

## Chapter 19

# The United Nations

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### Reader's Guide

This chapter focuses on the development of the United Nations (UN) and the changes and challenges that it has faced since its establishment in 1945. The UN is a grouping of states, and is therefore premised on the notion that states are the primary units in the international system. The institutions of the UN reflect an uneasy hybrid between traditions of great power consensus and traditions of universalism that stress the equality of states. Furthermore, while the UN was established as a grouping of sovereign states,

the chapter argues that UN institutions have taken on an increasing range of functions, and have become much more involved within states. Justice for individuals is increasingly seen as a concomitant of international order. Serious deficiencies in human rights, or in economic welfare, can lead to international tensions. This development has led to challenges to traditional views about intervention within states. It has also led to the expansion of UN institutions to address an increased number of economic and social questions, and the search for better ways to coordinate these activities.

• Introduction	312
• A brief history of the United Nations and its principal organs	312
• The United Nations and the maintenance of international peace and security	317
• The United Nations and intervention within states	319
• The United Nations and economic and social questions	322
• The reform process in the economic and social arrangements of the United Nations	323
• Conclusion	324

MegaLecture



## Introduction

The United Nations (UN) is made up of a group of international **institutions**, which include the central system located in New York, the **Specialized Agencies**, such as the World Health Organization (WHO) and the International Labour Organization (ILO), and the **Programmes and Funds**, such as the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP). When created more than half a century ago in the aftermath of the Second World War, the United Nations reflected the hope for a just and peaceful global **community**. It is the only global institution with the legitimacy that derives from universal membership, and a mandate that encompasses security, economic and social development, the protection of human rights, and the protection of the environment. Yet the UN was created by **states** for states, and the relationship between **state sovereignty** and the protection of the needs and interests of people has not been fully resolved. Questions about the meaning of sovereignty and the limits of UN action have remained key issues. Since the founding of the UN, there has been an expansion of UN activities to address conditions within states, an improvement in

UN capacity in its economic and social work, and an increased tendency to accord the UN a moral status. Threats to global security addressed by the UN now include inter-state conflict, threats by **non-state actors**, as well as political, economic, and social conditions within states. Despite the growth in UN activities, however, there are some questions about the relevance and effectiveness of the UN. The failure by the USA and the UK to get clear UN Security Council authorization for the war in Iraq in 2003 led to well-publicized criticism of the UN and a crisis in international relations. Yet the troubled aftermath of the invasion and persistent questions about the legitimacy of a war that was not sanctioned by the UN show that the UN has acquired important moral status in **international society**.

After describing the main organs of the UN, this chapter will look at the changing role of the UN in addressing matters of peace and security, and then matters of economic and social development. It will focus on how the UN's role has evolved in response to changes in the global political context, and on some of the problems that it still faces.

## A brief history of the United Nations and its principal organs

The United Nations was established on 24 October 1945 by 51 countries, as a result of initiatives taken by the governments of the states that had led the war against Germany and Japan. By 2010, 192 countries were members of the United Nations, nearly every state in the world. When joining, member states agreed to accept the obligations of the **United Nations Charter**, an international treaty that sets out basic principles of international relations. According to the Charter, the UN had four purposes: to maintain international peace and security; to develop friendly relations among nations; to cooperate in solving international problems and in promoting respect for human rights; and to be a centre for harmonizing the actions of nations. At the UN, all the member states—large and small, rich and poor, with differing political views and social systems—had a voice and a vote in this process. Interestingly, while the United Nations was clearly created as a grouping of states, the Charter referred to the needs and interests of peoples as well as those of states (see Box 19.1).

In many ways, the United Nations was set up to correct the problems of its predecessor, the **League of Nations**. The League of Nations had been established after the First World War, and was intended to make future wars impossible, but a major problem was the League's lack of effective power. There was no clear division of responsibility between the main executive committee (the League Council) and the League Assembly, which included all member states. Both the League Assembly and the League Council could only make recommendations, not binding resolutions, and these recommendations had to be unanimous. Any government was free to reject any recommendation. Furthermore, in the League, there was no mechanism for coordinating military or economic actions against miscreant states, which further contributed to the League's weakness. Key states, such as the USA, were not members of the League. By the Second World War, the League had already failed to address a number of acts of aggression.

### Box 19.1 Selected Articles of the UN Charter

The UN Charter contains references to both the rights of states and the rights of people.

**The Preamble** of the UN Charter asserts that 'We the peoples of the United Nations [are] determined [...] to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small'.

**Article 1(2)** states that the purpose of the UN is to develop 'friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace'.

**Article 2(7)** states that 'Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state'.

**Chapter VI** deals with the 'Pacific Settlement of Disputes'.

**Article 33** states that 'The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice'.

**Chapter VII** deals with 'Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression'.

**Article 42** states that the Security Council 'may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security'. The Security Council has sometimes authorized member states to use 'all necessary means', and this has been accepted as a legitimate application of Chapter VII powers.

**Article 99** authorizes the Secretary-General to 'bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security'.

The structure of the United Nations was intended to avoid some of the problems faced by the League of Nations. The UN has six main organs: the Security Council, the General Assembly, the Secretariat, the Economic and Social Council, the Trusteeship Council, and the International Court of Justice (see Fig. 19.1).

### The Security Council

In contrast to the League of Nations, the United Nations recognized great power prerogatives in the Security Council. The UN Security Council was given the main responsibility for maintaining international peace and security. It was made up initially of 11 states, and then, after 1965, of 15 states. It includes five permanent members, namely the USA, Britain, France, Russia (previously the Soviet Union), and China, as well as ten non-permanent members. Unlike those of the League, the decisions of the Security Council are binding, and must only be passed by a majority of nine out of the 15 members, as well as each of the five permanent members. These five permanent members therefore have **veto power** over all Security Council decisions. The convention emerged that abstention by a permanent member is not regarded as a veto.

The five permanent members of the Security Council were seen as the major powers when the UN was founded, and they were granted a veto on the view that if the great powers were not given a privileged

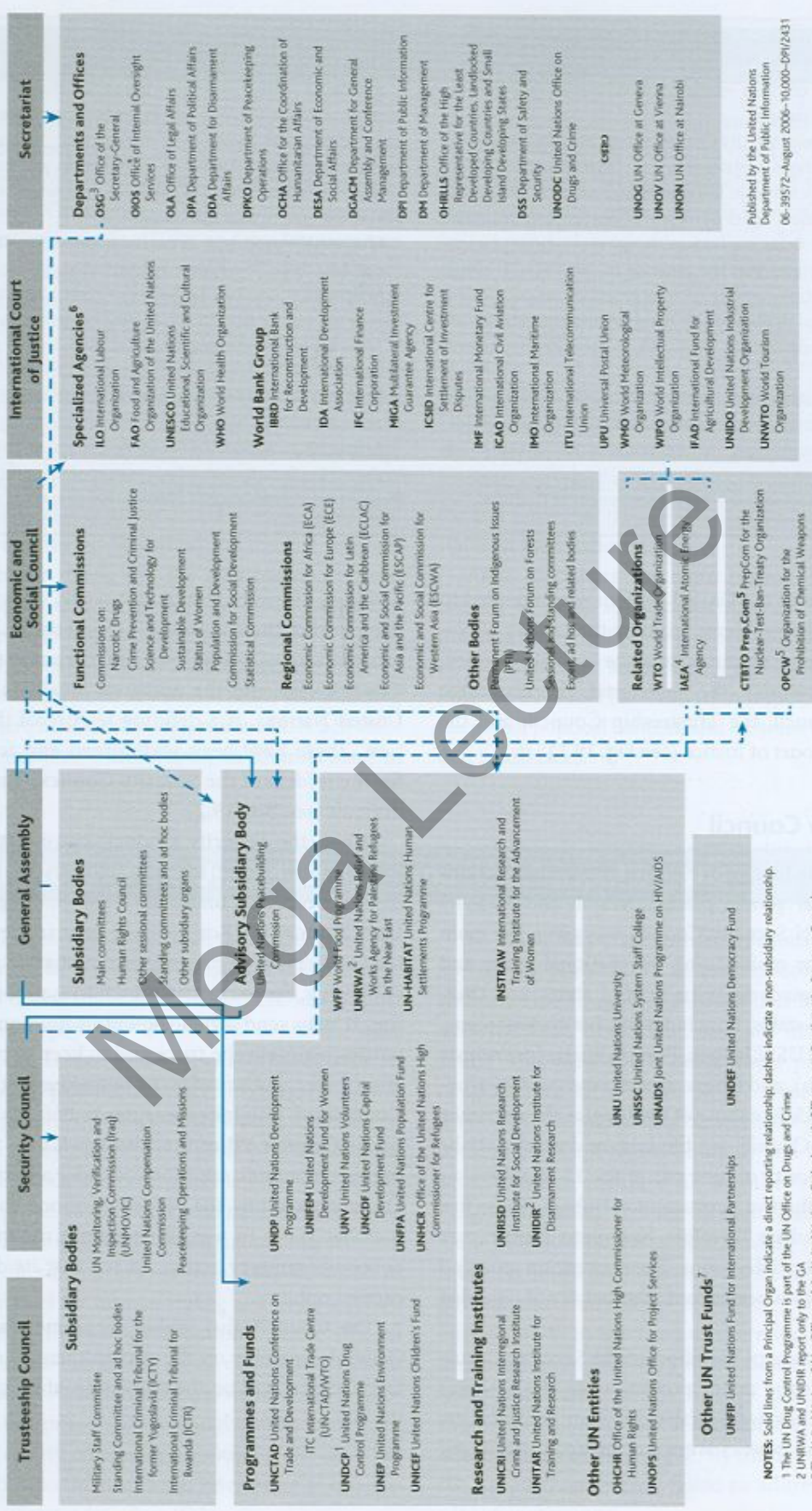
position, the UN would not work. This view stems from realist theory. Indeed, this tension between the recognition of power politics through the Security Council veto, and the universal ideals underlying the United Nations, is a defining feature of the organization. There have been widespread and frequent calls for the reform of the Security Council, but this is very difficult (see Box 19.2).

When the Security Council considers a threat to international peace, it first explores ways to settle the dispute peacefully under the terms of **Chapter VI** of the UN Charter (see Box 19.1). It may suggest principles for a settlement or may suggest mediation. In the event of fighting, the Security Council tries to secure a cease-fire. It may send a **peacekeeping** mission to help the parties maintain the truce and to keep opposing forces apart (see the discussion of peacekeeping below). The Council can also take measures to enforce its decisions under **Chapter VII** of the Charter. It can, for instance, impose economic sanctions or order an arms embargo. On rare occasions, the Security Council has authorized member states to use **all necessary means**, including collective military action, to see that its decisions are carried out.

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.

# The United Nations System

## Principal Organs



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**NOTES:** Solid lines from a Principal Organ indicate a direct reporting relationship; dashes indicate a non-subordinate relationship.  
 1 The UN Drug Control Programme is part of the UN Office on Drugs and Crime  
 2 UNRWA and UNDIR report only to the GA  
 3 The United Nations Ethics Office and the United Nations Ombudsman's Office report directly to the Secretary-General  
 4 IAEA reports to the Security Council and the General Assembly (GA)  
 5 The CTBTO Prep.Com and OPCW report to the GA  
 6 Specialized Agencies are autonomous organizations working with the UN and each other through the coordinating machinery of the ECOSOC at the inter-governmental level, and through the Chief Executives Board for Coordination (CEB) at the inter-secretariat level  
 7 UNFIP is an autonomous trust fund operating under the leadership of the United Nations Deputy Secretary-General. UNDEF's advisory board recommends funding proposals for approval by the Secretary-General.

Figure 19.1 The structure of the United Nations system

### Box 19.2 The reform of the Security Council

Since the Security Council is the main executive body within the United Nations with primary responsibility for maintaining international peace and security, it is not surprising that many discussions of UN reform have focused on the Security Council.

The founders of the UN deliberately established a universal General Assembly and a restricted Security Council that required unanimity among the great powers. Granting permanent seats and the right to a veto to the great powers of the time, the USA, the Soviet Union (now Russia), France, the United Kingdom, and China, was an essential feature of the deal.

The composition and decision-making procedures of the Security Council were increasingly challenged as membership of the United Nations grew, particularly after decolonization. Yet the only significant reform of the Security Council occurred in 1965, when the Council was enlarged from 11 to 15 members and the required majority from seven to nine votes. Nonetheless, the veto power of the permanent five (P-5) members was left intact.

The Security Council does not reflect today's distribution of military or economic power, and does not reflect a geographic balance. Germany and Japan have made strong cases for permanent membership. Developing countries have demanded more representation on the Security Council, with countries such as South Africa, India, Egypt, Brazil, and Nigeria making particular claims. However, it has proved to be impossible to reach agreement on new permanent members. Should the European Union be represented instead of the United Kingdom, France, and Germany individually? How would Pakistan view India's candidacy? How would South Africa react to a Nigerian seat? What about representation by an Islamic country? These issues are not easy to resolve. Likewise, it is very unlikely that the P-5 countries will relinquish their veto.

None the less, while large-scale reform has proved impossible, there have been changes in Security Council working procedures that have made it more transparent and accountable.

### The General Assembly

The recognition of power politics through veto power in the Security Council can be contrasted with the universalist principles underlying the other organs of the United Nations. All UN member states are represented in the General Assembly—a 'parliament of nations'—which meets to consider the world's most pressing problems. Each member state has one vote. A two-thirds majority in the General Assembly is required for decisions on key issues such as international peace and security, the admission of new members, and the UN budget. A simple majority is required for other matters. However, the decisions reached by the General Assembly have only the status of recommendations, rather than binding decisions. One of the few exceptions is the General Assembly's Fifth Committee, which makes decisions on the budget that are binding on members.

The General Assembly can consider any matter within the scope of the UN Charter. There were 172 items on the agenda of the sixty-fourth session of the General Assembly (2009–10), including topics such as the role of diamonds in fuelling conflict, the situation in the Middle East, international **cooperation** in the peaceful uses of outer space, peacekeeping operations, women in development, and the illicit trade in small arms and light weapons. Since General Assembly resolutions are non-binding, they cannot force action by any state, but its recommendations are important indications of world opinion and represent the moral authority of the community of nations.

### The Secretariat

The Secretariat carries out the substantive and administrative work of the United Nations as directed by the General Assembly, the Security Council, and the other organs. It is led by the Secretary-General, who provides overall administrative guidance. In December 2006, Ban Ki-Moon from South Korea was sworn in as the eighth Secretary-General. The Secretariat consists of departments and offices with a total staff of 40,000 around the world (A/64/352).

On the recommendation of the other bodies, the Secretariat also carries out a number of research functions and some quasi-management functions. Yet the role of the Secretariat remains primarily bureaucratic and it lacks the political power and the right of initiative of, for instance, the Commission of the European Union. The one exception to this is the power of the Secretary-General under Article 99 of the Charter, to bring situations that are likely to lead to a breakdown of international peace and security to the attention of the Security Council (see Box 19.1). This Article, which may appear innocuous at first, was the legal basis for the remarkable expansion of the diplomatic role of the Secretary-General, compared with its League predecessor. Due to this, the Secretary-General is empowered to become involved in a large range of areas that can be loosely interpreted as threats to peace, including economic and social problems, and humanitarian crises.

## The Economic and Social Council

The Economic and Social Council (ECOSOC), under the overall authority of the General Assembly, is intended to coordinate the economic and social work of the United Nations and the UN family of organizations. It also consults with **non-governmental organizations** (NGOs), thereby maintaining a vital link between the United Nations and **civil society**. ECOSOC's subsidiary bodies include: Functional Commissions, such as the Commission on the Status of Women; Regional Commissions, such as the Economic Commission for Africa; and other bodies (see Fig. 19.1).

Along with the Secretariat and the General Assembly, ECOSOC is responsible for overseeing the activities of a large number of other institutions known as the United Nations system. This includes the Specialized Agencies and the Programmes and Funds (see Fig. 19.1). The Specialized Agencies, such as the World Health Organization (WHO) and the International Labour Organization (ILO), have their own constitutions, regularly assessed budgets, executive heads, and assemblies of state representatives. They are self-contained constitutionally, financially, and politically, and not subject to the management of the central system.

The Programmes and Funds are much closer to the central system in the sense that their management arrangements are subject to direct General Assembly supervision, can be modified by Assembly resolution, and are largely funded on a voluntary basis. Since the establishment of the United Nations in 1945, a number of new issues have come onto the international agenda, such as the rights and interests of women, climate change, resource depletion, population growth, **terrorism**, and the spread of HIV/AIDS. Frequently, those issues led to a new organization in the Programmes and Funds. Examples of Programmes and Funds include the United Nations Development Programme (UNDP), and the United Nations Children's Fund (UNICEF).

Whereas the League of Nations attributed responsibility for economic and social questions to the League Assembly, the Charter of the United Nations established ECOSOC to oversee economic and social institutions. This change was a consequence of thinking in more **functionalist** terms. Organizations were set up to deal with specific economic and social problems. However, ECOSOC was not given the necessary management powers. It can only issue recommendations and receive

reports from the Specialized Agencies. In consequence, the UN's economic and social organizations have continuously searched for better ways of achieving effective management (see discussion of the reform process below).

## The Trusteeship Council

When the United Nations was created, the Trusteeship Council was established to provide international supervision for 11 Trust Territories administered by seven member states and to ensure that adequate steps were taken to prepare the territories for self-government or independence. By 1994, all Trust Territories had attained self-government or independence, either as separate states or by joining neighbouring independent countries. The last to do so was the Trust Territory of the Pacific Islands, Palau, which had been previously administered by the United States. Its work completed, the Trusteeship Council now consists of the five permanent members of the Security Council. It has amended its rules of procedure to allow it to meet when necessary.

## The International Court of Justice

The International Court of Justice is the main judicial organ of the UN. Consisting of 15 judges elected jointly by the General Assembly and the Security Council, the Court decides disputes between countries. Participation by states in a proceeding is voluntary, but if a state agrees to participate, it is obligated to comply with the Court's decision. The Court also provides advisory opinions to other UN organs and Specialized Agencies upon request.

### Key Points

- The United Nations was established to preserve peace between states after the Second World War.
- In a number of ways, the institutions of the United Nations reflected lessons learned from its predecessor, the League of Nations.
- The institutions and mechanisms of the United Nations reflect both the demands of great power politics (i.e. Security Council veto) and universalism. They also reflect demands to address the needs and interests of people, as well as the needs and interests of states. The tensions between these various demands are a key feature of UN development.

## The United Nations and the maintenance of international peace and security

The performance of the United Nations in questions of peace and security has been shaped by the global political context. Clearly, there have been changes in international society since the UN was founded in 1945 that have had an impact on the UN system. The cold war between the USA and the Soviet Union hampered the functioning of the UN Security Council, since the veto could be used whenever the major interests of the USA or Soviet Union were threatened. From 1945 to 1990, 193 substantive vetoes were invoked in the Security Council, compared to only 23 substantive vetoes from 1990 to 2010. Furthermore, while the UN Charter provided for a standing army to be set up by agreement between the Security Council and consenting states, the East–West cold war rivalry made this impossible to implement. The end result was that the UN Security Council could not function in the way in which the UN founders had expected.

Since member states could not agree upon the arrangements laid out in Chapter VII of the Charter, especially with regard to setting up a UN army, there followed a series of improvisations to address matters of peace and security. First, a procedure was established under which the Security Council agreed to a mandate for an agent to act on its behalf. This occurred in the Korean conflict in 1950, and the Gulf War in 1990, when action was undertaken principally by the USA and its allies.

Second, there have been many instances of classical peacekeeping. No reference to peacekeeping exists in the UN Charter, but classical peacekeeping mandates and mechanisms are based on Chapter VI of the UN Charter. Classical peacekeeping involves the establishment of a UN force under UN command to be placed between the parties to a dispute after a ceasefire. Such a force only uses its weapons in self-defence, is established with the consent of the host state, and does not include forces from the major powers. This mechanism was first used in 1956, when a UN force was sent to Egypt to facilitate the exodus of the British and French forces from the Suez canal area, and then to stand between Egyptian and Israeli forces. Since the Suez crisis, there have been a number of classical peacekeeping missions, for instance, monitoring the Green Line in Cyprus, and in the Golan Heights.

Third, there has been a new kind of peacekeeping, sometimes called multidimensional peacekeeping or

**peace enforcement**, which emerged after the end of the cold war. These missions are more likely to use force to achieve humanitarian ends. The new peacekeeping mandates are sometimes based on Chapter VII of the UN Charter. Such forces have been used when order has collapsed within states, and therefore address civil wars as well as international conflict. A key problem has been that UN peacekeepers have found it increasingly difficult to maintain a neutral position and have been targeted by belligerents. Examples include the intervention in Somalia in the early 1990s and intervention in the former Yugoslavia in the mid-1990s. In the Democratic Republic of the Congo (DRC) in 2009, UN peacekeepers assisted the Congolese national army in a military offensive against rebels, leading to violent reprisals.

UN peacekeeping went through a rapid expansion in the early 1990s. In 1994, UN peacekeeping operations involved nearly 80,000 military personnel around the world, seven times the figure for 1990 (Pugh 2001: 115). In late 2009, the total number of peacekeeping personnel (military and police) in the UN's 19 ongoing peacekeeping missions was just over 98,000.

### Increased attention to conditions within states

The new peacekeeping was the product of a greater preparedness to intervene within states. This challenged the traditional belief that diplomats should ignore the internal affairs of states in order to preserve international stability. An increasing number of people believed that the international community, working through the UN, should address individual political and civil rights, as well as the right to basic provisions like food, water, health care, and accommodation. Under this view, violations of individuals' rights were a major cause of disturbances in relations between states: a lack of internal justice risked international disorder. The UN reinforced this new perception that pursuing justice for individuals, or ensuring **human security**, was an aspect of **national interest**.

In the past, however, the United Nations had helped promote the traditional view of the primacy of international order between states over justice for individuals, so the new focus on individual rights was a significant change. What accounts for this change?



First, the international environment had changed. The cold war stand-off between the East and the West had meant that member states did not want to question the conditions of the sovereignty of states. Jean Kirkpatrick's (1979) notorious 'essay, which recommended tolerating abhorrent dictatorships in Latin America in order to fight communism, was a reasonable report of the situation at that time: unsavoury right-wing regimes in Latin America were tolerated because they were anti-Soviet, and interfering in the other's sphere risked escalation of conflict (Forsythe 1988: 259–60).

Second, the process of decolonization had privileged statehood over justice. The UN reflected the claims of colonies to become states, and had elevated the right to statehood above any tests of viability, such as the existence of a nation, adequate economic performance, defensibility, or a prospect for achieving justice for citizens. This unconditional right to independence was enunciated in the General Assembly Declaration on the Granting of Independence to Colonial Countries and Peoples in 1960. There emerged a convention that the claims of elites in the putative states could be a sufficient indication of popular enthusiasm, even when the elites were unrepresentative and the claims misleading.

Charles Beitz was one of the first to question this when he concluded that statehood should not be unconditional: attention had to be given to the situation of individuals after independence (Beitz 1979). Michael Walzer and Terry Nardin produced arguments leading to similar conclusions: states were conditional entities in that their right to exist should be dependent on a criterion of performance with regard to the interests of their citizens (Walzer 1977; Nardin 1983). Such writings helped alter the moral content of **diplomacy**.

The new relationship between order and justice was, therefore, a product of particular circumstances. After the cold war, it was felt that threats to international peace and security did not only emanate from aggression between states. Rather, global peace was threatened by civil conflict (including refugee flows and regional instability), humanitarian emergencies, violations of global standards of human rights, and problems such as poverty and inequality. In 1992, then Secretary-General Boutros Boutros-Ghali outlined a new ambitious UN agenda for peace and security in a report called *An Agenda for Peace* (see Box 19.3).

More recently, other types of non-state-based threats, such as terrorism and the proliferation of small arms and weapons of mass destruction, have an increasingly

### Box 19.3 An agenda for peace

In the early 1990s after the end of the cold war, the UN agenda for peace and security expanded quickly. Then Secretary-General Boutros Boutros-Ghali outlined the more ambitious role for the UN in his seminal report, *An Agenda for Peace* (1992). The report described interconnected roles for the UN to maintain peace and security in the post-cold war context. These included:

- **Preventive diplomacy:** involving confidence-building measures, fact-finding, and preventive deployment of UN authorized forces.
- **Peacemaking:** designed to bring hostile parties to agreement, essentially through peaceful means. However, when all peaceful means have failed, **peace enforcement** authorized under Chapter VII of the Charter may be necessary. Peace enforcement may occur without the consent of the parties.
- **Peacekeeping:** the deployment of a UN presence in the field with the consent of all parties (this refers to classical peacekeeping).
- **Post-conflict peacebuilding:** to develop the social, political, and economic infrastructure to prevent further violence and to consolidate peace.

prominent place on the UN security agenda. Partly due to the terrorist attacks in the USA in 2001 as well as the impasse reached in the UN Security Council over Iraq in 2003, then Secretary-General Kofi Annan named a high-level panel to examine the major threats and challenges to global peace. The 2004 final report emphasized the interconnected nature of security threats, and presented development, security, and human rights as mutually reinforcing. Many of the report's recommendations were not implemented, but some were, notably the establishment of a new UN Peacebuilding Commission (see Box 19.4).

### Key Points

- The cold war and the decolonization process had discouraged more active involvement by the United Nations within states.
- After the cold war, it became more difficult for states and diplomats to accept that what happened within states was of no concern to outsiders.
- By the mid-1990s the UN had become involved in maintaining international peace and security by resisting aggression between states, by attempting to resolve disputes within states (civil wars), and by focusing on conditions within states, including economic, social, and political conditions.

### Box 19.4 The UN Peacebuilding Commission

The UN Peacebuilding Commission was established in December 2005 as an intergovernmental advisory subsidiary body of the General Assembly and the Security Council. It was first proposed by the Secretary-General's High Level Panel on Threats, Challenges and Change in December 2004, and again in the Secretary-General's Report *In Larger Freedom* in March 2005 (UN 2005). Existing mechanisms at the UN were thought to be insufficient in responding to the particular needs of countries emerging from conflict. Many countries, such as Liberia, Haiti, and Somalia in the 1990s, had signed peace agreements and hosted UN peacekeeping missions, but reverted to violent conflict. The Peacebuilding Commission provides targeted support to countries in the volatile post-conflict phase to help prevent the recurrence of conflict. It proposes integrated strategies and priorities for post-conflict recovery, in order to improve coordination among the myriad of

actors involved in post-conflict activities. The establishment of the Peacebuilding Commission is indicative of a growing trend at the UN to coordinate security and development programming.

The organizational committee of the Peacebuilding Commission is made up of 31 member states, and the first session was held in June 2006. There are also country-specific meetings to look at the post-conflict strategies, priorities, and programming for specific countries. The first four countries on the agenda of the Peacebuilding Commission are Burundi, Sierra Leone, Guinea-Bissau, and Central African Republic. The Peacebuilding Support Fund, with a target of \$250 million, is designed to provide support during the early stages of a peacebuilding process. It supports countries that are on the Peacebuilding Commission's agenda as well as countries in similar circumstances designated by the Secretary-General.

## The United Nations and intervention within states

As issues of peace and security were increasingly understood to include **human security** and justice, the UN was expected to take on a stronger role in maintaining standards for individuals within states. A difficulty with carrying out the new tasks was that it seemed to run against the doctrine of non-intervention. Intervention was traditionally defined as a deliberate incursion into a state without its consent by some outside agency, in order to change the functioning, policies, and goals of its government and achieve effects that favour the intervening agency (Vincent 1974) (see Ch. 31).

At the founding of the UN, sovereignty was regarded as central to the system of states. States were equal members of international society, and were equal with regard to international law. Sovereignty also implied that states recognized no higher authority than themselves, and that there was no superior jurisdiction. The governments of states had exclusive jurisdiction within their own frontiers, a principle enshrined in Article 2(7) of the United Nations Charter.

In earlier periods, however, states had intervened in each other's business and thought that they had a right to do so. The USA refused to accept any curtailment of their right to intervene in the internal affairs of other states in their hemisphere until 1933, when they conceded the point at the seventh International Conference of American States. The US position was very similar to the **Brezhnev doctrine** of the 1970s, which held that the Soviet Union had the right to intervene in the member

states of the socialist commonwealth to protect the principles of socialism.

Much earlier, the British had insisted on the abolition of slavery in their relations with other states. They stopped ships on the high seas, and imposed the abolition of slavery as a condition in treaties (Bethell 1970). There were also occasions when states tried to bind other states to respect certain principles in their internal affairs. A number of states in Eastern Europe, such as Hungary and Bulgaria, were bound to respect the rights of minorities within their frontiers based on agreements made at the Berlin Conference of 1878 by the great powers. In practice, then, intervention was a common feature of international politics, sometimes for good cause.

By the 1990s, some people believed that there should be a return to this earlier period where intervention was justified, but it was felt that a wider range of instruments should be used to protect generally accepted standards. They insisted on a key role for the United Nations in granting a licence to intervene. It was pointed out that the UN Charter did not assert merely the rights of states, but also the rights of peoples: statehood could be interpreted as conditional upon respect for such rights. There was ample evidence in the UN Charter to justify the view that extreme transgressions of human rights could be a justification for intervention by the international community.

The major pronouncements of the UN General Assembly referred to the primary responsibility of states for dealing with complex crises within their frontiers. A 1991

General Assembly resolution implied some relaxation of this principle when it held that 'The sovereignty, territorial integrity and national unity of States must be fully respected in accordance with the Charter of the United Nations. In this context, humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country' (A/RES/46/182). The use of the phrase 'in principle', and the term 'should', implied that there could be occasions where intervention was necessary even when consent in the target state was not possible. In the Outcome Document of the 2005 World Summit, the General Assembly said that if national authorities are 'manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity', and if peaceful means are inadequate, the international community could take collective action through the UN Security Council according to Chapter VII of the Charter (A/RES/60/1, paras 138 and 139). This document echoes recommendations from the *Responsibility to Protect*, the 2001 final report of the International Commission on Intervention and State Sovereignty (see Ch. 31).

Yet the number of occasions on which a UN resolution justified intervention due to gross infringements of

the rights of individuals has remained limited. Kosovo was arguably the first occasion on which international forces were used in defiance of a sovereign state in order to protect humanitarian standards. NATO launched the air campaign in March 1999 in Kosovo against the Republic of Yugoslavia without a mandate from the Security Council, since Russia had declared that it would veto such action. None the less, NATO states noted that by intervening to stop ethnic cleansing and crimes against humanity in Kosovo they were acting in accordance with the principles of the UN Charter.

The Iraq War in 2003 was questionably another case, although the legality of intervention under existing Security Council resolutions is contested, especially in view of the failure to obtain a second UN Security Council resolution to give an explicit mandate for the action (see Case Study). The US action against Afghanistan in 2001 is an exceptional case in which the UN Security Council acknowledged the right of a state which had been attacked—referring to the events of 11 September 2001 in the USA—to respond in its own defence.

Arguably, earlier instances of intervention did not explicitly breach sovereignty. The 1991 Security Council resolution sanctioning intervention in Iraq (S/Res/688) at

### Case Study The 2003 intervention in Iraq



In March 2003, a US-led coalition launched a highly controversial war in Iraq, which removed Saddam Hussein from power. The justification for war stressed Iraq's possession of weapons of mass destruction, in defiance of earlier UN resolutions. Unlike in Kosovo, the gross violation of human rights was not given as a main justification for the invasion until later. Yet the failure to find weapons of mass destruction in Iraq, as well as the subsequent civil war, have fuelled the claims of critics that the war was unjustified.

There was no agreement over whether the UN Security Council authorized military action in Iraq. American and British diplomats pointed to UN Security Council Resolution 687 of 1991,

which required the destruction of Iraqi weapons of mass destruction under UN supervision, and UN Security Council Resolution 1441 of 2002, which threatened 'serious consequences' if this were not done. Yet efforts to reach a Security Council resolution in the winter of 2003 that would clearly authorize the use of force against Iraq were unsuccessful. France and Russia threatened to veto a second Security Council resolution authorizing force.

The credibility of the UN was damaged by the failure to agree on a second Security Council resolution, and by the decision of the US and British administrations, along with a small number of allies, to use force against Iraq without clear UN authorization. There are fears of an increased tendency for the USA to act without UN authorization. The Bush administration's National Security Strategy of September 2002 stated that '[W]e will be prepared to act apart when our interests and unique responsibilities require' (NSS 2002: 31).

Nonetheless, the aftermath of the invasion and the continued difficulties in establishing security in Iraq highlight the need for international cooperation. The UN enhances the legitimacy of military action, and can also help share in global risks, burdens, and strategies for rebuilding.

#### Discussion Questions

- 1 Has the UN as an institution recovered from the war in Iraq?
- 2 What lessons about the future of the UN might be drawn from the experience of the war in Iraq?

the end of the Gulf War did not breach Iraqi sovereignty in so far as its implementation depended on Saddam Hussein's consent. The 1992 Security Council resolution (S/Res/733) that first sanctioned UN involvement in Somalia was based on a request by Somalia. A later resolution for Somalia (S/Res/794) authorizing the USA to intervene did not mention the consent of Somali authorities, but by that time a central Somali government did not exist.

The difficulty in relaxing the principle of non-intervention should not be underestimated. For instance, the UN was reluctant to send peacekeepers to Darfur without the consent of the Sudanese government. After intensive international diplomacy and negotiations about the nature of the force, Sudan consented and the force was formally established in July 2007 (S/Res/1769).

Some fear a slippery slope whereby a relaxation of the non-intervention principle by the UN will lead to

military action by individual states without UN approval. It could be argued that the action against Iraq in 2003 illustrates the danger (see Case Study).

In summary, an increasing readiness by the UN to intervene within states in order to promote internal justice for individuals would indicate a movement towards **global governance** and away from unconditional sovereignty. There have been some signs of movement in this direction, but principles of state sovereignty and non-intervention remain important. There is still some support for the view that Article 2(7) of the UN Charter should be interpreted strictly: there can be no intervention within a state without the express consent of the government of that state. Others believe that intervention within a country to promote human rights is justifiable only on the basis of a threat to international peace and security, such as the appearance of significant numbers of refugees, or the judgement that other states might intervene militarily. Some liberals argue that this condition is flexible enough to justify intervention to defend human rights whenever possible.

Overall, the UN's record on the maintenance of international peace and security has been mixed. On the one hand, there has been a stronger assertion of the responsibility of international society, represented by the United Nations, for gross offences against populations. None the less, the practice has been patchy. Intimations of a new world order in the aftermath of the Gulf War in 1991 quickly gave way to despondency with what were seen as failures in Somalia, Rwanda, other parts of Africa, and the former Yugoslavia, and increasing disagreement about the proper role of the UN in Kosovo and Iraq. Compared to the enthusiasm about the potential for the UN in the early 1990s, the debates and disagreements at the time of the war in Iraq in 2003 were striking. Debates about which institutions and actors are most effective in conducting peace operations have been reinvigorated, and a variety of non-UN actors, including regional organizations and ad hoc coalitions, have been involved in some recent military operations.

### Box 19.5 Selected documents related to the changing role of the United Nations system

#### Development of the economic and social organizations

**A/32/197, Dec. 1977.** The first major General Assembly resolution on reform of the economic and social organizations.

**A/48/162, Dec. 1993.** A major step towards reform of the economic and social organization of the United Nations, especially ECOSOC.

#### Development of the UN's role in maintaining international peace and security

**SC Res. 678, Nov. 1990,** sanctioned the use of force against Saddam Hussein.

**SC Res. 816, Apr. 1993,** enforced the no-fly zone over Bosnia in that it permitted NATO war planes to intercept Bosnian Serb planes in the zones.

**SC Res. 1160, 1199, and 1203** contained arguments relevant to the action on Kosovo. SC Res. 1244 contained the agreement at the end of the bombing.

#### Development of humanitarian action through the UN

**SC Res. 688, Apr. 1991,** sanctioned intervention at the end of the Gulf War to protect the Kurds in northern Iraq.

**SC Res. 733, Jan. 1992,** sanctioned UN involvement in Somalia. **A/46/182, Apr. 1992,** is the major document on the development of the machinery for humanitarian assistance.

**SC Res. 794, Dec. 1992,** sanctioned American intervention in Somalia under Chapter VII of the UN Charter. The government of Somalia had ceased to exist in the eyes of the member states of the Security Council.

**SC Res. 1441, Nov. 2002,** resolution on Iraq, which threatened serious consequences if Saddam Hussein failed to reveal his weapons of mass destruction to the team of UN inspectors.

**SC Res. 1769, July 2007,** established an African Union/UN Hybrid operation in Darfur, Sudan.

### Key Points

- New justifications for intervention in states were being considered by the 1990s.
- Most operations of the United Nations were justified in the traditional way: as a response to a threat to international peace and security.
- The United Nations does not have a monopoly on peace operations. While the UN often provides legitimation, operations are sometimes conducted by regional organizations, ad hoc coalitions, or hybrid arrangements involving the UN with non-UN actors.

## The United Nations and economic and social questions

As described above, there has been an increased tendency to view threats to peace and security in terms of traditional threats such as aggression between states, but also civil conflict within states, threats emanating from non-state actors, and threats relating to economic and social conditions within states. Holders of this view believe that conditions within states, including human rights, justice, development, and equality, have a bearing on global peace. The more integrated global context has meant that economic and social problems in one part of the world may affect other areas. In addition, promoting social and economic development is an important UN goal in itself. The preamble to the UN Charter talks of promoting 'social progress and better standards of life in larger freedom', and the need to 'employ international machinery for the promotion of the economic and social advancement of all peoples'.

The number of institutions within the UN system that address economic and social issues has significantly increased since the founding of the UN. None the less, the main contributor states have been giving less and less to economic and social institutions. By the mid-1990s, there was a crippling financial crisis in the regular Assessed Budget for the UN, and in the budget for peacekeeping operations. This was only mitigated when the USA agreed, under certain conditions, to repay what it owed the UN and when it returned to full funding in December 2002.

Paradoxically, despite the shortage of funds, the UN has acquired skills and resources with regard to key economic and social problems. During the 1990s, a number of new issues were brought on to the international agenda. Several global conferences were convened to discuss pressing problems, such as environmental issues at a conference in Rio de Janeiro (1992), human rights at a conference in Vienna (1993), population questions at a conference in Cairo (1994), and women's issues at a conference in Beijing (1995). These conferences each spawned a commission to carry forward the programme. Such conferences represented a growing sense of interdependence and the globalization of human concerns. They also stimulated a renewed interest in translating broad socio-economic concerns into more specific manageable programmes (see Box 19.6). Follow-up conferences were held ten years later to take stock of progress.

In 2000, the UN convened a Millennium Summit, where heads of state committed themselves to a series of measurable goals and targets, known as the Millennium Development Goals (MDGs). These goals, to be achieved by 2015, include reducing by half the number of people living on less than a dollar a day, achieving universal primary education, and reversing the spread of HIV/AIDS and malaria (A/55/L.2). Since 2000, the UN has been integrating the MDGs into all aspects of its work at the country level, but progress on reaching the MDGs has been very uneven.

### Box 19.6 The United Nations Climate Change Conference in Copenhagen: COP15

The United Nations Climate Change Conference in Copenhagen was the most recent UN Global Conference focusing on environmental issues. The first UN Conference on the Human Environment took place in Stockholm in 1972, stimulated the creation of national environment ministries around the world, and established the United Nations Environment Programme (UNEP).

Twenty years later, the UN Conference on Environment and Development, the Earth Summit, was held in Rio de Janeiro. The United Nations Framework Convention on Climate Change (UNFCCC) was one of three conventions signed by many governments at the 1992 Earth Summit. The Kyoto Protocol of 1997 was an addition to the UNFCCC, which set binding targets for reducing greenhouse gas emissions.

There was a series of intergovernmental meetings at the highest level to discuss progress on the limitation of greenhouse gases and to agree a successor agreement to the Kyoto Protocol. The climax of the series was the meeting in December 2009 at Copenhagen of the representatives of 192 countries to agree a new set of binding agreements on the limitation of greenhouse gases. This meeting was referred to as COP15, since it was the fifteenth

meeting of the Committee of the Parties to the Kyoto Protocol. The diplomacy leading up to it was highly complicated, but high hopes were attached to its outcome. The participating states could not, however, agree to a legally binding set of targets for the reduction of gas emissions, and it was still unclear what would happen when the Kyoto Protocol expired in 2012.

Several aspects of the COP15 are interesting. It marked a new level of multilateral cooperation among African states, which opposed legally binding limits in the absence of sufficient financial transfers from the developed world. The conference was thus consistent with a long tradition of UN conferences in agreeing on principles, but rejecting legally binding agreements, as with the World Population Conference of 1974. The Conference made clear that environmental issues remained prominent on the UN agenda, and demonstrated the importance of the United Nations as a framework for moving towards global agreement. Yet it stopped short of the detail, of legal commitment, and of specific arrangements for monitoring its application. The Chinese, in particular, strongly opposed any attempt to introduce international monitors of compliance within China.

### Key Points

- The number of institutions within the UN system that address economic and social issues has significantly increased. Several Programmes and Funds were created in response to global conferences.
- Despite a shortage of funds and coordination problems, the UN has done important work in key economic and social areas.
- The Millennium Development Goals have focused attention on measurable socio-economic targets and have further integrated the work of the UN at the country level, but progress towards reaching the goals has been uneven.

## The reform process in the economic and social arrangements of the United Nations

In the mid-to-late 1990s, alongside growing UN involvement in development issues, the UN economic and social arrangements underwent reform at two levels: first, reforms concerned with operations at the country (field) level; and second, reforms at the general or headquarters level.

### Country level

The continuing complaints of NGOs about poor UN performance in the field served as a powerful stimulus for reform. A key feature of the reforms at the country (field) level was the adoption of Country Strategy Notes. These were statements about the overall development process tailored to the specific needs of individual countries. They were written on the basis of discussions between the Specialized Agencies, Programmes and Funds, donors, and the host country, and described the plans of the various institutions and donors in a particular country. The merit of the Country Strategy Notes is that they clearly set out targets, roles, and priorities.

Another reform at the country level was the strengthening of the Resident Coordinator, usually an employee of the United Nations Development Programme (UNDP). He or she became the responsible officer at the country level, and was provided with more training to fulfil this role. Field-level officers were also given enhanced authority, so that they could make decisions about the redeployment of funds within a programme without referring to headquarters. There was also an effort to introduce improved communication facilities and information-sharing. The activities of the various UN organizations were brought together in single locations or 'UN houses', which facilitated inter-agency communication and collegiality. The new country-level approach was called an Integrated Programmes approach. The adoption of the Millennium Development Goals

framework has also helped country field staff achieve a more coherent approach to development. This can be contrasted to earlier arrangements whereby the various agencies would work separately on distinct projects, often in ignorance of each other's presence in the same country.

### Headquarters level

If the UN role in economic and social affairs at the country level was to be effective, reform was also required at the headquarters level. The United Nations family of economic and social organizations has always been a polycentric system. Historically, there was no organization or agent within the system capable of managing the wide range of economic and social activities under the UN umbrella. Reform efforts in the 1990s focused on the reorganization and rationalization of the Economic and Social Council (ECOSOC).

In the UN Charter, the powers given to the General Assembly and ECOSOC were modest. ECOSOC could only issue recommendations and receive reports. By contrast, UN reform in the mid-to-late 1990s allowed ECOSOC to become more assertive and to take a leading role in the coordination of the UN system. ECOSOC was to ensure that General Assembly policies were appropriately implemented on a system-wide basis. ECOSOC was given the power to take final decisions on the activities of its subsidiary bodies and on other matters relating to system-wide coordination in economic, social, and related fields (A/50/227, para. 37).

One of ECOSOC's responsibilities was to review common themes in the work of the nine Functional Commissions, such as the Commission on Narcotic Drugs, the Commission on Sustainable Development, and the Commission on the Status of Women (see Fig. 19.1). The reform effort aimed to eliminate duplication and overlap

in the work of the Functional Commissions. ECOSOC would integrate the work of its Functional Commissions and provide input to the General Assembly, which was responsible for establishing the broader economic and social policy framework.

Overall, economic and social reorganization meant that the two poles of the system were better coordinated: the pole where intentions are defined through global conferences and agendas, and the pole where programmes are implemented. Programmes at the field level were better integrated and field officers were given enhanced discretion. The reform of ECOSOC sharpened its capacity to shape broad agreements into cross-sectoral programmes with well-defined objectives. At the same time, ECOSOC acquired greater capacity to

act as a conduit through which the results of field-level monitoring could be conveyed upwards to the Functional Commissions. These new processes had the effect of strengthening the **norms** of a multilateral system.

### Key Points

- In the mid-to-late 1990s, under the leadership of then Secretary-General Kofi Annan, the UN embarked on an overarching reform effort.
- Reform of the economic and social arrangements of the UN aimed at improving coordination, eliminating duplication, and clarifying spheres of responsibility.
- These efforts strengthened the norms of the multilateral system.

## Conclusion

Changes in the role of the UN reflect the changes in perceptions of international society and the nature of sovereign states. Over the past sixty years, the rules governing the **international system** have become increasingly numerous and specific, covering a large range of the activities of relations between states. Concerns have expanded to include not only the protection of the rights of states, but also the rights of individuals. Yet obtaining the agreement of governments to principles of individual rights is only a first step in building a more orderly and just world. It is also necessary to have consistent and reliable instruments to trigger action when standards are breached.

The United Nations Security Council is the instrument that comes closest to meeting these aims. Despite the flaws of the Security Council, it is striking that even the largest states prefer to get authorization from the Security Council for any action they propose. In Kosovo, the states that participated in the NATO intervention wanted to demonstrate that they were acting according to the UN Charter and the relevant Security Council resolutions. In Iraq, the US and UK governments invested considerable diplomatic energy in getting a second

Security Council resolution in support of military action. The effort failed, but nevertheless it was attempted.

Participation in the United Nations gives governments status in the international system. Membership and success in the UN has come to be regarded as legitimizing **state autonomy**. Hence holding office, taking the initiative, providing personnel, and policing norms are seen to have value because they add to the self-esteem as well as to the power of the state. The UN has become the essential club for states.

The capacity of the UN in its economic and social work, its development work, and its management of peacekeeping and post-conflict peacebuilding has expanded since the 1990s. None the less, the predominance of US military power, the possibility that the USA will act again without clear UN authorization, the heightened concern over terrorism and weapons of mass destruction, the inability to respond effectively to crises in the eastern Democratic Republic of the Congo, Somalia, and Darfur, and the pervasiveness of inequality and injustice across the world, signal that further changes and adaptations within the UN system will be necessary.

### Questions

- 1 How does the United Nations try to maintain international order?
- 2 Why have more states decided to support the work of the United Nations?
- 3 What are some of the barriers to UN Security Council reform?
- 4 Does increased UN activity undermine the sovereignty of states?