



Women in Black

London

**Women in Black London, C/o The Maypole Fund
PO Box 14072
London N16 5WB**

17 September, 2009

Dear Mr. Ban-Ki Moon,

I am a member of the London branch of an international network called Women in Black against War. We hold regular weekly vigils in a central London location, opposing militarism and war. Recently we organized a day's workshop on contemporary conflicts. Two issues concerning the war in Afghanistan were highlighted in the discussion, raising questions to which we find it difficult to respond. We are writing therefore to ask you for clarification.

The first issue concerns the nature of the relationship between the United Nations and the North Atlantic Treaty Organization. In September 2008, you met NATO Secretary General Jaap de Hoop Scheffer in order to sign a UN-NATO Joint Declaration of Co-operation. The Declaration spoke of 'effective and efficient coordination between our Organizations', and continued, 'Further cooperation will significantly contribute to addressing the threats and challenges to which the international community is called upon to respond. We therefore underscore the importance of establishing a framework for consultation and dialogue and cooperation, including, as appropriate, through regular exchanges and dialogue at senior and working levels on political and operational issues. We also reaffirm our willingness to provide, within our respective mandates and capabilities, assistance to regional and sub-regional organizations, as requested and as appropriate'.¹ This Declaration appears to ratify as a permanent policy the partnership between the UN and NATO initiated in 2001 when NATO's International Security Assistance Force (ISAF) was given a peace enforcement mandate under Chapter VII of the UN Charter.

Given the very different nature and purpose of the UN and NATO, this initiative profoundly disturbs many of our members. And we are not alone. For example, the Transnational Foundation for Peace and Future Research comment that you, as Secretary General of the UN, and the NATO Secretary General, seemed to sign this Declaration as 'partners of equal standing'. They ask, 'Given the special status NATO now acquires through this Agreement, how likely is it that the UN Secretary General and the Security Council – where 3 of the 5 permanent seats are held by NATO members – will (a) be able to uphold the necessary distinctions between NATO actions and UN actions? (b) bring up possible future breaches of international law by NATO? and (c) be able, as UN members, to work credibly for general and complete disarmament and nuclear abolition?'² We would very much

¹ 'Joint Declaration on UN/NATO Secretariat Co-operation'. <<http://www.nato.int/docu/update/2007/01-january/e0124a.html>>

² The Transnational Foundation for Peace and Future Research (TFF). Commentary on the 'Joint Declaration on UN/NATO Secretariat Co-operation', 3 December 2008. <<http://www.transnational.org/>>

appreciate your own answer to these important questions raised by the Transnational Foundation.

The second issue follows from the first. In 1945 the winning parties of World War II united to create the United Nations in the hope of bringing peace to the world. The partnership the UN is cementing with NATO appears to run counter to that hope. A French lawyer, Roland Weyl, member of the International Association of Democratic Lawyers, has tellingly compared the UN Charter with the fourteen articles of the NATO treaty signed four years later.³ He finds five major discrepancies.

First: Article 52 of the UN charter provides for the creation of «regional alliances» but only in order to foster peace. NATO is a military alliance, and its ISAF is fighting a war in Afghanistan. Second: as a guarantee for peace, the members of the Security Council would represent both the rich «North» and the disadvantaged «South». The Atlantic Treaty comprises only the «North». Third: the Charter recognizes the right to defence of a country only in response to direct armed aggression. Afghanistan has not threatened or attacked a NATO country or UN member state. Fourth: the UN Charter states that all nations have the right to political independence. Which means that interfering, as NATO has done, in a country's «internal affairs» is illegal. Fifth: contrary to the possible alliances outlined in the Charter, NATO does not cover a region. Western Europe would be a region, or Central Europe or North America. An area reaching from Rome to San Francisco, with the inclusion of Italy, Romania and, possibly, Ukraine, cannot be said to be 'Atlantic'. Indeed NATO's new Strategic Plan seems to envisage a worldwide reach for NATO. In short, NATO exists in stark contradiction to the drive for peace expressed in the establishment of the United Nations after World War II, and in its Charter, a dream that is still alive in so many people.

We would very much appreciate your help therefore in clarifying the justification for the partnership with NATO that the United Nations has signed up to under your leadership, and for the activation of that partnership in a deadly eight-year war in Afghanistan, so that we can be in a better position to inform our members and those of the public that engage with Women in Black in the course of our weekly vigils.

Yours faithfully,

Cynthia Cockburn, for Women in Black, London branch.

To: The Secretary General of the United Nations, Mr. Ban Ki-Moon,
EOSG, The United Nations,
New York, USA.

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³ 'L'OTAN et la légalité internationale', A4 paper published by Droit-Solidarité, series of the Association Internationale des Juristes Démocrates, Paris. 19 November 1999. Commentary by Roland Weyl on the Charter for European Security of the Organization for Security and Cooperation in Europe, Istanbul, November 1999, and the North Atlantic Treaty.