

A New (R)evolution: Conflict Resolution and a UN Parliamentary Assembly

By Julia Gin, September 2008

In April 2007, an international campaign calling for the creation of a UN Parliamentary Assembly (UNPA) was launched by parliamentarians and non-governmental organizations around the world. The proposed parliamentary body would represent the global citizenry, involving national parliaments, civil society groups, as well as the general public. Campaign events took place in over ten major cities around the world, which led to notable international support for the campaign. As of September 2008, over 525 members of parliament, 149 civil society groups, and more than 1650 individuals from 123 countries have endorsed the appeal, with the numbers steadily growing.¹

One of the leading forces for the UNPA Campaign is the Committee for a Democratic United Nations (KDUN). The KDUN sees the establishment of a UNPA as a way to develop legitimate international democracy through a greater representation of citizens in the global system. In order to address the present and future challenges facing humanity, the UNPA would serve as the embodiment of the shift in paradigm from state-centric to individual peoples. Through a vote of the UN General Assembly, under Article 22, the UNPA can be created as a new institution, or the current Inter-Parliamentary Union could be transformed and established as a consultative and semi-autonomous secondary body to the UN General Assembly. All member states would be invited to elect delegates from within their national parliaments to participate in the UNPA, with the long term goal of global citizens directly electing their representatives to this new world parliament. This paper seeks to outline the importance of a UNPA in the field of conflict resolution.

Weak international response to genocide

In 1943, Raphael Lemkin coined the term "genocide" to describe the systematic extermination of Jews and other groups through German authorities and their collaborators in Europe.² Though genocide did not occur for the first time during World War II, the shock and appall of the Holocaust brought about the need to address this crime through international law. Hence, the Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the United Nations General Assembly in 1948.³ Unfortunately, the convention did not prevent the continued occurrence of genocide in the second half of the 20th century, as evidenced by the mass murder of the Red Khmer in Cambodia 1975-1979, the ten year ethnic war in the Balkans from 1991-2001, the Rwandan genocide in 1994, and the current Darfur conflict that has plagued the Sudanese since 2003.

The development of a new vocabulary to illustrate such carnage goes hand in hand with the need for an effective and lasting solution to stop and prevent genocide. Globalization brings about new technology and societal advantages, along with negative effects that transcend borders, where conflicts and individuals no longer remain within a state. The United Nations, however, was created at a time where national strife or actions did not necessarily cause repercussions in countries on the other side of the world. As an intergovernmental organization, sovereignty is extolled above all. This became increasingly difficult when addressing issues such as environmental degradation, refugees, human rights standards, epidemics, and particularly violent conflict. During the war in the Balkans, a UN

peacekeeping force was sent⁴, but the conflict continued for an entire decade. When the Rwandan genocide was finally acknowledged as a mass ethnic slaughter perpetrated by Hutu militias, there remained on the Security Council the Rwandan envoy to the UN, a known representative of the genocidal regime,⁵ who was even allowed to vote on the withdrawal of all but a remnant of the United Nations Assistance Mission for Rwanda (UNAMIR) peacekeeping force.⁶

Currently, there is extreme violence in Darfur and Iraq. With the Darfur Conflict, it has taken over four years, more than 200,000 lives, and an additional 2.5 million displaced persons before there was a call for action in the form of UN peacekeeping troops. This force of 26,000 peacekeepers was to be in the field at the beginning of 2008, but so far, only 9,500 could be deployed. Unfortunately, the international community has not yet made available a sufficient supply of helicopters for transport and thus failed to keep its promise of "never again" to allow genocide to happen. Peacekeeping missions are generally characterized by a lack of equipment, as peacekeepers are generally expected to bring their own weaponry and supplies,⁷ which leaves troops of third world nations in a precarious bind. The AU peacekeeping force in Darfur, for example, lost ten soldiers in a situation where Nigerian peacekeepers were attacked, ran out of ammunition, and were forced to take cover without any possibility of returning fire.⁸

Another issue that has been brought to light is the allegation of human rights abuse perpetrated by Rwandan Major General Karezi Karake, who was nominated to serve as deputy commander of the joint UN-AU peacekeeping force. Specifically, Karake has allegedly supervised extra judicial killings of civilians before and after the Rwanda Patriotic Front took control of Kigali post-genocide.⁹ The culmination of these events paints a bleak picture for the troops and discourages them from effectively achieving their mission. As for Iraq, the US has been able to garner limited support through diplomatic strategy via the new Secretary-General Ban Ki Moon. In addition, the US has participated in passing the UN Security Council Resolution 1770, which renewed the mandate for the UN Assistance Mission for Iraq, calling for the UN to promote reconciliation.¹⁰ Though these are seemingly promising developments, these interstate solutions are insufficient in addressing cross-boundary problems.

The evolving global citizenry needs a voice

Violent conflict has evolved to where it is no longer between or within states. These conflicts and their aftermaths transcend state boundaries. Issues that have a worldwide effect call for a representative political body that also transcends the state-centric mindset. There is a new constituency that has developed alongside the evolution of these international problems - the global citizenry.

Of the three main decision making-bodies of the UN, the General Assembly is the most representative of the 192 member states. However, the delegates sent to the GA vote based on individual state government interests. In fact, as state diplomats their decisions are made based on the instructions of their home governments. A prominent recent example can be found in the appointment of John Bolton, who has been ousted by popular demand, as the US envoy to the UN. Bolton has been called an "abysmal ambassador" and was infamously quoted saying "there is no United Nations. There is an international community that occasionally can be led by the only real power left in the world, and that's the United States, when it suits our interest, and when we can get others to go along" and "there is no such thing as international law, there is only national sovereignty."¹¹ Because each representative is working towards state interests, the nature of the GA precludes it from being a cooperative body to effectively advance the global common good.

There is a need to change the mechanisms used to address international issues. The empowerment of this new constituency of the global citizenry is crucial to the solution. The world cannot afford to remain within the boundaries of a global governance system that was created more than half a century ago. These global ills require individuals thinking as global citizens in a new body: a UN Parliamentary Assembly, which represents cooperation, transparency, and ultimately, the voice of the people of the world.

The Darfur Conflict and the Iraq War provide current situations that can immediately benefit from the instatement of a UNPA. In Darfur, the Sudanese government has been no champion for their citizens. There is evidence of the Sudanese militia committing war crimes in the form of mass abductions and rape in Darfur - a claim that the Sudanese government adamantly denies.¹² Furthermore, Sudan continues to deploy offensive military equipment and attack helicopters, as well as continually provides military and other support to the Janjaweed militia; all actions that defy the UN arms embargo and numerous peace agreements in the region.¹³ In addition, the Sudanese government has expelled the European Commission envoy and Canadian diplomats, and last year expelled a UN envoy, for interfering in Sudanese affairs and criticizing the government's actions in Darfur, respectively.¹⁴

A UNPA would not be bound by state interests

A UNPA would be much better positioned to embody the principles of "the responsibility to protect," taking on accountability for the citizens of Darfur. The UNPA could provide a voice for Darfurians who are victims of mass abduction and rape, in spite of denials of the Sudanese government. During Archbishop Desmond Tutu's recent visit to Darfur, he stated "we have come here to the Sudan because we want to listen to the voices of those who have not been heard and want to explore ways that we can lend our own voices to peace,"¹⁵ emphasizing further the presence of a community that seeks to be acknowledged by the international community. Despite the Sudanese government's attempts to circumvent international law on multiple fronts, a UNPA, as a non-state affiliated body, is the mechanism by which the government can be held politically liable for its actions against the peoples of Darfur.

The UNPA does not "have special interest in Sudan - such as Russia (arms sales), China (arms sales, oil, natural resources), or the United States (shared intelligence information for its 'war on terror')...[each of which] can easily nullify any serious form of intervention."¹⁶ It could represent the neutral nature of the UN and could prevent individuals, such as Sudan's President Omar Hassan Ahmed al-Bashir, from stalling action due to power politics. In addition, President al-Bashir states he will never cooperate with the International Criminal Court (ICC) or address the recent war crimes indictments he is facing.¹⁷ This has put the Security Council powers at odds with one another over Article 16 of the ICC's Statute,¹⁸ leaving a few states to determine whether justice presides over politics. Delegates of a UNPA would be government-independent, able to raise their voices to address critical situations without the fear of diplomatic repercussions for their country or government. On the contrary, a large number of UNPA delegates would in fact belong to opposition parties not participating in government, and thus, would naturally be inclined to assume the role of parliamentary opposition on the international level - a function which currently is non-existent.

Peacekeeping and a UNPA

A UNPA also could play a positive role in resolving the issues that currently paralyze the peacekeeping agenda. Calling for peacekeeping action to address violent conflicts that arise will be one of the

primary ways a UNPA could draw attention to escalating clashes that, at present, take far too long to recognize. In addition, it should not be assumed that UN peacekeeping troops are responsible for the weapons and equipment necessary to carry out their service. Nor should this be the responsibility of the state contributing troops. Violent conflict is a problem that the international community should address and as such, they should support the UN peacekeeping troops. A UNPA may call for increased finances and assistance for peacekeeping processes, not based on state funding that can be offered and retracted at political will, but as a joint effort. In fact, it would be backed by popular opinion around the world.

A survey conducted in 14 countries in May 2007, for example, revealed that an average of 64 percent of the respondents support the establishment of a standing UN Peacekeeping Force. With regards to the circumstance of Major General Karake and President al-Bashir, a UNPA could quickly call attention to war criminals, ensuring they stay in the international spotlight, to prevent situations in which they are able to rise in the ranks of UN peacekeeping, other UN related activities, or continue to commit international crimes under the radar. A UNPA, by its very nature, would protect whistle blowers from economic or political repercussions. Lastly, delegates in a UNPA could encourage and support a truly global peacekeeping force and regions would not be left to deal with their own conflicts.

From simple observation, it is evident that African peacekeeping is stretched to its limits in resources and willpower, largely, if not completely, due to the lack of interest and commitment from the international community. Festus Aboagye, head of training for the peace program at the Institute for Strategic Studies in Tshwane (formerly Pretoria) calls it "a dereliction of duty on the part of the international community. You hear this said, that the West will provide funding and other logistical resources, and the African must provide the blood, or if you prefer, the human beings."¹⁹ This great imbalance is unacceptable and it could be one of the UNPA's missions to emphasize the need for a global problem to be addressed by a global body, not one that is only as strong as the sum of its parts.

These same power politics are a major factor in the Iraq war as well. Though "the UN [] has unique credibility with Iraq's mutually suspicious neighbors who must act together to stop the spread of, and eventually resolve, internal Iraqi conflicts,"²⁰ this credibility comes into question with the Permanent Five's veto powers and the UN's undemocratic governing structure. The past UN Humanitarian Coordinator for Iraq, Hans von Sponeck, saw the UN involvement in the region as an opportunity to serve the citizens of Iraq, however, "narrow national interests, rather than the needs of the international community for security, peace and development prevailed."²¹

The international community has failed the Iraqi people, who are caught between their oppressive regime and the US government. To address this ongoing crisis, it is pertinent that the UN maintains an impartial role in Iraq and the region, and not be seen as a tool in assisting a US exit strategy. For this to be accomplished, a UNPA could be the advocate - to both defend the rights of the Iraqi peoples and uphold the voice of the international community. It is a body that will be swayed by nothing other than the call of the global citizenry. Especially in Iraq, "the international public ... and many governments had difficulties in distinguishing between the plight of an innocent population and the policies of a dictatorial regime."²² Unfortunately, this affected the ability of humanitarian programs to identify and assist the true victims. A UNPA can serve as a vessel for public relations strategies to disseminate information that represents the plight of the individuals, establishing itself as a source of intelligence based solely on the voice of the victims, while also having the political power to present issues to the global governance.

Conclusion

Including a parliamentary body in global governance will give a degree of legitimacy that is not only rooted in the ideals of the UN Charter, but in the structure of governance. A UNPA would represent individuals who are afflicted with global problems, and serve as a forum where parliamentarians and non-governmental groups can collaborate, communicate issues, and create ties with other communities.

Too often, the UN is referred to as having "perceived neutrality." As the only form of global governance that creates and regulates international law, its objectivity should be unquestionable. However, the limitations of the current political structure have created a situation where one of the most important groups, that of the victims, is not represented. The global citizenry is the key to tackling global ills, and a UNPA is the means to make the UN's impartiality a reality.

Notes

¹ See <http://en.unpacampaign.org/appeal/statistics/> (11 September 2008)

² Lemkin, Raphael. Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress. Washington D.C.: Carnegie Endowment for International Peace. 1944. 79-95.

³ Resolution 260 (III) of the United Nations General Assembly on December 9, 1948.

⁴ UN Department of Public Information. "Completed Peacekeeping Operations: Former Yugoslavia, United Nations Protection Force (UNPROFOR)." http://www.un.org/Depts/dpko/dpko/co_mission/unprofor.htm
The UNPROFOR was established in Croatia to ensure demilitarization of designated areas and was later extended to Bosnia and Herzegovina to support humanitarian relief and to monitor "no fly zones" and "safe areas," as well as border monitoring in Macedonia.

⁵ Frontline 1999: The Triumph of Evil. CNN, 1999.

⁶ Ferroggiaro, William. "The US and the Genocide in Rwanda 1994: Evidence of Inaction." The National Security Archive: A National Security Archive Briefing Book. (20 August 2007).

⁷ Apiku, Simon. "African Darfur Troops Must Meet UN Standards." Reuters: AlertNet. (16 August 2007). <http://www.alertnet.org/thenews/newsdesk/MCD625226.htm>

⁸ CNN. "UN Condemns Deadly Darfur Attack." CNN.com /world. <http://www.cnn.com/2007/WORLD/africa/10/01/darfur.peacekeepers/index.html> (1 October 2007).

⁹ Leopold, Evelyn. "UN Mulls Top Darfur Post for Controversial Rwandan." Reuters: Africa. (18 August 2007). <http://africa.reuters.com/wire/news/usnN18230537.html>

¹⁰ Pascual, Carolos and Brian Cullin. "The UN's Role in Iraq." The Washington Post. (23 August 2007).

¹¹ Levine, Larry. "America Can Do Better Than Bolton." Monterey County Weekly. (7 September 2006).

¹² Nebhay, Stephanie. "UN Accuses Sudan Militia of Mass Abduction and Rape." The Globe and Mail. CTVglobemedia Publishing Inc. (21 August 2007).

¹³ Bloomfield, Steve. "Photos Show Sudan Breaking Darfur Arms Ban." The Independent. (24 August 2007).

¹⁴ Fitzpatrick, Meagan. "Acting Canadian charge d'affaires One of Two Diplomats Expelled from Sudan." CanWest News Service. (24 August 2007). <http://www.canada.com/topics/news/story.html?id=ac97381a-4231-434d-822f-15c72cebfe2d&k=94845>

¹⁵ CNN. "UN Condemns Deadly Darfur Attack." CNN.com /world. <http://www.cnn.com/2007/WORLD/africa/10/01/darfur.peacekeepers/index.html> (1 October 2007).

¹⁶ Morlino, John. "Darfur Supporters' Actions Looking More Like Willful Neglect." San Francisco Chronicle. (19 August 2007).

¹⁷ MacFarquhar, Neil. "U.N. to Keep Darfur Force, but U.S. Withholds Its Vote." The New York Times. (1 August 2008). <http://www.nytimes.com/2008/08/01/world/africa/01nations.html?ref=world>.

¹⁸ Article 16 of the International Criminal Court allows the Security Council to suspend action by the court for a year.

¹⁹ Okeowo, Alexis. "Uganda Takes the Lead, Pledging Troops for Darfur and Announcing Last Week That It Would Send More Peacekeepers to Somalia." The Christian Science Monitor. (22 August 2007).

²⁰ Luers, William H. "Changing US Policy Toward the UN and Diplomacy in Iraq." United Nations Association of the United State of America. New York, NY. (14 August 2007).

²¹ Sponeck, Hans von. A Different Kind of War: The UN Sanctions Regime in Iraq. Berghen Books: Oxford, 2006. pp2.

²² Sponeck. pp6.