

SUMMARY

- The United Nations
 - 193 Member States
 - Headquarters – New York
 - Established after WW2
 - Aim – Prevent future wars and succeed the ineffective League of Nations
 - Intergovernmental organisation tasked with:
 - Maintaining international peace and security;
 - Developing friendly relations among nations;
 - Achieving international cooperation; and
 - Being a centre for harmonising the actions of nations
 - 6 Organs:
 - UNGA - General Assembly
 - All States have equal representation – one nation, one vote
 - The main deliberative, policy making and representative organ of the UN
 - Member States use the GA as a forum to discuss and work together on a wide array of international issues covered by the UN Charter, such as development, peace, security and international law
 - Powers:
 - Oversee the budget of the UN
 - Appoint the non-permanent members to the Security Council;
 - Appoint the Secretary-General of the UN; and
 - Make recommendations in the form of General Assembly Resolutions
 - UNSC - The Security Council
 - Headquarters – New York
 - Only body of the UN with the authority to issue BINDING resolutions to member states
 - Consists of 15 member states - 5 permanent members (China, France, Russia, the UK and the US) and 10 non-permanent members elected for 2 year terms by the GA
 - Functions:
 - Charged with ensuring international peace and security;
 - Accepting new members to the UN; and
 - Approving any changes to its charter
 - Powers:
 - Establishment of peacekeeping operations and international sanctions;
 - Authorisation of military actions through resolutions
 - The Economic and Social Council
 - The Trusteeship Council
 - ICJ - The International Court of Justice
 - Principal judicial organ of the UN
 - Located in The Hague, The Netherlands – Sits at the Peace Palace and Successor to the Permanent Court of International Justice
 - Established through the adoption of the UN Charter and Statute of the ICJ in 1945
 - It reports to the General Assembly
 - NOT a criminal court – they do not try individuals, only disputes between states
 - Through its judgements, opinions and orders, it lends its support to the UN in achieving its primary purpose of maintaining the international peace and security
 - Functions of the ICJ – 2 major functions:
 - Contentious Cases - To settle, in accordance with IL, legal disputes submitted by the States; and
 - About 80% of its work – In the past, mostly related to maritime disputes, diplomatic protection, boundary disputes, but more recently, more humanitarian, environmental law, responsibility of states, use of armed forces
 - Advisory Opinions - To give advisory opinions on legal questions referred to it by authorised UN organs and specialised agencies
 - Unlike judgements, they are not binding per se – It is up to the organ/agency that requested the opinion to follow it up, but they do carry great weight by virtue of the role and jurisdiction of the ICJ
 - Who can bring proceedings?
 - Any UN member states are entitled to bring contentious proceedings before the Court
 - BUT, non-member states can still access the Court, subject to certain conditions
 - Jurisdiction:

- States are sovereign i.e. they are able to choose how to resolve their disputes, so the ICJ can only get involved where the States in question have freely referred their case to it
 - All judgements are final and without appeal (as States come to the Court on their own volition, they assume a commitment to abide by the decision of the Court)
 - If a State refuses to comply with the Court's judgement, there may be recourse via the security council
- The UN Secretariat
- Other aspects of UN:
 - UN Administration of Justice (previously the UN Administrative Tribunal)
 - General Assembly adopted the new system of administration of justice in resolution 63/253 on 24 December 2008
 - Replaced the Admin Tribunal (1950-2009) in 2009
 - Internal justice system of the UN to resolve staff management disputes
 - It has immunity from local jurisdiction and cannot be sued in national court
 - Function – To handle internal disputes and disciplinary matters in the UN
 - Composed of 2 tribunals:
 - UN Dispute Tribunal (UNDT)
 - Body to which staff members can formally dispute an administrative decision taken against them
 - When resolution through informal means cannot be arrived at, and when the result of the management evaluation is not to the satisfaction of the staff member, an application can be made to the UNDT, as a court of first instance
 - UN Appeals Tribunal (UNAT)
 - Reviews appeals against decisions made by the UNDT
 - Both staff and the administration can appeal UNDT decisions to the UNAT
 - UNHCR – United Nations High Commissioner for Refugees
 - Statute of the Office of the UN High Commissioner for Refugees adopted by the GA on 14 December 1950 as annex to Resolution 428(V)
 - It is the global organisation dedicated to saving lives, protecting rights and building a better future for refugees, forcibly displaced communities and stateless people
 - Functions:
 - Primary Purpose – Safeguard the rights and wellbeing of people who have been forced to flee
 - Ensure that everybody has the right to seek asylum and find safe refuge in another country, with option to eventually return home, integrate or resettle
 - Strives to secure lasting solutions
 - Provides critical emergency assistance in the form of clean water, sanitation, and healthcare
 - Arranges transport and assistance packages for people who return home and income-generating projects for those who resettle