
UNIT 16 RESTRUCTURING OF THE UNITED NATIONS SYSTEM

Structure

- 16.0 Objectives
- 16.1 Introduction
- 16.2 Organization, Structure and Functions of the UN System
 - 16.2.1 The UN Charter : Purposes and Principles
 - 16.2.2 Main Organs of the UN and their Functions
- 16.3 The Changing Role of the UN
 - 16.3.1 The Cold War Period
 - 16.3.2 Post-Cold War Period
- 16.4 Some Accomplishments and Shortcomings
 - 16.4.1 Accomplishments
 - 16.4.2 Shortcomings
- 16.5 Restructuring of the UN System – Major Proposals and India's Position
- 16.6 Let Us Sum Up
- 16.7 Key Words
- 16.8 Some Useful Books
- 16.9 Answers to Check Your Progress Exercises

16.0 OBJECTIVES

This unit deals with the most significant international governmental organization – the United Nations – surveying its changing role in maintaining international peace and security since its inception. It also briefly discusses the UN's role in the field of socio-economic development. Its main focus is to summarise the ongoing discussion at international fora regarding restructuring of the UN system so as to make it more democratic, effective and relevant to contemporary world problems. After going through this unit you should be able to :

- describe the organizations, structure and functions of the UN system.
- gain an overview of the changing role of the UN during and after the end of the Cold War.
- examine some of the major successes and failures of the UN.
- describe the major proposals on the restructuring and reforming of the UN.

16.1 INTRODUCTION

Unit 16 has examined the Gulf War, disintegration of the USSR and the socialist bloc and the different perspectives on the concept of World Order. These extraordinary changes have influenced the changing role of the United Nations.

The UN was established on 24 October 1945. On that day, the UN Charter (constitution) came into force. The UN Day is celebrated each year on this day. The study of the UN system is important for many reasons. But two of them are most important. *First*, out of 390 inter-governmental international organizations that have been established since 1945, the UN has been the most important because of its significant influence on world politics. It has institutionalised a framework for international cooperation on a scale unprecedented in human history. It has attempted to resolve numerous international social, economic and humanitarian problems. *Second*, it has survived its first half century existence and in the process of reforming itself to face the future. Its predecessor, the League of Nations, which

was the first international organization for global peace and security, could not actively function for more than 20 years. In fact, with the birth of the UN, the death of the League of Nations was officially pronounced.

16.2 ORGANIZATION, STRUCTURE AND FUNCTIONS OF THE UN SYSTEM

The sub-unit discusses the organisational set up of the United Nations under different sub-headings, such as the UN Charter: Purposes and Principles and the main organs of the UN and their functions.

16.2.1 The UN Charter : Purposes and Principles

The UN charter was originally ratified by 51 states in 1945, including India. These states are known as founding members of the UN. During the first 50 years its membership rose to 185, thus making the UN Charter an universally ratified international treaty.

According to Article 1 of the UN Charter, the purposes of the United Nations are four-fold : (i) to maintain international peace and security; (ii) to develop friendly relations among nations based on the principle of equal rights and self-determination of peoples; (iii) to cooperate internationally in solving international economic, social, cultural and humanitarian problems and in promoting respect for human rights and fundamental freedoms; and (iv) to be a centre for harmonizing the actions of nations in attaining these common ends.

The basic purposes on which the UN works are that it is based on the recognition of sovereign equality of all its Members, who are expected to fulfill their Charter obligations. They are to settle their international disputes by peaceful means and without endangering peace, security and justice. They are to refrain in their international relations from the threat or use of force against any other state. They are to assist the UN, in any action it takes in accordance with the provisions of the Charter. The UN does not interfere in the domestic matters of any State.

In the preamble to the UN Charter there are *four* stated concerns and objectives and *four* methods and practical steps suggested for their realisation. The concerns are : (i) to save succeeding generations from war (as it should be recalled here that the two great World Wars of this century brought untold sorrows and destruction the casualty of human life in these wars was approximately 41.5 and 60 millions respectively); (ii) to reaffirm faith in fundamental human rights and the dignity and worth of human beings, in the equal rights of nations large and small; (iii) to establish conditions for justice and respect for treaty obligations; and (iv) to promote social progress and better standards of life in larger freedom. And for these ends; (i) to practise tolerance; (ii) to unite in maintaining international peace and security; (iii) to ensure that armed forces shall not be used save in common interest; and (iv) to employ international machinery for the promotion of economic and social advancement of peoples.

16.2.2 Main Organs of the UN and their Functions

To enable the UN to achieve its stated purposes and objectives the organization has been equipped with six main organs.

The **General Assembly**, perhaps the closest approximation of a world parliament, is the main deliberative body. It is designed to utilize the time honoured technique of resolving problems by free and frank discussions. It is to function as the worlds permanent forum and a meeting place. It is created on the assumption that "war of words" is better than war fought with "swords" or bombs. All Member states of the UN, are represented in it, and each has one vote on the basis of sovereign equality. Decisions on ordinary matters are taken by simple majority. Important questions require two thirds of the vote.

The Assembly has the right to discuss and make recommendations on all matters within the scope of the UN Charter. Its decisions are not binding on member States, but they carry the weight of world opinion. Thus, it does not legislate like a national parliament. But in the meeting rooms and corridors of the UN, representatives of almost all countries of the world — large and small, rich and poor, from diverse political and social systems — have a voice and vote in shaping the policies of the international community.

The Security Council is the organ to which the Charter gives primary responsibility for maintaining peace and security. It can be convened at any time, even at mid-night when peace is threatened. Member States are obligated to carry out its decisions. It has 15 members. Five of these — China, France, the Russian Federation, the UK and the US — are permanent members. The other 10 are elected by the Assembly for two - year terms. Decisions require nine votes, except in votes on procedural questions. A decision cannot be taken if there is a “no” vote by a permanent member (known as the “veto”) on substantive questions.

When a threat to *peace* is brought before the Council, it usually first asks the parties to reach agreement by peaceful means. The Council may undertake mediation or set forth principles for settlement. It may request the Secretary General to investigate and report on a situation. If fighting breaks out, the Council tries to secure a cease-fire. It may send peace-keeping units (observers or troops) to troubled areas, with the consent of the parties involved, to reduce tension and keep opposing forces apart. Unlike the General Assembly resolutions, its decisions are binding and it has the power to enforce its decisions by imposing economic sanctions and by ordering collective military action as it did during Korean Crisis (1950) and authorized US-led forces to take action in Iraq-Kuwait Crisis (1990-91).

Absence or prevention of war does not automatically ensure a peaceful international system. To diminish the underlying causes of future conflicts that might lead to such threats to the peace or breach of peace, the founding fathers of the UN also provided mechanisms for economic and social progress and development and to promote higher standards of living. This job has been assigned to the Economic and Social Council (ECOSOC) and specialized agencies.

The ECOSOC has 54 members. It usually holds two-month long sessions each year. It coordinates the economic and social work of the UN and related specialized agencies and institutions — together, known as the UN family of organizations or *simply as the UN system*. It recommends and directs activities aimed at, among others, promoting economic growth of developing countries, administering development and humanitarian assistance projects, promoting the observance of human rights, ending discrimination against minorities, spreading the benefits of science and technology, and fostering world cooperation in areas such as better housing, family planning and crime prevention.

The Trusteeship Council was created to supervise the administration of 11 Trust Territories and to ensure that Governments responsible for their administration take adequate steps to prepare them for self-government and independence. It is gratifying to note that all these territories have attained independence by the end of 1994 and now this body has little work. In fact, the Secretary General has recommended its abolition.

The International Court of Justice consists of 15 judges who are elected concurrently by the General Assembly and the Security Council. It is the main judicial organ of the UN. It resolves legal issues and interprets international treaties.

The Secretariat is the main organ. It consists of the Secretary General and other staff and personnel who run the UN administration and carry out the day-to-day work of the UN. Staff members are drawn from some 160 countries. As international civil servants, they work for the UN as a whole, and pledge not to seek or receive instructions from any government or outside authority. It has more than 25,000 staff, whereas its specialized agencies have around 30,000 staff.

Till now the office of the Secretary-General has been occupied by seven incumbents: Trygve

Lie (Norway); Dag Hammarskjold (Sweden) U Thant (Myanmar), Kurt Waldheim (Austria), Javier perez de Cuellar (Peru), Boutros Boutros Ghali (Egypt) and Kofi Annan (Ghana).

Check Your Progress Exercise 1

- Note:
- i) Use the space given below for your answer.
 - ii) Check your progress with the answers given at the end of the unit.

1) The UN was created at the end of the World War II to

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2) What broad distinction can you make between the decision of General Assembly and the Security Council?

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3) What is veto power? Who possesses it in the UN?

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16.3 THE CHANGING ROLE OF THE UN

The role of the UN can be examined briefly under two sections – the Cold War and the post-Cold War period.

16.3.1 The Cold War Period

We may recall here from unit 7 that among the main casualties of the Cold War was the UN. The Cold War has had such a profound impact that the UN could not perform its basic function of ensuring peace across the world. The Security Council was often deadlocked due to the use/misuse of veto by its permanent members – the so-called “Great Powers”. During the last 50 years, over 100 major conflicts around the world have occurred, which left some 20 million people dead. The Security Council was able to take action and enforce peace only on two occasions – the Korean Crisis of 1950 and the Iraq-Kuwait Crisis of 1990-91. In no other crisis – situations it was able to act, due to the exercise of veto. Till now, 280 times veto has been used, in the UN, of which half were cast in the first 10 years of the Cold War era. The veto power has been used by all the five permanent members of the Council at some time or the other, but the erstwhile USSR and USA – the two Superpowers – have used it somewhat indiscriminately. For instance, during the period 1945-85, the US exercised the veto 58 times while the Soviet Union used it 117 times. Due to the frequent use and misuse of veto, the Council was not able to pass resolutions on a number of serious crises that were brought before it. This led to the decline of the Security Council’s role.

During the Cold War period the UN had to deal with many crisis-situations such as the Korean Crisis (1950), Palestine question, Indo-Pak dispute over Kashmir, Suez crisis (1956), Soviet intervention in Hungary (1956), the Congo Crisis (1960-64), Soviet occupation of Afghanistan (1979-88), Cambodian situation (1978), and Iran-Iraq War (1980-88). On

most of these cases, the Security Council could not agree on the nature of action to be taken to resolve them due to the veto problem. Under such circumstances, the General Assembly went into action under the authority of the famous "Uniting for Peace Resolution" of 1950, which enabled it to meet within 24 hours notice and recommend action to maintain peace and security in troubled region. The Assembly can invoke this resolution only when the Security Council is paralysed due to veto. In such cases, the Assembly assumes powers which were entrusted by the Charter exclusively to the Security Council.

Under the "Uniting for Peace" resolution, the Assembly has met in emergency sessions to deal with many crises such as those of Suez, Hungary, Congo, Afghanistan, Namibia etc. During the Suez crisis, it invented a novel method to maintain peace. It sent to Suez a peace-keeping force – a force which does not fight to enforce peace, it only acts as buffer between parties to the conflict and is deployed on cease-fire line with the permission of the parties. Such a force was also sent to Congo and other places.

With the beginning of Detente between the two Cold warriors – the US and the former USSR – in 1970s, the Security Council regained its lost importance. As a result, the Cold War really became cold and the veto was not invoked as frequently as earlier.

16.3.2 The Post-Cold War Period

It should be noted that thirteen peace-keeping operations were undertaken by the UN between 1945-1987. Such "peace-keeping" functions were quite successful as the forces were mainly drawn from non-aligned States, while the Great Powers were barred from contributing forces. Due to its significant role in this field, the UN peace-keeping forces were awarded the Nobel Peace Prize in 1988. But the first five years after the Cold War has witnessed more crisis-situations in than any comparable period of the Cold War era. Beginning with the Iraq-Kuwait crisis, the UN had to deal with many intra-State ethnic conflicts or civil wars. Since the end of the Cold War more than 20 UN peace-keeping operations have been launched. During the last 50 years nearly 6,50,000 people have served in such peace-keeping operations. A total of 1,145 have died while carrying out their duties. The UN has spent over \$ 11 billion on these operations. At the end of July 1995 nearly 70,000 peace keepers were deployed in 16 UN peace-keeping operations with an aggregate annual budget of approximately \$ 3.6 billion. Thus, the post-Cold War scenario has made the UN Members to rediscover the relevance of the UN to threatening peace and security.

Check Your Progress Exercise 2

- Note: i) Use the space given below for your answer.
ii) Check Your progress with the answers given at the end of the unit.

1) What is the importance of "Uniting for Peace" resolution?

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2) Explain the term "Peace-Keeping Force".

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16.4 SOME ACCOMPLISHMENTS AND SHORTCOMINGS

Like any other international organization, the UN too has many accomplishments and shortcomings. Cooperation from its members has made it successful in many areas. The constraints and limitations under which it operates have contributed towards some of its failures. For reasons of space, only some of the accomplishments and limitations of the UN are attempted here.

16.4.1 Accomplishments

- 1) One of the greatest achievements of the UN is its role in the field of decolonization. It gave inspiration to millions of African and Asian people, who were under colonial rule, to claim the right of self-determination and independence. When the UN was founded, 80 of the present UN Members were under colonial rule. The UN helped many of them to achieve independence.
- 2) In the field of human rights, the UN has played a significant role. It has set a comprehensive list of norms or standards of human rights. These norms are defined in UN conventions, declarations and covenants. Till now it has adopted around 88 human rights instruments.
- 3) More international law has been formalised through the UN in the first 50 years of its existence than in the entire previous history of mankind. It has made major contributions towards expanding the rule of law among nations through the codification of international law.
- 4) In 1980 the World Health Organization (WHO), a Specialized Agency, proclaimed the total eradication of small pox from the world, as a result of 13 years WHO global programme.
- 5) In 1991, the heads of WHO and UNICEF (UN International Children's Education Fund) certified the immunization of 80% of the world's children against six killer diseases — polio, tetanus, measles, whooping cough, diphtheria and tuberculosis. The joint WHO-UNICEF programme saves the lives of more than 3.5 million children each year.
- 6) The UN Development Programme (UNDP) has made significant efforts to bring about social and economic progress all over the world. UNDP works with the Governments of developing countries to carry out projects in various sectors, such as agriculture, industry and education. It is the world's largest multi-lateral grant assistance organization. With an annual budget of \$ 1.3 billion, it supports more than 6,100 projects in some 150 developing countries and territories. In addition, UNDP-financed activities stimulate some \$ 14 billion a year in follow-up investment from public and private sources. More than 50% of the UNDP funds for projects go to 45 of the world's poorest countries.
- 7) Currently the UN is providing humanitarian assistance (like providing food, shelter, medical aid, education) through UN High Commissioner for Refugees (UNHCR) to some 24 million refugees worldwide. The cost of meeting their needs was estimated (in 1995) to be more than \$1 billion. For its role the UNHCR was awarded the Nobel Peace Prize twice — in 1954 and 1981.

16.4.2 Shortcomings

The UN's shortcomings are mainly due to the following two problems :

- 1) As discussed earlier, one of the most important operational problems of the UN has been the use of veto by the permanent members of the Security Council.
- 2) Another important problem that the UN is facing now is the financial crisis. Earlier in 1960s also it faced a similar problem when France and the USSR had refused to pay their contributions towards the costs of peace keeping operations. These two states alongwith others had refused to pay the costs of the UN Emergency Force (stationed at Suez) and the UN operation in Congo, on the plea that these two forces were illegally created by the General Assembly. In their view such forces can be organized only on the basis of a Security Council decision. The crisis of 1960's was solved by seeking an advisory opinion of the International Court of Justice on the question whether peace - keeping expenses could be considered as part of the expenses of the UN. The court by a majority decision declared that the peace keeping expenses constitute "expenses of the organization" within the meaning of the Charter provisions.

The financial crisis beginning from the 1980s, has been different from the earlier one. It all started with the decision of the US President to withhold its approved contributions on the ground that the US government disapproved certain UN programmes. This policy started by president Reagan and consistently followed by his successors, including Bill Clinton, has brought the UN on the edge of bankruptcy. Because, according to the formula approved by the General Assembly, the US is required to pay 25% of the UN budget. Some other states also have not paid their arrears in time, both for the regular budget and for peace-keeping operations. According to the 1995 annual report of the Secretary General to the Assembly, as on 10 August 1995, unpaid assessed contributions totalled \$3.9 billion: \$858.2 million for the regular budget (of which \$456.1 million relates to the current years, i.e. 1995 and \$402.1 million relates to prior years) and \$3 billion for peace-keeping operations. 70% of these arrears were due from 5 top debtors (the largest being the US), all among the rich countries of the world.

Many interesting suggestions have been made not for solving the present financial crisis, but for ensuring an independent source of income for the UN to make it less dependent on Member. Some of these suggestions include :

- A tax on the international sale of designated weapons.
- A tax on international trade.
- A fee for the use international water -ways.
- A tax on international mail or telecommunications.
- Taxes on international travel or international passport fees.
- Licensing fees for the use of outer space.
- Fees for fishing rights or mining mineral resources on high sea, which is "the common heritage of mankind".

However, none of these proposals have found approval by Member States.

16.5 RESTRUCTURING OF THE UN SYSTEM — MAJOR PROPOSALS AND INDIA'S POSITION

Since the meeting of the Heads of Government of the Security Council on 31 January 1992, a global debate on the restructuring of the UN system has begun. Many proposals have been made in this regard. The main objective of such reform proposals is to make the world body,

specially its Security Council, more democratic, efficient and adaptable to the changing international *milieu*. Since the UN responsibilities and concerns are world wide and now expanding to virtually every conceivable area of human activity, it is imperative to redesign the UN structure so that it can meet the challenges of the 21st century.

Many studies have been conducted on the basis of which suggestions have been made to restructure the UN system. These include the following :

- 1) The membership of the Security Council should be expanded from 15 to 23 or 25, out of which 5 should be additional permanent members – two industrialized countries (Germany and Japan) and three large developing countries (Brazil, India and Nigeria). The erstwhile UN Secretary General, Boutros-Ghali was reported to have suggested the names of these countries on 14 August 1992. Infact, in the General Assembly session on 25 September 1992, India formally staked its claim to a permanent seat in the Security Council. As the criteria suggested for expansion in the category of permanent members justified India's candidature, it was hoped that India would be elected to a permanent seat in the Security Council. The criteria was the ability and willingness of the incumbent of contribute to UN peace-keeping operations. India has been at the forefront of such operations since the inception of the UN, e.g. in Korea, Indo-China, Suez, Congo, Gaza, etc.

There is also a proposal to give the states based on this criteria, permanent seats in the Council without the veto power. Other suggestions include one that would urge the five present wielders of the veto to voluntarily renounce their veto power until the Charter is formally amended to abolish the right of veto. India accepts this suggestion but opposes any move to deny veto power to the new permanent members. Some of these proposals were discussed at an open-ended working Group of the 49th General Assembly session. The Working Group though agreeing on the need for expanding the Security Council, did not consider the question of which states to be made permanent members. The US has openly supported the case of Germany and Japan but is reluctant to support India's candidature. Moreover, other developing countries like Argentina, Iran, Egypt and South Africa are in the race.

- 2) There has also been a suggestion to replace the UN Disarmament Commission by a Joint Working Group after General Assembly and Security Council on Disarmament.
- 3) Because the Economic and Social Council has failed to perform its assigned functions, suggestion has been made to replace it by the creation of the Economic Security Council (ESC). The functions suggested for the proposed ESC include, among others, dealing with economic emergency situations, to considering such major non-military threats as the degradation of the environment, global poverty, unemployment, food security, drug trafficking, migration etc. According to the suggestion, its membership should be limited and should not exceed 25. It should take decisions by consensus.

Others have opposed this proposal and have said that ECOSOC is actually the ESC, except for its name. ECOSOC has comprehensive mandate under the present UN Charter to deal with economic, social and humanitarian issues. In fact in recent years the ECOSOC has been dealing at the highest level to Governments, such issues like environment, human rights, social development, sustainable economic development etc. Therefore, they see no need to restructure the present ECOSOC.

- 4) Replace ECOSOC by an Economic Council and a Social Council. These new Councils should have 23 members.
- 5) Abolish UN Conference on Trade and Development (UNCTAD), UN Industrial Development Organization (UNIDO) and Trusteeship Council. On the abolition of the UNIDO there has been a general agreement, whereas with regard to the other two, it has been said that they are doing excellent job and need not be abolished.

- 6) International Bank for Reconstruction and Development (IBRD) and International Monetary Fund (IMF) should be brought within the fold of the UN. Now they are Specialized Agencies only in name. Their agreements of association with the UN are of a limited nature, which require them to function as "independent" organizations. As a result, they are not subject to substantive coordination by the UN either at the inter-governmental level (i.e. ECOSOC) or at the Secretariat level. They do not provide all the information UN may require of them. They do not give the UN full access to their meetings, their heads annually address the ECOSOC, but they no longer invite the UN Secretary General to address their annual meetings. They have refused to accept UN's involvement in their budget making. And they do not feel themselves bound by any decision of the UN. This state of affairs is due to the policies of the rich industrialized states who dominate these bodies.

A serious debate on some of these proposals is taking place in the 185 capitals of the world and the UN headquarters. Unless the UN is redesigned in the light of constructive proposals, its functioning can not be improved.

Check Your Progress Exercise 3

- Note : i) Use the space given below for your answer.
ii) Check your progress with the answers given at the end of the unit.

- 1) The UN Organizations which were awarded Nobel Peace Prize are....

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- 2) Which country is the biggest defaulter in paying its due contributions to the UN?
(1) USSR (2) USA (3) India (4) Britain

16.6 LET US SUM UP

This Unit has surveyed the objectives and principles of the UN, the structure and functions of its main Organs and Specialized Agencies, its changing role during and after the Cold War, some of its major accomplishments and problems and the various proposals for restructuring the UN system. It has underscored the urgent need for reforming the UN system.

16.7 KEY WORDS

- Conflict** : A situation marked by direct or indirect use of military force by one or more countries.
- Veto** : The privilege granted by the charter to the permanent Members of the Security Council to cast a negative vote and prevent adoption of substantive resolution.
- Detente** : Originally a French word meaning relaxation of strained relations between two countries.
- Resolution** : A duly approved document containing a formal statement of a considered view on a given question.

16.8 SOME USEFUL BOOKS

Childers, Erskline and Urquhart, Brain, (1994) *Renewing the United Nations System* (Uppsala: Dag Hammarskjold Foundation).

Fawcett, Eric and Newcombe, Hanna, (ed.), (1995) *United Nations Reform: Looking Ahead After Fifty Years* (Toronto Science for Peace).

Rajan, M.S. (ed.), (1996) *United Nations at Fifty and Beyond* (New Delhi: Lancers Books).
Roberts, Adam and Kingsbury, Benedict, (ed.), (1993) *United Nations, Divided World: the UN's role in International Relations.* 2nd edn. (Oxford: Oxford University Press).

United Nations, *Basic Facts About the United Nations* (1996) New York: Department of Public Information.)

16.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) UN was created to maintain international peace and Security, to develop friendly relations among nations; to solve international economic, social, cultural and humanitarian problems and to promote human rights.
- 2) The General Assembly can recommend, while the security Council decides and acts. Whereas recommendations are not binding on UN members, the decisions are.
- 3) The power to refuse concurrence to — or vote against — a resolution is the veto power, enjoyed by the five permanent members of the UN, namely China, France, Russian Federation, UK and the US.

Check Your progress Exercise 2

- 1) "Uniting for Peace Resolution" enables the General Assembly to discuss a crisis — situation and to take action specially when the Security Council is unable to do so in view of a veto problem.
- 2) "Peacekeeping Force" refers to a military contingent sent to the area of conflict with the permission of the parties to the conflict. It does not indulge in actual fighting, but is deployed on the cease-fire line and acts as buffer and fires only in self-defense.

Check Your Progress Exercise 3

1. The UN peace keeping force got Nobel Peace Prize in 1988 and the UNHCR got it twice — in 1954 and 1981.
2. The US is the largest defaulter. It owed to UN more than \$527 million (regular budget) and \$ 553 million (Peace keeping).