

**Degree Part-III, Paper-VI (Political Science (Hons.))**

## **INTERNATIONAL POLITICS**

### **UNITED NATIONS ORGANIZATIONS AND ITS ORGANS**

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### **INTRODUCTION**

The United Nations officially came into existence on the 24<sup>th</sup> October, 1945, when the charter had been ratified by China, France, USA, USSR and Great Britain. The 24<sup>th</sup> Oct. each year is now universally celebrated as the UN Day. Currently it has 193 members.

#### **Prelude to the formation of UNO, i.e. how UNO came into existence**

- Atlantic Charter of 1941 – where President Roosevelt and Churchill made some efforts and discussed a future possibility of forming international organization.
- United Nations Declarations of January, 1942 – the members of the declaration agreed to a common programme for purposes and principles given in the Atlantic Charter.
- The Casablanca Conference of January 1943 – the conference agreed on a formula of unconditional surrender over terms of peace.
- The Food and Agriculture Conference, 1943 – the conference studied the problem of feeding millions of displaced persons which led to the formation of Food and Agriculture Organization in late 1945.
- The Moscow Conference, October 30, 1943 – USSR, US, China and Great Britain declared that they wanted at the earliest a general international organization based on sovereign equality of all peace loving nations.
- Teheran Conference, 1943 – it was decided that there should be an end of tyranny, slavery, oppression and intolerance. It was said that members welcome the other states into the family of democratic nations.
- Bretton woods Conference, July, 1944 – this conference tried to establish some international financial agencies to improve international economic

relations. An agreement was reached by which IBRD (World Bank) and IMF was established.

- Dumbarton Oaks Proposal, August-October 1944 – the main outline of the proposed international organization was chalked out and got published.
- Yalta Conference, 1945 – the question of the voting procedure in the Security Council, the matter regarding the occupation and control of Germany, the ‘veto’ formula embodied in the UN Charter etc. were finalized at the Yalta conference. It was also provided that a full scale UN conference should be called at San Francisco on April 25, 1945.
- The San Francisco Conference, 25 April-26 June, 1945 – it marked the culmination point in the emergence of the UN. 51 states signed the UN Charter. It was also decided ultimately that the five big powers should be given permanent seats in the Security Council and the veto power should be given to them.
- Signing of the Charter – the charter containing 10,000 words in 111 Articles divided in 19 chapters was finally prepared in 5 official languages – French, Russian, Spanish, English and Chinese.

## **OBJECTIVES OF THE UN**

- To save the succeeding generations from the scourge of war.
- To maintain faith in fundamental human rights.
- Justice and respect for the obligations arising from the treaties.
- To promote social progress and better standard of life.

## **PURPOSES OF THE UN**

- To maintain international peace and security.
- To achieve international cooperation in solving international problems.
- To develop friendly relations among national.
- To be a center for harmonizing the actions to achieve the above ends.

## **PRINCIPLES OF UN**

- Sovereign equality of all its members.
- To fulfill in good faith the obligations in accordance with the Charter.

- To ensure that the non-members will act in accordance of the principles of the UN.
- To refrain its members from the threat or use of force against territorial integrity of other nations.
- To give assistance to UN in any action it takes.
- Non-interference in the internal affairs of other states<sup>1</sup>.

The total membership of the UN at present is 199 nations.

## **Major Organs of the United Nations Organizations**

### **I. GENERAL ASSEMBLY**

It is the most popular and the largest body of the UN. It acts as the Legislature of the UN. All the members of the UN are the members of the General Assembly. The Chapter IV of the Charter provides that each member shall have not more than 5 representatives in the General Assembly. Every state has only one vote in it. It provides for the forum for raising matters of grievances and injustice.

### **OFFICIALS OF GENERAL ASSEMBLY**

General Assembly elects its own President for one year by secret ballot. There are 17 Vice Presidents representing different regions and areas.

### **SESSIONS OF GENERAL ASSEMBLY**

It meets in regular session annually on third Tuesday of September. But its special session can be called by Secretary General at the request of the Security Council. Emergency Sessions can be called.

### **DECISIONS OF THE GENERAL ASSEMBLY**

It takes all decisions by voting. Two-third majority of the present and voting members can take the important decisions.

### **POWER AND FUNCTIONS**

- Deliberative Functions – This implies that it can discuss any question or matter within the scope of the Charter.
- Supervisory Function – it receives and considers reports and special reports from the Security Council. It supervises the work of Trusteeship council.

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<sup>1</sup> Goodrich and Hambro, Charter of the United Nations, p.20

The Economic and Social Council has to take the approval of General Assembly for calling international conferences. It also makes rules for the appointments of the staff of the secretariat. It coordinates the policies and activities of the specialized agencies like WHO, ILO, FAO, IMF etc.

- Financial Function – Article 17 provides that it has the power to consider and approve the budget of the UN. It can review the work of the organs of the UN when their expenditure estimates are presented.
- Electoral Functions – it admits the new states on the recommendation of the Security Council. It elects non-permanent members of the Security Council, 18 members of ECOSOC, and judges of the International Court of Justice (ICJ). It also appoints the Secretary General of UN on the recommendation of the Security Council.
- Constituent Function – Amendment to the UN Charter may be valid only when it has been adopted by a vote of two third members of the Assembly. The Assembly can call general conference for the review of the Charter.

## **POSITION OF THE GENERAL ASSEMBLY**

The resolution of 1950 lay down that if the Security Council fails to exercise its primary duty for the maintenance of international peace and security, the General Assembly shall consider the matter with a view to making appropriate recommendations to members for collective measures. This is called 'Uniting for Peace Resolution'. But this resolution strengthened the position of General Assembly in theory only. In actual practice, it has failed in its role as the custodian of collective security of the UN.

## **II. SECURITY COUNCIL**

If General Assembly is the deliberative organ, the Security Council is the enforcement organ of the UN. From 1<sup>st</sup> January, 1966, the membership of the Security Council has increased to 15 members, 5 permanent (USA, Soviet Union, Great Britain, France and China) and 10 non-permanent elected for two years. The non-permanent members are not eligible for immediate re-election.

## **PRESIDING OFFICER**

There is one president of the Security Council, every member's holds presidency in alphabetical order for one month.

## **VOTING PROCEDURE**

Each member has one vote. The decisions are divided into two parts: (a) decisions on procedural matters which shall be taken by an affirmative vote of 9 members. (b) Decision on substantial matters which must require the affirmative vote of 5 permanent members.

## **SESSION**

The Security Council is always in session.

## **POWERS AND FUNCTIONS**

- Deliberative Powers – It can discuss, investigate and make recommendation on matters of international peace and security. It can call upon the members of the UN to settle their disputes peacefully. It also determines the existence of any threat to international peace and security. It can formulate plans to regulate armaments. It supervises the working of UN Atomic Energy Commission.
- Enforcement Functions – it decides what measures either military or otherwise should be taken to maintain international peace and security.
- Electoral Functions – it recommends the admission of new states to the UN. It participates in the appointment of the Secretary General. It can recommend to the General Assembly for suspending any member of UN for persistently violating the Charter. It also participates in the election of the judges of the ICJ.
- Peaceful settlement of disputes between nations

## **POSITION OF SECURITY COUNCIL**

Following factors have been responsible for reducing the importance of the Security Council and making it less effective:

- Veto power
- Uniting for Peace Resolution
- Regional Security Alliances

In spite of various drawbacks, it still is a powerful institution enjoying the faith of world community and responsible for maintaining world peace.

## **III. INTERNATIONAL COURT OF JUSTICE (ICJ)**

On April 18, 1946, International Court of Justice was established under Article 92 of the UN Charter. The members of the UN are under obligation to comply with the decisions of the ICJ in cases to which they are parties.

## **COMPOSITION**

All members of the UN are de facto members of the court. There would be the 16 judges of the ICJ. They would be elected regardless of their nationality from among the persons of high moral character who possess the qualifications required in their respective countries for the appointment to the highest judicial offices. Sri Nagendra Singh of India has been appointed as judge of ICJ. Justice Kuldeep Singh is the latest entrant from India to the ICJ.

## **ELECTION OF JUDGES**

At least three months before the date of election, the Secretary General of the UN addresses a written request to the members of the court belonging to the states asking them to nominate persons in a position to accept the duties of a member of the court. After nomination, the Secretary General prepares the list of the nominated persons in the alphabetical order. The General Assembly and Security Council then proceed independently of one another to elect the required candidates to become the members of the court. The candidate who secured the absolute majority of votes in both the organs are considered elected.

## **TENURE OF JUDGES**

The judges of the ICJ are elected for the period of 9 years and five judges retire after every 3 years. They are eligible for reelection.

## **SEAT OF THE COURT**

It has a permanent seat at Hague and it remains permanently in session.

## **PRESIDING OFFICERS**

The court elects its president and Vice President for 3 years. Both of them are eligible for re-election. The salaries, allowances and compensation are fixed by the General Assembly and they cannot be decreased during their term of office.

## **METHODS OF TAKING DECISIONS**

The court takes all decisions by majority of the judges present. In case of tie, President of the court has casting vote. The decisions taken by the court are binding only on the parties to disputes. Regarding the enforcement of the decisions, if any state does not obey the decision of the court then the Security Council can take enforcement action.

## **POWERS AND JURISDICTION OF THE ICJ**

The court has to hear and decide disputes arising between the states.

- **Voluntary Jurisdiction** – it has voluntary jurisdiction over the cases of the states. It means that its cases comprise of such disputes which parties refer to it by agreement.
- **Compulsory Jurisdiction** – in following matters –
  - (a) the interpretation of treaty
  - (b) any question of international law
  - (c) the existence of any fact which is established, would constitute a branch of an international obligation
  - (d) The nature or extent of the reparation to be made for the breach of an international obligation.
- **Advisory Jurisdiction** – it gives advisory opinion on legal question to the General Assembly, Security Council and other specialized agencies authorized by the General Assembly. The advice of ICJ is taken by a written request. Its advice is not binding on the agency soliciting it.

## **POSITION OF THE ICJ**

This court has definitely done more work than its predecessors in deciding several cases successfully like cases relating to the French nuclear tests in 1973, Anglo-Norwegian Fisheries case, Indo-Portuguese Disputes etc. but the defective method of election of judges and lack of compulsory jurisdiction makes its functioning weak. The only way out is to depoliticize the election of judges, increase the number of the judges, modifying the procedure of the court and avoid politics in the international judicial process.

## **IV. TRUSTEESHIP COUNCIL**

Article 7 of the UN Charter includes the Trusteeship Council as an auxiliary organ of the General Assembly in supervising the administration of the non-strategic trust territories and to the Security Council in case of strategic areas.

### **COMPOSITION**

It gives representation to all states administering trust territories. It was felt that an equal number of members should be taken from the non-administering states to maintain a proper balance. Provision had to be made for all the great powers.

### **DECISION AND VOTING PROCESS**

Its decisions shall be made by a majority of the members present and voting. Each member shall have one vote.

### **SESSION**

This council holds two meetings in a year, one in January and other one in June. Its special session can be called any time on the request of majority of members.

### **PRESIDING OFFICER**

The council elects a President and a Vice-President by secret ballot from amongst its own members.

### **POWERS AND FUNCTIONS**

- Examination of reports – each administering authority has to submit its annual report for each of its territory. These reports contain the brief survey of political, economic and educational achievement in that territory.
- Examination of petitions – it can examine petitions from individuals and organizations in the trust territories. They generally relate to human rights, social discrimination, poor education, property claims etc.
- Visit to trust territories – the council arranged a visit to trust territories to acquire first hand information about their conditions and problems.

### **POSITION OF TRUSTEESHIP COUNCIL**

It has brought about a lot of development in various spheres and devoted most of its attention to the political advancement of the trust territories. In the words of Goodspeed, “it cannot claim exclusive credit for the demise of colonial system, it nevertheless has played an outstanding role in this accomplishment and has been and still is the central focus and primary mechanism for anti-colonial movement.”



## **V. ECONOMIC AND SOCIAL COUNCIL (ECOSOC)**

Its aim is to look after the social and economic welfare of the states because international peace and security cannot be achieved without uniform social and economic progress of the world.

### **COMPOSITION**

According to Article 61 of the UN charter, the membership of the ECOSOC is 54 nations. Its members are elected by the General Assembly for the period of three years. The retired members are eligible for reelection. Each member of the council shall have one vote and one representative. Several provisions are also made to provide wide representation to all the regions of the world.

### **MEETINGS**

The ECOSOC holds two meetings in a year, one in April and second in July. Sometimes special meetings can also be called.

### **VOTING PROCEDURE**

Decisions are taken by a majority of the members present and voting and each state shall have one vote. Its decisions have non-obligatory character.

### **POWERS AND FUNCTIONS**

- The ECOSOC (under Art.62) may make or initiate studies and reports with respect to international economic, social, cultural, educational and health matters and can make recommendations to General Assembly regarding human rights and fundamental freedoms to all people.
- The council (Article 63) can enter into agreements with any of the specialized agencies subject to the approval of the General Assembly can also coordinate their activities.
- The council (Article 64) may obtain regular reports from the specialized agencies.
- The ECOSOC (Article 65) may give information to the Security Council on economic and social matters and assist the Security Council upon its request.
- The General Assembly can assign any other function to ECOSOC as prescribed in the Charter.

## **POSITION OF THE ECOSOC**

Though the ECOSOC has been criticized for an apparent lack of concrete achievement and for delays in considering important problems and for a lot of politics yet it cannot be denied that the council has definitely popularized the human rights and fundamental freedoms among the backward people. It has also achieved success in improving the international economic order. It has also worked extensively for the welfare of the workers and the laborers.

## **VI. THE SECRETARIAT AND THE SECRETARY GENERAL**

The secretariat is one of the chief organs of the UN. It is the headquarters of the UN which administers and coordinates the policies and programs. Secretary General is the Chief Administrative Officer of the UN. Being the in charge of the secretariat, his main function is to keep the record of the UN and to act in cases in which the Charter expressly confers function upon the UN. He appointed the entire staff of the UN. Due consideration is also given to wide geographical basis in recruitment. Mr. Trygve Lie from Norway was the first Secretary General of the UN. The current incumbent to this post is Mr. Ban Ki Moon from South Korea.

### **APPOINTMENT OF THE SECRETARY GENERAL**

He is appointed by General Assembly on the recommendation of the Security Council.

### **TERM**

The Secretary General has come to assume a term of five years which can be renewed or extended.

### **QUALIFICATIONS**

- He should be acceptable to both General Assembly and Security Council
- A good statesman.
- Prepared to take risk.
- A good administrator
- A trusted consultant of all sides.

## **POWERS AND FUNCTIONS**

### **Administrative Powers**

- Responsible for organizing and directing the activities of the UN
- Ensures the effective working of organs and committees of UN
- Controls the secretariat
- Helps in drafting the documents, resolutions and reports
- Takes action on the resolution passed by the General Assembly
- Gives technical and legal advice
- Brings the specialized agencies into the relationship with the UN
- May submit proposals regarding special conferences.

### **Financial Functions**

- Prepares the budget of the UN
- Allocates funds and controls the expenditure
- Makes collection of the contributions from the UN members
- Controls specialized agencies for common financial problems and practices
- Retains a special authority to enter in commitments not provided for in the budget.

### **Political Functions**

- He may bring to attention of Security Council any matter which, in his opinion, may threaten the maintenance of international peace and security.
- He has the power to exercise discretion and influence in the formulation of policy.
- He can give his opinion on matters already under consideration of Security Council.
- He highlights the achievements of the UN and also submits annual report on the work of the UN.
- He pays visit to various countries to settle any dispute which may arise between them.

### **Representation Functions**

- He acts as agent or representative of the UN.
- He represents the UN if negotiations are conducted with any other specialized agency.
- Agreements are concluded by the Secretary General at the request of one of the UN organs.
- He represents the interest of the UN before International Court of Justice on several occasions.

### **Registration Functions**

- Secretary General registers every treaty and every international agreement entered into by any members of the UN.

### **POSITION OF THE SECRETARY GENERAL**

Thus it revealed that besides all those powers granted to the Secretary General, the status and prestige of this office is enforced by Secretary's General's by using extra extensive powers which they have assumed. It can be said that the expanding role of this office has been one of the most important developments in the history of the international organizations. Recently, we are witnessing the increasingly growing influence of USA over the office of the Secretary General. This development might render the office of the UN Secretary General weak.

### **CONCLUSION**

Today the UN is 75 years old. In the present scenario, there is a need for reformation and modernization of the UN for firmly dealing with terrorism and other transnational organized crimes including drug trafficking and for ensuring a nuclear weapon-free world. It also gave a call for removing economic and trade imbalances and for preventing the growing economic bankruptcy and ecological degradation. The need for securing adequate presence of developing countries on the basis of objective criteria was emphasized by India and several other countries.

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