



9/11/2023

SHAMS Center: Monopolizing the International Decision by the Colonialism Powers Requires Reforming the United Nations and its Agencies

Ramallah: Human Rights and Democracy Media Center- SHAMS, stressed that the regime that dominates the world currently emerged following World War II. The winners of that war agreed to divide power between them and so to dominate the world's political decisions on a nepotism basis. This regime has been in power since World War II and currently, it reached a case of paralyzed and unable to cope up with the developments and changes on the global level. The current international regime has several shortcomings, prompting all states to engage in a substantive reform process. This regime, which has wielded influence over global political decisions since World War II, is in need of collective restructuring. The countries that dominate the international political decision made use of the permanent membership in the United Nations Security Council, for political disputes leading to paralyzing the role of the United Nations and its various institutions. The permanent state members of the UN Security Council, made use of their membership, to protect their narrow interests and enhance their domination of the world, in the period that followed the end of the Cold War II. These countries utilized the United Nations and its various institutions to legalize their aggressive and colonialism expansion on account of the weak countries as well as looting the resources of these countries. On a related level, some of the colonial states utilized the United Nations to legalize their occupation of other countries.

SHAMS Center reminded that the failure of the League of Nations in curbing the colonialist countries (Germany, Italy, and Japan) from occupying other countries and violating human rights, caused the collapse of the League and the dismantling of the universal regime. Following that, World War II started and it resulted in millions of victims killed by the colonialism and fascist regimes. Within the status of the United Nations and the circumstances of its performance, the Center affirms that it is following on the steps of the League of Nations. It seems that the United Nations is approaching the same destiny toward dismantling as a result of its unreliability and applied double standards by the permanent state members of the Security Council. There is a need for institutionalization reform of the international regime and enabling effective countries such as Brazil, India, and South Africa to join permanent membership of the Security Council to ensure legality and representation of all the nations. There is a need to end dominating the international decisions by the Western Imperial colonialism powers.

SHAMS Center denounces the behavior of some countries (permanent members of the Security Council- Big 5, P5) and their allies' state members of the General Assembly, which violate the Charter and Principles of the United Nations. These countries approve of using excessive power against nations and against other state members of the General Assembly. Moreover, they are threatening international peace and security by providing endless military aid (mainly from the USA and some European countries) and so, they are part of the aggression that Israel (Occupying Power) is conducting against Palestinians. The aggression on the Gaza Strip, resulted (up to date), in more than 10328 martyrs including (4237 children) and (2719 women) in addition to (631 aged persons). As for the wounded, (25956) citizens have been wounded as a result to the Israeli shelling and bombing. The Israeli forces destroyed more than (40) ambulances and targeted approximately (120) health institutions. The attacks of the Israeli occupation represent a clear violation of the United Nations Charter and the International Humanitarian Law. The



crimes of the Israeli occupation in the Gaza Strip prelude to a regional war, which might affect international peace and security.

SHAMS Center affirmed the necessity to respect the International Legitimacy Resolutions that stressed the right of Palestinians to resist the occupation and achieve their independence and self-determination. In particular, the aggression violates the **Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States/ 1970**, which prohibits using force against people who fall under occupation. Additionally, it violates the General Assembly Resolution (43/37) of 1982, which affirmed the right of the nations to struggle to liberate themselves from colonialism and achieve national independence. The resolution affirmed the right of the nations under occupation to utilize all available means, including military resistance, to achieve their national rights. In the same regard, the General Assembly resolution (3236/ 1974), affirmed the rights of Palestinians including the right to resist occupation to achieve their national independence and the right to self-determination.

SHAMS Center stressed that applying excessive power by the Israeli occupation within its aggression on the Gaza Strip will contribute to strengthening the hate speech between the various nations in the region as well as on the level of the world and motivate the emergence of the radical extremist ideological trends that threaten the universal peace and security. Applying excessive power and threatening to use it, contradicts with the high principles of the United Nations and the International Resolutions, mainly the Resolution (181/29/11/1974), which the United Nations approved to be the day for international solidarity with Palestinians). Recognizing Israel, by the United Nations as a state, was conditioned with establishing a Palestinian state though the United Nations is not authorized (according to its charter), to establish states for the nations.

SHAMS Center affirmed that marginalizing the General Assembly while enhancing the power of the Security Council, means that there is no room to achieve any reformation within the international regime. There should be equality between the Security Council and the General Assembly regarding discussing world security and peace. Without that, there is no possibility to speak about the structural reformation of the international regime.

The Center stressed that there have been no amendments or developments within the United Nations Charter. However, by the end of the international recruitment phase, the United Nations is put once again under the spotlight. There is arguing and debate about the necessity to endorse core changes within the structure of the United Nations, and reactivate its role, within the latest developments on the global level. The United Nations has not been developed or updated since its emergence and its role is designed based on the nature of each case separately. The positions of the United Nations kept shaking between condemning, warning, mediation, imposing sanctions, using military forces, or calling upon the conflicted parties to end the clashes. In other cases, the position and role of the United Nations were limited to providing humanitarian aid. In general, the positions of the United Nations remained dominated by the positions of the permanent state members of the Security Council, especially the American position. The position of the United Nations in many cases depends on the available tools to be utilized, which are determined mainly by the Security Council.

Shams Center stated that the desired change, if not coming from within the international organization and its legal institutions, will ultimately come from within the existing international order in response to new international developments. Despite some reforms introduced to the international organization, such as the expansion of the Security Council membership in the first half of the previous century, this has not changed the reality. The legal value of General Assembly resolutions remains no more than recommendations.



Therefore, the change and development in the various structures of the United Nations should start with the Charter to accommodate the developments of the international regime. There is a need to reconsider not only the Charter but also the organizational structure of the United Nations. Some key agencies affiliated with the United Nations have lost their justification for existence because their role, established at a time when international relations were different, has come to an end. Consequently, their presence has become pointless, such as the Trusteeship Council.

The Charter is a constitutional instrument that is subject to modification and development. Therefore, the responsibility for development and change lies with the member states of the international organization, enabling them to fulfil their assigned roles effectively.

"Shams" Center emphasized that the international reality indicates that the United Nations does not reflect an international democratic state, given that the five permanent members of the Security Council do not represent the majority of the world's population. Therefore, it is essential to distribute the powers of maintaining peace and international security between the Security Council and the General Assembly in a balanced, democratic, and binding manner. This is of utmost importance in international relations, especially when a permanent member of the Security Council jeopardizes international peace and security by attacking another country. Consequently, if such aggression were presented to the Security Council, the proposed resolution would be vetoed, and if the matter were within the jurisdiction of the General Assembly, decisions would be more acceptable and objective.

The Center believes that if the General Assembly had effective jurisdiction in the realm of international peace and security, conflicts and wars between countries would not have occurred with such intensity and bloodshed. Many countries do not see war as a means to achieve their goals, especially considering cultural principles that reject aggression and wars to establish new international relations.

Moreover, the reform process that has taken place since the early 1990s is no more than administrative and organizational changes involving the abolishment, establishment, or merging of departments, dismissing incompetent employees, and reactivating certain departments. However, the reform has never addressed the absence of democracy in many provisions of the Charter. Nonetheless, despite the criticisms levelled against the United Nations and its entities, it is argued that it still stands as the sole forum where member states can engage in dialogue and discussion during UN conferences, with the goal of reaching a consensus. This perspective regards the United Nations as a crucial space where nations can actively participate in democratic processes, fostering diplomatic exchange and collaboration. It is considered the space through which countries can exercise democratic life by reaching agreements, making it a unique platform for diplomatic exchange.

Shams Center called on the United Nations to assume its ethical and legal responsibilities and rectify the wrongdoing and political crime committed against the Palestinian people. This includes recognizing the State of Israel through the partition decision, emphasizing the implementation of international legitimate resolutions regarding the establishment of an independent, free, sovereign Palestinian state with full authority and the right to self-determination for the Palestinian people. The Center also urged the United Nations to obligate Israel, as an occupying state, to end its occupation of the Palestinian territories based on relevant international legitimate resolutions.