

UNITED NATIONS AND ITS ORGANS

LEAGUE OF NATIONS - Headquarters – Geneva

To develop Peace, Harmony and world order, basically to not have more World Wars.

The idea was for the League of Nations to prevent wars through disarmament, collective security and negotiation. It was also involved in other issues such as drug trafficking, arms trade and global health.

8th Jan 1918 – 14-point programme by American President Woodrow Wilson for establishment of L.O.N

10th Jan 1920 – L.O.N established at Paris Peace conference also known as Versailles Peace Conference.

LON organs – Assembly, Council, Secretariat.

LON Functions – Disarmament, Protect League of nations members, To Maintain international peace and security.

Why League of Nations failed

- **Did not portray world balance:** Many countries including major Powers like U.S.A never joined. Soviet Union was expelled.
- **Major Structural flaws:** All decisions must be unanimous, Division of responsibility not clear.
- **Real power remained with large nations:** France and Britain were using the league for their own agendas. (Colonialism).
- **Silence:** Italy and Japan acted aggressively and league of nations didn't do anything.
- **World War II Broke out:** No real power to stop wars.

LON dissolved on 20th APRIL 1946 but UN was CREATED before that on 24TH OCTOBER 1945.

UNITED NATIONS

Atlantic Charter - Joint Declaration issued by American President Roosevelt and British Prime Minister Churchill in 1941. The word 'United Nations' was used by President Roosevelt and it indicated the countries that are allied against Germany, Japan, and Italy. On 1st January 1942, 26 nations signed the Declaration at Washington DC stressing their adherence to the principles of the Atlantic Charter.

Dumbarton Oaks Proposal (1944-1945) - A proposal was submitted by the Big Four (China, Great Britain, USSR, and the United States) for the formation of the United Nations, where the principles of the organization were laid down.

25th of April 1945 - San Francisco Conference (United Nations Conference on International Organization) to determine the final structure of the United Nations Charter. On 24th October 1945, the 5 permanent members and other signatory nations ratified the official UN Charter.

United Nations was created for:

- Maintaining international peace and security
- Developing friendly relations among nations.
- Protecting Human Rights.
- Delivering Humanitarian Aid.
- Promoting sustainable development.

Headquarters – New York City.

Official Languages – Arabic, Chinese, English, French, Russian, Spanish.

Members – 193 States.

Observers – 2 {State of Palestine and Holy See (Vatican city)}

UN Charter signed on – 26th June 1945

UN Charter Came into force – 24th October 1945

Preamble and 19 Chapters – 111 Articles (They randomly ask Articles from this UN Charter, Important Chapters and articles are covered below in United nations organs, but you should give a look to the whole charter whenever you study PIL, that will give you an idea as to what is where if in exam they ask, which they do very often).

Six Principal Organs of United Nations

General Assembly – Chapter IV

Security Council – Chapter V

Economic and Social Council – Chapter X

Trusteeship Council – Chapter XIII

International court of Justice – Chapter XIV

UN Secretariat – Chapter XV

General Assembly - Chapter IV (Art.9-22)

Parliament of United Nations, Chief deliberative, policymaking and representative organ of the United Nations.

Composition (Article 9)

- All Members of UN are by default member of General Assembly.
- 5 representative – per country

Functions and Powers (Article 10-17)

- If Security Council is discussing a matter, then General Assembly will not discuss it or make recommendation unless asked by the Security Council (Article 12).
- Discuss any Questions or Make recommendation to Security Council and Members in relation to international peace and security.
- Promote co-operation in the political, economic, social, cultural, and educational and health fields.
- Progressive development of international law and its codification.
- Assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.
- Receive annual and special reports from Security Council and other organs.
- Decide Budget related stuff.

Voting (Article 18-19)

- Each member one vote.
- 2/3rd majority for important questions - recommendations on peace and security, budgetary concerns, and the election, admission, suspension or expulsion of members.
- Simple majority for other questions.
- No vote if due on the members financial contribution is more than 2 years.
- Meeting once per year – but Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

The Security Council - Chapter V (Article 23-32)

Composition (Article 23)

- 5 permanent Members. (China, France, Russia, UK, USA)
- 10 other non- permanent members elected for 2 years.
- Immediate re-election not allowed.
- 1 representative per member.

India has been a member of the UN Security Council for seven terms (a total of 14 years), with the most recent being the 2010–12 term.

Functions and Powers (Article 24-26)

- Primary responsibility for the maintenance of international peace and security.
- The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.
- The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

Voting (Article 27)

- 1 vote per member.
- 9 votes to make decision including the concurring votes of the permanent members.
- Party to dispute will abstain from voting.

The Economic and Social Council - Chapter X (Article 61-72)

Composition (Article 61)

- 54 members elected by GA.
- 18 members selected each year for 3-year term. Can be re-elected immediately.

Functions and Powers (Article 62-66)

- Make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters.
- Make recommendation with respect to any such matters to the General Assembly to the Members of the United Nations, and to the specialized agencies concerned.
- Assist Security council if requested.
- Prepare draft conventions for submission to the General Assembly.
- Call international conferences.
- Co-ordinate the activities of the specialized agencies.

Voting (Article 67)

- Co-ordinate the activities of the specialized agencies.
- Each member has one vote.
- Decisions made with simple majority.

The Trusteeship Council - Chapter XIII (Article 86 - 91)

- Established to help ensure that trust territories were administered in the best interests of their inhabitants and of international peace and security.
- Created by the United Nations Charter as a successor to the League of Nations mandate system.

Trust Territory - Territory under the trusteeship of the United Nations or of a state designated by them.

With the independence of Palau, formerly part of the Trust Territory of the Pacific Islands, in 1994, there presently are no trust territories, leaving the Trusteeship Council without responsibilities.

Chapter XII : International Trusteeship System

- Composition (Article 86)
- Functions and Powers (Article 87-88)
- Voting (Article 89)

International Court of Justice - Chapter XIV (Article 92-96)

Headquarters - Hague, Netherlands

It is the successor court of the **Permanent Court of International Justice (PCIJ)**. The Permanent Court of International Justice was created in 1922 and by the league of nations. Between 1932 and 1940, it handled 60 cases. It was dissolved after World War II.

The ICJ succeeded the permanent court on the 18th of April 1946 but was **founded on 26 June 1945 in San Francisco, California, United States.**

Composition – 15 Judges (term 9 years) elected by General Assembly and Security Council, 5 posts are renewed every 3 years (judges can be re-elected also),

3 seats - African judges.

2 seats - Latin America and the Caribbean.

3 seats - Asian judges.

5 seats - Western Europe and other Western States.

2 seats - Eastern Asia.

Judges should be from different countries but they are NOT REPRESENTING their countries so they must act independently in the capacity of a judge.

There is a **president and vice president** elected by court, the president chairs all sittings of the court, President reports to General assembly annually.

Other pointers for ICJ

- Principal judicial organ of the United Nations.
- Functions in accordance Statute of the PCIJ.
- All Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.
- A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in

each case by the General Assembly upon the recommendation of the Security Council.

- Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.
- Nothing in the UN Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.
- The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question. Other Organs of UN too after getting authorization by the general assembly.

The Secretariat - Chapter XV (Article 97-101)

Secretary General plus staff is Secretariat, Secretary General is the chief administrative office of UN. Appointed by General Assembly on recommendation of Security council

Functions

Make an annual report to the General Assembly on the work of the Organization.

May bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external