



Global Force and the Balance of Power: Navigating Separation of Powers and Obligatory Jurisdictions for a Peaceful World

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ABSTRACT.

The invasion of Ukraine by Russia serves as a conspicuous display showcasing the limited efficacy and incapacity of International Organizations, such as the United Nations and the International Court of Justice, in providing adequate protection to weaker states against flagrant acts of invasion and intervention, as well as safeguarding the human rightsⁱ of individuals residing within those societies. Whenever instances arise involving the violation of human rights and encroachments upon sovereignty, International Organizations find themselves embroiled in contentious and controversial circumstances, unable to compel member states to comply with instructions and rulings. The subsequent discourse explores innovative solutions and remedies to address the distorted jurisdictional dynamics of international organizations, with the aim of fostering a more secure environment for weaker states and promoting equity and safety among members of the international community.

1. Introduction

The current global community is undergoing a continuous process of development, mirroring the gradual progression of human societies towards democratic models of governance. Globalization has not only intricately interconnected human interactions, but it has also profoundly influenced the communication methods employed by nations on the international stage. Thomas Hobbes introduced the notion of the State of Natureⁱⁱ, which depicts a societal state characterized by absolute disorder arising from the absence of any governing authority capable of guaranteeing harmonious coexistence and equal treatment. This primal state can be transcended through the establishment of a social contractⁱⁱⁱ among members of society, wherein they willingly cede a portion of their individual sovereignty to a chosen executive authority. This authoritative entity is bestowed with the power to administer the mechanisms of society and ensure the preservation of peace and equality. In the contemporary era of globalization, sovereign states worldwide are considered integral components of the international society^{iv}. Despite the concerted efforts of these states to move from a state of nature to establishing a social contract aimed at securing global peace and equality, the realization of this ambition remains significantly distant^v. Globally, the assemblage of nearly 200 nations embodies a societal framework akin to a state of nature, reminiscent of an internationally recognized entity, wherein the more powerful entities possess the capability to exploit the weaker ones at will. The international society, characterized by impurities, operates under the directives of an executive entity, akin to a theatrical production where developing nations are subjected to violations perpetrated by their more advanced counterparts, all while the security council lacks the means to exert control due to the presence of the veto power. Thus, the question emerges as to whether the existence of an international executive body with intangible authority over its member states serves as a mere farcical spectacle or rather functions as a tool for the powerful to deceive and subjugate the disadvantaged.

1.1 Current organizations are deemed to be destroyed in future^{vi}

International organizations serve as a guise employed by dominant nations to obfuscate their overt invasions, exploitative practices, and illicit endeavors within the framework of globalization and media. They leverage the notion of collective security and foster enhanced collaboration under the guise of a "New World Order." This strategy entails using the League of Nations and the Permanent Court of Justice as initial deceptive measures to initiate new wars and suppress any opposition. The United Nations and the International Court of Justice were subsequently established to replace these organizations^{vii}, ostensibly acknowledging the failures of their predecessors, as proclaimed by the victors of World War II. However, it raises questions regarding the efficacy of these organizations if they are unable to prevent states from invading others or effectively punish member states guilty of atrocities.

Ernest Gellner argues that the assimilation of an infant into any societal framework leads to its functional adaptation^{viii}. In a similar vein, major powers, faced with the shortcomings of the League of Nations and the post-World War II landscape characterized by the rise of new nations, decolonization, and

political upheavals, embarked on the formation of fresh international organizations. These entities were not only devised as escape routes for the major powers^{ix} but also strategically positioned themselves to pursue their own interests, while duping weaker and newly established states into believing that they would be protected under the auspices of these newly minted international institutions. Consequently, these fledgling nations succumbed to this deceitful allure, thus reinforcing Gellner's theory.

As an illustrative example, the atomic bombings in Japan, which resulted in the loss of thousands of innocent lives^x, can be perceived as war crimes from an international standpoint. However, due to the previous international organization being rendered obsolete by the victorious Allied forces and the subsequent establishment of a new entity (the United Nations), the focus shifted towards future prospects. Consequently, the atrocities committed by the Allied forces against the human rights of opposing countries cannot be called into question (forced labor of Germans after WWII^{xi}), as they fall outside the jurisdiction of an organization that lacks the authority to scrutinize past transgressions. In light of the UK's prolonged period of colonization, wherein it exploited the resources of colonized territories, inflicted widespread suffering through plagues and food shortages, can the establishment of the UN be regarded as a justification for these actions, considering that the UK was a prominent colonizer for several years following the organization's inception?

The efficacy of international organizations like the United Nations can be gauged by examining their efforts to prevent the United States from invading Vietnam, Iraq^{xii}, Syria, and Afghanistan. Moreover, the UN's inability to halt Russia's invasion of Ukraine raises^{xiii} further questions. Can the UN effectively intervene and address China's human rights violations in its eastern region? The above inquiries arise, casting doubt upon the legitimacy and efficacy of the United Nations. Moreover, it is noteworthy that dominant nations have consistently rejected the jurisdiction of the International Court of Justice (ICJ), selectively disregarding its decisions when they rule unfavorably. When the constituents of a community display apathy towards established regulations and fail to adhere to directives issued by the governing body, or when influential entities enforce strict compliance for others while evading^{xiv} their own obligations when subject to scrutiny, it signifies the manifestation of a society plagued by corruption. The eventual dissolution of existing international organizations is inevitable once major powers discern that these entities no longer align with their interests^{xv}. In the event of a genuine endeavor to establish a global community, it is imperative to implement requisite measures that are widely regarded as essential for a well-functioning society, such as democracy, freedom of expression, and egalitarianism.

1.2 Do World Wars fought to secure sovereignty or to rattle others

To ascertain the means of achieving worldwide and regional^{xvi} tranquility, a preliminary inquiry must be initiated to identify the factors that jeopardize both realms. Since the advent of contemporary nation-states, an enduring struggle has persisted among dominant powers, both within specific regions and globally, as they sought to assert their supremacy and exploit weaker counterparts, be it through colonization or indirect interventions^{xvii}. The relentless pursuit of power ultimately goaded superpowers into embarking on World War I, resulting in significant casualties on both sides^{xviii}, while failing to foster any enduring sense of regional or international harmony. Consequently, it becomes imperative to scrutinize the true driving force behind this conflict^{xix}—was the action driven by a yearning to safeguard the frontiers and autonomy of affiliated nations, or was it intended to ensure the intrinsic entitlements of the populace inhabiting the concerned states as a unified body, albeit in a distorted manifestation of the Responsibility to Protect (R2P)^{xx}? Indeed, the repercussions of warfare are not without consequences for humanity, manifested in the form of mass migrations and genocidal processes that inflict immense suffering upon individuals. Furthermore, following the cessation of hostilities, when the international community or dominant actors proceeded to partition and subjugate defeated nations, they perpetuated a cycle of exploitation and violations of human rights, exemplified by the Allies' actions in dividing the Ottoman Empire^{xxi}.

The establishment of the League of Nations, ostensibly designed to safeguard the interests of its member nations, regrettably revealed an unwillingness to promptly address emerging threats, as evidenced by the delayed response^{xxii} to the adversary regime's territorial expansionist endeavors. Such delays may be attributed to various geographical, cooperative, and command chain deficiencies. The deficiencies in international cooperation, combined with an inflexible focus on safeguarding human rights, ultimately precipitated another global conflagration, subjecting humanity to further agony. Weaker entities, subject to violations of their sovereignty and human rights, were exploited, while powerful forces partitioned the remnants of defeated nations. Subsequently, the United Nations emerged as a widely heralded global alliance capable of ensuring international peace; however, the reality contradicts this perception, as evidenced by documented events throughout its existence.

The question arises as to why the world fails to learn from its past experiences of forming alliances that incite conflicts, engender cold wars, and, ultimately, inflict great suffering upon humanity. The answer may lie in the fragility of the international society, a vulnerable community prone to the repetition of historical patterns.

2. New Global Government is deemed for Human Race

The precarious condition of the global community can be construed as a progressive transformation in which mankind has steadily advanced towards the establishment of democratic societies. This advancement has been instigated by a multitude of factors including demonstrations, conflicts, and the dissemination of divergent ideologies. Notably, historical events such as the Cold War, the Vietnam War, the Afghanistan theater, the War on Terrorism, and the recent escalation of tensions arising from the Russo-Ukraine war, along with the potentiality of China's incursion into Taiwan provoking the United States and its allies into initiating another large-scale conflict, all underscore the inexorable need for a fresh evolutionary process aimed at safeguarding the international order. The failure to initiate such a process may engender a situation where major powers engage in competitive endeavors to undermine one another's interests^{xxiii} or pursue their own objectives through ethically questionable means, thereby significantly destabilizing the global community in the immediate future.

2.1 Eliminating the Veto: Removing an Escapeway for Powerful Exploiters

The issue surrounding the establishment of a global community of nations arises when human rights violations occur among participating members or when national sovereignty is directly infringed upon. To foster equality, the initial course of action should involve the removal of the "veto" power from the United Nations charter. The presence of this veto power explicitly highlights the disparities within the international community, granting significant powers a means to evade accountability for acts of oppression or transgressions.

Efforts have been made by the United Nations in the past to prevent the obstruction of necessary measures aimed at safeguarding human rights by the Security Council's permanent members and their veto power. One such effort is the adoption of UNGA resolution 377^{xxiv}, more commonly referred to as "Uniting for Peace." However, the implementation of this resolution has revealed the limitations of the United Nations' jurisdiction and has underscored the dissatisfaction among the majority of its members regarding the dynamics surrounding the veto power.

During the 11th Emergency session of the United Nations, numerous resolutions were passed to address the atrocities committed by Russia. However, simply excluding Russia from the Human Rights Council^{xxv} and expressing solidarity through speeches directed at the Ukrainian people will not alleviate the immense suffering endured by the thousands of civilians and soldiers who have lost their lives. Nor will it alleviate the plight of the millions who have been displaced and forced to endure harsh conditions as refugees.

The Permanent Officer representing Ukraine at the United Nations has also expressed concerns about the Security Council's reluctance^{xxvi} and the international community's response to the human rights abuses in the Ukraine War. There is a growing sense of apprehension that this conflict may become another instance where the United Nations fails to respond effectively, reminiscent of the tragic events of the Rwanda^{xxvii} genocide, where the UN was unable to react promptly.

On the contrary, Russia has exhibited a dismissive attitude towards the pronouncements of the International Court of Justice (ICJ). Ever since its inception, the ICJ has diligently discharged its responsibilities^{xxviii} within the framework of the United Nations. Over the course of its existence, the court has presided over a multitude of cases and delivered authoritative verdicts. Nevertheless, the inclination of numerous nations to repudiate or disregard the court's judgments, particularly when they run counter to their own interests^{xxix}, underscores the perceived deficiencies of the organization in enforcing its decisions. This has attracted critical analysis from a variety of observers.

The efficacy of the ICJ rests upon the willingness of member states to adhere to its directives and rulings. Hence, it is of utmost importance to incorporate a mandatory provision in the UN Charter that obliges both new and existing member states to abide by the determinations of the ICJ, thereby eliminating any avenue for circumvention, whether through veto power or exemption from the ICJ's jurisdiction.

2.2 Enforcing the Compulsory Jurisdiction of International Organizations and their Subsidiaries

As individuals assimilate into the fabric of society, they relinquish a portion of their inherent authority and become obligated to abide by the regulations and statutes established within that society. According to Rousseau's theory of the social contract, the act of forming an association gives rise to a moral and collective entity composed of society's members^{xxx}. Each member possesses the right to vote, and no individual possesses rights that others do not have. Consequently, every member not only acquires the capacities of the entire collective but also adopts a rational mindset. Consequently, their actions are guided by principles rooted in reason, rather than being swayed solely by personal inclinations or interests.

At present, the international community has transcended the threshold of the social contract, and it is progressing towards a new phase. It is imperative to extend this principle to the international sphere, rather than persisting with the prevailing practice of selectively adhering to rules based solely on self-interest. To accomplish this, it is essential for all members of the United Nations to explicitly declare their voluntary acceptance of being bound by the decisions and regulations set forth by the international organization and its subsidiary bodies. By establishing this obligatory commitment to the UN Charter and its Subsidiaries, any potential avenues for major powers to evade accountability following violations of international law or abuses of power would be eliminated. Moreover, the illusory authority of veto would cease to serve as a mechanism for these powers to elude measures aimed at promoting equality and justice.

The argument often put forth by powerful nations that their national legislatures or executive branches may not accept the court's rulings holds little weight, as the decision to join the United Nations is made by the governing body through majority rule^{xxxi}. Consequently, following the rulings and decisions of the ICJ becomes an obligation that applies equally to the legislative and executive branches of a member state.

In the event that all member states willingly embrace the mandatory jurisdiction of the International Court of Justice (ICJ) and the United Nations (UN), alongside its subsidiary bodies, the inquiry arises regarding which entity should bear the responsibility of supervising the international community and ensuring global harmony. It is pertinent to note that Interpol's jurisdiction is confined to addressing individual matters pertaining to specific nations and aiding in the apprehension of wanted individuals within member states.

To guarantee an equitable and effective operation of international institutions, it is imperative to establish a comprehensive framework that delineates the allocation of powers among distinct global entities. It is crucial to adopt a universally recognized democratic structure that garners widespread acceptance worldwide. Accordingly, the United Nations General Assembly and Security Council should function as the two pillars of international governance. The International Court of Justice should assume the role of safeguarding human rights and national sovereignty. Furthermore, the deployment of a global

security force, such as "WorldGuard" or "Globforce," aimed at safeguarding the sovereignty of member states, ought to be dispatched to regions afflicted by conflicts and tensions, with the objective of reinstating peace and tranquility.

3. Global Force

Is there an amalgamation of forces^{xxxii} capable of upholding and ensuring worldwide tranquility through the imposition of deterrence? Certain Western scholars may direct their attention towards the North Atlantic Treaty Organization (NATO). NATO constitutes a coalition of prosperous nations encompassing the globe, unified in their collective efforts to counter any acts of rebellion targeting their member states. Essentially, this alliance proclaims that the sovereignty and prestige of its member states transcend those of any other nation across the world. If the constituents of this alliance willingly commit their financial resources, military personnel, armaments, and facilities to the affiliated military forces, the establishment of a global power entity becomes a feasible proposition. Nevertheless, NATO's conditional response solely in defense of its members reflects a lack of sensitivity and genuine commitment towards fostering global peace. The palpable absence of any meaningful response to Russia's incursion into Ukraine, coupled with the hesitancy to offer assistance to a nation that has been severely impacted by violations of its sovereignty and gross human rights abuses, serves as a stark reminder of the imperative need for a cohesive and united global entity. Accordingly, it is essential to question the rationale behind confining our attention solely to safeguarding the sovereignty of influential nations through the patronage of a wealthy clique. The evident shortcomings and disinclination demonstrated by NATO^{xxxiii} during the Russo-Ukrainian conflict only intensify the apprehensions about the potential consequences of a hypothetical Chinese invasion of Taiwan. The absence of a comprehensive deterrence mechanism within the international community leaves the Charter's provisions vulnerable to breaches, highlighting the critical necessity for a singular force that can effectively enforce international law upon its members^{xxxiv}. A global force, therefore, represents a viable proposition aimed at fostering international harmony and ensuring the security and redressal of weaker states in the face of maltreatment.

Numerous proposals have been put forth by distinguished scholars advocating for an international police force operating under the consensus of member states and governed by the United Nations. However, these proposals have been deemed impracticable^{xxxv} in light of the failures of international organizations such as the ICJ, ICC, and UN to effectively prevent numerous violations of charters and human rights abuses, in addition to the complex challenge of jurisdiction faced by these organizations due to contestation from member states. Therefore, it is imperative to devise a simplified framework that garners voluntary acceptance from a majority of member states regarding the jurisdiction and functioning of this new global force, in order to foster an environment conducive to peace.

As elucidated above, if the jurisdiction of the UN and its affiliated bodies were made obligatory for member states, it would eliminate the initial hurdle posed by jurisdictional matters for the establishment of a global force. There are numerous regions across different continents that harbor potential hotspots, which contribute to tensions between various regions and countries. Thus, the global force should be subdivided into continental blocs, strategically deployed in these hotspots to monitor and scrutinize instances of human rights abuses and violations of national sovereignty. In case of necessity, these forces can swiftly intervene to prevent any detrimental consequences resulting from insurgent conflicts.

Apart from instances where smaller states' sovereignty is jeopardized and powerful members of alliances may choose not to intervene due to conflicting interests, small regional or multi-lateral collective security agreements can sometimes lead to betrayal. The Western Betrayal^{xxxvi} during World War II serves as an illustration of this, wherein major powers betrayed smaller countries, prioritizing marginal benefits over safeguarding their sovereignties. To address this, it is crucial to shift the focus away from defending ideological perspectives such as the socialist-capitalist dichotomy upheld by NATO, and instead prioritize collective sovereignty and security without bias based on ideological, political, regional, or religious considerations.

3.1 Utilizing NATO's Organizational Apparatus as a Guiding Principle for the Global Force

If affluent coalitions perceive it as essential to preserve the NATO alliance, it would be prudent to integrate this institution into the structure of the United Nations, thereby establishing it as a subordinate entity. Consequently, every member state of the United Nations would automatically assume the role of a participant in the Global force, commonly known as NATO. This approach would not only resolve current frictions between the socialist Russia-China alliance and the capitalist Western coalition but also foster their convergence on a unified platform dedicated to protecting the sovereignty of all nations, regardless of their dimensions, developmental stage, or ideological inclinations.

The establishment of a worldwide military force necessitates the implementation of a comprehensive hierarchical structure, procedural framework, and legislative system, drawing inspiration from the organizational framework^{xxxvii} employed by the North Atlantic Council, Allied Common Operations, and NATO parliamentary assembly within the NATO alliance. The supervision of this force is subject to differing perspectives held by distinct entities. If the global force were to come under the direct authority of the United Nations, certain limitations could arise due to the influence of the Security Council and its veto power, potentially hindering the impartial actions of this force. However, granting the force separate and unanimous representation could lead to reluctance from various United Nations member states to participate in this association. Hence, if the force is placed under the jurisdiction of the UN, it should be exempt from the accountability of the permanent members of the Security Council, and the exercise of veto power should not extend to the actions or initiatives undertaken by the global force. Additionally, the global force will engage in direct intervention if deemed necessary by its governing committee or upon formal request for intervention from one or all of the insurgent states involved in the conflict.

The sole remedy for the global unease lies in the concept of universal collective security^{xxxviii}. By deterring any authoritative entity that wields dominion over potent forces and transgresses the established norms of international law through direct or indirect encroachments upon other sovereign states, be it through annexation or orchestrated regime changes, the prevention of such actions will be ensured, leading to the eradication of human rights violations.

4. Preserving the Balance: The Resolute Separation of Powers in Global Governance.

The inadequacy of international organizations primarily stems from an inadequately structured system of separation of powers^{xxxix}. Currently, the delineation of powers between the two primary entities of the United Nations exhibits a lack of substantial disparity, with the Security Council exhibiting a disproportionately enhanced level of authority in comparison to the General Assembly. This arrangement consequently engenders a protective shield around the Security Council, shielding it from being held accountable. In the context of fostering enduring global tranquility, it is vital to establish a resilient system of checks and balances at the international level. Thus, it becomes crucial to augment the existing governmental framework of international organizations, encompassing executive, legislative, and judicial branches, with distinct and well-defined separations of powers. The current configuration of international governance comprises the Security Council, United Nations General Assembly, and International Court of Justice, which can serve as the backbone for implementing a rigorous system of separation of powers.

4.1 Executive

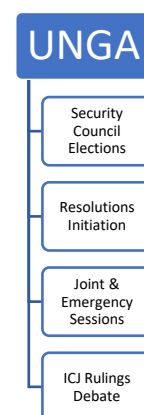
The Security Council (SC) currently operates as the executive body of the most influential international organization in the modern world. However, certain deficiencies in its organizational structure have rendered it ineffective in situations that demand swift action and pragmatic measures. The presence of permanent members and the veto power they possess serve as the primary impediments, perpetuating the notion that the interests of these five permanent members^{xl} take precedence over those of the remaining 200 countries^{xli}. In order to rectify this inequality, it is imperative to abolish permanent membership and grant eligibility to all countries for holding positions within the Council.

To accomplish this objective, it is imperative to conduct regular elections in the General Assembly at intervals of 2 to 3 years, adhering to the existing procedural method outlined in Article 18 and 23 of the United Nations (UN) charter for the selection of Security Council members. This approach would effectively mitigate the dominance exerted by major powers. As the governing body, the Security Council wields the prerogative to enact budgets and resolutions proposed by the General Assembly, as well as the authority to admit new members to the United Nations or suspend existing memberships based on recommendations put forth by the General Assembly (as stipulated in Chapter V, Article 27, and Chapter VII, Articles 41 and 42 of the UN Charter). Without the majority ruling of the Security Council, no missions or initiatives can be undertaken.

The **global force** operates directly under the jurisdiction of the Security Council, operating in strict accordance with its directives. This authority is granted under Chapter VII of the UN Charter and is commonly referred to as "**peace enforcement**." Furthermore, the inclusion of judges in the International Court of Justice (ICJ) can only commence with the explicit consent of the Security Council, thereby ensuring diligent oversight of the ICJ's activities. By designating the Security Council as the executive body, it is endowed with an expanded jurisdiction, empowering it to proactively prevent future conflicts, safeguard the sovereignty of member states, and address human rights violations within its purview (as described in Chapter V, Article 24(1) of the UN Charter).

4.2 Legislature

The United Nations General Assembly shall persist in its existing role as the legislative organ. The composition of the Security Council comprises individuals elected from among the members of this assembly, as stated in Chapter V, Article 23 of the UN Charter, thereby establishing a mechanism to maintain checks and balances. All proposed legislation and resolutions shall undergo thorough deliberation and receive approval within the assembly, with any modifications to the charter addressing present-day requirements being subjected to a majority vote in accordance with Articles 9, 10, 11, and 12. While the Security Council holds the final decision-making power, any rejection must be accompanied by substantive justifications and suggestions for rectification. The International Court of Justice's judgments can be subject to debate during assembly sessions, and the assembly may request a review of a specific ruling through a majority vote. In the event of an emergency, the Secretary General is empowered to convene emergency sessions of the assembly. Joint sessions between the Security Council and the General Assembly may be convened to ensure swift responses to humanitarian crises or flagrant violations of the charter. Subsidiary bodies of the United Nations operate directly under the purview of the legislative branch as described in Chapter X, particularly Article 57 of the UN Charter, and the appointment of agency heads and the establishment of new missions must receive approval from the assembly, establishing a clear hierarchy of authority within international organizations.



4.3 Judiciary

Despite its limited jurisdiction compared to other United Nations entities, the International Court of Justice (ICJ) showcases its credibility and efficiency through pragmatic rulings against charter violations, free from the influence of major powers. By acquiring compulsory jurisdiction^{xlii}, the International Court of Justice (ICJ) has the potential to become a pivotal institution in the realm of international governance, as articulated in Article 36(2) of the ICJ Statute. Regrettably, certain influential nations have disregarded the authority of this institution whenever its rulings have conflicted with their own interests. Nevertheless, given their membership in the United Nations, these nations should be obligated to submit themselves to the jurisdiction of this judicial framework. The preceding paragraph underscores the methods employed for the selection of judges.

The process of appointing judges to the ICJ involves the active participation of the General Assembly. During scheduled elections, both the General Assembly and the Security Council cast their votes to fill vacant positions within the Court.

While the judgments of the ICJ carry binding force for the parties involved, including member states of the United Nations, the enforcement of these judgments is not automatic. The ICJ lacks an independent enforcement mechanism and relies on the cooperative compliance of the parties with its decisions.

The ICJ possesses the competence to handle cases initiated directly by one or multiple nation states. Its rulings possess binding authority and can be enforced through the executive powers vested in the Security Council. Moreover, the ICJ has the mandate to conduct judicial reviews of actions undertaken by the General Assembly or the Security Council, should such actions be found to be inconsistent with the provisions of the charter or international law. In this manner, the ICJ assumes a role in the development and elucidation of international law. Furthermore, if members of the Security Council or the General Assembly bring forward a case involving one or multiple states, regardless of the inclusivity of the matter, the ICJ possesses the jurisdiction to proceed with the hearings and issue its rulings. As stipulated in the current charter, the ICJ is also empowered to provide advisory opinions. Consequently, the ICJ assumes the dual role of being the exclusive guardian of the charter and a judicial arbiter.



4.4 Points Open to Debate

The examination of the aforementioned framework concerning the separation of powers gives rise to various contentious aspects. Such points of contention encompass the selection process for members of the security council, the procedure for amending the charter^{xliii}, the judicial review of the International Court of Justice, and the utilization of global force. These elements necessitate a comprehensive and thorough approach, devoid of the influence exerted by powerful nations, in order to effectively disseminate international peace within the global community. This is particularly crucial in light of the revolutionary and intricate nature of international interactions among states and various entities brought about by the process of globalization^{xliiv}. Given these deliberations, the establishment of an international government becomes an imperative measure for fostering international peace and safeguarding the fundamental human rights of all individuals inhabiting the Earth.

5. Conclusion

In order to foster a society characterized by equality, non-interference, safeguarded sovereignty, and assured reparations for damages caused by fellow members, a comprehensive examination of the aforementioned remedies is imperative. However, the realization of such a society hinge upon the indispensable jurisdiction of the United Nations, the International Court of Justice, and the establishment of a global entity endowed with the responsibility to uphold law and order within the international community. This entity should possess substantial authority and accessibility to effectively counteract any potential threats, abuses, or violations of human rights.

Central to the notion of equality is the fundamental principle that all members within a community possess an equal standing, devoid of any prioritization of one member's interests over another's sovereignty. This concept necessitates the elimination of escape mechanisms for influential entities, such as the veto power wielded in the Security Council, and emphasizes the obligatory jurisdiction and compliance of all state members with international organizations. Failure to adhere to these principles would perpetuate a distressing cycle of heinous crimes against humanity and interventions into the sovereignty of members, particularly when powerful entities perceive a misalignment with their own interests.

Declaration of generative AI and AI-assisted technologies in the writing process

During the preparation of this work the author(s) used "Chat GPT" in order to enhance readability. After using this tool/service, the author(s) reviewed and edited the content as needed and take(s) full responsibility for the content of the publication.

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- ^{xliii} Apart from the discussions about the viability of amending the Charter through recourse to 'informal' venues, i.e., basically practice, or subsidiarily to the law of treaties (Vienna Convention on the Law of Treaties, 23 May 1969, Arts 39-41, 1155 UNTS 331, 341-342 [VCLT]). See also G. Witschel, 'Article 108', in B. Simma et al. (eds), *The Charter of the United Nations: A Commentary*, Vol. II, 3rd ed. (2012), 2199, 2204-2205, paras 8-11), it is clear that any institutional change to the principal organs, as well as any reform "affecting the institutional balance within the UN" (Rensmann, *supra* note 4, 30, para. 13, with further references) would require a formal amendment according to Arts 108 & 109 UN Charter.
- ^{xliv} 2005 World Summit Outcome, General assembly resolution a/rEs/60/1, 24 October 2005, para. 71