

ODUMUNC 2009 Issue Brief
Sixth Committee (Legal)
Strengthening the
Role of the United Nations
Ben Lamb



Introduction

Historic opportunities have been presented to the UN after the end of the Cold War, which would allow it to take a much more active role in promoting peace. However, its organizational structure, a product of the time period of the Cold War, has proven less than adequate for the task. Major issues facing the UN today include chronic financial difficulty, managerial weakness (exposed in the 1990s by the Oil for Food Program), controversy over human rights bodies, failure in many crisis including Yugoslavia and Rwanda, criminal behavior by peacekeeping troops, and Security Council reform.

Background

The late 1980s and early 1990s saw the end of the East-West power struggle, which had dominated international relations for decades. The United Nations stood to become a much more effective and empowered institution as member states pushed for the UN to take on new mandates. Unfortunately, the UN fell short of exceeding expectations in these areas.

The most serious long-standing issue concerns paying for UN operations. Many member states refuse to pay all their dues, or pay late. The latter is a serious problem for an organization required to balance its books annually. The United States leads demands for better financial oversight and also has demanded reallocation of dues to reflect the changing global distribution of wealth.

Among the most painful of these shortfalls was the corruption stemming from the UN's oil-for-food program with Iraq. This program was created after the 1991 war, when sanctions imposed against the government of Saddam Hussein were found harming the people of Iraq. Oil-for-food was designed to alleviate the difficulties placed on the Iraqi people by tough economic sanctions aimed and penalizing and weakening then-dictator Saddam Hussein. This \$100 billion program was latter found to be rife with waste. In addition, individuals inside the UN as well as private contractors have been accused of skimming off some of this money aimed at raising Iraqis' meager levels of health and nutrition; several members of the UN were investigated and removed, damaging the institution's credibility.

Other scandals have rocked the credibility of the United Nations organization, such as accusations of child sexual abuse by UN Peacekeepers in the Congo, and the sad reality of the membership of UN Commission on Human Rights consisting of states who were the world's most heinous abusers of human rights. Further, the structure of the UN Security Council is seen by some states as a relic of the past, with its five permanent members consisting essentially of the victors of the Second World War, whose positions are much stronger than the ten rotating members who lack veto power. The unrepresentative composition of the 15-member Security Council weakens the legitimacy of UN action. Numerous efforts to expand the Security Council have failed, due to controversies over which new members to admit and with what powers.

Current situation

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Currently, the United Nations organization has made some progress in rectifying the issues stated above. In 2006, the UN Commission on Human Rights was replaced by a new organ, the UN Human Rights Council. Council makeup is controlled more directly by the General Assembly, with provisions that potential members of the council must be known to have high standards for protecting human rights in order to be elected. Prosecution of those involved in the oil-for-food scandal made significant headway in Australia, France, Germany, and the United States. There have been no prosecutions in Russia, a state responsible for one-third of oil-for-food transactions.

The nature of sanctions imposed by the UN have changed, as well: they are much more targeted at specific economic assets, and are no longer the sort of blanket sanctions that caused the humanitarian crisis the oil-for-food program was designed to alleviate.

The organization has also made a concerted effort to update two of its important documents, known as the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*, which provide detailed information about the decisions made by the institutional units of the UN. This has been accomplished through partnership with academics, and enables the organs of the UN to function more effectively and consistently as they are more easily able to consult their past actions and rationales. Proposals have been made to expand the Security Council to 24 members by Germany, India, Japan, and Brazil, but these for the time being have not succeeded, stalled by fundamental disagreements of how many countries to add, which ones, and which what powers.

Country positions

The United States has been a major instigator in the prosecution of the oil-for-food malfeasance. Its internal accounting bureaucracy, the Office of Management and Budget compiled much information detailing illicit transactions made as part of oil-for-food based on Iraqi government documents gained after the 2003 Invasion of Iraq. This information has served as the basis of prosecutions and led to reforms of the UN Secretariate. These reforms remain highly incomplete. UN positions continue to be allocated on the basis of bloc and country quotas instead of competence.

As mentioned previously, Germany, Japan, India, and Brazil, the major powers not without permanent Security Council representation, have made a push for changes to that organ. However, they have failed to craft these changes in such a way as to garner the support of others states, whose support would be required in order to push such a change through the General Assembly.

Canada, France, New Zealand, the United Kingdom, and United States have taken a position against what they feel to be repeated and unfair attacks on Israel by the new Human Rights Council, an a lack of focus by it on human rights abuses in other places in the world. Others, led by the Raba Bloc, insist this is the vital issue of human rights in the world today.

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Recommended Reading

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. A/RES/62/69

<http://daccessdds.un.org/doc/UNDOC/GEN/N07/467/91/PDF/N0746791.pdf?OpenElement>

Repertory of Practice of United Nations Organs <http://www.un.org/law/repertory/>

“The UN’s oil for food scandal: Rolling up the culprits.” *The Economist*. 13 Mar 08 (web version of print edition.)

http://www.economist.com/world/international/displaystory.cfm?story_id=10853611

“UN Human Rights Council.” *Wikipedia* http://en.wikipedia.org/wiki/UN_Human_Rights_Council

Help for third states in application of Security sanctions no longer major concern, assembly’s legal committee told. GA/L/332 <http://www.un.org/News/Press/docs/2007/gal3321.doc.htm>

“Special Report: The United Nations: Can its credibility be repaired?” *The Economist*. 10 September 2005, pp. 30-32.

Mark Turner, “Under fire: the United Nations struggles to meet the challenges of a changed world” *Financial Times*, 6 June 2005.

“U.N. Envoys see loss of steam,” *New York Times*, 18 Nov. 2005.