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## Essay: THE UNITED NATIONS

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The need to keep the world safe and a better place for the continuous existence of humanity cannot be overemphasized. This responsibility is the main focus for the formation and establishment of the UN.

#### 2. 1. HISTORICAL BACKGROUND OF THE UNITED NATION:

In 1899, an International Peace Conference was held in The Hague to elaborate instruments for settling crises peacefully, preventing wars and codifying rules of warfare. It adopted the Convention for the Pacific Settlement of International Disputes and established the Permanent Court of Arbitration, which began work in 1902.

The forerunner of the United Nations was the League of Nations, an organization conceived in similar circumstances during the First World War, and established in 1919 under the Treaty of Versailles "to promote international cooperation and to achieve peace and security." The International Labour Organization was also created under the Treaty of Versailles as an affiliated agency of the League. The League of Nations ceased its activities after failing to prevent the Second World War.

On the twelfth of that June 1941 the representatives of Great Britain, Canada, Australia, New Zealand and the Union of South Africa and of the exiled governments of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, Yugoslavia and of General de Gaulle of France, met at the ancient St. James's Palace and signed a declaration. These sentences from this declaration still serve as the watchwords of peace:

"The only true basis of enduring peace is the willing cooperation of free peoples in a world in which, relieved of the menace of aggression, all may enjoy economic and social security; It is our intention to work together, and with other free peoples, both in war and peace, to this end."

On New Year's Day 1942, President Roosevelt, Prime Minister Churchill, Maxim Litvinov, of the USSR, and T. V. Soong, of China, signed a short document which later came to be known as the United Nations Declaration and the next day the representatives of twenty-two other nations added their signatures. This important document pledged the signatory governments to the maximum war effort and bound them against making a separate peace. The complete alliance thus effected was in the light of the principles of the Atlantic Charter, and the first clause of the United Nations Declaration reads that the signatory nations had:

". . .subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter" .

The name "United Nations" was coined and used by United States President Franklin D. Roosevelt during the Declaration by United Nations of 1st January 1942, during the Second World War, when representatives of 26 nations pledged their Governments to continue fighting together against the Axis Powers.

Thus by 1943 all the principal Allied nations were committed to outright victory and, thereafter, to an attempt to create a world in which

"....men in all lands may live out their lives in freedom from fear and want."

But the basis for a world organization had yet to be defined, and such a definition came at the meeting of the Foreign Ministers of Great Britain, the United States and the Soviet Union in October 1943. On October 30, the Moscow Declaration was signed by Vyaches Molotov, Anthony Eden, Cordell Hull and Foo Ping Shen, the Chinese Ambassador to the Soviet Union. The Declaration pledged further joint action in dealing with the enemies' surrender .

In December, two months after the four-power Declaration, Roosevelt, Stalin and Churchill, meeting for the first time at Teheran, the capital of Iran, declared that they had worked out concerted plans for final victory. As to peace, the Declaration read:

"We are sure that our concord will win an enduring peace. We recognize fully the supreme responsibility resting upon us and all the United Nations to make a peace which will command the goodwill of the overwhelming mass of the peoples of the world and banish the scourge and terror of war for many generations."

The principles of the world organization-to-be were thus laid down. But it is a long step from defining the principles and purpose of such a body to setting up the structure. In order to draft a blueprint that will be

acceptable by many nations, representatives of China, Great Britain, the USSR and the United States met at Dumbarton Oaks, in Washington, D. C. The discussions were completed on October 7, 1944, and a proposal for the structure of the world organization was submitted by the four powers to all the United Nations governments and to the peoples of all countries for their study and discussion .

The Dumbarton Oaks proposals:

Four principal bodies were to constitute the organization to be known as the United Nations.

- i. There was to be a General Assembly composed of all the members.
- ii. Then a Security Council of eleven members. Five of these were to be permanent and the other six were to be chosen from the remaining members by the General Assembly to hold office for two years.
- iii. Establishment of an International Court of Justice.
- iv. A Secretariat.

An Economic and Social Council, working under the authority of the General Assembly, was also provided for. The essence of the plan was that responsibility for preventing future war should be conferred upon the Security Council. The General Assembly could study, discuss and make recommendations in order to promote international cooperation and adjust situations likely to impair welfare. It could consider problems of cooperation in maintaining peace and security, and disarmament, in their general principles. But it could not make recommendations on any matter being considered by the Security Council, and all questions on which action was necessary had to be referred to the Security Council.

The actual method of voting in the Security Council was left open at Dumbarton Oaks for future discussion. The issue with regards to the voting procedure in the Security Council was resolved at Yalta in the Crimea where Churchill, Roosevelt and Stalin, together with their foreign ministers and chiefs of staff, met in a conference. Another important feature of the Dumbarton Oaks plan was that member states were to place armed forces at the disposal of the Security Council in its task of preventing war and suppressing acts of aggression. The absence of such force, it was generally agreed, had been a fatal weakness in the older League of Nations machinery for preserving peace. The Dumbarton Oaks proposals were fully discussed throughout the Allied countries.

Three years later, when preparations were being made for the San Francisco Conference, only those states which had, by March 1945, declared war on Germany and Japan and subscribed to the United Nations Declaration, were invited to take part.

The San Francisco Conference:

Forty-six nations, including the four sponsors, were originally invited to the San Francisco Conference: nations which had declared war on Germany and Japan and had subscribed to the United Nations Declaration. The Conference Hall in San Francisco One of these, Poland, did not attend because the composition of her new government was not announced until too late for the conference. Therefore, a space was left for the signature of Poland, one of the original signatories of the United Nations Declaration. At the time of the conference there was no generally recognized Polish Government, but on June 28, such a government was announced and on October 15, 1945 Poland signed the Charter, thus becoming one of the original Members. The conference itself invited four other states — the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, newly-liberated Denmark and Argentina. Thus delegates of fifty nations in all, gathered at the City of the Golden Gate, representatives of over eighty per cent of the world's population, people of every race, religion and continent; all determined to set up an organization which would preserve

peace and help build a better world. They had before them the Dumbarton Oaks proposals as the agenda for the conference and, working on this basis, they had to produce a Charter acceptable to all the countries.

There were many serious clashes of opinion, divergences of outlook and even a crisis or two, during which some observers feared that the conference might adjourn without an agreement. There was the question, for example, of the status of "regional organizations." Many countries had their own arrangements for regional defence and mutual assistance. There was for example the Inter-American System and the Arab League. The conference decided to give them part in peaceful settlement and also, in certain circumstances, in enforcement measures, provided that the aims and acts of these groups accorded with the aims and purposes of the United Nations .

On the issue of Treaties and Trusteeship the conference agreed that treaties made after the formation of the United Nations should be registered with the Secretariat and published by it.

The conference added a whole new chapter on the subject not covered by the Dumbarton Oaks proposals: proposals creating a system for territories placed under United Nations trusteeship. It was recommended that the promotion of the progressive development of the peoples of trust territories should be directed toward "independence or self-government."

There was also considerable debate on the jurisdiction of the International Court of Justice and the conference decided that member nations would not be compelled to accept the Court's jurisdiction but might voluntarily declare their acceptance of compulsory jurisdiction.

The right of each of the "Big Five" to exercise a "veto" on action by the powerful Security Council provoked long and heated debate. There was a genuine but unfounded cause of worry by smaller powers that when one of the "Big Five" menaced the peace, the Security Council would be powerless to act, while in the event of a clash between two powers not permanent members of the Security Council, the "Big Five" could act arbitrarily. They strove therefore to have the power of the "veto" reduced. But the great powers unanimously insisted on this provision as vital, and emphasized that the main responsibility for maintaining world peace would fall most heavily on them. Eventually the smaller powers conceded the point in the interest of setting up the world organization. This and other vital issues were resolved only because every nation was determined to set up, if not the perfect international organization, at least the best that could possibly be made .

United Nations did not come into existence at the signing of the Charter. In many countries the Charter had to be approved by their congresses or parliaments. It was provided that the Charter would come into force when the Governments of China, France, Great Britain, the Soviet Union and the United States and a majority of the other signatory states had ratified it and deposited notification to this effect with the State Department of the United States. On October 24, 1945, this condition was fulfilled and the United Nations came into existence.

## 1.2 ORGANS OF THE U.N.:

There are basically six organs of the U.N. These are:

### i. The General Assembly:

The General Assembly is the main deliberative organ of the United Nations and includes all its Members. It may discuss any matter arising under the UN Charter and make recommendations to UN Members (except on disputes or situations which are being considered by the Security Council). In the Assembly, each nation, large or small, has one vote and important decisions are taken by a two-thirds majority vote. The Assembly meets every year from September to December. Special sessions may be summoned by the Assembly, at the

request of the Security Council, or at the request of a majority of UN Members.

The work of the General Assembly is also carried out by its six main committees, the Human Rights Council, other subsidiary bodies and the UN Secretariat.

#### ii. The Security Council:

The Security Council has primary responsibility under the Charter for maintaining peace and security. It can be convened at any time, whenever peace is threatened. Member States are obligated to carry out its decisions. When a threat to peace is brought before the Council, it usually first asks the parties to reach agreement by peaceful means. If fighting breaks out, the Council tries to secure a ceasefire. It may then send peacekeeping missions to troubled areas or call for economic sanctions and embargoes to restore peace. The Council has 15 members, including five permanent members: China, France, the Russian Federation, the United Kingdom and the United States of America. The other 10 are elected by the General Assembly on the basis of geographical representation for two-year terms. Decisions require nine votes; except on procedural questions, a decision cannot be taken if there is a negative vote by a permanent member (known as the "veto"). The Council also makes recommendations to the General Assembly on the appointment of a new Secretary-General and on the admission of new members to the UN. Over the years and in recent time, there have been clamours by many countries for the expansion of the membership of the Council to include new permanent and non-permanent members.

#### iii. The Economic and Social Council:

The Economic and Social Council (ECOSOC) is the central body for coordinating the economic and social work of the United Nations and the UN family of organizations. It has 54 member nations elected from all regions. As much as 70 per cent of the work of the UN system is devoted to promoting higher standards of living, full employment, and conditions of economic and social progress and development. The Council recommends and directs activities aimed at promoting economic growth of developing countries, supporting human rights and fostering world cooperation to fight poverty and under-development. To meet specific needs, the General Assembly has set up a number of specialized agencies, such as the Food and Agriculture Organization of the United Nations (FAO), the World Health Organization (WHO) and the UN Educational, Scientific and Cultural Organization (UNESCO) and programmes such as the UN Development Programme (UNDP), the UN Children's Fund (UNICEF) and the Office of the UN High Commissioner for Refugees (UNHCR). The work of these agencies and programmes is coordinated by ECOSOC.

#### iv. The Trusteeship Council:

The Trusteeship Council was assigned under the UN Charter to supervise the administration of Trust Territories — former colonies or dependent territories — which were placed under the International Trusteeship System. The system was created at the end of the Second World War to promote the advancement of the inhabitants of those dependent Territories and their progressive development towards self-government or independence. Since the creation of the Trusteeship Council, more than 70 colonial Territories, including all of the original 11 Trust Territories, have attained independence with the help of the United Nations. As a result, in 1994, the Council decided formally to suspend its operation and to meet as and when occasion might require.

#### v. The International Court of Justice:

The International Court of Justice (ICJ) is the UN's main judicial organ. Presiding over the ICJ, or "World Court", are 15 judges, each from a different nation, elected by the General Assembly and Security Council. The Court settles legal disputes between nations only and not between individuals, in accordance with international law. If a country does not wish to take part in a proceeding it does not have to do so, unless

required by special treaty provisions. Once a country accepts the Court's jurisdiction, it must comply with its decision. The seat of the International Court of Justice is at The Hague in the Netherlands. The offices of the Court occupy the "Peace Palace", which was constructed by the Carnegie Foundation, a private non-profit organization, to serve as the headquarters of the Permanent Court of International Justice, the predecessor of the present Court. The UN makes an annual contribution to the Foundation for the use of the building.

#### vi. The Secretariat:

The Secretariat is made up of an international staff working at UN Headquarters in New York, as well as UN offices in Geneva, Vienna, Nairobi and other locations. It consists of departments and offices with a total staff of around 16,000, drawn from some 175 countries. Including civil staff in peacekeeping missions the total number comprises approximately 30,000 staff. Staff members carry out the substantive and administrative work of the United Nations as directed by the General Assembly, the Security Council and the other organs.

The Secretariat is headed by the Secretary-General. He is appointed by the General Assembly on the recommendation of the Security Council for a five-year term. As the chief administrative officer of the Organization, the Secretary-General directs its work. He is also responsible for implementing decisions taken by the various organs of the United Nations. The Secretary-General may bring to the attention of the Security Council any matter which, in his opinion, may threaten international peace and security. He may use his "good offices" to prevent conflicts or promote peaceful settlement of disputes between countries. The Secretary-General may also act on his own initiative to deal with humanitarian or other problems of special importance. There have been only eight Secretaries-General since the founding of the UN: Trygve Lie (Norway), 1946-1952 Dag Hammarskjöld (Sweden), 1953-1961 U Thant (Burma, now Myanmar), 1961-1971 Kurt Waldheim (Austria), 1972-1981 Javier Pérez de Cuéllar (Peru), 1982-1991 Boutros Boutros-Ghali (Egypt), 1992-1996 Kofi Annan (Ghana), 1997-2006 Ban Ki-moon (Republic of Korea), since 2007.

### 1.3 FUNCTIONS OF ORGANS OF THE U.N.:

The main function of the United Nations is to preserve international peace and security.

Chapter 6 of the Charter provides for the peaceful settlement of disputes, through the intervention of the Security Council, by means such as negotiation, mediation, arbitration, and judicial decisions. The Security Council may investigate any dispute or situation to determine whether it is likely to endanger international peace and security. At any stage of the dispute, the council may recommend appropriate procedures or methods of adjustment, and, if the parties fail to settle the dispute by peaceful means, the council may recommend terms of settlement.

The goal of collective security, whereby aggression against one member is met with resistance by all, underlies chapter 7 of the Charter, which grants the Security Council the power to order coercive measures—ranging from diplomatic, economic, and military sanctions to the use of armed force—in cases where attempts at a peaceful settlement have failed. Such measures were seldom applied during the Cold War, however, because tensions between the United States and the Soviet Union prevented the Security Council from agreeing on the instigators of aggression. Instead, actions to maintain peace and security often took the form of preventive diplomacy and peacekeeping. In the post-Cold War period, appeals to the UN for peacekeeping and related activities increased dramatically, and new threats to international peace and security were confronted, including AIDS and international terrorism.

The UN Charter provides for the participation of the General Assembly and non member states in security issues. Any state, whether it is a member of the UN or not, may bring any dispute or situation that endangers international peace and security to the attention of the Security Council or the General Assembly. The Charter authorizes the General Assembly to "discuss any questions relating to the maintenance of international peace and security" and to "make recommendations with regard to any such questions to the

state or states concerned or to the Security Council or to both." This authorization is restricted by the provision that ,

"while the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests."

By the "Uniting for Peace" resolution of November 1950, however, the General Assembly granted to itself the power to deal with threats to the peace if the Security Council fails to act after a veto by a permanent member. Although these provisions grant the General Assembly a broad secondary role, the Security Council can make decisions that bind all members, whereas the General Assembly can make only recommendations.

#### PEACEKEEPING, PEACEMAKING, AND PEACE BUILDING

International armed forces were first used in 1948 to observe cease-fires in Kashmir and Palestine. Although not specifically mentioned in the UN Charter, the use of such forces as a buffer between warring parties pending troop withdrawals and negotiations—a practice known as peacekeeping—was formalized in 1956 during the Suez Crisis between Egypt, Israel, France, and the United Kingdom. Peacekeeping missions have taken many forms, though they have in common the fact that they are designed to be peaceful, that they involve military troops from several countries, and that the troops serve under the authority of the UN Security Council.

Between 1948 and 1988 the UN undertook 13 peacekeeping missions involving generally lightly armed troops from neutral countries other than the permanent members of the Security Council—most often Canada, Sweden, Norway, Finland, India, Ireland, and Italy. Troops in these missions, the so-called "Blue Helmets," were allowed to use force only in self-defence. Between 1988 and 2000 more than 30 peacekeeping efforts were authorized, and at their peak in 1993 more than 80,000 peacekeeping troops representing 77 countries were deployed on missions throughout the world.

#### SANCTIONS AND MILITARY ACTION:

By subscribing to the Charter, all members undertake to place at the disposal of the Security Council armed forces and facilities for military sanctions against aggressors or disturbers of the peace.

#### ARMS CONTROL AND DISARMAMENT:

The UN's founders hoped that the maintenance of international peace and security would lead to the control and eventual reduction of weapons. Therefore the Charter empowers the General Assembly to consider principles for arms control and disarmament and to make recommendations to member states and the Security Council.

#### ECONOMIC RECONSTRUCTION:

The General Assembly, ECOSOC, the Secretariat, and many of the subsidiary organs and specialized agencies are responsible for promoting economic welfare and cooperation in areas such as post war reconstruction, technical assistance, and trade and development. The major work of economic reconstruction, however, was delegated to the International Bank for Reconstruction and Development (World Bank), one of the major financial institutions created in 1944 at the UN Monetary and Financial Conference (commonly known as the Bretton Woods Conference). Although the World Bank is formally autonomous from the UN, it reports to ECOSOC as one of the UN's specialized agencies. The World Bank works closely with donor countries, UN programs, and other specialized agencies.

## FINANCING ECONOMIC DEVELOPMENT:

The World Bank is also primarily responsible for financing economic development. In 1956 the International Finance Corporation was created as an arm of the World Bank specifically to stimulate private investment flows. The corporation has the authority to make direct loans to private enterprises without government guarantees and is allowed to make loans for other than fixed returns. While the General Assembly provides direction and supervision for economic activities, and ECOSOC coordinates different agencies and programs. UN development efforts have consisted of two primary activities.

## TRADE AND DEVELOPMENT:

Because the international trading system and the General Agreements on Tariffs and Trade dealt primarily with the promotion of trade between advanced industrialized countries, in 1964 the General Assembly established the United Nations Conference on Trade and Development (UNCTAD) to address issues of concern to developing countries.

UNCTAD discussions resulted in agreements on a Generalized System of Preferences, providing for lower tariff rates for some exports of poorer countries, and on the creation of a Common Fund to help finance buffer stocks for commodity agreements. UNCTAD also has discussed questions related to shipping, insurance, commodities, the transfer of technology, and the means for assisting the exports of developing countries.

## REFUGEES

After World War II the International Refugee Organization successfully resettled, repatriated, transported, and maintained more than one million European and Asian refugees. It was abolished in 1952 and replaced by a new international refugee structure. In 1951 ECOSOC drew up, and the General Assembly approved, a Convention Relating to the Status of Refugees. The United Nations High Commissioner for Refugees (UNHCR) was then appointed and directed to act under this convention, and ECOSOC appointed an Advisory Commission to assist the high commissioner. The work of the UNHCR has become increasingly important since the late 1980s.

## HUMAN RIGHTS:

Unlike the League of Nations, the United Nations incorporated the principle of respect for human rights into its Charter, affirming respect for human rights and for fundamental freedoms for all without regard to race, sex, language, or religion. According to the Charter, the General Assembly is charged with initiating studies and making recommendations, and ECOSOC is responsible for establishing commissions to fulfil this purpose.

## CONTROL OF NARCOTICS:

The Commission on Narcotic Drugs was authorized by the General Assembly in 1946 to assume the functions of the League of Nations Advisory Committee on Traffic in Opium and Other Dangerous Drugs. In addition to re-establishing the pre-World War II system of narcotics control, which had been disrupted by the war, the United Nations addressed new problems resulting from the development of synthetic drugs.

## HEALTH AND WELFARE ISSUES:

The UN, through the United Nations Children's Fund (UNICEF) and specialized agencies such as the World Health Organization (WHO), works toward improving health and welfare conditions around the world. UNICEF, originally called the UN International Children's Emergency Fund, was established by the General Assembly in December 1946 to provide for the needs of children in areas devastated by World War II. UNICEF was made a permanent UN organization in 1953. Financed largely by the contributions of member states, it



has helped feed children in more than 100 countries, provided clothing and other necessities, and sought to eradicate diseases such as tuberculosis, whooping cough, and diphtheria. UNICEF promotes low-cost preventive health care measures for children, including the breast-feeding of infants and the use of oral rehydration therapy to treat diarrhoea, the major cause of death in children. UNICEF has key monitoring responsibilities under the Convention on the Rights of the Child. WHO is the primary UN agency responsible for health activities. Among its major initiatives have been immunization campaigns to protect populations in the developing world, regulation of the pharmaceutical industry to control the quality of drugs and to ensure the availability of lower-cost generics, and efforts to combat the spread of HIV/AIDS.

## THE ENVIRONMENT

In response to growing worldwide concern with environmental issues, the General Assembly organized the United Nations Conference on the Human Environment, which was held in Stockholm in 1972 and led to the creation of the United Nations Environment Programme (UNEP) in the same year. UNEP has attempted to find solutions to various environmental problems, including pollution in the Mediterranean Sea; the threat to aquatic resources posed by human economic activity; deforestation, desertification, and drought; the depletion of the Earth's ozone layer by human-produced chemicals; and global warming.

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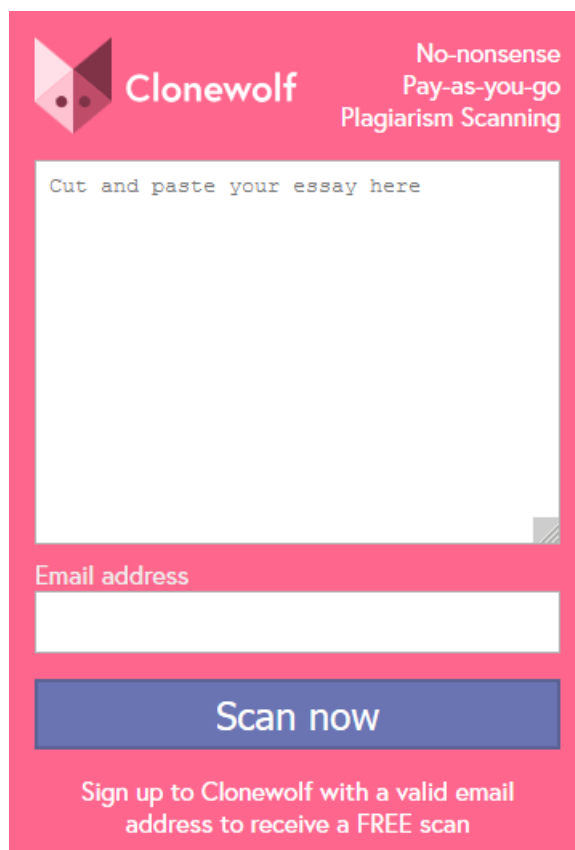
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