

## THE CHANGING NATURE OF PEACE AND SECURITY

### The UN Security Council and Chapter VII of the UN Charter

*Seminar (Course No. 095932)  
Winter Semester 2024/2025*

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 **12 October 2024** to Peggy Wittke ([peg@zedat.fu-berlin.de](mailto:peg@zedat.fu-berlin.de)).

## Topics

1. The Humanitarian Tragedy in Somalia: Resolution 794 (1992) of the Security Council (Summary and Presentation due on 10 November, via Email)
2. The Genocide in Rwanda (1994) (Summary and Presentation due on 10 November, via Email)
3. The Debate over Accountability: The Massacre of Srebrenica (1995) (Summary and Presentation due on 17 November, via Email)
4. The Deadlocked Security Council I: The Case of Kosovo (1999) (Summary and Presentation due on 24 November, via Email)
5. The 9/11 Attacks: Chapter VII, Article 51 and Attacks by Non-state Actors (Summary and Presentation due on 1 December, 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 8 December, via Email)
7. The Responsibility to Protect: An Emerging Norm? (Summary and Presentation due on 15 December, via Email)
8. No-Fly Zones in Libya (2011) – Regime Change or Responsibility to Protect? (Summary and Presentation due on 5 January, via Email)
9. MINUSMA and fighting international terrorism in Mali (2013) – Robust Mandates for Peacekeeping Operations (Summary and Presentation due on 12 January, via Email)
10. The Deadlocked Security Council II: The War in Ukraine (since 2022) (Summary and Presentation due on 19 January, via Email)
11. Who is controlling the Security Council? The Competences of the International Court of Justice (Summary and Presentation due on 26 January, via Email)
12. The Security Council and the COVID-19 Pandemic (Summary and Presentation due on 2 February, via Email)
13. The Security Council and Climate Change (Summary and Presentation due on 9 February, via Email)

## Preliminary Schedule

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

|           | <b>Date</b>             | <b>Session</b>  |
|-----------|-------------------------|---|
| <b>1</b>  | <b>16 October 2024</b>  | Introduction to the United Nations System<br><i>Peggy Wittke</i>  |
| <b>2</b>  | <b>23 October 2024</b>  | Peace and Security I<br><i>Peggy Wittke</i>   |
| <b>3</b>  | <b>30 October 2024</b>  | Peace and Security II<br><i>Peggy Wittke</i>  |
| <b>4</b>  | <b>6 November 2024</b>  | UN Peacekeeping<br><i>Peggy Wittke</i>  |
| <b>5</b>  | <b>13 November 2024</b> | The Humanitarian Tragedy in Somalia: Resolution 794 (1992) of the Security Council<br><i>Comment</i><br><br>The Genocide in Rwanda (1994)<br><i>Comment</i> |
| <b>6</b>  | <b>20 November 2024</b> | The Debate over Accountability: The Massacre of Srebrenica (1995)<br><i>Comment</i>   |
| <b>7</b>  | <b>27 November 2024</b> | The Deadlocked Security Council I: The Case of Kosovo (1999)<br><i>Comment</i>  |
| <b>8</b>  | <b>4 December 2024</b>  | The 9/11 Attacks: Chapter VII, Article 51 and Attacks by Non-State Actors<br><i>Comment</i>   |
| <b>9</b>  | <b>11 December 2024</b> | The Fall of Saddam Hussein: The US-Iraq War (2003) and Its Implications for International Public Law<br><i>Comment</i>                                      |
| <b>10</b> | <b>18 December 2024</b> | The Responsibility to Protect: An Emerging Norm?<br><i>Comment</i>  |

|    | Date             | Session   |
|----|------------------|---|
| 11 | 8 January 2025   | No-Fly Zones in Libya (2011) – Regime Change or Responsibility to Protect?<br><i>Comment</i>                                |
| 12 | 15 January 2025  | MINUSMA and fighting international terrorism in Mali (2013) – Robust Mandates for Peacekeeping Operations<br><i>Comment</i> |
| 13 | 22 January 2025  | The Deadlocked Security Council II: The War in Ukraine<br><i>Comment</i>  |
| 14 | 29 January 2025  | Who is controlling the Security Council? The Competences of the International Court of Justice<br><i>Comment</i>            |
| 15 | 5 February 2025  | The Security Council and the COVID-19 Pandemic<br><i>Comment</i>  |
| 16 | 12 February 2025 | The Security Council and Climate Change<br><i>Comment</i><br><br>Final Discussion   |