

*The Intransigence and Transgressions
of the United Nations Security Council*

Keynote Speech

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Thank you Mr. Secretary-General.

It is a pleasure to, again, participate in the Vancouver *Canada* International Model United Nations. And I congratulate the organizers for, both the successful event last year, and now for this third Model United Nations. And I would like to thank you for the invitation to speak here today.

I welcome the delegates. The United Nations is extremely important for the peace and security of this world, and I commend you for your participation in this event - for your interest and for your contributions which further **the cause** of the United Nations.

And it is a cause! It is a movement - with a constitutional foundation - grounded in the ideals of humankind — and requires the efforts of all us to be active in pursuit of these goals - to ground them in reality. It is our **one hope** for peace, harmony and equality for all on this planet. And it is very important for you to support its continuity, and to further its goals for global peace and security. The world needs the United Nations and the United Nations needs the support of the global community for it to realize these goals.

The major purpose of the United Nations is the prevention of war – for peace, security and prosperity – and this to be achieved through conflict resolution, through peaceful negotiations, through the promotion of human rights, through the promotion of justice, of social progress and improved standards of living.

And the *principal goal* is the prevention of war. The only certainty of achieving this goal is through global disarmament. But of course, this is unlikely to happen. New Zealand epitomizes a state furthering this ideal, and was recently praised by the UN High Representative for Disarmament as “a country that views disarmament as part of its national identity.”¹

There are twenty-one sovereign United Nations member states with no standing armies. Some of them *do* have defense agreements with militarized states. And some sovereign states, like Samoa, were actually formed with no standing army. While others, like Costa Rica disbanded their military. So countries like Costa Rica, are dependent *entirely* upon peaceful international relations, are *totally reliant* upon the respect by all countries for International Law, and are *totally reliant* upon the United Nations which stands for the rule of law and disarmament, and upon the United Nations Treaties.

I am disturbed at the increasing fragility of the United Nations – not with regard to the humanitarian activities in which it is engaged, but rather, because many member states – and United Nations is a constitution of member states - do not take seriously the principles and goals they have committed to abide by.

Russia’s invasion of the Ukraine and its annexation of Crimea, has created an international crisis and set-back in international relations reminiscent of the Cold War east-west divisions.

¹ UNOD, Angela Kane, Lecture, Auckland, New Zealand, April 3/14

Russia, a veto-holding member of the Security Council has violated the United Nations Charter and International law with its invasion of the Ukraine and its annexation of Crimea.

So I decided that it is timely now to talk about the responsibility of the United Nations Security Council, because this cross-border military intervention, and annexation of Crimea by Russia, highlights the failure of the Security Council members to abide by the laws they have been granted the power to uphold. This violation undermines the foundations of the United Nations itself – undermines the collective security of the UN Charter - and as well, undermines the authority of the United Nations Security Council.

At the end of World War II, the Constitution of the United Nations was drawn up, giving the victors - the United States, the United Kingdom, France, Russia and China – permanent membership status and veto power. This veto power frequently acts as a deadlock in the decision-making process; thus the Security Council fails to be an effective enforcement body.

A striking example of this paralysis is the humanitarian disaster taking place in Syria and the failure of negotiations for peace. The UN Security Council has been blamed for this failure by UN Secretary-General Ban Ki-Moon and both United Nations Envoys, Kofi Annan and Lakhdar Brahimi - tasked with negotiating an end to the civil war who have resigned out of frustration. Security Council Members, Russia and China - because of their political, military and economic interests in Syria - vetoed to intervention for humanitarian purposes.

The Security Council is mandated with *the primary responsibility for maintaining international peace and security*. And the Security Council – as Executive of the United Nations, should exemplify the United Nations goals, ideals and commitment to the rule of law.

Russia’s invasion of the Ukraine and annexation of Crimea is a violation of the United Nations Charter, specifically Article II which confirms the “*principle of the sovereign equality of all its Members;*” and states that “*All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations*”.²

There is no doubt that Russia’s actions are in violation of International Law. President Putin - despite earlier denials – admitted, for the first time, in his televised question-and-answer session - “that the troops in unmarked uniforms who had captured Ukraine’s Crimean Peninsula before its annexation last month by Moscow were Russian soldiers.”³

President Putin justified his actions by citing as precedent Russia’s invasion of Georgia in 2008, a flagrant violation of International Law and the United Nations Charter; and cited also the invasion of Iraq in 2003 by the United States and the United Kingdom - also a flagrant violation of International Law and the United Nations - both invasions were without Security Council approval.

The UN Security Council members – as custodians of the UN Charter - do not abide by the very principles upon which *they insist are necessary in order to maintain peace and security*

² www.un.org/en/documents/charter/chapter1.shtml

³ Aljazeera.com, April 20,2014 15.43

in the world – the Security Council’s primary responsibility. They violate the charter, they apply double standards, and they are more concerned with their own national interests than with the global good. According to Former Legal Counsel of the United Nations, Dr. Hans Corell, the failure of the UN Security Council “in delivering on its mandate rests squarely with the five permanent members of the Security Council”⁴

Another issue of non-compliance by the five permanent members of the UN Security Council – known as the P-5 - the United States, the United Kingdom, France, Russia and China - is their failure to eliminate their nuclear arsenals. These states were the only possessors of nuclear weapons when the Nuclear Non-Proliferation Treaty (NPT) opened for signature in July 1968, and are obligated under the treaty to eliminate their arsenals.

The Nuclear Non-Proliferation Treaty is – a three-way bargain. The first part of the bargain is the commitment by the 183 non-nuclear weapons states to neither acquire nor develop nuclear weapons. *The second part of the bargain* is that in exchange for their commitment to forgo nuclear weapons, the non-nuclear weapons states are given access to nuclear technology for peaceful uses of nuclear power. *The third part of the bargain* is the commitment by the five nuclear weapons states to eliminate their nuclear arsenals. The Treaty forbids both horizontal and vertical proliferation, which means that the five designated nuclear weapons states must *neither add to, nor upgrade the capability of, their arsenals - and are committed to eliminating them.*

There are now sixteen thousand, four hundred (16,400) nuclear weapons. The numbers are down considerably from Cold War levels. However, there remain enough to destroy all human life on the planet.

The United States and Russia possess most of these nuclear weapons. Four thousand, two hundred (4,200) nuclear weapons are deployed, operational and ready to go. The United States and Russia have one thousand, eight hundred of these on high-alert status and targeted on each other.

All of the countries - the P-5 and the other nuclear weapons states – India, Pakistan, Israel and North Korea, are not only nuclear-war-ready, but as well, they are *upgrading their arsenals.* They are creating new capabilities for their nuclear weapons, and planning and budgeting for years ahead to continue to modernize their programmes for nuclear weapons, their delivery systems and the infrastructure required for their maintenance. This is a clear violation, by the NPT nuclear states - all members of the Security Council, of their commitment to eliminate these nuclear weapons.

Because 1,800 of these nuclear weapons are on hair-trigger alert and targeted for immediate launch; *because* there is no guarantee that India and Pakistan will not engage in a war, and *because* all the weapons are stockpiled, we are at great risk. These 16,400 weapons pose great danger to humankind.

www.havc.se Hans Correl, Letter to Members of the United Nations, “Security Council Report: Rule of Law More Important Than Additional Members” 10 December 2008

The risks are high from nuclear accidents, from an accidental or mistaken launch; and from inadequate command/control and warning systems. We are at risk because of the inadequate security of fissile materials and warheads which terrorists have been attempting to acquire.

Another great danger is the risk of malicious launch - of hackers penetrating the command/control systems which are highly automated. There is also the possibility of “spoofing” an attack which would set off an automated retaliatory response.

Depending on the density of the target population centre, *only one* – the size of these on-alert, targeted weapons - will kill one to two million people immediately. And within a week the same number - another one or two million people - will die. Deaths and illness (radiation sickness and cancers) will continue for the generation. The following generations will be affected with numerous mutations and birth defects.

The International Physicians for the Prevention of Nuclear War undertook a study on the effects of a limited nuclear war between India and Pakistan - with each country detonating 50 small nuclear bombs, each the size of the bomb used on Hiroshima⁵ which is large enough to destroy a city.

The results of the study were that the bomb itself, the subsequent fire, and the radiation from 100 small nuclear weapons would kill 20 million people in less than a week. As well, the fires would inject about 5 million tons of soot into the upper atmosphere and cause a decade-long radical drop in temperature - “a nuclear winter”. This would affect food-growing regions in most parts of the world, and the lives of over 2 billion people would be at risk from famine – one billion of whom would be in China .⁶

The United States - after the Second World War - conducted 67 nuclear bomb tests on the Marshall Islands. To give you an idea what life would be like after a nuclear detonation I will tell you about the tragedy of the Marshall Islands.

In March of 2012, the United Nations Human Rights Council sent a Special Rapporteur to the Marshall Islands on a fact-finding mission on *human rights issues*, associated with the 67 nuclear tests, between 1946 and 1958, conducted there by the United States.

He found the people living like nomads and suffering long-term health effects. And urged “the country’s government, the United States and the international community to find effective redress to the affected population.”⁷ (I am quoting from his document)

Since 1954, the people of the Marshall Islands have engaged in “a lifelong battle for their health and a safe environment.” The radioactive fallout destroyed the lives of many – with deaths from leukaemia, brain tumours, thyroid and other forms of fatal cancers. Their food sources were destroyed – staple crops, like arrowroot, disappeared completely; the fish were radioactive and instantly caused blisters, terrible stomach problems and nausea.

⁵ 16 kilotons

⁶ www.ippnw.org/nuclear-famine.html

⁷ www.2.ohchr.org/english/issues/environment/waste/index.htm

Further consequences have been the inability to reproduce, and – in the period following the tests - the birth of severely deformed babies – entities - because in many cases they do not resemble human forms. There were no words in the Islanders language to describe these “monster” babies – some with two heads – so they described them as “octopuses,” “apples,” “turtles” and “jellyfish babies” who lived for a day or two - with no bones and transparent – their brains and beating hearts visible. The radioactive fallout from the nuclear testing has affected the health of three generations so far – and has definitely jeopardized the lives of future generations.

Their experience provides an understanding of what life would be like for any survivors of any catastrophic incident involving nuclear weapons. And we must prevent a fate, like that of the Marshall Islands, from ever happening again.

There is no such thing as a limited or controlled nuclear war. It is impossible to control the affects of the blast in time and in space. The humanitarian consequences for the world are so devastating that it is imperative that these weapons be destroyed – removed from the face of the earth - before human kind suffers from their immense destructive capability.

And so you may well ask “what is being done to achieve this?”

Civil society activists – of which I am one – and governments of the non-nuclear weapons states have finally reached the limit of their tolerance for the situation.

The outcome document of 2010 NPT Review Conference heralded a great achievement. A statement on the concerns about ***the humanitarian consequences of nuclear weapons*** was written into the document so, now, all activity in this area is a legitimate focus of fulfillment of the goals of the NPT.

So with the exception the government of the five nuclear weapons states, North Korea and Israel – governments and global civil society disarmament community went to work.

A statement of deep concern about the catastrophic humanitarian consequences of nuclear weapons was presented on behalf of seventy-five percent of states participating in the 2013 NPT Preparatory Conference. The statement was rejected by the 5 nuclear weapons states and some under the US nuclear umbrella.

The UN General Assembly, in October 2013, voted to form an Open-ended Working Group to develop proposals “to take forward multilateral nuclear disarmament negotiations for the the achievement and maintenance of a world without nuclear weapons.” The only NO votes were the from the United States, the United Kingdom, France and Russia. China abstained.

The Government of Norway, in 2013, and the Government of Mexico, in 2014, hosted conferences on the Humanitarian Impact of Nuclear Weapons. One hundred and twenty-seven (127) United Nations member states - including nuclear weapons states Pakistan and India - participated in the Norway conference. And one hundred and forty-six (146) , also including India and Pakistan attended the Conference in Mexico. The five Security Council nuclear states boycotted both these meetings.

The Government of Austria has just announced the date of a third conference which it will host in Vienna on December 8th and 9th in order to take forward information and recommendations from these two conferences; to lead to the commitment of States and civil society to reach new international standards and norms, through a legally binding instrument with a specific timeframe and a substantive framework for the elimination of nuclear weapons

Last month – on the 24th April - the Marshall Islands acted with great courage and filed nine suits at the International Court of Justice against the nine nuclear-armed states, for their failure to negotiate in good faith for nuclear disarmament, as required under the Non-Proliferation Treaty. An additional suit was filed against the United States at the US Federal Court in San Francisco.

The momentum for complete nuclear disarmament is growing.

I am Founding Partner of Global Zero which has a plan to eliminate nuclear weapons by 2030. I encourage you – if you have not already done so – to go to www.globalzero.org and sign on, join this movement, initiate chapters in your schools and universities and join the forces working for a world free of nuclear weapons.

If there is a nuclear catastrophe - a nuclear war - there is little possibility for regeneration of the global human community ; little hope that there will be enough life force from which can emerge another renewal of aspirations for a better world for humanity.

I speak to you now as member state delegates to the United Nations. Please engage with these issues.

I do not know what your agenda is for the three days but I do hope that you give consideration to the issues that I have raised:

Reform of the UN Security Council is so important – ***a necessity*** - which does not happen for the obvious reason that it would be vetoed by the 5 permanent members! There is discussion about adding permanent members. But the concern there is that more permanent members with a veto will paralyse the decision-making process further. Another suggestion is that any action voted on would require two vetos. The problem with this is that the same self-interest arm-twisting – lobbying – that takes place already will hamper progress here.

Nuclear Disarmament is crucial for protection of humanity and the environment and possession of these genocidal weapons is creating huge risks for humanity.

The United Nations is a difficult, somewhat cumbersome, unwieldy vehicle – and is not always consistent or effective – but it is all we have. It is essential that we do our utmost to uphold the values it embodies; and to urge our governments to do likewise. And to ground the ideals and values of the United Nations into international law in order that we, our children, and our children's children may live in peace - and may live our lives in freedom - without fear.

It is an opportunity for young people like you with bright, clear minds, unsullied by years of political manoeuvring – to bring fresh ideas to resolve these issues.

I commend you for your interest and concern for human kind; and I encourage you **to put to use** your energies and abilities in order to bring forward new thinking for resolution of these issues **because you are the future**. And I wish you well.

Thank you!
END

May 24th, 2013