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Fachbereich Rechtswissenschaft

„The Changing Nature of Peace and Security“ (SÜ 09 6925)

Peggy Wittke
SoSe 2017

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 he has determined a breach or threat to peace and security.

This class takes a closer look on 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 an introductory meeting on the United Nations and Chapter VII of the Charter of the United Nations. Participants are expected to choose from one of the following topics or make an own topic proposal, prepare a 4-6 page summary on the subject and present it to the class along with a handout as well as participate actively in the discussions. The class will be held in English. 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 (1/2) and the presentation including handout (1/2), additional points can be achieved through an active participation in the discussions.

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 16 April 2017 to Peggy Wittke (peg@zedat.fu-berlin.de).

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Class	Topic
27 April 2017 (Thursday) 16 – 20 h	Introduction to the United Nations System <ul style="list-style-type: none"> • UN as System of Collective Security • Chapter VII
18 June 2017	<i>Deadline for Presentations</i>
22 June 2017 (Thursday) 10 – 18 h	Presentations and Discussions
23 June 2017 (Friday) 10 – 18 h	Presentations and Discussions
29 June 2017 (Thursday) 10 – 18 h	Presentations and Discussions
30 June 2017 (Friday) 10 – 18 h	Presentations and Discussions

Topics

1. The League of Nations – A Predictable Failure?
2. Apartheid as Threat to Peace: The Situation in South Africa in the 1970s
3. Iraq and the Kurds: Resolution 688 (1991) of the UN Security Council
4. The Humanitarian Tragedy in Somalia: Resolution 794 (1992) of the Security Council
5. The Genocide in Rwanda (1994)
6. The Debate over Accountability: The Massacre of Srebrenica (1995)
7. The Deadlocked Security Council I: The Case of Kosovo (1999)
8. Chapter VII and Attacks by Non-state Actors
9. Article 51 of the Charter of the United Nations and Preemptive Self-Defense
10. The Fall of Saddam Hussein: The US-Iraq War (2003) and Its Implications for International Public Law
11. The Crimean Crisis and the Response of the United Nations (2014)
12. Who shot down Malaysian Airlines Flight MH17 or A Closer Look at the Competences of the Security Council (2014/15)
13. The Responsibility to Protect: An Emerging Norm?
14. The Deadlocked Security Council II: The Situation in Syria
15. The Impact of the Ebola Outbreak in West Africa on International Peace and Security (2014)
16. The Maritime Tragedy in the Mediterranean Sea: Security Council Action Against Migrant Smuggling - Resolution 2240 (2015)
17. The Security Council as Lawmaker: The Debate over Resolutions 1373 (2001) and 1540 (2004)
18. Who is controlling the Security Council? The Competences of the International Court of Justice
19. The Controversy about Security Council Decision-Making in Cases of Mass Atrocities: The New Initiatives
20. Reform of the Security Council – A Never Ending Story?