



O.N.U. History, Role and Responsibilities in Maintaining Peace in Contemporary International Relations

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Abstract: International relations are the natural consequence of the development of a real complex of interests that appear in time between people, states, nations or different types of other structures or organizations. From this perspective, the phrase of international organization has registered major changes, being understood by this concept both the model of governmental organization and that of non-governmental organization. Both have the role of In general, the role of international organizations can be summarized in the following fundamental ideas that aim at maintaining through international organizations, international peace and security by harmonizing national interests, establishing cooperation decisions and mechanisms for monitoring their application in relations internationalization, enhancing cooperation between states in areas of common interest;

Keywords: First World War; human; international economic

1. Introduction

The different approaches in identifying an optimal direction in discovering the connotations and the meaning of the term is facilitated by the text of the Vienna Convention (May 23, 1969) which stipulates that the phrase “international organization” means an intergovernmental organization (Carpinski & Margarit, 2011, p. 14). Although they are considered subjects of public international law, International Organizations have a major impact in international relations, representing a way for states to cooperate in the direction of international collaboration.

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The United Nations and its fundamental act - the UN Charter - are the product of a specific period in the evolution of international relations, reflecting the balance of forces and the specifics of the period of the Second World War. At the same time, the UN represents a process in which the dynamics of the contemporary world are reflected in the progress its ascendant towards a better and safer international framework. As a result, it is a consequence of the efforts started after the First World War. The authors of the Charter and the United Nations wanted to fulfill the deep desire of the peoples for peace, and after the Second World War, the twin states will be able to achieve a stable world peace¹.

The first attempt to create a general and permanent organization of states was the League of Nations. The idea of establishing such an organization with a universal vocation appeared in several countries during the First World War as a reaction to the sacrifices and great disasters caused by the war. The great human losses and material destruction left by the war determined the intensification of the concerns of politicians and other private persons for the establishment of organizations that serve to maintain international peace and security. Thus, between 1914-1918, several projects were developed in the private sector, by the League for the strengthening of peace on the initiative of the USA and the League for the League of Nations in Great Britain².

The projects and initiatives sought to find solutions for preserving peace after the war. The project of such an organization was drawn up in 1916 by the American president Woodrow Wilson. The United Nations is the successor of the League of Nations; It is the most important organization in the world whose mission is to ensure world peace, respect for human rights, international cooperation and respect for international law.

initiative to establish the United Nations Organization, as in the case of the League, belonged to the great powers, namely the United States of America and Great Britain. The first commitment regarding future peace and the establishment of a new international organization was the Atlantic Charter, signed on August 14, 1941 by British Prime Minister Winston Churchill and American President Franklin D. Roosevelt. The document was a declaration of principles to which other states,

¹ Carta ONU art.1 alin.1.

² The Commission for the League of Nations was formed by the delegations of the great powers USA, Great Britain, France, Italy and other small states that requested the enlargement of the competence of the Commission by accepting four more small states, including Romania.

including the Soviet Union, adhered, and which established an open and permanent system of general security. They expressed their desire to get all nations to collaborate in the economic field. Also, they envisioned “a peace that would ensure all nations security within their own borders” and that all nations “abandon the use of force¹.”

January 1, 1942, with the participation and broad participation of the USA, USSR, Great Britain and China, 26 allied states signed the “**United Nations Declaration**” expressing their obligation and desire to continue the war by all means against the Axis and especially against Germany, Italy and Japan until the final victory. At the same time they expressed their agreement to the goals and principles proclaimed by the Atlantic Charter, as well as their support for their achievement. Each of these 26 signatory states pledged to use all financial and military resources at their disposal against the Axis and its associates and not to conclude an armistice or separate peace with them. Later, 22 more states joined this declaration. The name “**United Nations**” was introduced by the US president, Franklin D. Roosevelt and used for the first time in the Declaration of the United Nations of January 1, 1942. At the initiative of the Americans, the plans for the establishment of the international organization began to take shape quickly. The idea of creating the U.N. is officially launched by the declaration signed in Moscow on October 30, 1943 by the foreign ministers of the USA, USSR, Great Britain and China². The **Conferences at Dumbarton Oaks** (September 21-October 7, 1944), which took place in stages, between the Anglo-Saxons and the Russians and between the Anglo-Saxons and the Chinese, laid the foundations for the future organization. The parties agreed on a number of issues:

- The United Nations was to be composed of a General Assembly, a Security Council, a Secretariat, an International Court of Justice and an Economic and Social Council.
- Two issues remained in suspension: that of the vote and that of the admission of the 15 constituent republics of the USSR as separate entities.

The decisions of the Yalta Conference: Ukraine and Belarus were admitted as members of the Organization, and the vote of the member countries in the Security Council was to have effect in all cases. In Yalta, the big three introduced, in their project, provisions that guaranteed the maintenance of their preeminence. The

¹ Carta Națiunilor Unite Art. 1.

² Carta Națiunilor Unite Art. 61.

League of Nations was paralyzed by the principle of unanimity. The new organization was led by a directorate of great powers, permanent members of the Security Council who had the right of veto. The Big Three agreed to convene a conference in San Francisco on April 25, 1945, to prepare the Charter of this organization. The UN was definitively founded by the Charter of San Francisco, signed on June 26, 1945, by 50 states. It was about creating an effective organization, truly representative and endowed with broad competences.

The UN Charter created a new world order that must be respected. He consecrated the directorate of the great powers, which is a necessary evil. The UN is not a world gendarme. No nation, be it bigger and stronger, can turn itself into a world gendarme. The current world order established by the UN Charter creates prospects for progress and civilization, for their coexistence and cooperation, for all states and not for confrontation. Being an organization with a universal vocation, the UN is open to all “peace-loving states that accept the obligations of this Charter and that, in the judgment of the Organization, are able and willing to fulfill them”. It contains 19 chapters and 111 articles, in which the principles and the goals of the Organization, then the different bodies and their functioning are described.

The essential goal was to maintain international peace and security, through effective common measures. Peace is not the only goal, the signatories proclaiming faith in fundamental human rights, in the dignity and value of the human person, in equal rights between men and women, as well as between large and small nations; they are supporters of fundamental freedoms for all, regardless of race, sex, language or religion. The right of peoples to decide their own fate was reaffirmed. In order for freedom to have solid foundations, the UN was determined to favor social progress and establish better living conditions, in greater freedom”, the best method being international cooperation for solving international economic, social and intellectual problems or humanitarian. They were declared members of the United Nations:

1. all the states participating in the San Francisco Conference (that is, those that had declared war on Germany and Japan);
2. all other states that accept the obligations of the charter.

On January 10, on the occasion of the inaugural meeting, the United Nations Assembly included 51 members.

Organisms:

- The General Assembly and the Security Council (political role)
- The Economic and Social Council (responsible for cooperation, in all areas, related to the material and cultural standard of living of the people)
- The Trusteeship Council (charged with the administration and supervision of the territories under mandates of the League of Nations, some territories separated from ex-enemy states).
- International Court of Justice.
- The Secretariat.

2. Goals and Principles of the U.N.

The general goals of this organization were formulated in the preamble of the UN Charter. Such goals are: freeing future generations from the scourge of war, reaffirming faith in fundamental human rights, equal rights of large and small nations, creating the conditions necessary to maintain justice and respect obligations arising from treaties and other sources of international law, favoring social progress and the installation of better living conditions in greater freedom (Poede, 2005, p. 132).

To achieve these goals, the peoples of the United Nations will practice tolerance and live in peace with each other as good neighbors, they will join forces to maintain international peace and security, they will accept principles, institutions and methods that guarantee that the armed force will not be used otherwise than in the common interest and will be used by international institutions to favor the economic and social progress of all peoples (Pâlşoiu, 2006, pp. 87-88). Precisely in this sense, according to the Charter, ch. 1. art. 1. the main goals of the UN are: to maintain international peace and security and, for this purpose, to take effective collective measures in order to prevent and strengthen threats against peace and repress any acts of aggression or other violations of the peace and to carry out through peaceful means, in accordance with the principles of justice and international law, the settlement or resolution of disputes that could lead to a breach of the peace; to develop friendly relations between nations, relations based on respect for the principle of equal rights and self-determination of peoples and to take any other measures aimed at consolidating world peace; to achieve international collaboration, solving international problems of an economic, social,

cultural or humanitarian nature, developing and encouraging respect for human rights and fundamental freedoms for all, regardless of race, sex, language or religion; to be a center in which to harmonize the actions of nations in achieving common goals.

In achieving the proposed goals, the UN bases its entire activity on the following principles inscribed in the founding document in chapter 1, art. 2:

- 1). the organization is founded on the principle of sovereign equality of all its members,
- 2). all members of the organization, in order to ensure everyone the rights and advantages arising from their membership, must fulfill in good faith the obligations assumed according to this charter,
- 3). all members of the organization will resolve their international disputes by peaceful means, in such a way that international peace and security, as well as justice, are not endangered,
- 4). all members of the organization shall refrain in their international relations from resorting to the threat of force or its use either against the territorial integrity or political independence of any state, or in any other way incompatible with the purposes of the United Nations,
- 5). all members of the United Nations shall give it full assistance in any action taken by it in accordance with the provisions of this Charter and shall refrain from giving assistance to any State against which the Organization is taking preventive or coercive action,
- 6). The organization will ensure that states that are not members of the United Nations Organization act in accordance with these principles to the extent necessary to maintain international peace and security.
- 7). nothing in this charter shall authorize the United Nations to intervene in matters which essentially belong to the national competence of a state, nor shall it oblige its members to submit such matters for resolution on the basis of the provisions of this charter¹.

Since the UN Charter, as the constitutive act of this organization, represents an international treaty, it seems natural, at least theoretically, that the principles

¹ Carta Națiunilor Unite, Art. 17.

enshrined in the Charter should have binding force. From the moment of ratification, the principles represent fundamental obligations for any member state, a homogeneous body of general rules of conduct, with the objective, in the final analysis, to guarantee world peace, the ultimate goal of the United Nations Organization¹. In order to achieve its goals and tasks, the United Nations has a vast complex of bodies constituted in a functional system. It functions as specified in art. 1 of the Charter as “a center in which to harmonize the efforts of nations towards the achievement of these common goals.” Concretely, the UN functions through its six main bodies (art. 7 of the Charter): the General Assembly, the Security Council, the Economic and Social Council (ECOSOC), the Trusteeship Council, the International Court of Justice and the Secretariat with their subsidiary bodies. Appendix no. 1 The main bodies of the UN). Outside of these structures, the UN would be an abstract notion (Popescu & Dinu, 2004, pp. 44-48).

Subsidiary bodies (art. 7 paragraph 2 of the Charter) are established as needed by the main bodies. They help the main bodies in their attributions and have a competence delegated by the main body. They can be composed either of representatives of the member states or of persons participating in a personal capacity (e.g. the UN International Law Commission. The UN also includes a number of specialized institutions or agencies (art. 57 of Chapter IX of the Charter), whose activity is coordinated through the Economic and Social Council. The activity of these specialized institutions, created through interstate conventions, aim to strengthen economic, social and cultural collaboration in international life. These specialized institutions are each a separate organization, they have members, their own budgets and headquarters, have a legal personality distinct from that of the UN.

The United Nations Security Council is considered to be the most powerful structure of the UN. According to the Charter, art. 24, it is responsible for fulfilling the central objective of the organization, in maintaining international peace and security and removing their violation. In order i fulfillment of these prerogatives, the Charter gives the Security Council special attributions in terms of decisions and actions aimed at preventing and solving any type of international conflicts, and the

¹ consider that the UN has the quality of a derivative subject of international law, with limited legal capacity, a capacity granted to it by the member states. The fact that the UN is a derivative subject of international law results, on the one hand, from the provisions of the constitutive act as an instrument for organizing collaboration between sovereign and equal states, and on the other hand from the privileges and immunities enjoyed by the organization and its representatives, on the territory of the member states.

UN member states “accept to execute the decisions of the Security Council” made in accordance with the provisions of the Charter to art. 25. The Security Council is composed of 15 members. Five of them: China, France, Russia, Great Britain and the USA, are designated by the Charter, have a privileged position as permanent members - the great allied powers in the Second World War, their cooperation representing a guarantee of maintaining peace and security in the post-war period. Regarding the other ten non-permanent members of the Security Council, they are elected by the General Assembly for a period of 2 years¹.

The General Assembly of the U.N. it has in its composition the representatives of the 192 member states and carries out its activity in annual working sessions, during which problems of global importance are discussed and decisions are taken, with the vote of two thirds of the member states in areas such as world peace and security. The seat of the General Assembly is in New York. In other areas, decisions are made by simple majority. In special cases, it can also meet in special work sessions or emergency sessions at the request of the general secretary². Also, the general assembly receives and analyzes reports from the commissions and from the general secretary of the organization. Other attributions are those related to the organization's budget, the appointment of the general secretary, the members of the International Court of Justice, etc.

The Economic and Social Council (ECOSOC) has 54 member countries, which promote international economic and social cooperation and development. They are elected by the United Nations General Assembly for a period of three years. Seats on the Council are based on geographic representation, with fourteen seats

¹ Politica externă și de securitate comună, Centrul de Resurse Juridice, București, 2004. The term League or League of Nations appeared as early as 1908 when Leon Bourgeois proposed a new system of organizing international relations. The idea was taken up and supported by groups and associations from France, Great Britain, the USA, where presidents Roosevelt and Taft they supported the formula of a security system in which the aggressors would automatically receive economic and military sanctions from the international community. In June 1915, a League for the Promotion of Peace, supported by Taft, campaigned for a Society of Nations based on collective security and the strengthening of international law.

² <https://www.agerpres.ro/politic-ex/2022/02/28/ucraina-luni-are-loc-o-sesiune-speciala-de-urgenta-a-adunarii-generale-a-onu--873705> The resolution, supported by the United States and Albania, was adopted by 11 countries. Russia voted against, the United Arab Emirates, China and India abstained. No right of veto was possible for this referral in accordance with the UN regulations in force. Adopted on the basis of a procedure established in 1950, the notification of the "Union for the Maintenance of Peace" represents a major setback for Russia on the international diplomatic scene and could not be vetoed by one of the five permanent members of the Security Council, of which part and Russia.

allocated to African states, eleven to Asian states, six to Eastern European states, ten to Latin American and Caribbean states, and thirteen to Western European and other states . The president is elected for a one-year term from among the small and medium powers represented in ECOSOC. which meets once a year, in July for a period of four weeks. The current President of ECOSOC is Ambassador Sylvie Lucas of Luxembourg¹.

The decisions adopted within ECOSOC are taken by a simple majority of the voting members and the sessions are organized every year in July, alternately in Geneva and New York. Under ECOSOC are various commissions or specialized committees with limited membership, such as: the UN Commission on Human Rights (UNCHR) abolished in 2006, replaced by the United Nations Human Rights Council (UNHRC), a body of the General Assembly. Commission on Narcotic Drugs, Commission on Crime Prevention and Criminal Justice, Commission on Science and Technology for Development (CSTD, Commission on Sustainable Development (CSD), UN Commission on the Status of Women (UN CSW), Commission on Population and Development, UN Statistical Commission, UN Forum on Forests, UN Commission for Social Development ECOSOC develops studies and analyzes that consider the global economy, social, cultural issues, education and health at the international level and makes recommendations in relation to these issues General Assembly, UN members and specialized agencies.

The Guardianship Council represents one of the main pillars of the United Nations Organization, established with the aim of guaranteeing the fact that the trust territories were administered in the interest of the autohyons, international peace and security. Trust territories are, most of them, League of Nations mandates or territories taken from defeated nations at the end of World War II. Now, they have gained the right to self-government or independence, either as separate nations or by joining neighboring independent countries. An example is Palau, which became a member state of the United Nations in December 1994. Provisions for the establishment of a new UN agency to monitor the decolonization of dependent territories from the colonial era were made at the San Francisco Conference in 1945 and were specified in Chapter 12 of the United Nations Charter. Thus, the 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 mandate system of the League of Nations. Following

¹ <http://www.mae.ro/node/5610>.

the negotiations, eleven territories were placed under trusteeship: seven in Africa and four in Oceania. Ten of the trust territories had previously been mandates of the League of Nations; the eleventh was Somalia. The Guardianship Council is made up of the delegates of the permanent members of the UN Security Council and the representatives elected by the General Assembly, all having a three-year mandate. According to a legal interpretation submitted to the attention of the UN Secretary General, the Trusteeship Council is composed of the representatives of the countries that administer the territories under trust and the representatives of the permanent member states in the Security Council not involved in the administration of the territories under trust. The Guardianship Council examines the reports submitted to the attention of the administrative authorities of the territories under guardianship; accepts petitions and examines them in consultation with the administrative authorities; organize periodic visits to the territories under tutelage; undertake other activities in accordance with the guardianship agreement. In 1994, the Secretary General recommended in his annual report on the Organization's activity, that the General Assembly proceed to the gradual elimination of this body, in accordance with Article 108 of the UN Charter.

International Court of Justice¹ consists of 15 magistrates elected independently by the General Assembly and the Security Council. It has competence in matters of litigation and advisory competence. Contentious competence can be viewed from two perspectives:

- *ratione personae* – only states can be parties in cases submitted to the Court (both UN member states and non-member states, but which have become parties to the Statute of the Court under the conditions set by the General Assembly on the recommendation of the Security Council);
- *ratione materiae* – on two categories of cases: those submitted by the parties and “all issues specifically provided for in the Charter of the United Nations or in the treaties and conventions in force” (art. 36 paragraph 1 of the Statute).

Advisory competence – The Court is empowered to issue advisory opinions that may be requested for any legal issue by the General Assembly and the Security Council, as well as by other UN bodies authorized by the General Assembly and specialized institutions, in legal issues that concern their scope of activity .

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

3. Conclusions

A signal of the fact that civil society also tends to go beyond the sphere of national interest, becoming more and more involved in global issues, is represented by the major interest of public opinion in solving the various global problems of humanity brought to our attention through the mass media.. We can thus consider the fact that international organizations and bodies are today a necessity of contemporary society, in which the challenges addressed to humanity acquire new values compared to two decades ago. The 20th century represented an exponential growth at the level of international organizations, the foreground being taken by organizations that have a political, but also an economic pattern, registering the jump from the system of political-military alliances to that of multistate or superstate bodies. Besides these, more and more organizations of a technical, scientific or other nature are becoming individualized, aimed at coordinating the efforts of mankind towards well-being and progress. Besides these, more and more organizations of a technical, scientific or other nature are becoming individualized, aimed at coordinating the efforts of mankind towards well-being and progress.

In the 21st century, an increasingly important role is played by non-governmental organizations, their considerable advance being decisive in solving numerous global problems, especially the bodies specialized in environmental issues or human rights defense. The United Nations defines itself as representing an organization with a universal vocation, both in terms of its entities - sovereign states - and the fields in which it is involved, its main purpose being the maintenance of international peace and sovereignty. It is not a supranational organization, it does not have the competence of a global authority, but represents an organization of sovereign states, functioning as “a center in which to harmonize the efforts of nations towards the achievement of common goals and objectives.

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