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## The United Nations





The UNO Secretary General is Antonio Guterres, who took over from Ban Ki-moon in 2017.



The United Nations Building



The UNO Flag

- The wars aroused suspicion and encouraged arms race, a threat to world peace.
- The World Leaders wanted to build a durable structure of peace and security in the world. This led to the establishment of the UNO.

### THE U.N.O.

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

In 1945, representatives of 50 countries met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. Those delegates deliberated on the basis of proposals worked out by the representatives of China, the Soviet Union, the United Kingdom and the United States at Dumbarton Oaks, United States in August-October 1944.

The Charter was signed on 26 June 1945 by the representatives of the 50 countries. Poland, which was not represented at the Conference, signed it later and became one of the original 51 Member States.

The United Nations officially came into existence on 24 October 1945, when the Charter had been ratified by China, France, the Soviet Union, the United Kingdom, the United States and by a majority of other signatories. United Nations Day is celebrated on 24 October each year.

The **U.N. headquarters** are in **New York (USA)**. The membership of the UNO has gone upto 192 at present. **South Sudan** was the 193rd member of the UNO.



The Yalta Conference (1945) in which Allied Leaders Joseph Stalin (U.S.S.R.), Franklin. D. Roosevelt (U.S.A.) and Sir Winston Churchill (U.K.) are seen together.

### Membership :

1. The membership is open to all peace loving states which accept the obligations contained in the UN Charter. Admissions of new members, suspension and expulsion of members is made by the General Assembly on the recommendation of the Security Council.

2. The flag is light blue in colour and portrayed in white, in its centre is the UN Emblem, a polar map of the world embraced by twin olive branches.

3. The UN is financed by the contributions made by the member states to the expenses of the budget and to the working capital fund. It is determined by the General Assembly each year on the recommendations of its committee on the contributions.



## Objectives of the United Nations (U.N.)

The **Objectives** of the U.N. according to the **Preamble of the U.N. Charter** are :

1. To save succeeding generations from the scourge of War ;
2. To develop faith in fundamental human rights and in the dignity and worth of human beings ;
3. To develop conditions under which justice and respect for International law and treaties can be maintained ;

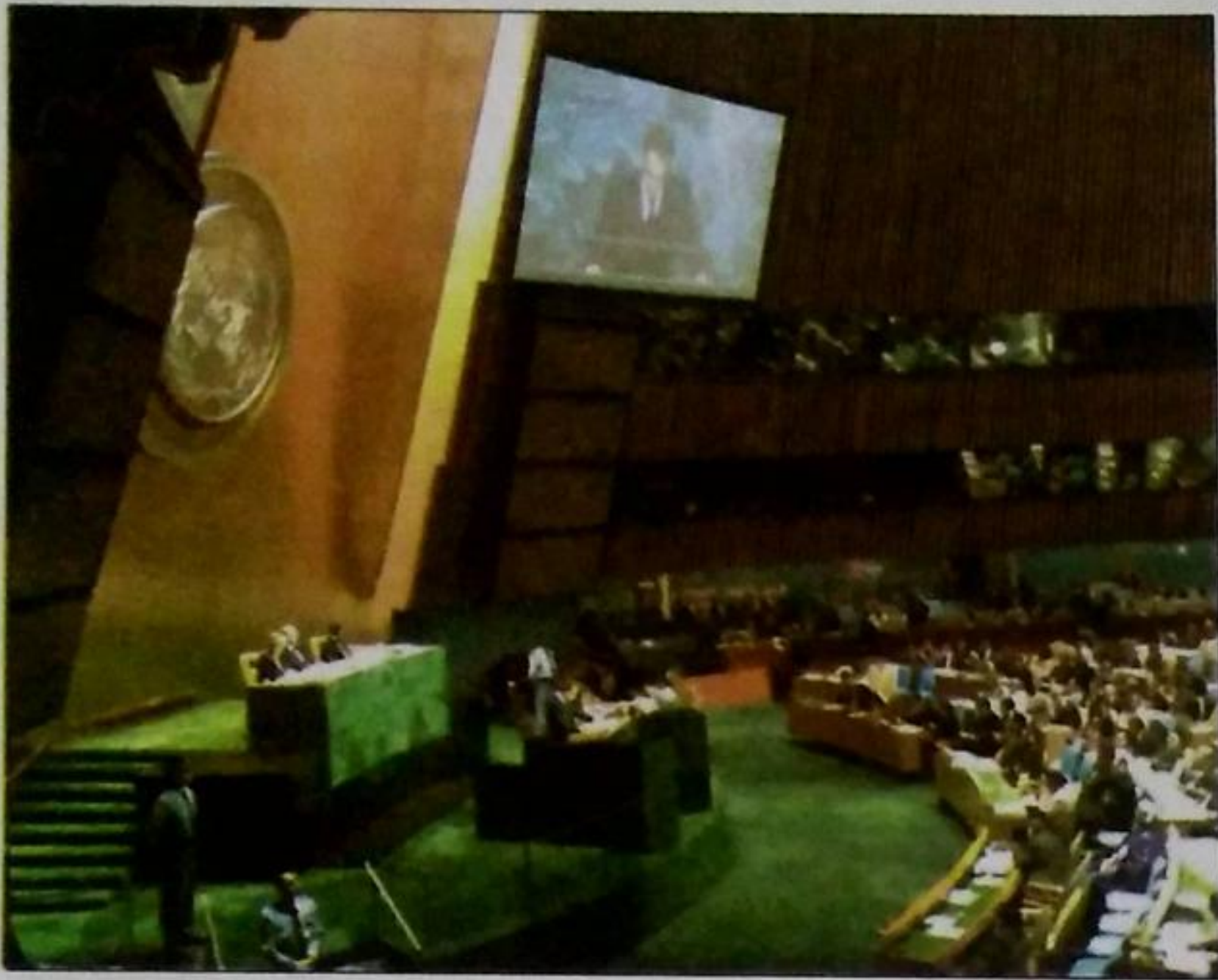
4. To promote social progress and better standards of life and more freedom.
5. Disarm, decolonize and develop are the other objectives of the UNO.

### (1) The General Assembly

**Its Composition :** The **General Assembly** may be called the **World Parliament**. Every *member-state* of the **U.N.O.** sends a delegation of five members in it. But every member-state has just one vote. At the start of the session, it elects its own President for one year, 21 Vice-Presidents and Chairmen of the Assembly's six main committees.



The Presidency rotates each year among five groups of states : *African, Asian, Eastern European (Latin American and Caribbean) and Western European* and other states. It meets once for two months in a year in the month of September. But an *emergency session or special session* of the General Assembly can be called anytime by the Secretary General on the recommendation of the **Security Council** or of a majority of the members of the **UN**. Its Headquarters is in **New York**.



The General Assembly of the UNO

### How decisions are taken ?

Decisions on important questions are made by a 2/3rd majority *e.g.*, – *Admissions or suspension of members of the UN, election of the non-permanent members of Security Council, budgetary questions and recommendations regarding the maintenance of international peace and security.*

Decisions on other questions are made by the majority of the members, present and voting.

### FUNCTIONS OF THE GENERAL ASSEMBLY

The General Assembly performs the following functions :

**1. Admit new members :** It admits new members to the U.N. on the recommendation of the Security Council. Montenegro was added as the 192nd members of the UNO to the General Assembly. Suspension and expulsion of the members is also made by the General Assembly on the recommendation of the Security Council.

- 2. Electoral functions :** (i) It appoints the Secretary-General of the U.N.O. on the recommendation of the Security Council for a term of **five years** (He can be re-elected).  
(ii) It elects ten temporary members of the Security Council.  
(iii) It elects members of the Economic and Social Council and Trusteeship Council.  
(iv) It also elects the judges of the International Court of Justice, jointly with the Security Council.
- 3. Deliberate functions :** It promotes necessary studies regarding international political cooperation, formation and development of international laws, and securing fundamental freedoms. It also promotes cooperation in areas related to socio-cultural, economic, educational and health services, and makes appropriate recommendations for their development.
- 4. Human Rights :** It draws attention of the member states to provide human rights to their citizens.
- 5. Annual Budget :** It considers and passes the annual budget of the U.N.O. It also determines the share of each member state to the expenses of the budget.
- 6. Peace and Security :** It draws the attention of the Security Council whenever it finds that the peace of the world is endangered by the action of one or more states.
- 7. Amends the UN Charter :** The Assembly has the power to amend the UN Charter. Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.
- 8. Supervisory Functions :** It regulates the working of other organs and agencies of United Nations (UN). It also receives and considers reports from them. The **Secretary General** is required to make an **annual report**



to the General Assembly on the work of the United Nations.

9. **Uniting for Peace Resolution** : After the passing of the *Uniting for Peace Resolution* of 1950 A.D., the position of the Assembly has been considerably strengthened. If the Security Council is deadlocked due to lack of unanimity or the use of veto by any or more of permanent members the General Assembly can deal with the problem. It can recommend for a collective measure including the use of armed forces in case of aggression or breach of peace.

### The Secretary General

The **Secretary General** of the **United Nations** is the *head of the Secretariat*, one of the principal organs of the United Nations. He is appointed by the General Assembly on the recommendation of the Security Council for five years. He may be re-elected also.

- (i) He is the chief administrative officer. He prepares the agenda of the meetings and also attends those meetings.
- (ii) He acts as the defacto spokesperson and leader of the United Nations.
- (iii) He is empowered to bring to the attention of the Security Council any matter which in his opinion may threaten maintenance of international peace and security.
- (iv) He carries on the day-to-day work of the United Nations (U.N.) and also submits annual report to the General Assembly on its work.
- (v) He prepares the annual budget of the U.N.

### (2) The Security Council

**Its Composition** : The Security Council is the most important organ of the U.N. It is the executive body or 'Enforcement Wing' of the United Nations. It has **fifteen members** namely **Permanent** and **Non-permanent**. Five Permanent members are the U.S.A., the U.K., France, Russia, China (People's Republic).

The other ten non-permanent members of the Security Council are elected by the General Assembly

for two years on a regional basis *i.e.* (i) Afro-Asian countries – 5 ; (ii) Latin American Countries – 2 ; (iii) West European and other countries – 2 ; (iv) East European Countries – 1.

The Presidency of the Council rotates monthly, according to the English alphabetical listing of its member States. No country can be elected as a member immediately on the expiry of its term. The decisions in the Security Council are taken by the majority. Each *member of the Security Council has one vote*. Decisions on **procedural** matters are made by the affirmative vote of nine members, on other matters it shall be made by an affirmative vote of nine members, including the **five permanent members**. But if any permanent member exercises veto on a decision of the Security Council, it cannot be carried out, even if all the other members agree. This is called the **Veto Power** of the Big Five Permanent Members. The Council is powerless to act in the face of a veto. Abstention from voting by a permanent member does not amount to a negative vote. The meetings of the Security Council are held once a month. In emergencies, the meetings can be held whenever needed.

**Veto** : A Latin word means 'I Forbid'. It is used to denote that a certain party has the right to stop unilaterally a certain piece of legislation. The *five permanent members of the United Nations* enjoy Veto power (negative vote) *i.e.*, by exercising this power, any of the permanent members may reject the decisions or recommendations of the Security Council and make them null and void.

**Functions of the Security Council** : The Security Council meets at the **U.N. headquarters** in **New York**. The foremost responsibility to maintain international peace and security is entrusted to the Security Council. It makes use of the following measures :

- (a) peace making methods.
- (b) peace keeping operations.
- (c) by various resolutions and declarations on peace *e.g.*,
  - (i) The **1965** Declaration on inadmissibility of intervention in domestic affairs of states and the protection of their independence and sovereignty.



(ii) The **1981** Declaration on the prevention of nuclear catastrophe.

(iii) The **1984** Declaration on the rights of people to peace.

In the discharge of its responsibility, the Security Council can do the following :

1. It can investigate disputes among nations and recommend ways and means for peaceful settlement through *negotiations, mediation, arbitration or judicial settlement*.
2. It notes an act of aggression and recommends action to be taken. It can impose an embargo (*i.e.*, stoppage of trade) on nations that do not act according to its directions. It may decide for complete or partial interruption of economic relations, interruption of rail, sea, air or other means of communication and severance of diplomatic relations.
3. It can order military action against an aggressive nation. Such action may include operations by air, sea or land forces supplied by the Member Nations. It can also recommend to the General Assembly to expel a state from the membership of the U.N.O. In case a ceasefire is ordered and agreed to by the nations, a U.N. Peace Keeping Force consisting of troops from member states may be sent to the troubled areas. It formulates plans for the regulation of armaments with a view to controlling it. It can recommend to the Secretary-General to call a special meeting of the General Assembly.
4. It elects the judges of the International Court of Justice jointly with the General Assembly. It recommends the name of a person for appointment as the Secretary-General of the U.N.O. It also recommends to the General Assembly the admission of new members to the U.N.O.
5. The Security Council also exercises the Trusteeship functions of the U.N in strategic areas relating to political, economic and social matters.
6. While the other organs of the UN make recommendations to the government, the Security Council alone has the power to take decisions which member states are obligated to carry out.

### (3) International Court of Justice (I.C.J.)

**Its Composition :** The Court began its work in 1946 when it replaced the Permanent Court of International Justice which had functioned in the Peace Palace since 1922. The International Court of Justice consists of **15 judges**. The Security Council and General Assembly each separately choose 15 judges. Then they are elected jointly by a majority vote. Their term is **nine years**, with *one-third judges retiring every three years*. No two judges should belong to one country. If two persons of the same nationality are chosen, only the elder one becomes the member. The court also elects its President and Vice-President for three year term, who can be re-elected. The court also appoints a **Registrar**. Judges can be re-elected. The Members of the Court do not represent their governments but are independent magistrates. The Judges must possess the qualifications required in their respective countries for appointment to the highest judicial offices or be jurists of recognised competence in international law. The composition of the Court has also to reflect the main forms of civilisation and the principal legal systems of the world. For sitting of the court the quorum of judges is nine, but a small court may sit to hear certain classes of cases. The Headquarters of the International Court of Justice is at **Hague** in Holland.



Symbol of the International Court of Justice, the principal judicial organ of the UNO.

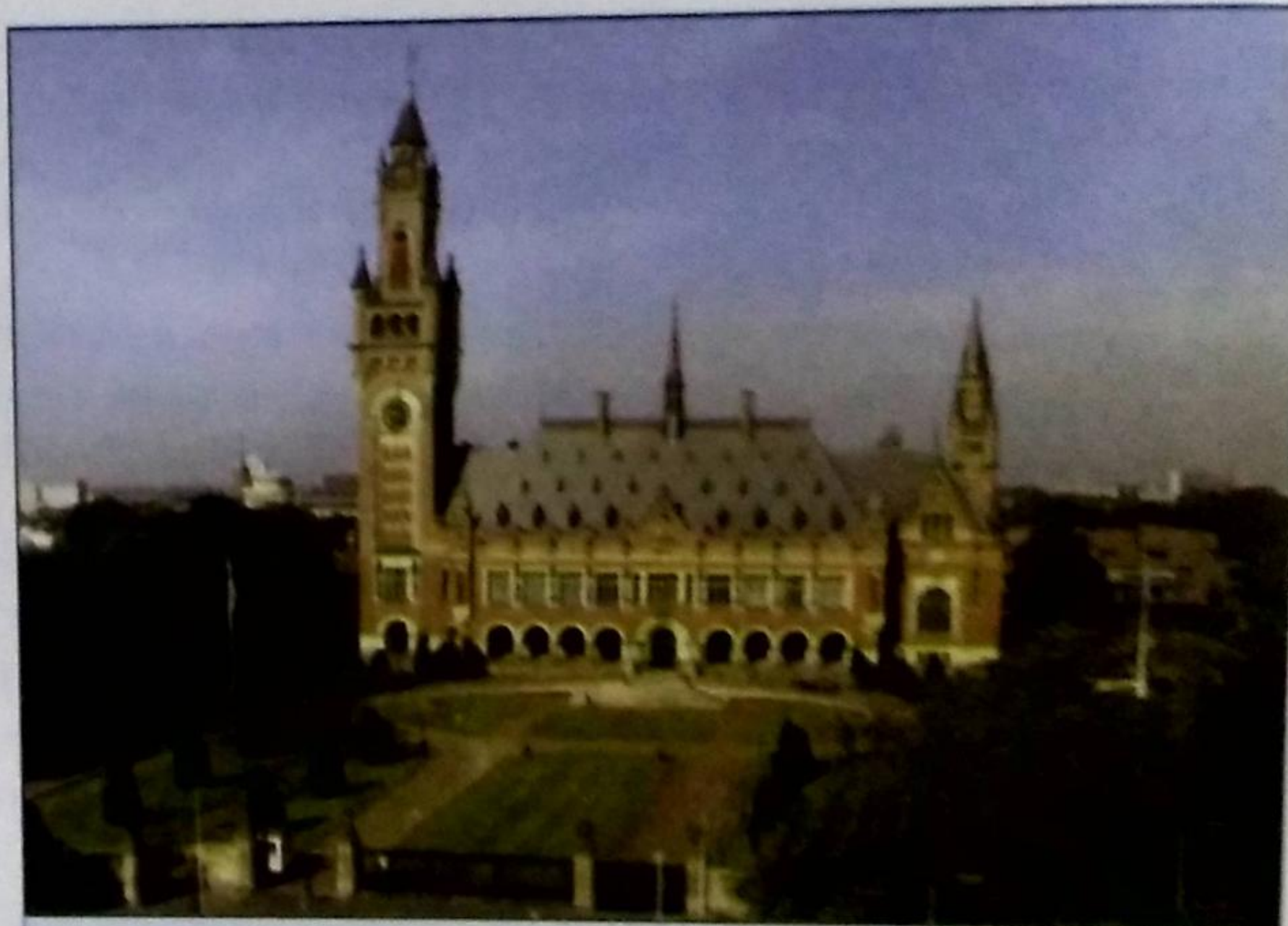
#### Functions of the International Court of Justice:

1. If the treaties provide, the court can hear cases of dispute between two or more nations and decide it. Only member states of the UNO are entitled to appear and apply. Disputes between Nations relating to reparation or interpretation of International law are heard by it.
2. In case a complaint is filed by one country against another and the respondent nation



appears before the Law Court, then it can hear it and decide. The court interprets it as **consent** to the reference.

3. The General Assembly, the Security Council, the other U.N. Organs and Agencies may ask the International Court of Justice (I.C.J.) to give its advisory opinion on any dispute/legal question within the scope of their activities. Since 1946 the court has given 24 Advisory opinions, concerning injuries suffered in the service of UN, territorial status of S.W. Africa (Namibia), etc.
4. It codifies the International law by thoroughly examining International conventions, customs, Judicial decisions and general principles of law.
5. It evolves the procedure of peaceful settlement of disputes. It may also recommend the terms of settlement at any stage of settlement of a dispute.
6. Each country is obliged to comply with the decision of the I.C.J. The disputes are related to matters such as aerial incidents, fishing rights, asylum given by government to foreigners, who left their country. If any party fails to fulfil its obligation, then the Security Council can be approached, which can



#### INTERNATIONAL COURT OF JUSTICE (ICJ)

International legal disputes between nations are settled at the International Court at Hague in Netherlands. The Court consists of 15 judges elected by the Security Council and the General Assembly, and makes its decisions by a majority vote.

decide about the measures to be taken to enforce the decision of the I.C.J. The decisions are made by majority of the judges present.

Thus, the International Court of Justice tries to bring about peaceful and judicial settlement of disputes.

(**Note** : The other three organs of the United Nations are not prescribed in the syllabus.)



Answer the following :

1. With reference to the formation of the UNO, explain :

- a) Objectives of the UNO
- b) Composition of the Security Council.
- c) Functions of the Security Council.

2. With reference to the organs of the UNO, discuss :

- a) Functions of the General Assembly.
- b) Functions of the International Court of Justice.