

International Organizations

THE LEAGUE OF NATIONS

Background Reflections

- The concept of a peaceful community of nations had been proposed by Immanuel Kant as far back as 1795
 - he outlined the idea of a league of nations to control conflict and promote peace between states.
 - Kant argued for the establishment of a peaceful world community, not in a sense of a global government
- The Geneva Convention- 1864
- The Concert of Europe (1814-15)
- Theodore Roosevelt was the first to call for an international league.
- G.L. Dickinson, a British political scientist, coined the term "League of Nations" in 1914.
- Woodrow Wilson
 - US joined WW-I with a motto 'a war to end all wars'
 - Fourteen Points and the LoN

- Speaking before the U.S. Congress on January 8, 1918, President Woodrow Wilson enumerated the last of his Fourteen Points, which called for a “general association of nations...formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.”

League of Nations

- The League of Nations was an international organization
- When & Where
 - The League was established by Part I of the Treaty of Versailles On 28 June 1919
 - It came into force on 10 January 1920, after WW-I
 - headquartered in Geneva, Switzerland,
- Raison d'être:
 - provide a forum for resolving international disputes.
- The final Covenant of the League of Nations was drafted by a special commission
- 44 states signed the Covenant

- The League would be made up of
 - a General Assembly (representing all member states with one vote),
 - an Executive Council (with membership limited to major powers), and
 - a permanent Secretariat.
- Member states were expected to;
 - Ensure territorial integrity of other members; and
 - Promote peace as against external aggression
 - Disarm "to the lowest point consistent with domestic safety."
- All states were required to submit complaints for arbitration or judicial inquiry before going to war.
- The Executive Council would create a Permanent Court of International Justice to make judgments on the disputes.



- The League held its first council meeting in Paris on 16 January 1920
- On 1 November 1920, the headquarters of the League was moved from London to Geneva
- the first General Assembly was held on 15 November 1920

- It was the first worldwide intergovernmental organization
- Principal mission was to maintain world peace.
- Its primary goals, as stated in its Covenant,
 - preventing wars
 - collective security
 - Disarmament
 - Settling international disputes through negotiation and arbitration

- Other issues in the treaties included
 - labour conditions
 - human and drug trafficking and arms trade
 - global health
 - prisoners of war, and
 - protection of minorities.
- At its greatest extent from 28 September 1934 to 23 February 1935, it had 58 members.

Structure & Functions

- The League's main organs were
 - an Assembly of all members,
 - a Council made up of five permanent members and four rotating members,
 - an International Court of Justice.
- the League would guarantee the territorial integrity and political independence of member states
- The Covenant authorized the League to
 - take “any action...to safeguard the peace,”
 - establish procedures for arbitration, and
 - create the mechanisms for economic and military sanctions.

The Idea of Collective Security

- Article 16 of the Covenant of the LoN
 - The members agreed to leave other states alone
 - In a dispute, the two sides were to refrain from war for at least three months while the League looked for a solution
 - If one party turned out to be the aggressor, all League members were required to break all ties
 - If that could not work, the Council could recommend military actions
- The notion of collective security failed due to;
 1. Defining what the 'Aggression' is
 2. Forcing members to be with the Council for applying sanctions
 3. Contribution for finances and military

Critical Analysis

- Wilson's insistence that the Covenant be linked to the Treaty was a blunder;
- over time, the Treaty was discredited as unenforceable, short-sighted, or too extreme in its provisions,
- the League failed either to enforce or revise it
- The Treaty of Versailles contained the seeds of war in it
- USA never opted as a member



- The League lacked its own armed force
- depended on the victorious Great Powers of World War I
 - to enforce its resolutions,
 - keep to its economic sanctions, or
 - provide an army when needed.
- The Great Powers were often reluctant to do so.
- Sanctions could hurt League members, so they were reluctant to comply with them.

- the League ultimately proved incapable of preventing aggression by the Axis Powers in the 1930s.
- US isolationism and the LoN
 - The credibility of the organization was weakened by the fact that the United States never officially joined the League
 - An active America willing to contribute military force for 'collective security' might have made a huge difference
- the Soviet Union joined late and only briefly
- Germany withdrew from the League, as did Japan, Italy, Spain and others.
- The onset of the Second World War showed that the League had failed its primary purpose
- It lasted for 26 years

The Beginning of the End

- Japanese conquest of Manchuria in 1931
 - (Britain and French colonial interests in the Far East)
- Italy under Mussolini conquered Ethiopia in 1935
 - (Britain allowed Italy the use of Suez Canal)
- Hitler noted League's weak response and withdrew
 - Hitler's consolidation of German people into one country
 - until 1939, he invaded Poland and the outbreak of WW-II
- Isolationism of US and timidity of Britain and France
- Indifference of Russia and Japan from the European affairs

THE RISE OF INTERNATIONAL GOVERNMENTAL ORGANIZATIONS

The United Nations



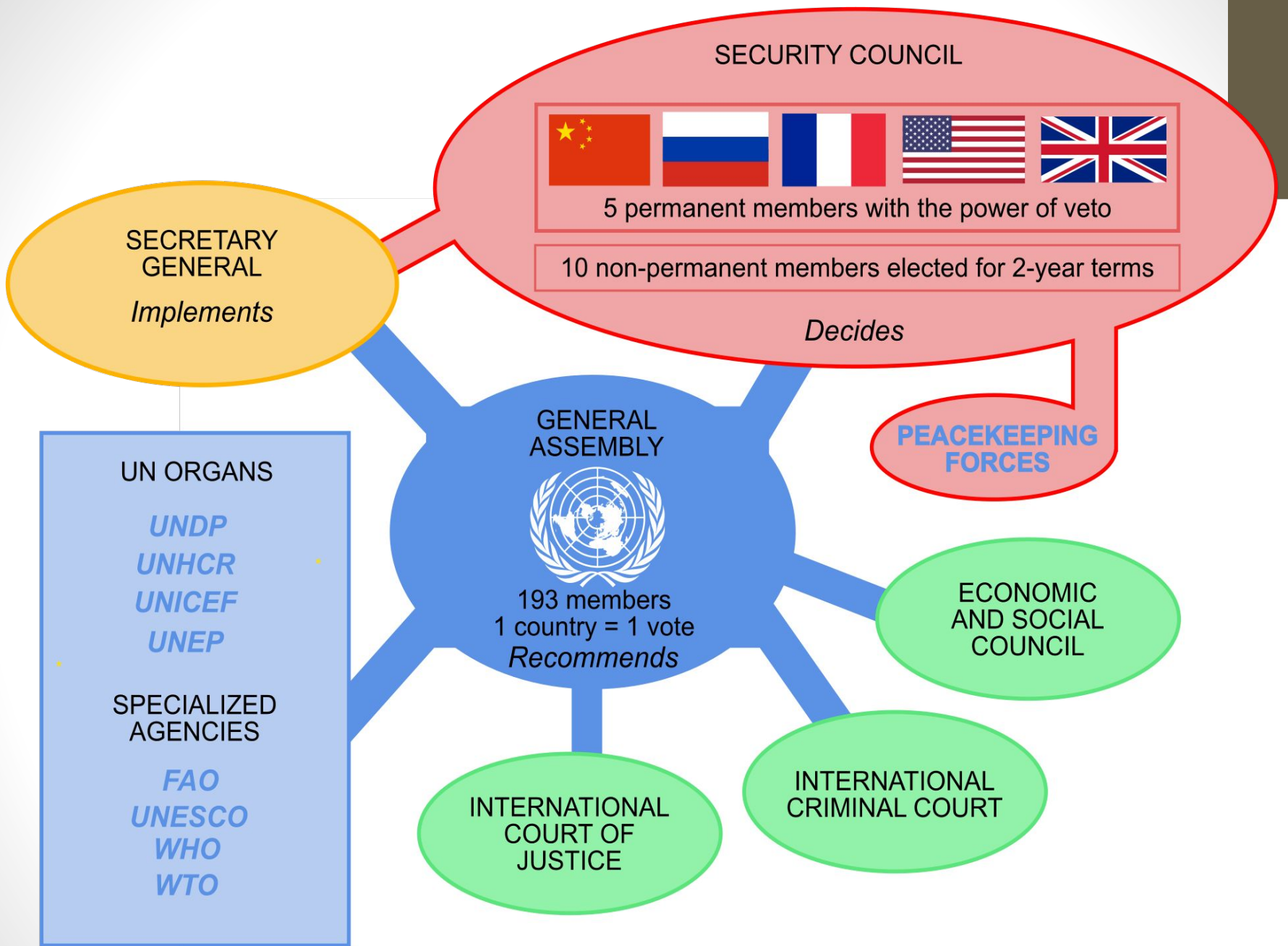
The United Nations



- The Rise of the UN
 - Franklin D Roosevelt influenced by Wilson's idealism wanted to rectify the failures of the LoN
 - He got Churchill and Stalin on his side
 - Truman continues the campaign for the UN during WW-II
 - This time America was the most enthusiastic supporter
- The UN is the largest, most familiar, most internationally represented and most powerful intergovernmental organization
- In 24 October 1945, the organization was established with the aim of preventing future wars with its Charter.
- At its founding, the UN had 51 member states; there are now 193. The UN is the successor of the ineffective League of Nations.

The Structure

- The structure of the UN is very much like the LoN
 - A General Assembly that meets every fall and all nations have one vote
 - All 193 Member States are represented in this forum to discuss international issues
 - plays a significant role in the process of standard-setting and the codification of international law.
 - empowered to make recommendations to States on international issues within its competence
 - It has power to recommend only





- A Security Council which can meet any time to preserve peace
 - has primary responsibility for the maintenance of international peace and security.
 - It has 15 Members (5 permanent and 10 non-permanent members).
 - Each Member has one vote.
 - all Member States to comply with Council decisions
 - takes lead in determining the existence of a threat or act of aggression.

- A Secretariat to run the organization
 - A SG is elected by the GA for renewable 5-year term
 - The bureaucratic administration of the day to day affairs of the UN
 - The global bureaucracy

The Security Council

- The peace keeping and peace making body
- It can order compliance with its resolutions
- The power of Veto vested with 5 permanent members (US, Russia, China, UK, France)
- Each of the five can veto any of the resolution
- The ten non-permanent members are elected by the GA for two-year term
 - Have an ordinary vote without veto
- Nothing can go against the wishes of any one of the 'Big Five'

Critical Analysis

- Are these five really the most important or powerful countries in the world?
- Germany and Japan have overtaken UK and France in terms of economy
- India as a rising power has demanded permanent seat along with Germany and Japan
- Russia and China are struggling to stand firmly
- Latin America, Africa, and Oceania have no permanent membership
- Who is to decide which nations can keep the peace?
- The problem is, there is no mechanism for adding new permanent SC members.

- A more basic problem is:
 - Why any major country should have a veto power over the will of the majority?
 - Stalin demanded veto power
- The veto could render the SC toothless but would keep the big powers talking instead of leaving
- The veto system has kept the UN alive but the price for holding the system together is its powerlessness to resolve many disputes

UN: Successes & Failures

- A cease-fire in the Iran-Iraq War
- The independence of Namibia
- The end of the civil wars in Angola, Cambodia and El Salvador
- MDGs and SDGs
- Poverty alleviation, child protection, and women empowerment
- Climate change
- Human rights protection
- Refugees management
- Scientific, cultural and human development

Disillusion with the UN

- The Kashmir Issue- 1947 to date
- The Palestine Issue-1947 to date
- The Korean War- 1950-54 and Korean Peninsula today
- Rwanda massacres
- Somalia Famine and civil war
- New World Order and the First Iraq War
- Bosnia-Herzegovina massacre and the Serbs

Reforming the UN!!

- Throughout the Cold War, both the US and USSR repeatedly accused the UN of favoring the other.
- there have been demands for reform of the UN
- little consensus on how to do so.
- Some want the UN to play a greater or more effective role in world affairs,
- others want its role reduced to humanitarian work.
- There have also been numerous calls for the UN Security Council's membership to be increased

- electing the UN's Secretary-General,
- A UN Parliamentary Assembly.
- Jacques Fomerand states the "the North–South Split"
 - Southern nations tend to favor a more empowered UN with a stronger General Assembly, allowing them a greater voice in world affairs,
 - while Northern nations prefer an economically laissez-faire UN that focuses on transnational threats such as terrorism
- France wants the UN to be the center of global governance
- Critics have also accused the UN of bureaucratic inefficiency, waste, and corruption.

Conclusion

- In evaluating the UN as a whole, Jacques Fomerand writes that the "accomplishments of the United Nations in the last 70 years are impressive.
- in human development during the 20th century ,the UN and its agencies have certainly helped the world become a more hospitable and livable place for millions.
- Evaluating the first 50 years of the UN's history, the author Stanley Meisler writes that "the United Nations never fulfilled the hopes of its founders, but it accomplished a great deal nevertheless", citing its role in decolonization and its many successful peacekeeping efforts.
- The British historian [Paul Kennedy](#) states that while the organization has suffered some major setbacks, "when all its aspects are considered, the UN has brought great benefits to our generation...."



International Organizations

THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice

- The principal judicial organ of the UN
- It settles legal disputes between member states
- Gives advisory opinions to authorized UN organs and specialized agencies.
- It comprises **a panel of 15 judges** elected by **the general assembly and security council** for nine-year terms.
- It is seated in the peace palace in the hague, netherlands

History

- Established in 1945 by the UN Charter
- the court began work in 1946 as the successor to the Permanent Court of International Justice.
- The Statute of the International Court of Justice, is the main constitutional document regulating the court

ICJ-Role

- The Court, which is composed of 15 judges, has a **twofold role**:
 - first, **to settle legal disputes** between States submitted to it by them
 - second, **to give advisory opinions** on legal matters referred to it by United Nations organs and specialized agencies.

Jurisdiction

- Only States are eligible to appear before the Court in contentious cases.
- The Court has no jurisdiction to deal with applications from individuals, non-governmental organizations, corporations or any other private entity.
- However, a State may take up the case of one of its nationals and invoke against another State the wrongs which its national claims to have suffered at the hands of the latter (Kalbhoshan)

ICJ Vs ICC

- What differentiates the International Court of Justice from the International Criminal Court
 - The International Court of Justice has no jurisdiction to try individuals accused of war crimes or crimes against humanity.
 - As it is not a criminal court, it does not have a prosecutor able to initiate proceedings.
 - The jurisdiction of the International Court of Justice is general and thereby differs from that of specialist international tribunals
 - The main **difference** is that **ICJ** settles arguments **between** countries, but the **ICC** punishes people.

Why are some disputes between States not considered by the Court?

- The Court can only hear a dispute when requested to do so by one or more States.
- It cannot deal with a dispute on its own initiative.
- Neither is it permitted to investigate and rule on acts of sovereign States.
- The States involved in the dispute must also have access to the Court and have accepted its jurisdiction

Are decisions of the Court binding?

- **Judgments** delivered by the Court in disputes between States **are binding** upon the parties concerned.
- Article 94 of the United Nations Charter provides that
 - “each Member of the United Nations undertakes to comply with the decision of [the Court] in any case to which it is a party”.
- **Judgments are final and without appeal.**
- If there is a dispute about the meaning or scope of a judgment, the only possibility is for one of the parties to make a request to the Court for an interpretation.
- In the event of the discovery of a fact hitherto unknown to the Court which might be a decisive factor, either party may apply for revision of the judgment.

ICJ and Security Council

- The relationship between the ICJ and the Security Council, and the separation of their powers
 - If the judgment is against one of the permanent five members of the Security Council or its allies, any resolution on enforcement would then be vetoed
 - if the Security Council refuses to enforce a judgment against any other state, there is no method of forcing the state to comply
- in theory, "so far as the parties to the case are concerned, a judgment of the Court is binding, final and without appeal," and "by signing the Charter, a State Member of the United Nations undertakes to comply with any decision of the International Court of Justice in a case to which it is a party".
- as the Court has no means to enforce its rulings, its survival is dependent on its political legitimacy.

