

ROLE OF UNITED NATIONS IN INTERNATIONAL WAR

Asst. Prof. Mr. Vivek Vasant Joshi.
B.Sc. (Chemistry) LL.B. LL.M.SET
Victor Dantas Law College , Kudal

Synopsis -

- *Historical background & Establishment Of UN
- *Purpose & Principles of UN
- *Critical Analysis of Role played by UN
- *Recent case of Ukraine
- *What needs to be done -Suggestions
- *Conclusion-

Historical Background & Establishment Of UN –

The United Nations Organisation (UNO) is the global international organisation of sovereign independent states. The destruction caused by the Second World War compelled the people to establish an international organisation for keeping the world away from war and in favour of friendship and cooperation among all the nations. The UNO was designed to save the future generations from the scourge of war by promoting International peace and security.

The name “United Nations” was coined by US President Franklin Roosevelt. It was first used in the Declaration of the United Nations made on January 1, 1942. At San Francisco Conference, it was unanimously adopted as the name of the new international organization as a tribute to the late President of the United States. India had not achieved its independence by then and yet it became one of the founder members of the United Nations.

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.

Purpose :

The purpose of the UN are defined in Article 1 of the UN Charter as-

1. To maintain international peace and security and to take adequate steps to avert wars.
2. To develop friendly relations among nations on the basis of equality
3. To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character.
4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Principles of the UN:

Article 2 contains the principles.

1. All the member states are equal.
2. The member states shall fulfil their obligations to the UN honestly.
3. The member states shall settle their international disputes by peaceful means.
4. The member states shall refrain in their international relations from the threat or use of force against any other state.
5. The member states shall give to the UN every assistance in any action it takes in accordance with the UN Charter.
6. The states which are not members of the UN, should also act in accordance with these principles for the maintenance of international peace and security.
7. No member state shall interfere in the internal affairs of any other state.

Critical Analysis of Role played by United Nations:

The Second World War proved to be a devastating tragedy for all countries involved. The UN was formed with the purpose that, if further conflict arises between nations, a solution could be debated upon without the need of a war. It maintains world-wide peace and fosters, sometimes tries to forge, relationships between countries. The main reason for the creation of the UN is to maintain and to save the younger generation from war. The UN initiate war elimination through various method:

- 1) It tries to resolve issues between countries to prevent conflicts.
- 2) Its tries to maintain food and water securities to countries gripping with hunger and thirst in

the form of food aids.

- 3) Its initiate equal wealth distribution as much as possible.
- 4) Maintain human rights and raising standard of living.
- 5) Fund several organizations (part of the UN) to serve its objectives.

Whenever a problem arises, the UN tries to resolve it peacefully. In order to accomplish this, UN can:-

- Call for more people and resources.
 - Reinforce their decisions.
 - Orders for sanctions which may include an arms embargo, trade and finance restrictions.
 - The main motive to have peacekeeping is help countries torn by conflict.
 - Peacemakers were never allowed to fight. They were supposed to enact in case of ceasefire.
 - In order to have peacekeeping, the council had a common pattern. This included drafting guidelines for a specific operation but exercised little actual direction over the operation.
 - The United Nations does a number of things to try to maintain peace in the world. They can generally be categorised into three categories-
- 1) UN does what is called peacekeeping. In instances like this, it sends armed forces under its control (contributed by member nations) to separate the two sides in a conflict. The UN troops are there to prevent the sides from attacking one another while peace is negotiated.
 - 2) UN can provide or threaten collective security. In some cases, the UN will threaten military action or economic sanctions. The UN will do this to try to keep a particular country from continuing to take actions that might lead to war.
 - 3) UN does many less direct things to keep the peace. It has many agencies that are meant to promote economic and social development. These agencies try to reduce poverty and other causes of conflict. The UN also provides a forum for countries to interact with one another in hopes that the constant contacts will help encourage the countries to solve their differences peacefully.

However, the UN has several weaknesses and limitations:

- 1) It lacks adequate funds to meet all its objectives.

2) The veto power of the five permanent members of the Security Council has virtually left this powerful UN organ at the mercy of “Big-Five” i.e. USA, UK, Russia, France and China. Hence, the need is to reform the UN system from within and outside.

3) A body that was supposed to maintain cohesion among world nations so as to achieve common goals for frictionless functioning among them but failed miserably due to veto power given to five giants in UNSC (or Security Council) that impeded most of the resolutions by using the aforesaid veto.

4) Power corrupts & absolute power corrupts absolutely.

Power has its own dynamics. Power corrupts & absolute power corrupts absolutely. UNO was formed at the end of World War II by the victorious nations who kept veto power for five so called big powers.

5) The economic greed is so deeper & shameless that killing or suffering or migration or destruction of human beings or territories are just normal & part of the plan. UN is subservient to the benefits of big powers

6) The main responsibility for maintaining international peace and security is given to UN Security Council. It can take the following binding steps for international peace and security-

A. To ask the invaders to stop the war or ceasefire.

B. Impose sanctions against the countries responsible for breach of peace.

C. It may send armed forces against a nation to repel the aggression

But all these decisions can be taken by the UN Security Council only if all the five permanent members agree to it. This happens in all conflicts where all five permanent member do not agree on the binding actions. The UN has failed in preventing many such conflicts Thus, UN is what its five permanent members want to make. If one of the five permanent members uses veto in any conflict, the UN becomes useless.

7) The nations which enjoy Veto power can at anytime disobey UN. Some nations even trade their veto power to help their allies. Many of the Member States routinely flout the United Nations Charter without fear of reprisal.

8) The UN process takes considerable time to do or agree on anything, and is largely limited to diplomatic action.

9) We have to understand that UN was created by the winners of World War 2. So only they have any true stake in it. Now UN was created to restore balance to stop conflicts which it hasn't achieved to a good enough extent. So from time to time it does intervene in conflicts like in many African nations. But it also remains a silent guardian which protects the interests of its founders.

10) NATO on the other hand is a purely defensive alliance that is only allowed to defend NATO members.

It has failed to maintain peace many times. Few instances -

1. Protection to Kuwait in 1991 but poor help to Rwanda in 1997
2. Bangladesh Liberation War and the 1971 Bangladesh genocide committed by the Pakistan Army on Bangladeshis.
3. Serbian troops committed genocide against Bosnian Muslims in the largest case of mass murder on the European continent since World War II.
4. War in Darfur, in which Arab Janjaweed militias, supported by the Sudanese government, committed, repeated acts of ethnic cleansing and genocide against the indigenous population.
5. UN's inaction on Syria, more than two years after the Syrian Civil War began.
7. Handling of the Cold War.
8. Allegations of anti-Zionism and antisemitism.
9. Alleged support for Palestinian militancy
10. Sri Lanka civil war failure
11. State sponsored terrorism by Pakistan who continuously disrupting INDIA and its neighbouring country
12. US War against Talibans & Al Qaeda in Afghanistan and the US-War in Iraq

Recent Ukraine Crisis –

In the ongoing Ukraine conflict, the UNSC failed to pass any of the binding resolution due to Veto used by Russia. The UN has merely passed non-binding resolutions, which Russia has not cared and UN has remained a mute spectator in the Ukraine conflict. What we are witnessing is

a war by proxy. Someone else is at war with an enemy, so, instead of sending our own people to die, we send weapons, supplies and money to give the underdog the ability to bite the big dog. The world is using Ukraine without taking any personal risk. Even if Ukraine loses, Russia has already been weakened and will be weakened even more by the time the war is over. The fact that Russia occupies a permanent seat on the UN Security Council and has veto power substantially limits the UN's ability to do anything to prevent war .

What needs to be done - Suggestions-

- 1) The need is to reform the UN system from within and outside.
- 2) The urgent need is to democratize the UN. Democracy and transparency must characterize the working of all the organs of the UN.
- 3) There has been a big increase in the members of the UN. As such, the UN Security Council needs an expansion for giving due representation to all continents and major powers of the world.
- 4) The issue of Veto Power needs to be debated and amended.
- 5) The General Assembly should be made stronger. It should be turned into a forum for consensus on important global issues.
- 6) The voice of the smaller nations should carry equal weight in all UN decisions.
- 7) The rules and practices of the UN institutions need reform in the light of past experience.
- 8) The organisation and the functioning of the Economic and Social Council and the Secretariat demand a complete over-hauling.
- 9) The UN peacekeeping role needs to be restructured technically and financially.
- 10) There is need to strengthen all the organs of UN for its better functioning.

Conclusion-

In the words of Winston Churchill, "To jaw-jaw is always better than to war-war."

It is true that powerful nations have much greater influence over the UN than smaller countries. The powerful ones twist the system to their benefit, sometimes through blatant bullying, bribery or intimidation. Often, it can seem grossly unfair. Without the UN, powerful countries would just do whatever they want. They would have to come to terms with their larger rivals, but smaller countries would simply be trampled. For all its flaws, the UN does put a brake on this.

In addition UN is focused on maintaining peace and security, other important objectives include developing friendly relations among countries based on respect for the principles of

equal rights and self-determination of peoples; achieving worldwide cooperation to solve international economic, social, cultural, and humanitarian problems; respecting and promoting human rights; and serving as a centre where countries can coordinate their actions and activities toward these various ends.

UN can't stop wars. However, that is the only forum which gives poor nations a glimpse of hope. Something is better than nothing. Till the intentions are not changed, till the respect for humanity doesn't dominate the economic benefits, till the equity, justice & fair play humanity doesn't dominate the economic benefits, till the equity, justice & fair play are not adopted as inseparable human qualities, the wars will continue & UN will continue to serve the purposes of big powers.

It isn't a broken system. Of course, it doesn't do what people hope it would do, and which they think it was set up to do. It is, and always has been, a talking shop. It provides a forum in which those open to agreement can negotiate. But it can never be the magic wand for peace that some people hope for. The UN will not be able to stop war in this world. It is up to every human being on this planet to denounce & condemn war.

Summing up, there is an urgent need for more membership in the United Nations .UN is playing an important role in the world peace and it is quite successful too because it has been able to prevent world war 3. UN has peace keeping force by which it launches the peace establishment process. UN has many humanitarian agencies such as Red Cross, WHO, UNICEF etc. With the help of these agencies UN provides help in many countries which are affected by some disturbances. There are some lacunae or deficiencies in the working of UN but this does not mean that the UN has failed to serve the international community. It has played an effective role in keeping several wars limited.

India & other deserving nations have a strong case for getting permanent memberships in the UN Security Council. UN has been contributing to the cause of preservation of world peace, security and development. The need of the hour is to introduce some reforms in the UN so that it may become more effective and fully capable of ensuring a stable, healthy and secure world order.

Bibliography –

<https://www.un.org>

International law and Human Rights – Dr. H.O. Agarwal (21st Edition)

International law and Human Rights – Dr. S. K. Kapoor (21st Edition)

Public International law – Dr. S. R. Myneni (1st Edition)

Public International law – M.P. Tandon (16th Edition)

Victor Dantas Law College