Security Council under the risk of expulsion; * absolute prohibition of economic blockades; * absolute prohibition for any country to start any active military aggression without the knowledge and consent of the Security Council; * the acceptance by all Nations of the decisions of the International Court of Justice and the crimes against humanity not controlled by a statute of limitations.

Without putting aside, the **legal amendments to be introduced in the Charter** as suggested above, it is the **political standing of the Nations** (members or not of the UNO) that counts for a peaceful and healthy world, and the fundamental mandatory posture of the World Organization in intervening proactively whenever and wherever vital instability arises.

And the most serious thing is that there's no **plan B** to talk about!

It's worth a try.

Lisbon, Portugal-May 2023

António Bernardo Colaço

(Justice of the Supreme Court of Justice - Portugal)

APJD – Associação Portuguesa de Juristas Democratas