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The U.N. History, Role and Attributions in Maintaining Peace in Contemporary International Relations

Stefan Gheorghe¹

Abstract: Contemporary international relations are, at present, the result of a considerable evolution of interests, of all the states of the world and not only, whose spectrum has changed in the last two centuries through the emergence of governmental, regional or global organizations. Through them, small states have the opportunity to act, on the stage of international relations, having the support of all the members of the respective organization. Also, the citizens of the countries of the world now play a much more important role in the economy of international relations considering that through various types of non-governmental organizations, with regional or global representation, they can express their points of view.

Keywords: Contemporary international relation; evolution of interests; non-governmental organizations

Introduction

Ever since the beginning of the 20th century, international organizations have represented the main feature of international relations, both in terms of importance and number. The fields in which these International Organizations (Niemesch & Berna, 2020). appear and manifest are among the most diverse and continuously growing, a situation that leads many analysts in the field to state that their proliferation helps the peaceful resolution of regional, local or global crises between the world's states. According to international legislation in the field, the Vienna Convention (Carpinski & Margarit, 2011) stipulates that the term international organization is assimilated to that of intergovernmental organization. The specialized literature fully affirms the desire of all states to collaborate, at the international level, by signing agreements, treaties, conventions with third states (Tutunaru, Morega, & Popescu, 2014). International Organizations (Lungu, 2010) contribute to the regulation and democratization of relations between their members, as is the case of the UN. and they mainly aim to:

- Increasing the interest of the member states in various fields;
- Aligning the national interests of the states with those of the organizations they belong to;
- Establishing with the help of O.I. of a general framework regarding international peace and security;

¹ Senior Lecturer, PhD, Department of Economics, Danubius University of Galati, Romania, Address: 3 Galati Blvd., Galati 800654, Romania, Tel.: +40372361102, Corresponding author: stefangheorghe@univ-danubius.ro.

- Affirmation of joint decisions regarding monitoring protocols and application in international relations of the decisions taken;

In the opinion of specialists, international organizations are valued as subjects of international law, and no longer represent them a consequence of governmental agreements taken by governments and their representatives, on the contrary, they have a much wider spectrum, besides the intergovernmental (Carpinski & Margarit, 2011) ones, there are also non-governmental organizations, at local, regional or global level. The first international organizations (Moca, 1997), which conform to the current standards, appeared since the second half of the 19th century with the aim of ensuring the cooperation of the member states according to international law and their own regulations. Among these, the following can be mentioned: the Universal Postal Union-1875, the World Meteorological Organization-1878 or the International Telegraph Union-1865. The First World War, through its consequences, led to an increase in the number of these O.I. the most representative being the League of Nations-1919, the International Labor Organization-1919, the Union of Railways (Popescu & Diaconu, 2009). After the Second World War, there was an increase in the desire of states to cooperate in multiple fields with the aim of avoiding the humanitarian and economic disaster produced, such as the United Nations-1945, the International Monetary Fund, the International Health Organization or the Food and Agriculture Organization (Niemesch & Berna, 2020).

In the post-war period, the U.N.U. represented the world organization responsible for solving the many regional or local crises that have arisen anywhere on the globe and after 1990, actively intervenes in the regulation of crises that have arisen between the states of the world, benefiting from a mechanism and a complex structure: the General Assembly, the Security Council, the Economic and Social Council, The Guardianship Council, the International Court of Justice and the General Secretariat. The United Nations is the main guarantor of global security and stability, this responsibility being expressly regulated by the organization's provisions and statute. According to this assumed obligation, the U.N.U. must peacefully resolve any conflict or crisis, be it humanitarian, economic, or pandemic, etc. The application and compliance of the decisions taken is understood by all members of the organization and has value for "*erga omnes*".

In order to prevent and amicably resolve all tensions between states, articles are provided in the statute that oblige the parties to common and international dialogue and arbitration¹. Only if these protocols have been exceeded and have not yielded results, the U.N., through its bodies, in this case, the Security Council, will intervene and by coercion, according to the provisions of the Charter of the United Nations Organization, part VII. The recent COVID-19 pandemic has contributed to intensifying the crisis, on a global scale, necessitating the adoption of difficult measures to constrain the population in order to prevent and limit the effects of the new virus. The efforts were made through the recommendations of the World Health Organization, subordinated to the UN. Such initiatives had been made before the League of Nations. However, taking into account the evolution of the Second World War, the initiative to establish a new organization of this type belongs to the United States, Great Britain, the Soviet Union, China

¹ Art. 2(3), art. (4), art. 24, art. 25, the provisions of ch. VI (the most significant being those included in art. 33 and art. 34).

and a number of other 26 states that will sign the United Nations Declaration at 1 January 1942. The purpose of this declaration was to express the desire to fight until victory, according to the principles stipulated in the Atlantic Charter. On June 26, 1945, in San Francisco, the constitution of 50 member states of the new organization that will create a new world order is signed. The newly created body will have the power to impose and guarantee, with the help of the great powers, a new order in post-war international relations thanks to the victory gained in the war against Germany and its allies.

The new *status quo* in international relations is found in the provisions of the United Nations Charter; whose main role is to promote the cooperation of all states on the globe and not to generate conflicts. By appealing to democratic values, to material well-being and technical progress, the possibility of joining new future members, with full rights within the UN, is created, in compliance with the principles and goals stated in the charter. The entry into force of the United Nations Charter represented a turning point in international relations, because it expressly stipulated the principle of peaceful resolution of disputes between the world's states. The document signed in San Francisco entered into force on October 24, 1945, confirming the importance of respecting international law by all member states, the use of force in conflict resolution being prohibited, in general, with only exceptions authorized by the UN¹. In the event that violations of the norms of international law, stipulated in the charter, are identified, they are severely sanctioned by decisions taken jointly by the members of the United Nations.

Today, cooperation² constitutes one of the basic principles of the status and activity of the United Nations and is found in all treaties and international conventions, being applicable in the economy as security, generating a climate of trust and security between states. International cooperation is a universal principle, found without discrimination in all fields and aspects. In this situation, states can exercise their right to act freely, to opt for a specific means or instrument for each individual situation. In other words, the states of the world have the right to cooperate with other states and conclude international agreements in accordance with their interests and respecting international norms, to choose and activate appropriate forms of international cooperation, to participate in cooperation activities initiated in within global or regional international organizations, etc. They also have the obligation to cooperate in order to maintain the payment at the global level. Although clear and precise legal norms are provided in the case of conflict prevention or cessation, due to the multiple economic, political or any other kind of interests existing between the prominent members of the organization, many of the decisions and decisions adopted are taken late, ineffective, or it is not adopted at all.

The purpose of establishing the United Nations resides in the need of the states of the world to ensure that world peace and security will not suffer in the future, thanks to the achievement of

¹ <https://legislatie.just.ro/Public/DetaliiDocumentAfis/19362>, Representing the interests of an international organization, at the global level, the UN is open to all "peace-loving states that accept the obligations of this Charter and which, according to the Organization's assessment, are able and willing to fulfill them". The organization's statute provides for 19 chapters and 111 articles, which explicitly states the principles and goals universally accepted by all members, also presenting some subordinate bodies of the UN and their functioning.

² UN Charter, Chap. I, art. 1(1, 3) and Cap. IX; Declaration on friendly relations between states; The Final Act of the Conference on Security and Cooperation in Europe (Helsinki, 1975), the Paris Charter for a New Europe, the UN Convention on the Prohibition of the Use, Possession, Production and Transfer of Anti-Personnel Mines for Destruction, the NAFTA Agreement (1992); ASEAN Charter (2004).

international cooperation in all areas of interest. A major role in the organization's unity was played by the common belief in respecting fundamental human rights, in the equality of races, gender equality or between nations. The right of the peoples of the world to decide fate alone represents the fundamental feature of international law today.

In the preamble of the United Nations Charter, the founding members and signatories stipulated the main goals of the organization, namely: the elimination of war, the affirmation of fundamental human rights, equality between nations, the establishment of an international legal framework necessary for the implementation and appreciation of all rights and responsibilities derived from all international political agreements, ensuring a better social well-being, guaranteeing freedom and encouraging progress (Poede, 2005). A necessary condition for achieving these ideals is, in the opinion of the signatory states, the application of the principle of tolerance between the member states that will accept international arbitration. The main objectives of the organization are defined in the first article of the first chapter of the UN Charter (Pâlşoiu, 2006):

- Taking collective and effective measures with the aim of preventing any threats to peace and security on the globe;
- Settlement, according to international legislation, of international disputes;
- Respecting the principles of equal rights for all and the self-government of the peoples of the world;
- International collaboration in order to solve problems in the economic, social, cultural or humanitarian fields;
- Respect for fundamental human rights and freedoms;
- Elimination of discrimination of any kind.

The entire activity of the United Nations Organization is based on a whole series of principles that ensure the achievement of the objectives proposed by the members of the organization and which are stipulated in the charter:

- The UN is based on the principle of equality and sovereignty of the members;
- The signatory members give proof of good faith in fulfilling the obligations assumed by the charter;
- Members of the organization will not resort to the threat of force or its use to the detriment of the territorial integrity of other states;
- The United Nations is not authorized to intervene in internal issues that belong to national competence and will not oblige the member states to give up in favor of it;
- Encouraging non-member states to respect the principles necessary to maintain peace and security around the globe;
- Supporting the United Nations in its action against states that do not respect the charter and refraining from helping third countries in disagreement with the UN.

U.N. policy in this sense, it included a series of peacemaking and peacebuilding missions, carried out all over the globe to solve some of the most important crises. The two concepts used have in mind the use, in the first case, of diplomacy to stop hostilities and sit down at the negotiation table. In the second case, the aim is to establish the legitimacy of the states in order to optimally solve the internal problems related to the protection and respect of the rights of their own citizens. However, representing a global security organization, the United Nations does not exclude the implementation of coercive measures, but they must be taken in a transparent and non-discriminatory manner (Iftode, 2010). Certainly, the U.N. faced situations in which decision-making was blocked by some member states of the Security Council, due to divergent interests. The most recent example, the Russian aggression in Ukraine, constitutes an international dispute that contributed to the diversification of measures and pressures of international public opinion by adopting economic sanctions on the responsible states, even if the United Nations failed to adopt measures in this regard.

Since the UN Charter is a constitutive act of the United Nations, it also represents an international treaty, and the established principles have binding force according to international law. With the adherence to the principles stipulated in the statute, all member states undertake to respect them unconditionally, they also constitute an international framework of rules and good practices. The fundamental objective is to preserve peace and security in international relations between states. In order to fulfill all the competences at its disposal, the UN is endowed with a complex mechanism made up of several bodies under its authority. It functions according to the provisions of the first article of the charter as “a center in which to harmonize the efforts of nations towards the achievement of these common goals”. The main bodies are (Popescu & Dinu, 2004, pp. 44-48):

- General Assembly;
- Security Council (political role);
- The Economic and Social Council (has the task of encouraging the cooperation of all members of the organization in order to develop the living standards and social and cultural well-being of the people);
- The Trusteeship Council (it was invested with the role of administering and monitoring the territories under the guarantee of the League of Nations, some regions detached from ex-enemy states);
- International Court of Justice;
- The Secretariat.

The UN subordinate bodies (according to the provisions of article 7, paragraph 2 of the Charter) were created as a reaction to the evolution of international relations. They have the role of helping the main bodies in exercising their duties and have powers delegated from the main body. Their component can be made up of representatives of the member nations, or of private individuals who participate personally (as is the case of the UN International Law Commission). At the same time, the UN manages a series of specialized agencies and bodies whose activity is subordinated to the Economic and Social Council. The establishment of these institutions is

based on the agreement of the member states, stipulated by international conventions, through mutual support in different fields on the international political scene. The respective structures have their own budgets and headquarters, the specific component, and from the point of view of international law, they are considered legal entities different from the UN.

The General Assembly of the U.N.U. it brings together delegations from no less than 194 member states and carries out its activity within annual sessions and in exceptional cases special working or exceptional sessions can be organized. In exercising its mandate, the General Assembly of the United Nations receives reports from six committees: the security and disarmament committee, the socio-human committee, the economic and social committee, the special policy committee, the budget committee and the legal committee. Within it, cooperation between member states, respect and application of international law, promotion of fundamental human rights and values, etc. are promoted. In New York is the headquarters of the United Nations General Assembly where they debate and analyze the activity of the member states and the structures of the organization following the reports and decisions received. Through the decisions of the General Assembly, taken with a majority of two thirds of the number of members present, for the situations considered of maximum importance, are: recommendations for maintaining peace in international relations, the election of members of some institutions and structures of the organization (the Security Council, the Economic Council and Social, election of new members or suspension of membership of some states, budget execution, etc.). The competences of the General Assembly refer to the general principles of cooperation for the maintenance of peace and security worldwide, to the introduction on the work agenda of discussions regarding concrete cases of violation of world peace and security initiated by the member states, they consider the action of the organization through other specialized structures, the attention of other UN institutions. on the risks of disturbing the balance of peace in international relations. All other structures present annual or special reports on peacekeeping solutions.

The Security Council of the United Nations is the institution made up of 15 permanent members, the United States, Great Britain, France, the Russian Federation, China and another 10 non-permanent members, elected by rotation from among all other UN members, for a period of two years¹. In the first case, political and military cooperation during the Second World War represents a guarantee for post-war peace and security, although some opinions today consider it an unnecessary privilege in stopping differences between states. The main attribution of the Security Council is to ensure a climate of peace and stability in international relations. Unlike the General Assembly or other UN institutions. which can only make recommendations, the Security Council adopts decisions by the vote of its members, and are known as United Nations Security Council resolutions.

Regarding the competences with which it is endowed, we recall: the annual and special reports on international peace and security submitted to the General Assembly, the establishment of the distinct responsibilities of its members for maintaining peace in international relations and the monitoring of member states to apply and revise the decisions of the Security Council. In

¹ Common foreign and security policy, Center for Legal Resources, Bucharest, 2004, p. 110.

the event that one of the members of the Security Council is directly involved in an armed conflict, he must abstain from voting. In situations of armed aggression, decisions can be made without the use of force, such as the partial or total severance of economic or diplomatic relations. If these are not sufficient, one can resort to demonstrations of force, blockades, or other operations under the UN mandate. For a better implementation of these decisions, the Security Council can use the power of the UN member states, as well as the other UN bodies, in order to apply sanctions under his authority. If the use of force is required to solve the crisis that has arisen, the procedure involves the following measures taken by the Security Council: establishing the legal framework, assessing the costs of the military operation and its consequences, appointing the special envoy, achieving the peace agreement, says the commander of the United Nations force, the force assurance project in the theater and their deployment in the operational bases but also the relocation of the security forces involved in the national states.

The Economic and Social Council (ECOSOC) was established as a result of the deficiencies that the United Nations Charter had in the economic field. It was established in 1963 as an advisory body of the United Nations. The Economic and Social Council represents a structure based on geographical criteria, its members being elected, with a three-year mandate, depending on the geopolitical representation by the UN General Assembly. Thus, African states benefit from 14 seats, Asian states from 11 seats, Latin American states have reserved the right to have 10 seats, Eastern Europe six and Western Europe 13. At the head of ECOSOC, a president from among small and medium-sized states is also elected. The purpose of establishing this UN body is to promote closer and more sustainable international cooperation in terms of economic and social progress, for all member states. The council adopts decisions by the vote of its members, needing a simple majority to take decisions, during the meetings that take place once a year in July, in Geneva or in New York, alternatively. Under his authority are numerous committees and commissions specialized in different areas of interest¹:

1. The UN Commission on Human Rights (UNCHR) was abolished in 2006, replaced by the United Nations Human Rights Council (UNHRC), a body of the General Assembly. Commission on Narcotic Drugs;
2. Crime Prevention Commission and Criminal Justice;
3. Commission on Science and Technology for Development (CSTD);
4. Commission on Sustainable Development (CSD);
5. UN Commission on the Status of Women (UN CSW);
6. Commission for Population and Development;
7. UN Statistics Commission;
8. UN Forestry Forum;
9. UN Commission for Social Development.

¹ <http://www.mae.ro/node/5610>.

ECOSOC leads projects and conducts studies and analyzes in order to identify the shortcomings of the global economy, of social issues, in culture, education and health at the international level and recommends these issues to the General Assembly, UN members and specialized agencies.

The Trusteeship Council was established as a body subordinate to the UN. to supervise the administration of the tutelary territories. The provisions for the establishment of a new UN agency with the aim of monitoring the decolonization of territories still under colonial rule were enunciated on the occasion of the organization of the 1945 conference in San Francisco, being provided in Chapter 12 of the United Nations Charter. In this sense, all colonial possessions and regions under the administration of the former League of Nations had to be monitored and administered on the basis of an international trusteeship provided by the UN Charter, considered the sole successor of the League of Nations. Diplomatic negotiations led to reaching an agreement, as a result of which 11 territories were placed under the tutelage of the United Nations. Of these, a number of 7 regions were located in Africa and the rest in Oceania. dependent territories (colonies and mandated territories) were to be placed under the international trusteeship system created by the United Nations Charter as a successor to the League of Nations mandate system. Following the negotiations, eleven territories were placed under trusteeship: seven in Africa and four in Oceania. It was suspended in 1994 as a result of Palau gaining independence on October 1, 1994, the last of the 11 territories under such a mandate. The competences of this council are those related to the supervision of the administrative activity, following the progress registered in the political, economic, social and educational fields in different states, by preparing an annual questionnaire as a way of working. After the collapse of the colonial system, its role decreased in international public opinion.

UN Secretariat represents (Chiriac, Ion, & Dumitru, 2007, p. 82) the main administrative body of the United Nations Organization, having a secretary general with the highest rank within the organization. He is appointed for a 5-year term, being proposed by the Security Council. Its task is to present an annual report on the efforts of the U.N. in the fields in which it operates, being helped in this activity by employees of the organization and subordinate to it.

The International Court of Justice is a judicial body of the United Nations and is based in The Hague in the Netherlands. All members of the United Nations also have the status of statutory members of the International Court of Justice but, in exceptional situations, they can also become parties under the circumstances established by the General Assembly and the Security Council. It has a number of 15 members elected independently of the General Assembly and the Security Council. The competences of the International Court of Justice refer to the contentious part (*rationae personae and rationae materiae*) and to the advisory part¹.

Conclusions

The main task of the United Nations is to ensure global peace and maintain a climate of collective security, based on the universal values accepted and guaranteed by the states of the

¹ <http://www.mae.ro/node/5610?page=4>.

world. U.N.U. he did not propose to constitute one supranational body, or to hold the powers of a world government of the world. Its members proposed, from the very beginning, the establishment of a body responsible for strengthening the collaboration between sovereign member states with the aim of achieving common ideals.

Today, the main focus of the UN is on the Russian-Ukrainian conflict. Recently, (03.02.2022) the UN General Assembly gave an overwhelming vote for the resolution condemning the Russian invasion of Ukraine and called for the immediate withdrawal of the Russian army and the start of peace negotiations, in a new attempt to express the deep indignation of international public opinion against the aggression of the Russian Federation.

The resolution was voted during an emergency session of the UN. Of the 193 members, 141 voted in favor of the resolution, 35 abstained and 5 voted against. The countries that supported Russia were North Korea, Syria, Eritrea, and Belarus. The resolution, which was initiated by 94 countries, states that the UN “deplores in the strongest terms Russia’s aggression against Ukraine”. It also demands that Russia “immediately cease the use of force against Ukraine and immediately, completely and unconditionally withdraw all military forces” from Ukraine.

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