



THE HOLY SEE

INTERVENTION OF H.E. PAUL RICHARD GALLAGHER SECRETARY FOR RELATIONS WITH STATES

General Debate *The United Nations at 70: The Road Ahead for Peace, Security and Human Rights* 2 October 2015

Mr President,

Echoing the sentiments of Pope Francis, who recently visited the United Nations, I renew the congratulations of the Holy See on your election as President of the Seventieth Session of the General Assembly. I also greet each of the participants at this gathering, and express my hope that its work will prove fruitful and give new impetus to the commitment for creating a world of peace and security, respect for human rights and the promotion of the necessary conditions for integral human development. Significantly, on the 24th of this month, we will celebrate the entry into force of the Charter of the United Nations.

I. The 2030 Agenda

The recently concluded Summit of Heads of State and Government adopted a plan of action for the prosperity of peoples and the planet, and for strengthening peace in greater freedom. To this end, the signatories of the 2030 Agenda have undertaken the task of proposing a stable and sustainable pace for the world economy.¹ The Holy See can only express its satisfaction, along with the governments which took part in the process of drawing up the Agenda, and their citizens. Here I would mention that even before the completion of negotiations, Pope Francis stated that the new 2030 Agenda for Sustainable Development is an important sign of hope for humanity.

II. Wars and Conflicts

In contrast to the promising hopes generated by the 2030 Agenda and the Action Agenda of the Third International Conference on Financing for Development (Addis Ababa, July 2015), there is the sad panorama of war. It is obvious that, unless conflicts are properly resolved, all efforts to overcome poverty will fail. The Holy See is therefore seriously concerned about the global consequences of conflicts; above all, it expresses deep regret for the countless victims of these wars, and joins its voice to the plea of all those who suffer.

¹ Cf. *Transforming our World: The 2030 Agenda for Sustainable Development*, Preamble.

We must acknowledge that over the past seventy years the United Nations has succeeded in avoiding a great global conflict and the outbreak of many wars between member States. At the same time, it has halted or resolved many regional conflicts and complex instances of civil war. Nonetheless, there are presently at least fifty conflicts or situations of latent conflict, to say nothing of the actions of international terrorist and criminal organizations, set up as quasi-states and as a sort of “alternative” international community. We have before us, unfortunately, the immense tragedy of the war in Syria, with its thousands of dead, its millions displaced persons, and its tremendous consequences for stability in the region.

Similarly, the troubles in Libya, Central Africa, the Great Lakes Region and South Sudan must remain at the centre of the international community’s attention. Nor can the tragic situation in Ukraine be overlooked, or many other smaller or more contained conflicts, violations of humanitarian law or the atypical warfare waged by drug traffickers and other criminal groups.

Then there is the grave conflict in the Middle East, which has been ongoing since the first years of the United Nations. That region, a cradle of civilizations, is immersed in a situation which combines every form of conflict and every possible subject: State and non-State combatants, ethnic and cultural groups, terrorism, criminality, etc.

The “atrocities and unspeakable human rights violations which characterize today’s conflicts are transmitted live by the media”,² and, through wide diffusion and repetition, they risk generating a numbing familiarity and indifference. The international community, for its part, must feel a grave responsibility to act resolutely, renewing its political and juridical structures so as to limit and overcome, quickly, effectively and to the extent possible, the consequences of the current war-related crises.

III. Migration, Refugees and Displaced Persons

It is a bitter irony that the seventieth anniversary of the United Nations Organization is accompanied by an exodus of peoples which is the greatest seen since those caused by the Second World War. Entire populations are being displaced, as they flee from war, persecution, exploitation and poverty. These waves of migrations, sadly, are seen more in terms of the additional burden of unforeseen problems they cause for the countries of passage or arrival, than in terms of the tribute of human life paid by millions of innocent people.

Furthermore, as a response to such mass migrations, the fear of terrorism and other local problems, there has been a return to the practice of building walls and barriers between peoples. This is a sad example of inhumanity, a hasty and ineffective solution to security, and one which we thought the events of the late 1980s had definitively consigned to oblivion.

The Holy See, at the same time, urgently appeals to States to overcome every form of nationalistic self-interest and, above all, to recognize the unity of our human family, to have faith in the human person. Distant and more recent history teaches us that migrants, even in the most dramatic situations of displacement, have always made a positive contribution to their host countries; more importantly, however, these migrants are women and men who, by virtue of their humanity, possess *erga omnes* the universal right to life and to dignity.

² POPE FRANCIS, *Address to Participants of the Meeting Organized by the Pontifical Council “Cor Unum” on the Iraqi-Syrian Humanitarian Crisis*, 17 September 2015.

IV. Lines of Reflection and Commitment of the United Nations

Together with offering hospitality, the present dramatic situation urgently demands a commitment to address the causes which force peoples to flee, and thus to make real, effective and generous decisions in favour of peace and integral human development. The solemn commitment to implement the 2030 Agenda is more timely than ever and must be advanced with courage. At the same time, we must recognize that without peace between peoples and nations it will be impossible to implement the Agenda.

To this end, the Holy See would suggest four areas of reflection as its contribution to the necessary discernment. These are the “responsibility to protect”, respect for international law, disarmament and protection of the environment.

IV.1 Responsibility to Protect

“Responsibility to protect” and the “responsibility to observe the existing international law” are to be considered necessary instruments for discharging the immediate obligation to welcome exiles without putting up unjust barriers, for the universal enactment of the 2030 Agenda, and likewise for the protection of the environment.

The principle of a “responsibility to protect” all peoples from massive atrocities, instances of genocide, war crimes, ethnic cleansing and crimes against humanity is today recognized and accepted by all. This “responsibility”, as has been noted, first obliges national governments, and then the international community or regional groupings of states, but always in accordance with international law. Yet it is not always easy to carry out this duty in practice, not least because its observance often conflicts with a strict literal interpretation of the principle of non-intervention as sanctioned by Paragraph 7 of Article 2 of the Charter of the United Nations; there is also the suspicion, historically founded, that under the guise of humanitarian intervention, the principle of the sovereign equality of the members of the United Nations Organization, established in Paragraph 2 of the same Article of the Charter, is overridden.

Nonetheless, due to the unacceptable human costs of inaction, the search for effective juridical means for the practical application of this principle must be one of the most urgent central priorities of the United Nations. To this end, it would be most useful if the states present in this General Assembly, in the Security Council and in the other bodies of the United Nations, could discern clear and effective criteria for applying the principle, and for the corresponding integration of Chapter 7 of the Charter of the United Nations. Furthermore, drawing on the significant experience of the United Nations and various dependent Agencies in peacekeeping, peace-building and other humanitarian interventions, rapid and effective means should be found for implementing eventual decisions relative to the “responsibility to protect”.

The great goals and principles of the Preamble and of Article 1 of the Charter of the United Nations are a sure guide to the interpretation and application of all successive provisions of the Charter. Hence, the solemn duties of “saving succeeding generations from the scourge of war... and reaffirming faith in fundamental human rights, in the dignity and worth of the human person” (cf. *Charter of the United Nations*, Preamble), “promoting and encouraging respect for human rights and for fundamental freedom for all” (ibid., Article 1, Par. 3), not only justify the implementation of the “responsibility to protect”, but also bind the international community to find the means to do so. Otherwise, the great edifice of the Charter of the United Nations would be reduced to a mere tool for maintaining global equilibrium and for resolving controversies. This would betray not only those

who drafted the Charter, but also the millions of victims whose blood was shed in the great wars of the last century.

IV.2 Responsibility to Observe the Existing International Law

The second element, which today's conflicts – and the humanitarian crises caused by them – force us to consider, is what we can call “the responsibility to observe the existing law”, in response to global or regional crises. This requires, first of all, a genuine and transparent application of Article 2 of the Charter of the United Nations. The principle of non-intervention sanctioned in Paragraph 7 of that Article, together with Paragraphs 3 and 4, excludes all unilateral use of force against another member of the United Nations and demands full respect for governments which are lawfully constituted and recognized.

Article 2, however, cannot become an alibi for excusing gross violations of human rights. The seventy-year experience of the United Nations has amply demonstrated that grave violations of human dignity on the part of governments can be redressed and resolved peacefully by means of denunciation and persuasion on the part of civil society and governments themselves. Where gross violations of human rights persist, and further intervention is considered necessary, there is no other recourse than to apply those measures set forth in Chapters 6 and 7 of the Charter of the United Nations.

In addition, adherence to the Charter of the United Nations, as well as to the cardinal principle of international law – *pacta sunt servanda* – which is no tautology but rather the affirmation of the rule of law itself, has definitively banned concepts such as “preventive war”, and even more, attempts to redesign entire geographic areas and distribution of peoples under the pretext of a principle of security. At the same time, the most evident and reasonable understanding of Paragraph 4 of Article 2 of the Charter excludes any intervention of third party States in favour of one or another side in a situation of civil conflict.

A serious examination of conscience is needed to accept responsibility for the role that certain unilateral interventions have had in the humanitarian crisis which today causes so much hurt in our world. As Pope Francis recently stated, “...hard evidence is not lacking of the negative effects of military and political interventions which are not coordinated between members of the international community” (*Address to the United Nations Organization*). The current crisis, therefore, calls us to renewed efforts to apply the law in force and to develop new norms aimed also at combating the phenomenon of international terrorism in full respect for the law.

IV.3 Disarmament

Multilateral action for peace and collective security can be effectively advanced with the help of another instrument recognized by the Charter of the United Nations, and often taken into consideration in this Assembly: disarmament. Here too we find ourselves in an area of light and shadows, with the prevalence, unfortunately, of the latter. There is the telling example of the failure of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons this past May. In view of this impasse, it is all the more important that the international community and the individual States most involved clearly signal a real desire to pursue the shared objective of a world free of nuclear arms, “in full application of the Non-Proliferation Treaty, in letter and spirit, with the goal of a complete prohibition of the weapons” (*ibid.*).

As Pope Francis has noted in various fora, nuclear deterrence and the threat of mutually assured destruction are irreconcilable with, and contrary to, an ethics of fraternity and peaceful coexistence between peoples and between States. The nuclear arms race, and the arms race in general, with their expenditure of human and economic resources, are based, in the final analysis, on the denial of the human dignity of one's potential enemies, even to the denial of one's own dignity and survival. Consequently, the process aimed at a deeper understanding of the grave humanitarian effects of the use of weapons of mass destruction, and nuclear arms in particular, is not only to be encouraged, but also to be considered necessary.

With regard to the humanitarian dimension, the Anti-Personnel Mine Ban Convention and that on Cluster Munitions should also be mentioned. These are two instruments for disarmament and for adapting humanitarian law to the complexities of today's world; they aim at stigmatizing and banning these dreadful ordnances which have such a devastating and indiscriminate impact on civilian populations. The Holy See joins all those who work for an effective implementation of these instruments, in expressing the hope that they will soon be signed by States which have not yet done so.

The effective and full enactment of the principles of the Charter of the United Nations calls for replacing a mindset of rejection of others, of distrust and fear, with the ethic of responsibility. This, too, requires a reflection on the meaning of the concept of collective security, which has to do not only with war and military actions, but also with broader economic, financial, ethical, social and humanitarian dimensions.

IV.4 Climate Change

Looking ahead, we see another grave responsibility, both for the effective implementation of the 2030 Agenda and for peace itself. It is the hoped-for agreement on climate change to be adopted at the Paris Conference in December 2015. The climate is a global common good, a responsibility which each of us has, above all towards the most vulnerable groups of present and future generations. It is a responsibility which is necessarily transversal; it requires effective multilateral and interdisciplinary cooperation on the part of each, based on his or her own ability and characteristics, but united in facing the challenging question: "What kind of world do we want to leave to those who come after us, to children who are now growing up?" (*Laudato Si'*, 160).

The Paris Conference represents an important phase in the process of re-establishing a balance between global greenhouse gas emissions and the earth's capacity to absorb them. To this end, there is an urgent need to adopt a fair, transformational and legally binding global agreement. This would send a meaningful signal to the entire international community by promoting a rapid transition to a development marked by low carbon footprint, and by providing a powerful impetus to reinforcing the intrinsic linkage between two objectives: eradicating poverty and easing the effects of climate change. This linkage shows that the threat of climate change and our responses to it can become a promising opportunity to improve health, transportation, energy security and new opportunities for employment.

An effective accord on these issues, in addition to the important value they possess in and of themselves, can only contribute to the general agreements between States regarding integral human development, the responsibility to protect, peace, disarmament and respect for international law.

V. Conclusion

Mr President,

To acknowledge the limitations of the Charter of the United Nations with regard to new situations of crisis, or, sadly, before the evidence of the failure to observe its prescriptions, is not the same thing as stating or lamenting the failure of the Organization itself. These limitations are rather the inevitable shadows of the great framework of the first global project for peace and international cooperation, which has happily endured for seventy years, and are an incentive to full respect for the law in force and the promotion of greater trust and cooperation. The Holy See thus expresses the hope that this seventieth anniversary, marked by the solemn adoption of the 2030 Agenda, may be the beginning of a harmonious and ever fuller cooperation for the benefit of all humanity.

Pope Benedict XVI, in 2008, and Pope Paul VI, during his visit fifty years ago on the twentieth anniversary of the Organization, both pointed out that the United Nations is called “increasingly to serve as a sign of unity between States and an instrument of service to the entire human family”,³ and consequently, the Organization represents “the obligatory path of modern civilization and world peace”.⁴ The United Nations must therefore become a place where a true family of nations and peoples can meet and prosper, a place where all forms of war and unilateral intervention will be for ever prohibited, not only in words, but above all in the spirit and intentions of every governmental authority.

Thank you, Mr President.

³ POPE BENEDICT XVI, *Address to the United Nations Organization*, 18 April 2008.

⁴ POPE PAUL VI, *Address to the United Nations Organization*, 4 October 1965.