



«The Fullerton Roundtable»

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« IDEA AND POLITICS OF GLOBAL JUSTICE »

Fullerton Hotel Singapore

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A quarter century ago, upon the end of the bipolar power struggle of the Cold War, expectations were high for a new era of peace and justice – a “new world order” where the rule of law between states would ultimately prevail as envisaged in the UN Charter. These were the years when the 19th century idea of humanitarian intervention was revived, the principle of universal jurisdiction was drafted into domestic law, the Rome Statute of the ICC was negotiated, and ad hoc tribunals, whether international or hybrid, were established as part of measures to preserve or restore international peace and security.

At the same time, the sudden absence of a balance of power encouraged large-scale use of force – whether authorized by the UN or not – by so-called “coalitions of the willing,” operations for which accountability has almost exclusively been limited to low-level soldiers, while high-ranking commanders and

the political architects of these interventions have remained untouched. Mainly those defeated in conflict could be held to account as famously, albeit implicitly, admitted by Carla Del Ponte, Prosecutor of the Yugoslavia Tribunal, in her memoir.

The problems and pitfalls of international criminal justice under these and the newly emerging global conditions – where national interests increasingly trump international law – will be the focus of a roundtable meeting in Singapore that follows consultations in Vienna (“*Responsibility in International Relations*,” 2023) and Istanbul (“*Sovereignty and Coercion: The United Nations in the Web of Power Politics*” 2024), and the earlier I.P.O. monitoring mission at the *Scottish Court in the Netherlands* (2000-2002).

The meeting will, *inter alia*, discuss the following questions:

- o How can an international court, whether permanent or not, operate under conditions of constant pressure and interference by powerful states, in particular non-state parties – unilateral sanctions, more than once enacted against officials of the ICC, are a case in point – and how can instrumentalization of international courts in the context of domestic power struggles be avoided?
- o How to evaluate the competence and role of the UN Security Council as creator of ad hoc tribunals on the basis of its (executive) authority under Chapter VII of the UN Charter? What are the lessons from the Yugoslavia and Rwanda Tribunals?
- o What is the purpose and legitimacy of international criminal justice if – amid the double standards of global realpolitik – it risks being practiced in a way that all too often resembles victor’s justice?
- o How can states credibly implement the ideal of “universal jurisdiction” in an environment of power politics where they may be subjected to pressure by influential actors not to proceed with a prosecution?
- o In what sense can one speak of “international rule of law” and “international criminal justice” as long as the system of relations among sovereign states, embodied by the United Nations, lacks any credible provisions of a constitutional separation of powers?
- o How to deal with a situation where the prohibition of the use of force cannot be enforced against its enforcers (the dilemma of the UN, due to the provisions of Article 27[3] of the Charter)?

- o Will a potentially emerging Schmittian "Pluriversum" of spheres of influence of the great powers erode, and eventually make obsolete, the "Universum" of values and norms shared by all states by virtue of their "sovereign equality," enshrined in the UN Charter? What would this imply for the idea of "global justice"? Will, in such a context, peace ultimately not be rooted in justice, but depend on a volatile, constantly fluctuating balance of power between the great players, on the basis of the maxim: *si vis pacem, para bellum* ("peace through strength"), irrespective of the norms of "international law"?
- o What will be the implications for the UN-based order – and the international rule of law in general – of the assembling of a "coalition of willing States committed to practical cooperation and effective action," as announced in the Preamble to the *Charter of the Board of Peace* (2026) that was promulgated by the President of the United States following Security Council resolution 2803 (2025) (adopted on 17 November 2025 without a single dissenting vote)?

What can be the meaning of "global justice" under conditions where the major players feel emboldened to impose their will according to a rationale reminiscent of the era of the Peloponnesian War – "right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must" (Thucydides)?

Searching for answers to this question will be the central challenge facing participants in this interdisciplinary roundtable meeting of the International Progress Organization in Singapore, who come from all corners of the globe.

The deliberations will conclude with a special event at the Raffles Hotel featuring a talk by Professor Walter Woon, S.C., former Attorney-General of Singapore and Chairman of the Society of International Law Singapore, on "Remembrance and Reconciliation: The Danger of Historical Amnesia."

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INTERNATIONAL PROGRESS ORGANIZATION

Non-governmental organization in consultative status with the United Nations (ECOSOC)

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