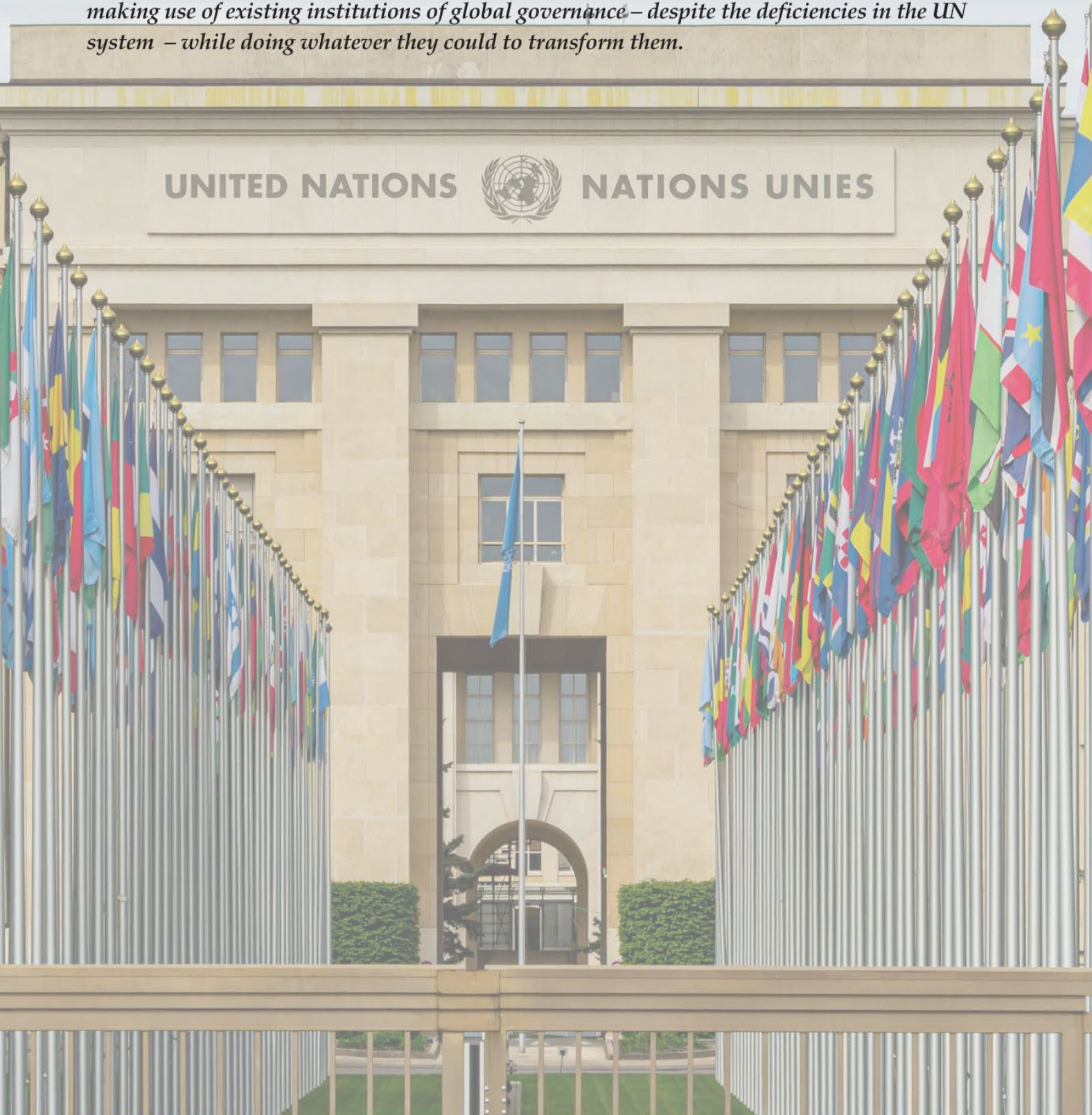


The UN has failed in its mission to secure global peace and defend global citizens

- By Moira Levy

On the opening night of the Institute for African Alternatives' (IFAA's) Living Rights Festival, speakers heaped praise upon South Africa for its intervention at the International Court of Justice (ICJ) over the UN's paralysis in the face of war crimes and crimes against humanity being waged in Gaza. MOIRA LEVY reports member states were urged to follow suit by making use of existing institutions of global governance – despite the deficiencies in the UN system – while doing whatever they could to transform them.



The Allee des Nations with the Flags of Member Countries at United Nations Office, Geneva, Switzerland
Source: Hugo Magalhaes, Pexel



The United Nations has clearly failed to uphold even the very first line of its founding Charter, which commits the nations of the world to “save succeeding generations from the scourge of war”, and has shown itself to be entirely ineffective against genocide in Gaza, civil war in Sudan and Congo, bloody assaults by Russia on its neighbour, Ukraine, and hostilities in the Middle East that raise the spectre of an inconceivably disastrous Third World War.

At a panel discussion on the opening night of IFAA’s community-driven Living Rights Festival, held in Cape Town in October and November 2024, speakers agreed that the UN has indisputably failed in its mission to secure global peace and laid the blame firmly at the door of the UN Security Council. The UN’s paralysis in the face of war crimes and crimes against humanity was, ironically, created by the UN Charter itself, in the veto power it gives to the five permanent members of the Security Council, effectively stymieing all attempts by the world body to drive global justice and redress.

The task of the international community was to follow South Africa’s example in its case at the ICJ and seek alternative routes to justice and redress through the multiple satellite and subsidiary bodies of the UN.

The discussion, titled “Sitting on the Precipice: Is There a Future for the United Nations?”, marked the launch of the Living Rights Festival, a unique collaboration of Cape Town artists, actors, poets, writers, scholars and activists in a call for justice, peace and human rights in response to escalating global conflicts and deepening humanitarian crises. Initiated by IFAA, it was held at the District Six Homecoming Centre in Cape Town on 24 October, a date selected for its symbolic value as it marked the 79th anniversary of the world body.

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The three-week community-led initiative, which ran until 10 December, Human Rights Day, at venues throughout Cape Town and the Cape Flats, aims to address the growing global violence and injustice that threatens the planet’s collective future and offers a programme of panel discussions and cultural interventions to confront injustice, advocate for essential freedoms, and inspire a new vision of global peace and dignity.

Panellists at the opening night lauded South Africa’s application against Israel at the ICJ as a significant innovation by a member state. The praise heaped on South Africa was not only for its daring to take on the military might of Israel and its allies, it was also in recognition of its ground-breaking decision to enter the international discourse through a side door, in this case the ICJ.

Panellist Amr Moussa, the former Secretary-General of the Arab League and a member of the Panel of the Wise of the African Union, said the international system itself has not failed, “what has failed is the system of the Security Council”.

“The permanent members have abandoned international law; they have abandoned their commitment and their leadership under the Charter. That the Security Council can veto the ceasefire resolutions while the war is going on and people are being killed and cities are being destroyed has set a very important and negative precedent in the history of the UN. This is a travesty of all that we have built.

“The South African initiative [in its application to the ICJ] has not only served international law but it has helped the system itself because it has shown that if the Security Council is paralysed we can resort to another principle organ of the UN.”

Zaheer Laher has been a member of South Africa’s foreign service for 28 years, including more than eight serving at SA’s Permanent Mission to the UN. He said SA’s use of the ICJ in defence of the people of Gaza was a masterstroke in the face of the UN’s paralysis and intransigence.

Coming in online from Addis Ababa where he was engaged in international peace initiatives, Laher said it was ultimately the result of the lobbying and pressure by South African civil society that decided the SA government to make use of the ICJ.



To address the shortcomings of the UN, the countries of the National Assembly, with the active participation and support of their citizens and civil society, have to work collectively, he said.

“No country can address the impact of climate change in isolation. The same is true of any global challenge we face. The question is how do we work together? Are the mechanisms that we have at our disposal today fit for purpose, are they credible and are they effective? The answer is they are not and are in need of fixing.

“Those who have power are reluctant to give it up Those who do not have power often also do not have the capacity and resources to get power. The efforts we are putting in, from civil society and those countries from the global south, like South Africa, are using the mechanisms that we have at our disposal to address these problems. We need to continue that and mobilise more countries to support these efforts.”

He reminded participants that for much of its existence the ICJ had been virtually moribund, only emerging once in the past in the case demanding South Africa end its illegal occupation of Namibia. “The ICC is as old as the UN ... and for a long time it has not been effective. However, we have found that utilising the mechanisms we have and strengthening our utilisation of those mechanisms can make them more effective.”

[Do] we bash the United Nations itself or do we bash the powerful nations that hold us back? – Kumi Naidoo.

This was echoed by the other panellists, including Kumi Naidoo, president of the Fossil Fuel-Non-Proliferation Treaty Initiative and former International Executive Director of Greenpeace International and Secretary General of Amnesty International. Applauding the initiative of the Living Rights Festival, he said “civil society must mobilise and find ways to push from below. Without pressure from citizens and national governments the international system will do nothing.”

He said the UN Security Council “is stuck in the geo-politics of the Second World War”. Drawing on his observations at the August 2024 meeting of Africans Rising for Justice, Peace and Dignity, held in Accra, Ghana, he said “in the African perception of the United Nations it is suffering a democratic deficit, a coherence deficit, a compliance deficit and ultimately an accountability deficit. The UN does not provide a democratic and coherent opportunity for small and medium developing nations. It was designed for wealthy nations which have multiple resources to service a very complicated global system.”

In terms of compliance, he said, “time and time and time again we have very nice-sounding commitments but there is no compliance by powerful nations to support the promises they make. We need to make a decision whether we bash the United Nations itself or do we bash the powerful nations that hold us back.”

Michael Lynk, former Special Rapporteur on the Palestinian Territories, was asked by discussion facilitator Usuf Chikte of the Palestine Solidarity Campaign to comment on the UN’s failure to halt the genocide in Gaza. “In my view the United Nations is both indispensable to, but also ineffective when it comes to resolving the question of Palestine. International law actually lays out most of the rules we need to combat genocide, human rights violations, the abuse by an occupying power of its rule over a subjugated people. But what international law needs in order to be effective is to be married with international political resolve and that’s what’s been missing in Palestine.”

He said as special rapporteur between 2016 and 2022, he found “the biggest hole in the heart of the international system is the question of accountability and the lack of challenge to impunity.”

Despite “all of the horrors in Gaza, we have seen the International Court of Justice say that Israel is committing genocide thanks to the application made by South Africa.

“We have also seen the International Court of Justice [in July 2024] say that the Israeli occupation is illegal, that Israel owes reparations, compensation and damages to the Palestinian people and that the occupation must end as rapidly as possible. Two months later in September [there was] a resolution passed overwhelmingly at the UN General Assembly saying that the occupation had to end within 12 months.

“The diplomatic clock is now ticking and that clock will ring its alarm in September 2025. All of us know that Israel will not obey the direction of the General Assembly or the advisory opinion coming from the International Court of Justice, which means that the UN will confront one of its biggest diplomatic crises ever with respect to forcing Israel to vacate the occupation.”

Referring to the precedent set when the UN demanded 50 years ago that South Africa end its illegal occupation of Namibia, he reminded the meeting that although the US, France and the UK vetoed that resolution the General Assembly, which he described as “the democratic expression of the international community,” voted to reject the credentials of the apartheid state, “effectively unseating it and it remained unseated for the next 20 years until democracy finally arrived in South Africa.



Zane Dangor, South Africa’s Director-General of the Department of International Relations and Cooperation, joins the discussion online, with panel facilitators, festival coordinator Nazeema Mahomed from IFAA and Prof Usuf Chikite from the Palestine Solidarity Campaign.

“We have a lot to learn about how international pressure both at the state level and at the popular level forced the UN to take decisive action against apartheid SA. The same lessons are at stake today.”

Zane Dangor, South Africa’s Director-General of the Department of International Relations and Cooperation (Dirco), said despite the deficiencies in the UN system, “the institutions of global governance remain important ... they are the only institutions we have to hold countries like Israel accountable. We need to use them and transform them at the same time.”

The three-week Living Rights Festival, initiated by IFAA and co-hosted by the Cape Cultural Collective, the Palestine Solidarity Campaign, Jazz in the Native Yards, the Desmond & Leah Tutu Legacy Foundation, the Institute for Social Development at the University of the Western Cape and a host of other organisations that responded to IFAA’s call to action, is a unique effort to stand up for justice, peace and human rights in response to escalating global conflicts and deepening humanitarian crises.

At the opening night, IFAA’s Acting Director Ari Sitas described the Festival as a “partnership of so many great initiatives, hundreds of volunteers, cartloads of friends and organisations and institutions that believe in solidarity and social justice.

“It speaks to our brain and our heart, it is about thoughtful and critical engagement. We will reflect about rights, in a world full of wrongs that is losing its moral compass, a world where once again might is right, where we have become a human abstract available to be collateral damage, to be targeted, to be drone-infested and to be bombed, violated and displaced.



“We are in the midst of a cluster of global crises that transgress borders and demand serious responses at the local and international levels. Our mission is to reflect on the increasing precarity of our planet and humanity, focusing on challenges such as the existential threat of climate change and global warming, murderous actions in Palestine and Sudan, the ongoing conflicts on this continent, the new phases of violent ‘extractivism’ for the great cell-phones we cherish, and the fact that the sea that hugs our northern coastline has become an aquamarine grave for multitudes of our continent’s people searching for a better life.

“We live in hope that the festival will generate learning, critical thinking, advocacy and cooperation.”

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