PREFACE

The world today is a very different place than it was when the UN Charter was adopted in 1945. In the intervening years, the main threat to international peace and security foreseen by the drafters of the Charter – attacks on states by other states – has receded, but the world can hardly be said to have become more peaceful or secure. Instead, new threats and potential threats to international peace and security have emerged, which, while no less serious, are not easy or possible to address within the existing legal framework or existing institutions.

These new threats include, but are not limited to, attacks on states by states, including the possibility of rogue states using weapons of mass destruction (WMD), the changing nature of warfare and methods and means of warfare, new types of armed conflict and chaotic situations which cannot easily be accommodated within the traditional framework of the law of armed conflict, new actors, including armed opposition groups, terrorists, and suicide bombers, who present challenges to the established system of international peace and security, which were not envisaged by the drafters of the UN Charter.

We can think, for example, of the challenges to states from *non-state actors*, such as multinational corporations, which cannot be controlled by one state. Their growing power represents challenges to the security of small states in particular, and to human rights norms.

Then, of course, there is *terrorism*, including the possibility of the use of WMD by terrorists, counter-terrorism, including in the context of the 'Global War on Terror', and related to this, the expansive new interpretations of traditional concepts such as self-defence (including anticipatory or pre-emptive self-defence), and a re-embracing of old ideas, such as unilateral self-help. We should not forget about the challenges to *human rights* in the post-September 11 environment, including the perceived conflict between human rights and state (and even international) security, or about global warming and other types of environmental degradation and destruction, as well as public health crises and their impact on peace and security.

The Third Annual *From Peace to Justice Conference* of the Hague Academic Coalition (HAC)*, held in April 2006 in The Hague, with the general theme 'Be-

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* See p. IX.

yond the UN Charter: Peace, Security and the Role of Justice', focused on current and emerging threats to international peace and security, which cannot easily or at all be addressed within the framework of the Charter. It aimed to identify some of the most urgent new non-traditional threats to international peace and security; and to examine whether, and to what extent, these can be addressed within the Charter framework, to discuss how the UN Organization could reform in order to address these threats that are no less serious than traditional ones, and finally to analyse the role of new international organizations in contributing to international peace, security and justice and their relationship with the United Nations, particularly the Security Council.

As usual, the Conference started with a plenary session, followed by workshops dealing with specific topics, the results of the workshop discussions being reverted to the plenary closing session.

In the three parts of this book the opinions and conclusions of the Conference concerning the main theme and the two sub-themes are brought together, each contributor addressing the subject-matter from his or her own angle.

Part One combines the four contributions from the plenary session, under the general theme of the conference. The keynote speech on the main theme of the Conference, delivered by Philippe Sands, University of London, is followed by chapters on the response to new threats to peace and security within the framework of the UN Charter, the role of the ICC in the emerging system of international justice, and on the reform of the Security Council.

The other two parts group together articles that deal with more specific topics. In Part Two, there are contributions on military intervention as a legitimate means in international law and international politics. They range from a discussion of the Comprehensive Nuclear-Test-Ban Treaty, international negotiations, multinational peace-support operations, the link between UN reform and the transformation of NATO, and the legitimation of military operations. The articles in Part Three deal with the re-establishment of peace and security after the genocide in Rwanda, and discuss topics as diverse as the role of the ICTR, the role of women, and the importance of Truth and Reconciliation Commissions.

As always, most contributions are in English, the others are in French.

The Hague, March 2008   Olivier RIBBELINK