

PREFACE

With its grounding in the “guiding pillars of Access, Equity, Equality, Affordability and Accountability,” the New Education Policy (NEP 2020) envisions flexible curricular structures and creative combinations for studies across disciplines. Accordingly, the UGC has revised the CBCS with a new Curriculum and Credit Framework for Undergraduate Programmes (CCFUP) to further empower the flexible choice based credit system with a multidisciplinary approach and multiple/ lateral entry-exit options. It is held that this entire exercise shall leverage the potential of higher education in three-fold ways – learner’s personal enlightenment; her/his constructive public engagement; productive social contribution. Cumulatively therefore, all academic endeavours taken up under the NEP 2020 framework are aimed at synergising individual attainments towards the enhancement of our national goals.

In this epochal moment of a paradigmatic transformation in the higher education scenario, the role of an Open University is crucial, not just in terms of improving the Gross Enrolment Ratio (GER) but also in upholding the qualitative parameters. It is time to acknowledge that the implementation of the National Higher Education Qualifications Framework (NHEQF) National Credit Framework (NCrF) and its syncing with the National Skills Qualification Framework (NSQF) are best optimised in the arena of Open and Distance Learning that is truly seamless in its horizons. As one of the largest Open Universities in Eastern India that has been accredited with ‘A’ grade by NAAC in 2021, has ranked second among Open Universities in the NIRF in 2024, and attained the much required UGC 12B status, Netaji Subhas Open University is committed to both quantity and quality in its mission to spread higher education. It was therefore imperative upon us to embrace NEP 2020, bring in dynamic revisions to our Undergraduate syllabi, and formulate these Self Learning Materials anew. Our new offering is synchronised with the CCFUP in integrating domain specific knowledge with multidisciplinary fields, honing of skills that are relevant to each domain, enhancement of abilities, and of course deep-diving into Indian Knowledge Systems.

Self Learning Materials (SLM’s) are the mainstay of Student Support Services (SSS) of an Open University. It is with a futuristic thought that we now offer our learners the choice of print or e-slm’s. From our mandate of offering quality higher education in the mother tongue, and from the logistic viewpoint of balancing scholastic needs, we strive to bring out learning materials in Bengali and English. All our faculty members are constantly engaged in this academic exercise that combines subject specific academic research with educational pedagogy. We are privileged in that the expertise of academics across institutions on a national level also comes together to augment our own faculty strength in developing these learning materials. We look forward to proactive feedback from all stakeholders whose participatory zeal in the teaching-learning process based on these study materials will enable us to only get better. On the whole it has been a very challenging task, and I congratulate everyone in the preparation of these SLM’s.

I wish the venture all success.

Professor Indrajit Lahiri
Vice Chancellor

Netaji Subhas Open University
Four Year Under-Graduate : Degree Programme
Under National Higher Education Qualifications Framework (NHEQF) &
Curriculum and Credit Framework for Undergraduate Programmes
Course Type : Discipline Specific Elective (DSE)
Course Title : United Nations and Global Conflicts
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**Netaji Subhas
Open University**

**United Nations and Global Conflicts
NEC-PS-04**

**Course Type : Discipline Specific Elective (DSE)
Course Code : NEC-PS-04**

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Module : I

**United Nations:
Origin and Major Organs**

Unit 1 □ A Historical Overview of the United Nations

Structure:

- 1.1 Objective**
- 1.2 Introduction**
- 1.3 Failure of the League of Nations**
- 1.4 Charters Leading to the Formation of the United Nations**
- 1.5 Conclusion**
- 1.6 Summing Up**
- 1.7 Probable Questions**
- 1.8 Further Reading**

1.1 Objective

By reading this unit, learners will be acquainted with the following:

- Formation of the United Nations Organisation
- Why the League of Nations failed to maintain international peace and security
- Series of international initiatives that helped form the United Nations Organisation

1.2 Introduction

The United Nations has come into being, after a lot of deliberations. The predecessor of the United Nations Organisation had been the League of Nations. Headquartered at Geneva, Switzerland, the League of Nations was created after the First World War as a forum for resolving international disputes. It was first proposed by President Woodrow Wilson as part of his Fourteen Points plan to ensure an equitable peace in Europe. Interestingly, the United States never became a member of this international organisation, and this went on to become the most gaping flaw in the functioning of the League. Post Second World War, international politics was divided into largely two power blocs, led by

the Capitalist USA and the Communist USSR (Soviet Union). So far as the League was concerned, a world, half of which was spearheaded by the United States of America, had no place for an international organisation, which couldn't make the USA sign up as a member.

1.3 Failure of the League of Nations

The failure of the League of Nations became apparent even before the Second World War broke out. It proved that the League was a complete failure when it came to the area of maintaining peace and security. The League of Nations was undoubtedly the first major attempt of the world leaders to ensure world peace and promote international co-operation. But this attempt failed due to a number of reasons:

- The timeline was not conducive for the League. The political backdrop of Europe at the time of the birth of the League was not suitable for the success of a peace organisation. World War I had been fought apparently to make the world safe for democracy, to end all future wars, etc. But essentially it was an imperialist war fought for the division and re-division of colonies.
- For world peace to materialize, an organisation must have the participation of the majority of the world population. That was something that the League could not ensure. From the very inception, the League failed to represent the world balance of forces. The USA never became its member and Russia stepped in as late as 1934. Naturally, its effectiveness as an instrument of the world peace suffered.
- In the absence of the Soviet and American blocs, the Anglo-French powers dominated the League and made it an instrument of their policy in Europe. Since these powers were not interested in peace but rather in maintaining their imperialist domination and if possible destruction of the Soviet Union, the League of Nations never got to try its hands-on peace.
- The League of Nations was founded upon the principle of unanimity of all the members except for those who were a party to a dispute in question. Thus, every member, including the smallest one, had the right to veto. This system, in turn, posed two very important consequences:
 - (I) Even a small power could hamstring the League in its action against an aggressor, to suit its interest. For instance, aid to the Republic of Spain and

condemnation of fascist attack against Spain was prevented by a rather hostile vote of Portugal. The small powers who did not have the responsibility of maintaining world peace yet owned the power to wreck it completely.

- (II) The bigger powers often used smaller powers as their stalking horses from behind, and used the latter's power of veto, escaping their own responsibility to be answerable to the world public. Where they failed grievously was to stop the ascendancy of fascist powers. Germany, Italy and Japan got emboldened in their ventures in Czechoslovakia, Austria, Abyssinia and Manchuria. An AXIS of these powers virtually crippled the League.

When the League was formed, the world became an arena of confrontation of two major social systems-the capitalistic American and socialistic Soviet. Therefore, the absence of membership of Russia posed a real danger that the League might be used against the new socialist state. And alas, this danger proved to be real. The League, which professed to condone fascist aggressions, wasted no time in violating its very principles by expelling the Soviet Union on the question of the latter's inroads into Finland.

Within the League of Nations, the spheres of activity of the Council and the Assembly were not clearly defined, which led to confusion regarding their responsibilities. The responsibility regarding maintenance of peace was not securely placed anywhere. The Council of the League which alone could shoulder it was burdened with other responsibilities regarding minority treaties, mandatory territories, etc. So, the Council was not able to exclusively look into the preservation of world peace which eventually led to the outbreak of the Second World War. By contrast the Assembly could not go far enough in the enforcement of any substantive decisions.

Thus, when the next world war broke out the world leaders came together to form an international organisation, filling in the gaps left open by the League, to stop future possibilities of war. While the war was still on, the leaders of the Allied Powers comprising Britain, France, USA, and the erstwhile Soviet Union decided to set up a stronger international peace and security organisation, called the United Nations Organisation (UNO).

1.4 Charters Leading to the Formation of the United Nations

The UNO was not masterminded in one day. Various meetings, charters, deliberations, and declarations led to the formation of this unique organisation. Of all of them, the London Declaration (12th June 1941), the Atlantic Charter (14th August 1941), Moscow

Declarations (30th October 1943), Dumbarton Oaks Conference (21st August-07th October 1944), Yalta Conference (4th-11th February 1945) are the most notable ones.

Atlantic Charter : The formal proposal for forming the United Nations Organisation was put forward in the Atlantic Charter of 1941. The American President Franklin Roosevelt and the British Prime Minister Winston Churchill declared that some arrangement needed to be made to let every country live in peace, to prosper and to remain free. This Charter was declared by Roosevelt and Churchill from a warship in the Atlantic Ocean and hence was called the Atlantic Charter. The last paragraph of the signed charter includes a vague reference for the establishment of a permanent system of general security. The principles of this charter were later on added to the “Declaration of the UN”, which was ratified by 26 nationals.

Washington Declaration : Representatives of 26 nations fighting the Rome-Berlin-Tokyo alliance, by signing the Washington Declaration or the United Nations Declaration, pledged to ensure maximum war effort and this bound them against making a separate peace. On 1st January 1942, American President Roosevelt, British Prime Minister Churchill, Maxim Litvinov of the USSR, and T. V. Soong, of China met at Washington and published this historic document. On 2nd January, the representatives of twenty-two other nations added their signatures and pledged to uphold the principles of the document. This document is important as it not only talks about achieving peace but explicitly talks about making sure of victory over the enemy forces. The Declaration by the United Nations pledged “to employ its full resources, military or economic” in “the struggle for victory over Hitlerism”. Here, for the first time, President Roosevelt used the term ‘United Nations’.

Moscow Declaration : The text of the Moscow Declaration was drafted on 1st November 1943, at the Moscow Conference of Foreign Secretaries. On 30th October 1942, the Joint Four-Nation Declaration was signed by the United States of America, the United Kingdom, the Soviet Union, and China, in the interest of the remaining 32 nations. It mentioned that these four nations were conscious of their accountability to secure their liberation and the peoples allied with them from the peril of aggression. The declaration also recognized the necessity of ensuring a rapid and orderly changeover from war to peace and of establishing and maintaining international peace and security. This was to be done with the least amount diversion of the world’s human and economic resources for armaments. Under Article 4, the Moscow Declaration states that the representatives of the four nations “recognize the necessity of establishing at the earliest practicable date a general international organisation, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international

peace and security.” Article 7 outlined the basic objective of the proposed international organisation as they pledged to “confer and cooperate with one another and with other members of the United Nations to bring about a practicable general agreement with respect to the regulation of armaments in the post-war period.”

Tehran Declaration : On 1st December 1943, President Roosevelt, Premier Stalin, and Prime Minister Churchill met at Tehran, Iran and signed the Tehran Declaration. Through this, they put forward their confidence regarding their victory in the ongoing Second World War. They took a pledge to ensure enduring peace, once the Allied forces won the war. They recognized the dominant responsibility of the United Nations “to make a peace which will command the goodwill of the overwhelming mass of the peoples of the world and banish the scourge and terror of war for many generations.” In this declaration, all democratic countries seeking liberty had been called to co-operate for the establishment of permanent peace and eradication of slavery, outrage, oppression, and intolerance.

Dumbarton Oaks Conference : The Dumbarton Oaks Conference which is often called the Washington Conversations on International Peace and Security Organisation, was an international conference at which the idea of the United Nations was finally formulated and negotiated among the international leaders. This conclave constituted the first important step taken to carry out Article 4 of the Moscow Declaration of 1943, which recognized the need for a postwar international organisation to succeed, following the failure of the League of Nations. The representatives of USA, Britain, China and former Soviet Union assembled at Dumbarton Oaks, a mansion in Georgetown, Washington D.C. from 21st August-07th October, 1944 to discuss and debate upon the basic principles to be included in the Charter of the international organisation to be formed and decided that the said organisation would be called the United Nations Organisation. However, the Dumbarton Oaks Conference remained silent on the question of the trusteeship voting procedure in the Security Council and the jurisdiction of the International Court of Justice. The trusteeship system of the U.N.O much like the Mandate System of the League of Nations was established on the premise that colonial territories taken from countries defeated in war should not be annexed by the triumphant powers but should each be supervised by a trustee nation under international supervision until their future status was determined. Unlike the Mandate System, the trusteeship system invited petitions from trust territories on their independence and required periodic international missions to the territories.

Yalta Conference : Codenamed the Argonaut Conference, the Yalta Conference or the Crimea Conference was organized to complete the incomplete task of the conference of Dumbarton Oaks. In certain ways, the Yalta Conference set the picture for the rest of

the Cold War in Europe. As analysts were already counting upon an Allied victory, the aim of the Yalta Conference was to decide what to do with Germany once it had been defeated. With this aim in view, in February 1945, the Big Three – Churchill, Roosevelt, and Stalin - met at Yalta in the Crimea region of the USSR. In this conference, it was decided that Germany would be divided into four zones of occupation with the USSR, Britain, France and the USA each controlling a zone. Here, it should be noted that France had been liberated from Nazi Germany and was included at the conference mainly due to pressure from the French leader, General de Gaulle, but also because Britain had wanted a European ally with whom it could share the cost of the post-war reconstruction of Germany.

All the countries freed from Nazi control were to be guaranteed the right to hold free, democratic elections and choose their own governments. Nevertheless, Stalin was offered a domain of influence in Eastern Europe where communist ideals would dominate. In lieu of this, Stalin committed to joining the war against Japan, once Germany had been defeated. This was essential for the Americans who were suffering heavy losses in the Pacific, in spite of the fact they were gradually pushing the Japanese back.

San Fransisco Conference : Right after the Yalta Conference, President Roosevelt passed away in early April. However, the United Nations Conference on International Organisation convened as scheduled. Prior to his demise, President Roosevelt had been working on his speech to be delivered at the San Fransisco Conference, which contained the famous quote; “The work, my friends, is peace; more than an end of this war—an end to the beginning of all wars; ... as we go forward toward the greatest contribution that any generation of human beings can make in this world—the contribution of lasting peace—I ask you to keep up your faith...” China, the USSR, the UK, and the US acted as the sponsoring powers to the conference, and 46 other states participated, consisting of all the states that had signed the Declaration by United Nations of 1st January 1942 or had declared war on the Axis powers by March 1945. The huge conference was attended by 282 delegates and 1,444 other officially accredited persons from those 50 countries. It was also attended by representatives of scores of private organisations interested in world affairs 50 of which were from the US alone. Other than this, the conference itself invited four other states - the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, newly-liberated Denmark, and Argentina. Therefore, delegates from 50 nations in total, gathered at the City of the Golden Gate, representing over 80 percent of the world’s population, and people of every race, religion, and continent. To sum it up, the San Francisco Conference was not only one of the most important congregations in history but,

perhaps, the largest international gathering ever to take place. By turn, the heads of the delegations of the sponsoring countries took the post of chairman of the plenary meetings: Anthony Eden, of Britain Edward Stettinius of the United States, T. V. Soong of China, and Vyacheslav Molotov of the Soviet Union. At the later meetings, Lord Halifax deputed for Mr. Eden, V. K. Wellington Koo for T. V. Soong, and Mr. Gromyko for Mr. Molotov. All of them had only one aim in mind: to set up an organisation which would preserve peace and help build a better world. The agenda of the conference was the Dumbarton Oaks proposals and working on the basis of this, they had to produce a Charter acceptable to all the countries. A great deal of work had to be done in preparatory committees before a proposition reached the full gathering in the form in which it should be voted upon. And the voting procedure at San Francisco was crucial. Every part of the Charter had to be and was passed by a two-thirds majority of the present and voting. This is the way in which the San Francisco Conference got through its monumental work in a mere two months time.

The enormous amount of debates and negotiations of clashing national interests that took place at the Conference has been made apparent by the statement of then deputy prime minister of Australia, Herbert V. Evatt, who was in the forefront of the tug of war: “In the end, our persistence had some good effect. The Great Powers came to realize that the smaller powers would not come to an agreement with them unless certain minimum demands for restriction of the veto were accepted, such as, that there should not be any veto upon the placing of items on the Security Council’s agenda and no veto on discussion [in the Security Council] If this vital concession had not been won, it is likely that discussion of matters in the open forum of the Security Council would have been rendered impossible: If so, the United Nations might well have broken up.”

There were many significant clashes of opinion, contrasting outlook and even a crisis at times, during which some feared that the conference might adjourn without an agreement. However, it carried on.

One question that raised the most contradictions was regarding the status of “regional organisations.” At that time, many countries had their own arrangements for regional defense and mutual assistance. For instance, there was the Inter-American System and the Arab League. The question arose regarding how were such arrangements to be related to the newer world organisation? At the conference, the decision was taken to give them a part in the peaceful settlement and also, in certain circumstances, in enforcement measures, provided that the aims and acts of these groups were compatible with the aims and purposes of the United Nations.

The San Francisco Conference unanimously adopted a constitution—the Statute—for an International Court of Justice to be incorporated as one of the main organs of the UN and it was set to be a successor of the Permanent Court of International Justice established by the League of Nations. The Statute, which had originally been drafted by jurists from 44 different nations meeting in Washington on April 1945, permanently became part of the Charter of the UN.

The conference took one step forward and added a whole new chapter on the subject not previously covered by the Dumbarton Oaks proposals: proposals on creating a system for territories under United Nations trusteeship. But it was not without debate. Questions arose as to what should be the aim of definition of ‘trusteeship’ be? Should it be “independence” or “self-government” for the peoples of these states? If independence, what about areas too small ever to sustain on their own in terms of defense? It was finally decided that the promotion of the progressive development of the peoples of trust territories should be directed toward “independence or self-government.”

These and various other indispensable issues were resolved at the San Francisco Conference only because every nation present at the conference was determined to set up, the most competent international organisation to secure world peace.

1.5 Conclusion

Therefore, on 25th June 1945, the delegates met in full session for the last meeting, at the Opera House at San Francisco. This was presided over by Lord Halifax he put forth the final draft of the Charter to the meeting. He opined, “This issue upon which we are about to vote, is as important as any we shall ever vote in our lifetime.”

The UN Charter covers so many intricate and complex affairs that its unanimous acceptance was ascribed to be the particularly auspicious event prevailing in the spring of 1945. In spite of some atonality, the San Francisco Conference was imbued with a spirit of high mission. The next day, i.e. on 26th June 1945, the delegates filed in one after the other at the auditorium of the Veterans’ Memorial Hall, to a huge round table on which lay the two historic volumes of the Charter and the Statute of the International Court of Justice. It was signed by 50 nations of the world in all its official languages, followed by an impressive ceremony. At that time, the five official languages of the UN were Chinese, English, French, Russian, and Spanish. The sixth official UN language, Arabic, was later adopted in 1973. It is interesting to note over here that China, the first victim of aggression by an Axis power, was given the honor of signing the final Charter of the United Nations before anyone else.

However, this was not the moment that the Charter of the United Nations started functioning. In many countries, the Charter had to be approved by their respective congresses or parliaments before it could be effectively implemented. It had thus been provided that the Charter would come into force when the Governments of China, France, Great Britain, the Soviet Union, and the United States and a majority of the remaining signatory states had ratified the Charter and deposited notification to this effect with the State Department of the United States. Finally, on 24th October 1945, this requirement was fulfilled and the United Nations came into being. After so many decades of war and bloodshed, out of the ashes of a huge conflagration, the United Nations rose as the Pheonix which has taken an oath to protect the people of the world from any future acts of aggression and war. The colossal magnitude of the United Nations was put into words by President Truman in his final words at the conference:

“If we fail to use it, we shall betray all those who have died so that we might meet here in freedom and safety to create it. If we seek to use it selfishly - for the advantage of any one nation or any small group of nations — we shall be equally guilty of that betrayal.”

1.6 Summing Up

- i. The League of Nations was the first major attempt of the world leaders to ensure global peace and promote international cooperation. The failure of the league became apparent with the onset of the World War II.
- ii. The Dumbartan Oaks Conference was an international conference where the idea of the United Nations was finally formulated and negotiated among the world leaders.
- iii. The UN Charter includes numerous intricate and complex affairs that its unanimous acceptance was ascribed to be a specially auspicious event happening in the spring of 1945.

1.7 Probable Questions

Essay type questions:

1. Trace the historical events that led to the formation of the United Nations Organisation.

2. Describe how the conferences held from the London Declaration to the Yalta Conference, shaped the structure and functions of the United Nations Organisation.

Short Questions:

1. Why did it become necessary for the United Nations Organisation to be formed?
2. Elucidate as to why the San Francisco Conference marked an important juncture to the formation of the United Nations Organisation.
3. Explain the structural defects of the League of Nations.

Objective Questions:

1. Who were the signatory leaders of the Tehran Declaration ?
2. Which conference was codenamed the 'Agriculture Conference'?
3. Which organ of the UN was the successor of the Permanent Court of International Justice ?
4. Mention any two official languages of the UN.

1.8 Further Reading

1. Lowe, N., *Mastering Modern World History* (Palgrave Macmillan, 2016).
2. Weiss, G. Thomas and Daws, Sam (ed.), *The Oxford handbook on the United Nations* (Oxford University Press, 2018).
3. Meisner, Stanley, *United Nations : A History* (Grove Press, 2011).
4. Jackson, Simon and O'Malley, Alanna (ed.), *The Institution of International Order : From the League of Nations to the United Nations* (Routledge, 2018).

Unit 2 □ UN Charter : Principles and Purposes

Structure:

- 2.1 Objective**
- 2.2 Introduction**
- 2.3 The UN Charter and its Importance**
- 2.4 Aims and Objectives of the United Nations**
- 2.5 Basic Principles of the United Nations**
- 2.6 Limitations of the Principles and Purposes of the UN Charter**
- 2.7 Conclusion**
- 2.8 Summing Up**
- 2.9 Probable Questions**
- 2.10 Further Reading**

2.1 Objective

By reading this unit, learners will be acquainted with the following:

- Motivating ideas and immediate backdrop of the establishment of the United Nations Organisation.
- Importance of the UN Charter and how it regulates the actions of the member nations.
- Aims, objectives and the basic principles of the United Nations.
- The reason why the UN Charter needs reform.

2.2 Introduction

The United Nations was established following the inability of the League of Nations to prevent the outbreak of World War II. Different international activities during World War II by powerful Western nations to engender global peace after the War historically culminated in the establishment of the UN on 24 October, 1945, with the ratification of

the organisation's Charter by the USA, UK, France, Republic of China, Soviet Union and other signatories. Interestingly enough, India, though not as yet independent, has been one of the proud founding members of the UN.

As the League of Nations failed to prevent World War II (1939-1945) there was widespread recognition that humankind could not afford a World War III. Therefore, the United Nations was established to substitute the imperfect League of Nations in 1945 in order to maintain international peace and promote cooperation in solving international economic, social and humanitarian problems.

The first noted concrete plan for a new world organisation began under the auspices of the US State Department in 1939. Franklin D Roosevelt was the first to coin the term 'United Nations' as a term to describe the upcoming association of nations. The term was first officially used on 1st January 1942, when 26 governments signed the Atlantic Charter, pledging to continue the war to end war. On 25th April 1945, the UN Conference on International Organisation began in San Francisco and was attended by 50 governments. The world leaders recognized that the non-governmental organisations also played a key role in the maintenance of peace in the world, especially at the grass-root levels where government policies were hard to be implemented effectively. Thus, a number of non-governmental organisations were involved in the drafting procedure of the United Nations Charter as well. The UN officially came into existence on 24th October, 1945 upon ratification of the Charter by the then five permanent members of the Security Council—France, the Republic of China, the Soviet Union (which was later on replaced by Russia, after the breakdown of the Soviet Union in 1991), the United Kingdom and the United States and by a majority of the other 46 signatories.

The United Nations is primarily a peacekeeping organisation. However, that is not the sole role that the organisation has to play in the international political system. The UN helps the world nations to deal with economic and social problems. It helps promote respect for human rights. It aims to advance justice and adherence to international law. It also aids the rehabilitation process of victims of wars, famines, and other manmade or natural disasters.

2.3 The UN Charter and its Importance

The UN Charter consists of a Preamble and 19 chapters divided into 111 articles. These were framed with the objective of maintaining international peace and security,

promote social progress and better standards of life, strengthen international law and promote the expansion of human rights. The United Nations Charter lists the basic principles that the organisation and member states have agreed upon to respect. Some of these are formulated in such a manner as to limit the power of the organisation and prevent it from becoming a super sovereign institution. One of these is the principle of sovereign equality for all. This means that each member nation is treated as equal. Another is the principle of non-intervention. This limits the power of the United Nations to intervene only in international problems, not in the domestic troubles of a country. Other principles emphasize the use of peaceful means by the UN and the member nations for settling disputes. They require nations to avoid threatening other member states with force or by using force actually. Member nations are also asked to bolster up the United Nations in its peacekeeping operations. They are, above all, required to do nothing that could interfere with the activities of the organisation. The United Nations also has the task to try and prevent non-members from taking any rash actions so as to disturb the peace and order of the world.

2.4 Aims and Objectives of the United Nations

According to the UN Charter, the organisation aims:

“to save succeeding generations from the scourge of war,...to reaffirm faith in fundamental human rights,...to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom.”

Accordingly, the following are the main aims and purposes of the United Nations:

1. To maintain peace throughout the world. The UN aims at removing all threats to peace as well as breach of peace to maintain a stable international order.
2. To develop friendly and harmonious relationships between the nations of the world. The UN tries to resolve disputes between nations in a peaceful manner so that nations can live as peaceful neighbors.
3. To work together and help the people of the world to live better lives by eliminating poverty, disease, and illiteracy from the world; to stop environmental destruction and to find sustainable ways of life, and to instill respect for each

other's rights and freedoms. The UN tries to reconcile the actions of its member states so that they do not infringe upon the sovereignty of others.

4. To be a center for helping nations in any shape and form to achieve these aims. The UN mainly aims at removing all economic rivalries between the nations as history has shown the economy to be one of the most potent causes of war. Closely related to this is the UN's aim of assuring that the universal human rights guidelines are followed by all its member as well as non-member nations.

2.5 Basic Principles of the United Nations

The purposes, principles, and structure of the organisation of the United Nations are outlined in the UN Charter. The key principles underlying the purposes and functions of the organisation are listed in Article 2 of the Charter :

- The UN is based on the principle of sovereign equality of its members.
- Disputes among the nations are to be settled by peaceful means, in keeping with the purposes of the UN.
- The members are to refrain from the threat or use of force on any other state in contravention of the purposes of the UN.
- Each member must assist the UN in its enforcement actions as the organisation might undertake under terms of the Charter.
- The member-states are to refrain from providing assistance to any state against which the UN has decided to take enforcement actions.
- All member-states are to perform their international duties in good faith.
- The UN will not interfere in the domestic affairs of the non-member states. This provision shall not, however, prejudice the application of enforcement action with respect to threats to peace, breaches of peace and acts of aggression. Therefore, this principle is not applicable in matters of those states, against which the UN has decided to take enforcement actions.
- The non-member states of the organisation are expected to abide by the principles of the UN in so far as it is necessary to maintain international peace and security.

2.6 Limitations of the Principles and Purposes of the UN Charter

Since its inception in 1945, not only has the UN developed as a successful universal international organisation, but it has also become a world forum to discuss and address other important issues such as sustainable and equitable development, economic and monetary stability, etc. To meet this end, the General Assembly was conceived and during its activity, it has successfully proved to be essential to envisage and enforce joint action to face the contemporary global issues.

The challenges of the current post-cold war era which is rife with regional conflicts, civil wars, poverty, threats to the environment, and an increasingly globalized and diversified world economy—underline the necessity of international cooperation. In fact, in the current state of international politics, the potential range of possible UN interventions for ensuring sustainable economic development and the promotion of human rights and social welfare has become virtually unlimited. However, certain conditions come to the fore as being limitations in the path of the smooth UN operations. One such consideration relates to the available resources of the organisation. The UN budget for 2001–2002 barely exceeds US\$2.5 billion, a rather astounding figure when it is compared to the US\$27 million budget voted by the General Assembly in 1946. Total UN technical cooperation assistance delivered in 1998 amounted to more than US\$5 billion, another remarkable figure in light of the fact that there is no specific injunction in the UN Charter mandating the organisation to work in the technical cooperation field. In fact, the wide spectrum of current UN development activities, largely unanticipated in 1945, is a testimony to the plasticity of the charter and to the capacity of the organisation to adapt itself to its changing environment.

The Resource Gap: Nevertheless, in relative terms, the UN's budgetary allocations seem inadequate compared to the magnanimous tasks at hand. With currently 193 member states, the Fifth Committee (Administrative and Budgetary) the General Assembly adopted a US\$5.397 billion budget for the United Nations for the 2018-2019 biennium and approved switching the budget structure of the UN, on a trial basis, to a year-by-year budget cycle. This budget figure was 5 percent less than the final budget approved for the 2016-2017 biennium. In 2018, the General Assembly of the UN had approved a US\$285 million (approximately 5 percent) cut in the two-year, regular UN budget. The two-year or the biennium structure of the budget of the UN allows the organisation to modify the budget

in order to account for inflation and exchange rate fluctuations – necessary flexibility since the UN operates in numerous countries with different currencies. The UN budget jargon for these adjustments is “recosting.” In sharp contrast to this, the 39 member states of the Organisation for Economic Co-operation and Development (OECD) allocates around US\$55 billion to development cooperation. The World Bank, an observer at the United Nations Development Group, has loaned almost US\$400 billion since it started operations in 1946. In 1995, the International Monetary Fund (IMF) extended a credit of nearly US\$18 billion to Mexico and more than US\$6.2 billion to Russia. The magnitude of the continuing challenges in developing areas of the world further underlines the gap between resources that are available to the UN and the magnitude of aid needed for preserving world peace and international security.

To add to the deficit of resources, the contemporary global challenges are threatening its solidity and effectiveness. With the spread of security threats, such as illicit arms trade and transnational terrorism, the limits of the Security Council’s action, and, in general, of the UN’s security system to assure peace and international stability are becoming more and more pronounced. When threats come from non-state actors (who are not linked to any specific territory and are not the representatives of any political entity), it is tough for the UN to design an effective plan to suppress them. To a number of analysts, the main drawback of the UN’s security system lies in its lack of having an international army at its disposal. Initially, the founders of the UN had planned to build a military structure under the direct control of the Security Council to successfully implement the common military actions in order to restore peace (Art. 43 and 45 UN Charter). However, the member-states were and are still reluctant to create a common army. It would have not only provided the UN with an outstanding combat capacity compared to the respective national armies but it would have also required a relevant financial commitment of its member-states, which they were not ready to sign up for.

Lack of democratic mechanisms and accountability: This, in turn, affects the structure of the UN. Even in the post Cold War multipolar world politics, the composition of the UN Security Council still mimics the power distribution of the bipolar world of 1945 with the five permanent members (United States, France, United Kingdom, China and Russia) holding more powers and prerogatives like that of the veto power, than the non-permanent ones (many of whom are the contemporary power-houses in the present multipolar world order). During the last couple of decades, the values of equality between sovereign

states have spread widely in the international community, in light of which, the composition of the Security Council appears to be anachronistic.

Absence of a mechanism to empower the judgments of the International Court of Justice: When the ICJ was created at the San Francisco Conference of 1945, it was agreed upon that states would have had to accept the ICJ's jurisdiction in order to allow the court to judge their controversies. This was because (a) there was no world government which could force the states to respect and enforce the judgments of the ICJ and (b) independent and sovereign states intrinsically prevent any attempt to limit their sovereignty. Thus, no concrete mechanism was set in place to assure that the states respect the Court's decisions and, till this day, the implementation of its judgement rests mainly on the will of the member-states.

Despite its intensively political structure, the UN has transformed itself over the years along with some of the emerging aspects of international politics as a whole. Decolonization was successfully accomplished, and the newly independent states joined the international community. This helped to shape a new international agenda. The UN has utilised the provisions of the Charter to develop innovative methods in order to address peace and security issues. The organisation has tried new approaches to economic development, encouraging the establishment of specialized organisations to meet specific needs. It has organized global conferences on urgent international issues, thereby placing new issues on the international agenda and allowing greater participation by NGOs and individuals.

2.7 Conclusion

With all its accomplishments, the United Nations still operates under the basic provisions that require the organisation to have respect for national sovereignty and observe non-interference in the domestic affairs of states. The norm of national sovereignty, however, runs into unrelenting conflict with the constant demand by many in the international congregation that the UN takes a more active role in combating aggression and minimizing international problems. For example, the United States took shelter behind national sovereignty to justify its opposition to the Convention on the Rights of the Child and the International Criminal Court. Therefore, it is likely that the UN will continue to be identified by its critics as being either too trepid or too omnipotent if it ventures to resolve the most demanding and controversial problems faced by the world's most vulnerable citizens.

2.8 Summing Up

- i. The primary aim of UN is to maintain peace throughout the world; removing all threats to peace.
- ii. The inability of the League of Nations to prevent the outbreak of World War II, the United Nations was established on 24 October, 1945.
- iii. The UN Charter includes a Preamble and 19 chapters, which are divided into 111 articles.
- iv. The UN suffers from the limitations of resource gap, lack of democratic accountability and lack of a common military structure.

2.9 Probable Questions

Essay-type Questions:

- 1) Mention the aims, objectives and the basic principles of the United Nations.
- 2) What are the main criticisms of the United Nations by analysts ? Can they all be justified ? Give reasons.

Short Questions:

- 1) What is the importance of the UN Charter?
- 2) What are the main aims and purposes of the United Nations according to the Charter?
- 3) Mention five of the points mentioned in Article 2 of the UN Charter.
- 4) What is 'Resource Gap'? What is the role of the UN in addressing the issue of international Resource Gap?
- 5) Is the United Nations still relevant? Argue your case.

Objective Questions:

- 1) When and where was the term "United Nations" officially used for the first time?
- 2) Mention one non-security objective of the United Nations.
- 3) When and where was the ICJ formed?

- 4) What is the main drawback of the UN's security system according to the critics?
- 5) What is the term of exception in UN's basic principle of non-interference in the domestic affairs of the non-member states?

2.10 Further Reading

- 1) United Nations, *The Essential UN* (UN, 2018)
- 2) Bruno Simma, Hermann Mosler, Andreas L. Paulus, *The Charter of the United Nations: A Commentary* (Oxford University Press, 2002).

Unit 3 □ General Assembly: Structures, Functions and Role

Structure:

- 3.1 Objective**
- 3.2 Introduction**
- 3.3 Composition of the General Assembly**
- 3.4 Voting Procedure of the General Assembly**
- 3.5 Functions of the General Assembly**
- 3.6 Role of the General Assembly**
- 3.7 Relevance of the General Assembly**
- 3.8 Conclusion**
- 3.9 Summing Up**
- 3.10 Probable Questions**
- 3.11 Further Reading**

3.1 Objective

By reading this unit, learners will be familiar with the following:

- Composition and structure of assembly sessions at the General Assembly.
- The voting procedure of the General Assembly according to the United Charter.
- The functions and roles of the General Assembly.
- Relevance of the General Assembly in present day world politics.

3.2 Introduction

The General Assembly is the UN's main deliberative, policymaking, and representative organ. This organ occupies a central position of the United Nations. It is the organ generally mandated to discuss and make recommendations on any question within the scope of the

Charter. All 193 member states of the UN are represented in the General Assembly, making it the only UN body with universal representation. Each year, in September, the entire UN membership meets in the General Assembly Hall in New York for the annual General Assembly session and general debate, which many heads of state attend and address. Decisions on important questions, such as peace and security, admission of new members and budgetary matters. The General Assembly, each year, elects a President to serve a one-year term of office.

3.3 Composition

Out of all of the six principal organs of the United Nations, the General Assembly is panoptic in its scope as all the member nations of the UN are, by default, the members of the General Assembly. It serves as the main deliberative, policymaking and representative organ of the UN. As of 2019, all 193 members of the United Nations are members of the General Assembly. In addition, Holy See and Palestine serve as observer states. Furthermore, the United Nations General Assembly is entitled to grant observer status to an international organisation or entity, if it deems to be fit, authorizing the entity to participate in the work of the General Assembly, with limitations.

The first session of the assembly was conducted on 10th January 1946, in London, with 51 countries being represented. Currently, the General Assembly meets once a year, in September and the Secretary-General drafts the agenda for the meeting. If any special session needs to be summoned, the Secretary-General can convene the same, on the recommendation of the Security Council. Each session is headed by one President and 21 Vice-Presidents, alongside a few standing committees chosen by the Security Council. Interestingly, according to practice, the Presidents of the sessions are not members of the Security Council. This is to ensure impartial conduct of the sessions by a democratically elected chairperson. The president of the General Assembly changes with each annual session and is elected by the body itself. The president of the 73rd session is Maria Fernanda Espinosa Garces, who is Ecuador's Foreign Affairs minister. She is the fourth woman to hold the title. The president of the Assembly is empowered to enforce rules or procedure, such as opening debate, setting the agenda of the assembly sessions, limiting the speaking times for representatives, and suspending or adjourning debate in the Assembly.

3.4 Voting Procedure

Adhering to the principle of equality for all, as enshrined in the UN Charter, every member of the General Assembly can send a maximum of 5 representatives to defend and put forth their interests in the forum for deliberations. However, each state is entitled to one vote, irrespective of their population strength. The General Assembly votes on various issues including the recommendations on peace and security, fiscal concerns, election, admission, and suspension or expulsion of members. All of this is decided upon by a two-thirds majority of those present and voting at the General Assembly. Other questions of lesser importance are decided by a simple majority vote. Apart from the approval of budgetary aspects, including the adoption of a scale of assessment, the General Assembly resolutions are not binding on the member states. The Assembly potentially makes recommendations on any matter within the scope of the UN, excepting those concerned with peace and security under the Security Council consideration. However, a General Assembly resolution with substantial affirmative vote in support does carry significant weight in influencing the course of international relations.

3.5 Functions

As the universally represented body of the UN, the functions of the General Assembly include discussion, debate, and providing recommendations on subjects concerned with international peace and security, including development, disarmament, human rights protection and violation, international law, and the peaceful arbitration of disputes between nations.

Forum for multilateral negotiation:

H.G. Nicholas is often famously quoted as calling the General Assembly to be the ‘talking shop’. Under Article 10 of the UN Charter, the Assembly may discuss “any questions or any matters, within the scope of the present Charter...”. This provides for a unique international forum for multilateral discussion of the complete spectrum of international problems underlined by the Charter. It conjointly plays a major role within the method of standard-setting and also the codification of international law. The Assembly can discuss any question with reference to international peace and security (except wherever a dispute or state of affairs is presently being handled by the Security Council) and make due recommendations on it. It may also initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the prevention and realization of human rights and fundamental freedoms, and international

collaboration in the economic, social, humanitarian, cultural, educational and health spheres. It is also chartered to make recommendations for the peaceful settlement of any situation that might impair friendly relations among countries. However, it does not have the power of compulsion though compliance is ensured if there is considerable support on merit of the recommendation. According to the UN Charter, the General Assembly cannot directly interfere into those matters, already been discussed or will be discussed by the Security Council in the future.

As a Legislative Organisation:

As the General Assembly's decisions are not binding on the member states, the General Assembly can only recommend for the codification of international laws but it cannot make laws. This is because laws are, by their very nature, binding. This is in view of the Article 12 of the UN charter which specifies the subsidiary role of the General Assembly when it mentions that "while the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests." Hence, even the scope for the advice of the General Assembly is apparently set upon by the Security Council. Nevertheless, since a large part of international law emerges from consensus in multilateral conventions, the Security Council normally does not stand in the way.

As a Political Body:

Even in the case of the General Assembly's political functions, it works more or less as a back-up for the Security Council. In cases where the Security Council fails to resolve a complicated scenario with the proper implementation of a policy, the General Assembly steps in and undertakes the successful implementation of the same. In the case of the emergence of Israel from Palestine, the United Nations Resolution 181 was passed by the United Nations General Assembly in 1947 that called for the partition of Palestine into Arab and Jewish states, with the town of Jerusalem as a corpus separatum (Latin word for separate entity) to be ruled by a special international regime. The fate of the proposal was at first unsure, but after a period of intense lobbying by pro-Jewish teams and people, the resolution was passed with 33 votes in favour, 13 against, and 10 abstentions. Again, in 1950 when veto and counter veto over UN action in Korea paralysed the Security Council, the General Assembly took the 'Uniting for Peace Resolution' to authorize UN collective security action against the designated aggressor North Korea.

The General Assembly is empowered to elect the 10 non-permanent members of the Security Council. The General Assembly also elects the 54 members of ECOSOC along with some members of the Trusteeship Council by direct election. The 15 judges of the International Court of Justice are appointed by the General Assembly and the Security Council, together. The Secretary-General of the United Nations is appointed by the General Assembly, on the advice of the Security Council. New members can also be admitted into the United Nations by the General Assembly, on the recommendation of the Security Council.

The General Assembly also has the power to initiate proceedings for revision of the UN Charter on recommendation of the Security Council.

Financial functions:

The General Assembly has the power to consider and approve the budget for the United Nations and establish the financial assessments of member states. The General Assembly also decides upon and places before the UN, how much remuneration a member state is to pay to the UN.

3.6 Role of The United Nations General Assembly

The General Assembly is the main deliberative, policymaking and representative organ of the United Nations. Consisting of all 193 member states of the United Nations, it provides a novel forum for multipartite discussion of international problems including matters of peace and security.

Financial matters

While not usually directly concerned in political choices on establishing or terminating United Nations peace operations, the General Assembly does play a key role in peace operation funding.

As all United Nations member states share the costs of peacekeeping, the Assembly apportions these expenses based on a special scale of assessments. The permanent members of the Security Council are required to pay a larger share because of their special responsibility for the maintenance of international peace and security.

The General Assembly, through its Fifth Committee (Administrative and Budgetary), approves and oversees the peacekeeping budget. This includes how specific field operations

are funded and equipped, based on detailed submissions provided to it by the UN Secretary-General.

Special Committee on Peacekeeping Operations

The General Assembly monitors the performance of the United Nations Peacekeeping Forces through its Special Committee on Peacekeeping Operations. It was established in 1965 to conduct a comprehensive review of all problems with reference to peacekeeping. The Committee reports on its work to the overall Assembly through its Fourth Committee (Special Political and Decolonization).

“Uniting for Peace” resolution

Under the United Nations Charter, normally, the General Assembly cannot discuss and make recommendations on peace and security matters which are at that time being addressed by the Security Council.

Despite the United Nations Charter’s provision limiting the General Assembly’s powers with respect to matters of peace and security, there may be cases when the Assembly can take action.

In accordance with the General Assembly’s “Uniting for Peace” resolution of November 1950 [Resolution 377 (V)], if the Security Council fails to act, owing to the negative vote of a permanent member, then the General Assembly may act. This would happen within the case wherever there seems to be a threat to peace, breach of peace or act of aggression. The General Assembly will contemplate the matter with a view to making recommendations to members for collective measures to keep up or restore international peace and security.

This resolution was invoked only once in UN peacekeeping history when in 1956 the General Assembly established the First UN Emergency Force (UNEF) in the Middle East.

3.7 The Relevance of the General Assembly

The United Nations General Assembly has a dubious reputation for being a “talk shop”. During the 73rd United Nations General Assembly Donald Trump has described the United Nations as “just a club for people to get together, talk and have a good time.” At the United Nations General Assembly, that is partially true. With the UN’s dedication to speeches and announcements, its ability to enforce them is limited. The growing skepticism surrounding this costly 76-year old machine, has led the heads of states like the German

Chancellor Angela Merkel, Chinese President Xi Jinping and Canadian Prime Minister Justin Trudeau skipping UNGA. Hence, the question is: Does the world still need the United Nations General Assembly? The one-line answer is : the world need not go by the whims of a few temperamental statesmen. There are good reasons to suppose so.

First, if we count the General Assembly as being a simple deliberative body, then the 1950 Uniting for Peace Resolution shall prove it wrong. During 1950, when the Korean War had taken a rough turn, the Security Council had failed to prevent the war. At the time of the outbreak of hostilities in Korea, the Soviet Union was boycotting the Security Council and had been doing so since January 1950, owing to its discontent over the UN's refusal to recognise the People's Republic of China's representatives as legitimate representatives of China. Hence, to prevent the proliferation of the Korean tension, USA, as a member of the General Assembly, passed the Uniting for Peace Resolution (377A), which states that in any cases where the Security Council, owing to a lack of unanimity amongst its five permanent members, fails to act as required to maintain and preserve international peace and security, the General Assembly shall consider the matter immediately and may issue any recommendations it deems necessary in order to restore international peace and security. If at the time being, the General Assembly is not in session, it may meet using the mechanism of the emergency special session. Moreover, if the Security Council so requests the General Assembly, the latter can take up necessary executive actions regarding that particular matter.

Moreover, when the presence of the General Assembly at the United Nations helps the organisation maintain its balance of power. In 1960, the General Assembly had admitted Middle Eastern and underdeveloped countries into the United Nations and these new member states formed a non-aligned bloc or neutral bloc inside the organisation. At a time when the arena of international politics was divided into the Capitalist and Socialist blocs, this sizeable body of non-aligned states decided to support either of the two on merit, that is, depending upon whether the formers' proposals were justified or not. This helped the United Nations to maintain a balance of power as there was this counter-threat wherein if the Big Powers failed to provide the developing nations with adequate resources, they could depend upon themselves and survive. Also some difficulties could arise if oil exporting countries of the Middle East denied the supply of petroleum to the dominant power blocs. The Big Powers would not perish, but will have to reconsider their position, as it happened in 1973.

3.8 Conclusion

To conclude, one should keep in mind the evolving nature of the General Assembly's functions. Hence, even though at this stage of globalisation when the world powers lean more towards bilateral relations rather than towards a multilateral organ like the United Nations, the General Assembly helps to preserve the balance in the international geopolitics and geo-economics. It provides the developing nations with a scope to present their views and be heard at the "talking shop". General Assembly is not anyway powerful like the Security Council but the former can express world opinion. It can make recommendation to the Security Council and elect the Council's non-permanent members.

3.9 Summing Up

- i. The UN General Assembly is the key deliberative, policymaking and representative organ of the UN. As of 2019, all 193 member states of the UN are the members of the General Assembly.
- ii. According to the UN Charter, every member of the General Assembly can send up to 5 representatives to defend and put forth their interests in the forum for deliberations. Nevertheless, each state is entitled to one vote, irrespective of their population strength.
- iii. The functions of the Assembly involve discussion, debate and making, recommendations on subjects concerning international peace and security.
- iv. The General Assembly certainly plays a key role in peace operation funding. Through its Fifth Committee (administrative and Budgetary), the General Assembly approves and oversees the peacekeeping budget.
- v. The Assembly monitors the performance of the UN Peacekeeping Forces through its Special Committee on Peacekeeping Operations. The Committee was established in 1965 to conduct a comprehensive review of all problems with reference to peacekeeping.
- vi. The General Assembly has a wider range of functions than just ensuring peace and security. It engages in multiple tasks of reconstruction of the global society, maintenance of health and wellbeing of peoples, encouragement of sustainable development, and overall supervision concerning protection of human rights.

3.10 Probable Questions

Essay type Questions:

- 1) Describe in detail the functions and role of the United Nations General Assembly.
- 2) Why was the General Assembly established and is it still relevant? Elucidate your answer.

Short Questions:

- 1) Describe the voting procedure of the General Assembly.
- 2) Discuss the composition of the General Assembly, and show how that helps it take positive initiatives in global affairs.
- 3) Narrate the role of the General Assembly as forum for multilateral negotiation.
- 4) Why was the Uniting for Peace Resolution so important?
- 5) What is the role played by the General Assembly as a political body?

Objective Questions:

- 1) What is the term of office of the President of the General Assembly ?
- 2) Who called the General Assembly a “talking shop”?
- 3) When was the Uniting for Peace Resolution invoked?
- 4) What is the composition of membership at the General Assembly?

3.11 Further Reading

- 1) Peterson, M. J., *The UN General Assembly* (Routledge, 2005).
- 2) Bosch, Marín Miguel, *Votes in the UN General Assembly* (Kluwer Law International, 1998).
- 3) Taylor, Paul and Groom, A. J. R. (ed.), *The United Nations at the Millenium: The Principal Organs* (Continuum, 2000)

Unit 4 □ Security Council: Structures, Functions and Role

Structure:

- 4.1 Objective**
- 4.2 Introduction**
- 4.3 Composition**
- 4.4 Voting Procedure**
- 4.5 Veto**
- 4.6 Functions**
- 4.7 Role of the Security Council and its Limitations**
- 4.8 Conclusion**
- 4.9 Summing Up**
- 4.10 Probable Questions**
- 4.11 Further Reading**

4.1 Objective

By reading this unit, learners will be acquainted with the following:

- The objective of establishing the Security Council.
- Composition of the organ.
- The 'Big Five' and the Voting system.
- Major Articles of the UN Charter that enshrine the functions of the Security Council.
- Criticism of the role of the Security Council.
- Relevance of the Security Council in world politics.

4.2 Introduction

The United Nations Security Council (UNSC) was established in 1946 under the United Nations Charter and is responsible for the maintenance of international peace and

security. It is one of the six principal organs of the UN and is usually viewed as the apex body of the UN system. It aims to promote harmonious relationships among the member nations by maintaining international peace and security. The Council is also tasked with investigating the issues that threaten international peace and can decide to expel or even isolate a country who is found to be at fault. The UNSC frequently conducts peacekeeping operations around the world in a bid to reduce and remove conflictual situations among countries. India, as a member of the United Nations, sent the Indian Peace Keeping force to Sri Lanka in 1987 to end the Civil War that engulfed the island nation. That was a singular instance of a state helping a neighbour to resolve the ethnic upheaval there.

4.3 Composition

The United Nations Security Council (UNSC) often termed as one of the strongest organs of the United Nations, is composed of 5 permanent and 10 non-permanent member states, who serve for a term of two years. The five permanent members of the Security Council are the United States of America, Russia, the People's Republic of China, the United Kingdom and France. Originally, the UNSC consisted of 11 members; 5 permanent and 6 non-permanent. In 1965, the number of non-permanent members was raised to 10, keeping in mind the growing number of newly independent, sovereign states across the hemispheres. The non-permanent members are elected by the General Assembly by two-thirds majority votes. The selection is done on the basis of a fair geographical distribution; five from Afro-Asian countries, two from Latin-America, two from West Europe and one from East Europe. They meet in a fortnight session or at times even more frequently, and anytime in emergency. Each session is conducted by one President, and the President is chosen alphabetically from amongst the member nations. Non-permanent members enjoy their powers for a tenure of two years and are not eligible for consecutive re-election. Prime Minister Narendra Modi, after coming to power in 2014, has taken the initiative of enlisting India as a permanent member of the UNSC, thanks to the growing influence of India in the Asian region.

4.4 Voting Procedure

There are two types of voting procedures at the UNSC, based on the importance of the matter. Article 27 of the UN Charter distinguishes between procedural and non-

procedural (substantive) matters in Security Council decision-making. Important matters that are substantive, go through a non-procedural voting system, wherein it requires the affirmative vote of all the five permanent members of the UNSC and 9 out of ten affirmative votes of the non-permanent members. Matters that are non-substantive require only nine out of a total of fifteen votes irrespective of the Big Five (the permanent members of the UNSC).

4.5 Veto

The Big Five of the UNSC have the power to veto. The term ‘veto’ means ‘to negate’ or ‘to cancel’. The veto is exercised when a country votes against a draft decision and so prevents its adoption. The Big Five have the power to use the veto against any particular matter to deliberately negate its adoption. However, if any permanent member remains absent or abstains from voting, in that case, four out of five permanent members can resolve the issue at hand. In connection with the voting procedure, the power of ‘Double-Veto’ also comes into the discussion. Double-veto is to take the decision regarding two connected issues : (a) whether a particular matter is of procedural or non-procedural character. (b) The Big Five then can use their power of veto and negate any further discussion on a particular matter completely as well.

Russia’s (erstwhile the Soviet Union) 100th veto in the United Nations Security Council was to support India’s position on Kashmir. The Russian veto of 22nd June, 1962 ‘smashed an Irish resolution’ and gave a blow to the West’s aim to prise the disputed territory from India’s control and hand it over to Pakistan. The Irish resolution had urged India and Pakistan to enter into direct negotiations for settling their dispute over the controversial Kashmir region. This resolution was supported by seven Security Council members including the four permanent members – the US, France, UK, and China (at that time the Republic of China, not the People’s Republic of China) – plus three non-permanent members of Ireland, Chile, and Venezuela.

The western bloc was further infuriated by the fact that the 99th Russian veto of December 1961, had also been in India’s favour. It was on a resolution calling for a ceasefire when ‘India blitzed Portuguese-held Goa’. That was the time when the West was decidedly anti-India. Russia was portrayed within the western media as a roadblock to the UN’s functioning the way the West Wanted.

4.6 Functions

The powers and functions of the UNSC are covered under Articles 24-26 of the United Nations Charter. The functions and powers assigned to the Security Council under the Charter are as follows:

- to maintain international peace and security in accordance with the principles and purposes of the United Nations;
- to investigate and look into any dispute or situation that might lead to international friction and to recommend methods of adjusting such disputes or the terms of settlement;
- to determine the existence of a threat to peace or act of aggression and to recommend what action needs to be taken;
- to call on members to apply economic sanctions against a particular member and other measures not involving the use of force in order to prevent or stop aggression;
- to take military action against an aggressor; and
- to formulate plans for the establishment of a system to regulate armaments.

Relevant Articles of the UN charter spelling out its powers

Article 24 : Responsibility towards the maintenance of international peace and security

Article 24 (1) designates the Security Council with the primary responsibility for the maintenance of international peace and security. It is often referred to during discussions concerning the appropriateness of the Security Council to include a situation or a thematic item on its agenda for discussion. Discussions with reference to the competencies and therefore the scope of the mandate of the UNSC as compared to those of other principal organs of the United Nations, including the General Assembly and the Economic and Social Council (ECOSOC), has also been featured in this section.

Article 25 : Agreement by the member nations to accept and carry out the decisions of the Security Council.

Under Article 25, Member States of the United Nations agree to accept and carry out the decisions reached at the Security Council. Here is a necessary compromise of the otherwise absolute sovereignty of states.

Article 26 : Regulation of armaments

Article 26 gives the Council the responsibility of formulating plans for the establishment of a system for the regulation of armaments to be submitted to the member states, with the assistance of the Military Staff Committee. The Security Council is also empowered to exercise the trusteeship functions of the UN in areas designated as ‘strategic’ (only the Trust Territory of the Pacific Islands are designated as such).

Finally, the Security Council recommends the General Assembly regarding the admission of new members and also the appointment of the Secretary-General and, along with the General Assembly, elects the judges of the International Court of Justice.

4.7 Role of the Security Council and its Limitations

Under the Charter of the UN, the use of force can be legal only in case of self-defense or when it has been authorized by the Council. The question regarding the legitimate use of force—as distinct from strict legality—remains a matter of contention. NATO’s seventy-eight-day Kosovo air-warfare has been the most-cited case in arguing for the legitimacy of humanitarian interventions that lacked Security Council authorization. The bombing campaign was said to be undertaken to protect Kosovan Albanians from ethnic cleansing by the Serbs after Russia indicated it would block authorization in the Council. This intervention was later deemed to be ‘illegal but legitimate’ by an independent commission of scholars. Responsibility to Protect (R2P) emerged in the early 2000s and has since then appeared to justify the use of force outside Security Council authorization by qualifying the principle of non-interference in sovereign affairs.

The doctrine which was adopted by the General Assembly of UN in 2005, stipulated that states have a responsibility to protect their populations from crimes against humanity. Also, that the international community has a responsibility to make use of the available peaceful means to protect threatened populations; and when a state “manifestly fails” to uphold its due responsibilities, coercive measures should be collectively taken against the perpetrators. R2P has been one of the central milestones of the Security Council throughout its development so far. The International Commission on Intervention and State Sovereignty (ICISS) has regarded the role of the Security Council to be of paramount importance while articulating the idea of R2P in 2001. Even though the Security Council plays a central role in the responsibility to protect, a connection has hardly been drawn between its primary responsibility of maintenance of international peace and security and the furtherance of the proper discharge of the responsibility to protect on behalf of the international community.

The basic tenet of the responsibility to protect is as follows: National authorities have the primary responsibility to protect their citizens from atrocities such as genocide, war crimes, ethnic cleansing, and crimes against humanity. This responsibility put upon the member states, entails the prevention of such crimes, including their incitement, through appropriate and necessary means.

On the other hand, the international community, through the United Nations, has the responsibility to use appropriate diplomatic, humanitarian, and other peaceful means to help to protect populations from the mentioned forms of atrocities. However, if peaceful means are found to be inadequate and national authorities manifestly fail to fulfill their responsibility to protect, the international community is prepared to take collective action, through the Council. The text of the 2005 World Summit outcome distinguishes between the international community and the United Nations, considering the latter as an agent through which the international community fulfills its responsibility. However, from a normative point of view, the question arises as to whether the Security Council can be considered to be an appropriate organ to be entrusted with the international community's responsibility to protect. As the Security Council was a creation of post-World War II politics, reflecting states' preoccupation with the maintenance of international peace and security, it was not concerned with the protection of people from mass atrocities. Even though the increased activities of the Security Council since the Cold War have been seen as a positive development, critics do not agree with the Council's aim to protect the citizens, to be honest. However, the criticisms regarding the implementation of R2P by the Security Council have been vehemently rejected by Secretary-General Ban Ki-moon when he stated that "the responsibility to protect does not alter, indeed it reinforces, the legal obligations of member states to refrain from the use of force except in conformity with the Charter."

There are additional difficulties in the very structure of the Council due to the systemic political constraints on its decision-making process, including the impediments imposed by the veto power of the Big Five. Since the idea of the responsibility to protect emerged, there have been calls for the permanent members not to exercise their veto on matters of critical humanitarian concern when their vital national interests are not at stake. However, even if these veto-obstacles were removed, the decision-making would continue to be dictated by the traditional realpolitik interests of the member states. The UN human rights chief from 2014 to 2018, Zeid Ra'ad al-Husseini, has repeatedly criticized the outsize power of the veto-wielding permanent member states, warning that without an extensive institutional revision, the United Nations could collapse in the next few decades. The

responsibility to protect could be regarded as an attempt to expand the norm of liberal peace based on universal moral and ethical values, by linking them to the elements of realpolitik in practice. However, it has been critically observed that the responsibility to protect underestimates the gap between the moral principles that are the basis of the concept and the political conditions of institutional decision-making. According to a detailed summary of 2018's workshop of the UNSC, "a participant lamented that there was a prevailing image of the Security Council as an organ that was becoming less effective and less influential over time". If we look at the structure of the UNSC, the Council remains largely unchanged since its founding in 1946, stirring debate among many members about its efficacy and authority as a mediator on matters of international security.

The civil war in Syria (2011 onward) has posed a serious challenge to the Security Council as it has attempted to stabilize the region, curb the use of chemical weapons, and relieve a mounting humanitarian crisis, given that Russia has used its veto power time and again, to block resolutions aimed towards holding the Assad regime accountable for atrocities documented by UN sources.

Similarly, Russia's frictions with the USA and EU following the annexation of Crimea in early 2014 and North Korea's nuclear weapons programme have added tensions amongst the Council members.

The Security Council in a Changing Global Scenario

With every passing year, regional organizations have stepped up to play an increasingly important role in peacekeeping and conflict resolution in the international sphere, in some cases even prodding the Council to take action and in others acting as subcontractors on the Council's behalf. For instance, the Council authorized the use of force in Libya (2011), right after the Arab League had called for a no-fly zone, which the North Atlantic Treaty Organization (NATO) then went on to execute. Experts have also pointed out the increased will and capacity of the African Union (AU), partnering with the UN in carrying out missions in Somalia and Sudan's Darfur region. The provision of sanctions under Article 41 of the UN Charter, which states, "the Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations." – was largely dormant during much of the Cold War era. It became the Security Council's one of the most frequently employed tools.

The Council had imposed sanctions just twice before the fall of the Berlin Wall (1989), but after that, till 2018, 14 Security Council sanctioned regimes, listing more than 600 individuals and nearly 300 entities, have been placed. After the invasion of Kuwait under Iraqi President Saddam Hussein's and the subsequent Gulf War, the so-called smart sanctions emerged in the mid-1990s as a substitute to what UN Secretary-General Kofi Annan had termed the "blunt instrument" employed in Iraq, targeting discrete economic and political matters and particular individuals deemed to be threats to the overall international security. But targeted sanctions have raised human rights concerns as well.

Critics from the developing nations have also pointed out that the structure of the Security Council needs to be synchronized with the changing geopolitical scenario. Developing regional powers, such as Brazil, Germany, India, Japan, Nigeria, and South Africa, have sought to reform the structure of the Council, increase the number of non-permanent members or secure permanent seats for themselves. The debate about expansion is often sketched as a bargain between efficacy and legitimacy. If the Security Council fails to reform its institutional structure, then it will stop being relevant in the coming years. In October 2013, Saudi Arabia took a historic step by declining a seat at the Security Council, announcing that it would not serve in the absence of institutional reform at the Council.

Although there is broad agreement among the member nations of the UN that the Security Council's structure is outdated, each of the various proposals for reform has inevitably excluded some hopefuls. Some of these proposals have called for additional permanent members presumably without veto at the Security Council while others ask for a new class of elected seats with the possibility of renewal.

4.8 Conclusion

In the absence of any reform of the Charter, smaller member states have espoused for procedural changes, including greater transparency and improved dialogue with troop-contributing countries. Nikki Haley, the U.S. ambassador to the United Nations, has raised new calls for Council reform. In a Council on Foreign Relations event before the United States during April 2017 presidency of the Security Council, Haley vowed to make human rights and peacekeeping reforms a priority, noting that the "predatory behavior" of the government of the Democratic Republic of Congo was a concrete reason to scale back the UN peacekeeping mission there.

Putting up the limitations of the Security Council against its success of preventing the outbreak of another World War in the face of the political simmering across the globe, proves that the Council has still not lost its relevance. What it needs is just an update in its structure and policies, to be in sync with the changing world order.

4.9 Summing Up

- i. The UNSC was created in 1946 under the UN Charter and is responsible for the maintenance of international peace and security. It is one of the six principal organs of the UN.
- ii. The Security Council comprises 5 permanent and 10 non-permanent member states. The non-permanent member states serve a term of two years. In 1965, the number of non-permanent member states increased from 6 to 10.
- iii. There are two types of voting procedures at the UNSC – procedural and non-procedural. This voting procedure is conducted under Article 27 of the UN Charter.
- iv. The Powers and functions of the UNSC are covered under Article 24-26 of the charter.
- v. Responsibility to Protect (R2P) was articulated in 2001; has been a central milestone of the UNSC throughout its development.

4.10 Probable Questions

Essay type Questions:

- 1) Discuss in details, the composition and voting procedure of the Security Council.
- 2) What are the functions of the Security Council and mention the main articles of the UN Charter that delegate these powers to this UN organ.
- 3) Elucidate with events, the role of the Security Council. What are the limitations pointed out by the critics?

Short Questions:

- 1) How is the Security Council composed?
- 2) What is Veto? What is the role of the 'Big Five' in the voting procedure?
- 3) Mention five of the functions of the Security Council.

- 4) What do you think are the limitations of the Security Council?
- 5) In what ways are reforms of the Security Council being conceived?

Objective Questions:

- 1) Who are the 'Big Five'?
- 2) What is the provision of Article 27 of the UN Charter?
- 3) What does the UN Charter say about the regulation of armaments?
- 4) Which Article has 'become one of the Security Council's most frequently employed tools'?
- 5) What is R2P?

4.11 Further Reading

- 1) Lowe Vaughan, Roberts Adam, Welsh Jennifer and Zaum Dominik (ed.), *The United Nations Security Council and War: The Evolution of Thought and Practice since 1945* (Oxford University Press, 2010).
- 2) Nadin, Peter, *UN Security Council Reform* (Routledge, 2016).
- 3) Taylor, Paul and Groom A. J. R. (ed.), *The United Nations at the Millenium : The Principal Organs* (Continuum, 2000).

Unit 5 □ Economic and Social Council, International Court of Justice

Structure:

- 5.1 Objective**
- 5.2 ECOSOC: Introduction**
 - 5.2.1 Mandate of ECOSOC**
 - 5.2.2 Structure of the ECOSOC**
 - 5.2.3 Functions of the ECOSOC**
 - 5.2.4 Criticism of the ECOSOC**
 - 5.2.5 Conclusion**
- 5.3 International Court of Justice**
 - 5.3.1 Structure of the ICJ**
 - 5.3.2 Functions of the ICJ**
 - 5.3.3 Limitations of the ICJ**
- 5.4 Conclusion**
- 5.5 Summing Up**
- 5.6 Probable Questions**
- 5.7 Further Reading**

5.1 Objective

By reading this unit, learners will be acquainted with the following:

- The question as to why the ECOSOC was established.
- Structure and functions of the ECOSOC.
- Criticisms of the ECOSOC and why it is called the ‘twin organ’ of the Security Council.
- Why is the ECOSOC still relevant ?

5.2 ECOSOC: Introduction

The Economic and Social Council (ECOSOC) was established by the UN Charter in 1945. It is one of the six principal organs of the United Nations and is the central platform of the UN for reflection, debate, and cultivation of innovative thinking on sustainable development. It looks into all three dimensions of sustainable development — economic, social and environmental. It provides a platform for furthering debate and innovative thinking, establishing unanimity on ways forward, and coordinating efforts to achieve goals that are internationally agreed upon. ECOSOC is also responsible for the follow-up on major UN conferences and summits.

The main task of the ECOSOC is to promote and improve the economic and social well-being of the residents of the member states. The council also deals with human rights and seeks to develop a greater understanding of cultures throughout the world. An improvement in world health and keeping the mortality rate in check is also one of its merits. Article 57 of the UN Charter gives a clear explanation of the areas that the Council is concerned with: health, education, social, economic and cultural issues as well as the promotion of the position of women in the world. The activities under the United Nations system are served under the vestiges of the ECOSOC along with its specialized agencies and the Council also supervises the subsidiary and expert bodies in the economic, social and environmental fields.

5.2.1 Mandate of ECOSOC

From its very inception, the Economic and Social Council has taken up the responsibility to emphasize the protection and furtherance of human rights and development issues. The UN Charter has put the mandate of working on human rights issues upon the ECOSOC. For instance, Article 62 of the Charter allows the ECOSOC to consolidate and write reports on human rights abuses across the globe. They also have the mandate to make recommendations on such human rights issues. Further, Article 68 of the Charter gives ECOSOC the mandate to organize human rights commissions, which ECOSOC had done with the Commission on Human Rights (which later went on to become the Human Rights Council)

Regarding development, ECOSOC has a comprehensive mandate. Primarily, ECOSOC “is the principal body for coordination, policy review, policy dialogue, and recommendations on economic, social and environmental issues, as well as for implementation of the internationally agreed development goals”. This power has been elaborated in Article 55

of the Charter. On top of that, the Council oversees various activities concerning social, economic, and cultural issues as they relate to human rights and international development.

5.2.2 Structure of the ECOSOC

In terms of its structure, “ECOSOC is made up of 5 regional and 10n functional commissions that cover the gambit of development issues and concerns. It officially coordinates the work of 14 specialized agencies and 11 UN funds and programmes and is serviced by the UN Department of Economic and Social Affairs (DESA).” The membership of the ECOSOC is based on geographical representation. Out of the total 54 seats at the Council, seats have been reserved for specific quotas for Africa, Asia, Europe, Latin America, Europe, etc. The Economic and Social Council receives its funding from the office of the Secretariat. Four UN Security Council permanent members – the USA, UK, Russia, and France- are re-elected continuously at the ECOSOC as they provide the major share of the funding to ECOSOC. The members are elected from the General Assembly for a term of three years. Decisions at the Council are taken by a simple majority vote and the President of the Council is elected annually. As the Council is mandated with the primary task of preserving and furthering the lives of peoples, NGOs are given a “consultative status” at the Council.

5.2.3 Functions of the ECOSOC

The main function of the ECOSOC is to link a diverse family of UN entities, dedicated to sustainable development, providing overall guidance and coordination. The ECOSOC entities include commissions on regional economic and social conditions, functional commissions regarding major global issues facilitating intergovernmental discussions, and active specialized agencies, programmes, and funds around the world to convert development commitments into real changes in people’s lives.

Reforms over the last decade, particularly General Assembly resolution 68/1, have strengthened ECOSOC’s leading role in identifying emerging challenges, promoting innovation, and achieving a balanced integration of the three pillars of sustainable development—economic, social and environmental. ECOSOC has been given the charge of paying special attention to coordination and follow-up on major UN conferences and summits.

The activities of the ECOSOC engage a wide variety of participants – policymakers, parliamentarians, academics, major groups, foundations, business sector representatives and over 3,200 registered NGOs – engaged in a programmatic cycle of meetings ensuring

a productive dialogue on sustainable development. The work of the Council is based on an issue-based approach, and each programmatic cycle has an annual theme, ensuring a sustained and focused discussion among multiple stakeholders.

High-Level Political Forum (HLPF) makes recommendations for sustainable development, provides political leadership and guidance, and presents a follow-up along with reviewing the progress in the implementation of sustainable development commitments;

Annual Ministerial Review (AMR), has been held annually since 2007. It assesses progress in the implementation of the development agenda of the United Nations;

Development Cooperation Forum (DCF), has been held on a bi-annual basis since 2007, reviewing trends and progress in development cooperation on a bi-annual basis.

Integration Segment has been active since 2014, promoting a balanced integration of the environmental, economic, and social elements of sustainable development at the United Nations system and beyond.

Humanitarian Affairs Segment, which takes place in alternate years at New York and Geneva, seeks to strengthen the coordination of the United Nations' humanitarian efforts.

Operational Activities for Development Segment is held annually, providing cumulative coordination and guidance regarding United Nations funds and programmes on a system-wide basis.

Coordination and Management Meetings (CMM), held throughout the year, review the reports of its subsidiary and expert bodies; promote system-wide coordination and review of development issues; and consider the special country situation or regional issues.

Youth Forum has been held annually since 2012, bringing the viewpoints of youth into focus for the post-2015 development agenda and Millennium Development Goals.

Partnership Forum which has been held annually since 2008 is often linked to the theme of the Council's Annual Ministerial Review, and is aimed at searching for innovative ways to collaborate with the private sector in search of solutions for the varied challenges faced by the governments in the course of development at the present times.

5.2.4 Criticism of the ECOSOC:

The Security Council and the Economic and Social Council are often called the twins of the UN. While the Security Council is delegated with the task of maintaining the peace

and security of the international political framework, ECOSOC has the responsibility of preservation and furtherance of the human rights of the people from the member states. Unlike its twin, ECOSOC hardly enjoys any authority in matters of international policymaking. The UN charter places ECOSOC under the authority of the General Assembly, allowing the body to issue policy recommendations to the UN system and member states. The United Nations Security Council and the United Nations General Assembly are not the only United Nations organs that have been called upon to reform. ECOSOC has also gone through a series of discussions with regard to changing the organisation and has at times been reformed. Much of this has to do with the makeup of the organisation, as well as the difficulty in the organisation and the explicit role that the organisation has with regard to other entities in the United Nations. This is mainly because, other international institutions such as the International Monetary Fund (IMF), the World Bank, and the World Trade Organisation (WTO) have taken up leadership in the field of global economic policy. But it has been pointed out by many that these institutions lack transparency, democratic processes, and accountability, as they mostly represent the interests of richer states over the developmental concerns of comparatively poorer countries. Some advocates for reform of the ECOSOC argue that the 54-member council is too large in composition and structure for pursuing any constructive negotiations, and should be replaced with a smaller and more efficient “Social and Economic Security Council.”

For example, with regard to the structure of ECOSOC, in the 1950s and 1960s, as more and more states were entering into the United Nations as members, they were calling for greater representation. And while the permanent members of the UN Security Council were less willing to offer concessions with regard to additional members in the UNSC, changes to ECOSOC were quicker and less debated. As a commentator noted “the expansion of ECOSOC...appeared to be a simpler and less consequential step (compared to the UNSC). One-third of its 18 members were elected each year to three-years term, with each member having a single vote and equal rights. Not only are there no permanent members or vetoes in ECOSOC, but its mandate avoided core security issues. Its primary task is coordination not policy, and its decisions are only recommendations. And in 1963, we did indeed see states in the UN vote for new members to be added to ECOSOC.”

And with regard to coordination of development, part of the problem is that the United Nations itself has so many bodies that work on development issues. The Economic and Social Council is supposed to coordinate these actors, although it has been difficult to do so at times. As has been explained by Weiss, Forsythe, Coate, and Pease, “in

reality, ECOSOC is something of a mailbox between the General Assembly and the rest of the socio-economic agencies involved in development. As such, ECOSOC—meaning the states that have representatives there—has developed supplemental coordinating arrangements”.

5.2.5 Conclusion:

In conclusion, even though reforms at the Council are the need of the hour, the ECOSOC cannot be put aside as it is the platform where the growing international humanitarian concerns are being discussed and debated upon. The depth and seriousness of these deliberations.

5. 3 International Court of Justice

The International Court of Justice (ICJ) is endowed with the responsibility of being the principal judicial organ of the United Nations (UN). It was established in June 1945 by the Charter of the United Nations and it started functioning from April 1946. The Court came into being as an integral part of the UN. Article 33 of the United Nations Charter states the methods of the pacific settlement of disputes between states such as negotiation, inquiry, mediation, etc. The Court is headquartered at the Peace Palace in Hague (Netherlands). Interestingly, of the six principal organs of the UN, the Court is the only one not located in New York.

Earlier, Hague Peace Conference of 1899 provided for the creation of a permanent machinery, known as the Permanent Court of Arbitration, which was established in 1900 and began operating in 1902. The 1899 Convention also created a permanent bureau, located in Hague, Netherlands, with functions corresponding to those of a court registry or secretariat. It also laid down a set of rules or procedures to govern the conduct of arbitrations. Various plans and proposals were submitted by national and international bodies and by governments between 1911 and 1919, for the establishment of an international judicial tribunal, which finally gave way to the establishment of the Permanent Court of International Justice (PCIJ). It became an integral part of the new international system set up after the end of the World War I.

In 1943, China, the USSR, the United Kingdom, and the United States issued a joint declaration recognizing the necessity “of establishing at the earliest practicable date a general international organisation, open to membership by all such states, large and small, based on the principle of the sovereign equality of all peace-loving states, and for the

maintenance of international peace and security”. Subsequently, in 1945, a committee headed by G.H. Hackworth was entrusted with preparing a draft statute for the future international court of justice.

The San Francisco Conference kept the committee recommendations in mind but decided against compulsory jurisdiction and in favor of the creation of an entirely new court of justice, which would be one of the six principal organs of the United Nations. The last session of the PCIJ was held in October 1945 and decided to transfer all of its archives and effects to the succeeding International Court of Justice, which, like its predecessor, was to have its seat at the Peace Palace. PCIJ was formally dissolved in April 1946, and the International Court of Justice elected as its first President, Judge José Gustavo Guerrero from El Salvador, who was also the last President of the PCIJ.

5.3.1 Structure of International Court of Justice

The Court is composed of 15 judges, who are elected for a tenure of 9 years by the United Nations General Assembly and the Security Council. They vote simultaneously but separately. To be elected, a candidate must receive an absolute majority support in both the UN organs. To ensure a measure of continuity, one-third of the Court is elected every 3 years and judges are eligible for re-election. The ICJ is assisted by a registry as its administrative organ. Its official languages are English and French.

The 15 judges of the Court are distributed in geographical order in the following regions:

- Three from Africa.
- Two from Latin America and the Caribbean.
- Three from Asia.
- Five from Western Europe and other states.
- Two from Eastern Europe.

Unlike other organs of international organisations other than the UN, the Court is not composed of representatives of governments. Rather, members of the Court are independent judges who make the solemn declaration in front of an open court that they will be impartial in the exercise of their powers, while in office.

To ensure that his or her independence is safeguarded, no member of the Court can be dismissed unless it is proved in the unanimous opinion of the other members that he/

she no longer fulfills the required conditions to be in office. This has never happened to date.

5.3.2 Functions

- ICJ has two-fold jurisdiction and acts as a world court. The Court looks into legal, contentious disputes between states submitted to it by them. ICJ also looks into requests for advisory opinions on legal questions referred to it by the various organs of the United Nations and its specialized agencies. Only UN member states and who have become parties to the Court's Statute or which have accepted the Court's jurisdiction under certain conditions are parties to such contentious cases.
- States have no permanent representatives commissioned to the ICJ. The states usually interact with the Registrar through their Minister for Foreign Affairs or their ambassador accredited to the Netherlands.
- When the states are parties to a case before the Court, an agent represents them. This is a function of great international significance. Hence the agent is required to be holding the position of the head of a special diplomatic mission with powers to commit a sovereign State in times of need.
- The judgment given by the Court is final and binding on the parties to a case and without appeal (at the most it may be subject to interpretation or, upon the discovery of a new fact, revision).
- By agreeing to the UN Charter, a member state guarantees to comply with the decision of the Court in any case to which it is a party.
- A state may bring the matter before the Security Council, if it considers that the opposite party has failed to perform the obligations superjacent upon it under an ICJ judgment. The Court is then empowered to recommend or decide upon measures to be taken to give due effect to the judgment.
- The procedure described above is the normal procedure. However, the course of the proceedings may be modified by incidental proceedings.
- ICJ may also establish ad hoc chambers to examine specific cases if the parties so request.

- Advisory proceedings before the ICJ can only be availed by the 5 remaining UN organs and the 16 specialized agencies of the United Nations family or other such affiliated organisations.
- Opinions provided by the ICJ in advisory proceedings are not binding in nature.

5.3.3 Limitations

- ICJ suffers from several structural and circumstantial limitations and a few shortcomings related to the material resources made available to the Court.
- It has no jurisdiction to try individuals accused of war crimes or crimes against humanity. As it is not a court for criminal proceedings, it does not have a prosecutor for initiating proceedings.
- It differs from the courts which deal with allegations of violations of the human rights conventions under which they were set up, as well as applications from states at which courts can entertain applications from individuals, that is not possible for the International Court of Justice.
- The jurisdiction of the ICJ differs from that of specialist international tribunals, such as the International Tribunal for the Law of the Sea (ITLOS).
- The Court is neither a Supreme Court to which national courts can turn; nor does it act as a court of last resort for individuals. It is not even an appeal court for any international tribunal. However, it can give its ruling on the validity of arbitral awards.
- The Court is only designated to hear a dispute when requested to do so by one or more member states. It cannot deal with a dispute on its initiative. Under its statute, it is not permitted, to investigate and rule on acts of sovereign states in its discretion.
- The jurisdiction of the ICJ is based only on consent and not compulsory jurisdiction.
- Unlike most democratic institutional frameworks, the ICJ does not enjoy a full separation of powers. With the Big Five of the Security Council being able to veto enforcement of cases, even those to which they consented to be bound makes the position of the ICJ problematic.

5.4 Conclusion

The ICJ is bestowed with both the privilege of being of an esteemed institution as well as procedural instruments whose potential is frequently underestimated, time and again. The International Court of Justice is a component, not only of the machinery for the peaceful settlement of disputes created by the Charter but also of the general system for the maintenance of international peace and security order it established.

The Court's contribution to the institutional law of the United Nations was threefold. Its jurisprudence had helped to consolidate the organisation's role and place in the international legal order by clarifying its legal status as an international organisation and the scope of powers with which it was entrusted. The decisions of the ICJ had also shed light, within and beyond the institution, on the functioning and responsibilities of the organisation's principal organs and its functional limits.

Moreover, the Court had pronounced itself in texts adopted by the General Assembly, thereby strengthening the cooperation in the promotion and development of international peace. Recently, the Court had the opportunity to reiterate its finding in its opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, which had been delivered in 2004. The Court had recalled that, although the Security Council had primary responsibility for the maintenance of international peace and security under Article 24 of the Charter, its responsibility was not exclusive. Turning to "Crimes against humanity", while the Rome Statute regulated "vertical relationships" between the International Criminal Court and its states parties, it did not prescribe any obligations regarding adoption of national laws on such crimes or inter-state cooperation. The current work would create 'horizontal relationships' among states and regulate inter-state cooperation, strengthening the international community's efforts to prevent those crimes.

5.5 Summing Up

- i. The Economic and Social Council was established by the UN Charter in 1945. It is one of the Six principal organs of the UN. It is the central platform of the UN for reflection, debate and cultivation of innovative thinking on sustainable development.
- ii. ECOSOC is made up of 5 regional and 10 functional commissions that looks into the gambit of development issues and concerns. It officially coordinates the work of 14 specialised agencies and 11 UN funds and programmes.

- iii. The activity of the ECOSOC is based on an issue-based approach and each programmatic cycle has an annual theme, ensuring sustained and focused discussion among multiple stake holders.
- iv. The ICJ has the responsibility of being the principal judicial organ of the UN. It was formed in 1945 by the UN charter. The court is headquartered at the Peace Palace in Hague, Netherlands.
- v. ICJ acts as a World Court. It is composed of 15 judges, elected for term of 9 years by the UN General Assembly and the Security Council. The Court looks into legal, contentions disputes between states when requested to do so by one or more states. It cannot take up or attempt to resolve any dispute on its own.

5.6 Probable Questions

Essay type Questions:

- 1) Write in details about the structure and functions of the ECOSOC. Do you find any shortcomings?
- 2) Describe the structure and functions of the ICJ. Mention the limitations attached to the Court's operation.

Short Questions:

- 1) What is the mandate of the ECOSOC?
- 2) Mention the constitution and aims of five of the forums of the ECOSOC.
- 3) What are the criticisms put forward by analysts against the ECOSOC?
- 4) State the importance of the Hague Peace Conference of 1899.
- 5) Explain the importance of the ICJ in the present international scenario?
- 6) Mention the mandates three important Articles of the UN regarding the functions of the ECOSOC.

Objective Questions:

- 1) Which organ of the UN is called the 'twin organ' of the Security Council ?
- 2) What is the mandate of Article 24 of the UN Charter?

- 3) Mention one objective of establishment of the ECOSOC.
- 4) State the provisions of Article 33 of the UN Charter.
- 5) How many judges does Asia send to ICJ ?
- 6) What is the full form of ICJ.

5.7 Further Reading

- 1) Kapteyn, P. J. G. (ed.), *International Organization and Integration: Annotated Basic Documents and Descriptive Directory of International Organizations and Arrangements*, (Martinus Nijhoff, 1997).
- 2) Kotschnig, Walter Maria, *ECOSOC 1918: A Review and Forecast*, (Department of State, 1949)
- 3) Hanqin, Xue, *Jurisdiction of the International Court of Justice*, (Koninkelijke Brill, 2017)

Module : II

Specialized Agencies of UNO

Unit 6 □ International Labour Organization (ILO)

Structure:

- 6.1 Objective**
- 6.2 Introduction**
- 6.3 Origin of the International Labour Organisation**
- 6.4 Objectives of the International Labour Organisation**
- 6.5 Basic Principles of the ILO**
- 6.6 Structure of the ILO**
- 6.7 Role of ILO in Development of Labour Law**
- 6.8 Limitations of the ILO**
- 6.9 Conclusion**
- 6.10 Summing Up**
- 6.11 Probable Questions**
- 6.12 Further Reading**

6.1 Objective

By reading this unit, learners will be acquainted with the following:

- The origin, objectives and structure of the ILO.
- The basic principles of the ILO.
- Composition and functions of the ILO.
- Role of ILO in structuring the Labour Law.
- Limitations of the ILO.

6.2 Introduction

The International Labour Organisation or the ILO was created in 1919 by the Peace Conference, as part of the Treaty of Versailles that ended the First World War, to resonate the faith that universal and lasting peace can only be ensured if it is based on the virtue of social justice. The original constitution of the ILO, which formed part of the Treaty of Versailles, established the organisation on 11 April 1919 as an autonomous entity associated with the League of Nations. The said constitution's preamble stated—"Conditions of labor exist involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled"—which was not a mere rhetoric. The First World War had shaken the foundations of many countries. The Russian revolution had succeeded. There was labour unrest all across the globe, and the firm belief for the need to improve the mass of the working people was by no means limited to labour itself. However, organised labour had been especially active during the War and demanding that the peace treaty include recognition of the rights of labour within its parameters and that labour be given a voice in international matters. Powerful trade-union bodies like the American Federation of Labour (AFL) particularly demanded for an international organisation of labour that would wield "tremendous authority." The Peace Conference, instead of establishing an international labour organisation, created an organisation in which labour, employers, and governments were to be represented on an equal footing. As it was so constituted, the ILO was then, and still is, unique among the plethora of international governmental organisations—it is the only one in which private citizens, who are the representatives of labour as well as that of employers, have the same voting and enjoy other rights as are possessed by governments.

In 1946, after the Second World War, the ILO became the first United Nations specialised agency and a supranational labour organisation. Its unique tripartite structure gives an equal voice to workers, employers and governments providing a unique platform for promoting decent work for all women and men. Bodies of the ILO are formed with representatives of governments, employers and workers from 186 member states of the organisation. Such a structure allows the bodies to be a one of a kind, worldwide, tripartite forum for discussion of key social and labour issues. Before the ILO existed, only two other international labour conventions had been adopted, one of which was designed to protect the health of workers in factories producing matches wherein it was prohibited to

use white phosphorus, a poison, in the match manufacturing units and the other which prescribed modest restrictions on night shift work of women. But alas, neither of these was widely ratified by the members.

6.3 Origin of the International Labour Organisation

To understand the origin of the ILO, one has to look into the social conditions and the political environment of contemporary international relations first. Broadly speaking, the consequences of the Industrial Revolution and the resulting deterioration in conditions for the working classes gave the major push to form such a labour organisation on a global level. Associated with this are blatant forms of social inequality and injustice, which contributed to the strengthening of European social democracy and trade unions. Prominent social reformers, namely Robert Owens and Daniel le Grand are regarded as initiators of the ILO. On the other hand, from a political point of view, there are various other factors that led to the formation of the ILO:

- First, the formation of the supranational labour organisation can be seen as a response to the fast economic growth in domestic demand and, in particular, the expansion of international trade and international investment in the then industrialised countries and their colonies during the three decades prior to the First World War. Enabled by a wave of free -market-inspired deregulation of the labour market, the development resulted in sharply intensified cross-border competition, which brought employers to seek to undercut labour costs and/or resort to the excessive use – and indeed exploitation – of labour, notably by lengthening the hours of work. This is why it should not come as a surprise that at the first conference of the ILO, the introduction of the 8-hour day and the 48-hour week in industry was called for. Moreover, as the First World War had left the onus of earning bread for the family on the women, the Conference also agreed on the protection of workers in case of unemployment, maternity, night work by women and youth, and the introduction of a minimum age for employment in the industrial sector.
- To remedy the destructive social dumping caused by the free market economy, international labour law and other international actions to achieve universal minimum labour standards were the need of the hour, for which an international labour organisation became utmost important.

- As the labour force grew, so did the need for a safe and hygienic work condition, based on the humane grounds. Thus the trade agreements required to include a social clause which could be universalised by the ILO.
- After the Industrial Revolution and especially after the World War, extremely powerful unions arose, who worked as prominent pressure groups to pressurise the world leaders into accounting for the labour force to be a dominant force.

Thus, based on this backdrop, the ILO was formed, to use the language from a dispute between the former ILO Director-General Edward Phelan and another Irish internationalist, the ILO adopted an ‘orderly, constructive and bureaucratized’ approach to tackling the organisation of social justice and Geneva was chosen as the headquarters of the ILO.

6.4 Objectives of the International Labour Organisation

Keeping in view the main aim of the ILO to safeguard the rights and needs of the labour force, the major objectives of the ILO were decided to be as follows:

- Promote and realize standards and fundamental principles and rights at work
- Create greater opportunities for women and men to decent employment and income
- Enhance the coverage and effectiveness of social protection for all, and
- Strengthen tripartism and social dialogue

In support of its goals, the ILO offers expertise and knowledge about the world of work, acquired over more than 90 years of responding to the needs of people everywhere for decent work, livelihoods and dignity. It serves its tripartite constituents -and society as a whole- in a variety of ways, including:

- Formulation of international policies and programmes to promote basic human rights, improve working and living conditions, and enhance employment opportunities
- Creation of international labour standards backed by a unique system to supervise their application

- An extensive programme of international technical cooperation formulated and implemented in an active partnership with constituents, to help countries put these policies into practice in an effective manner
- Training, education and research activities to help advance all of these efforts

6.5 Basic Principles of the ILO

The 1998 International labour Organisation's Declaration on Fundamental Principles and Rights at Work "Declares that all Members, even if they have not ratified the Conventions in question, have an obligation arising from the very fact of membership in the Organization to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the topic of these Conventions, namely:

- freedom of association and the effective recognition of the right to collective bargaining;
- the elimination of all forms of forced or compulsory labour;
- the effective abolition of child labour; and
- the elimination of discrimination in respect of employment and occupation.

6.6 Structure of the ILO

The basis of the ILO is the tripartite principle. The ILO comprises the International Labour Conference, the Governing Body, and the International Labour Office.

❖ **International Labour Conference:**

- The progressive policies of the ILO are set by the International Labour Conference.
- The Conference is an annual event, which happens in Geneva, Switzerland. The conference brings together all the representatives of the ILO.
- Function: It is a panel for the review of the important issues regarding labour.

❖ Governing Body:

- The governing body is that the executive body of the International Labour Organization.
- The governing body meets in Geneva. It meets three times annually.
- The Office is the secretariat of the Organization.
- It is composed of 56 titular members, and 66 deputy members.

❖ Functions:

- Makes decisions regarding the agenda and therefore the policies of the International Labour Conference.
- It adopts the draft Programme and Budget of the Organization for submission to the Conference.
- Election of the Director-General

❖ International Labour Office:

- It is the permanent secretariat of the International Labour Organization.
- Functions: It decides the activities for ILO and is supervised by the administration and therefore the Director-General.
- The ILO member States hold periodically regional meetings to discuss the relevant issues of the concerned regions.
- Each of the ILO's 183 Member States has the proper to send four delegates to the Conference: two from government and one each representing workers and employers, each of whom may speak and vote independently.

6.7 Role of ILO in Development of Labour Law

ILO has adopted The Declaration on Fundamental Principles and Right at work at the 86th International Labour Conference, 1998. This Conference and Declaration has affirmed the need to respect, promote and realize in good faith the freedom of association that belongs to employee and employer's society and effective collective bargaining rights.

Moreover, the conference wanted member countries to make efforts for eliminating forced or compulsory labour, enforcing prohibition of child labour, stopping discrimination

among the employees between official and vocational levels. This Declaration indicates that member states are obliged to comply with the basic principles of the Declaration, even if they have not signed relevant agreements. With this Declaration and its binding obligations, obeying fundamental employment rights, anti-discrimination principles employed and prohibition of kid labor became mandatory so as to make standards and maintain development of labour law for every member state.

Addition to declarations and conferences, ILO can impact on authorities by more influential methods like conventions and proposals. Conferences can only adopt conventions and proposals after preparation by the office and administration of ILO. Then these are brought to attention to member states by their representatives.

Conventions are not binding for countries unless ratified by them. However, if the ILO convention is secured by two-thirds of the majority in the ILO conference, member countries shall be bound by that convention. Recommendations are non-binding guidelines about technical subjects and details.

As against the points above, it is important to think about whether member states which have not ratified conventions should alter their law or practice in response to the principles established by the ILO.

Furthermore, ILO has a monitoring mechanism to evaluate and promote the convenience of the member states to conventions, conferences, standards etc. ILO's regular reporting structure, requires each member nation to regularly report the extent to which its national law is operating according to ILO conventions and proposals. These reports are first evaluated by the Committee of Experts on the Application of Conventions and proposals. While evaluating the statement, ILO could monitor the member states, if they implement new published standards by introducing new laws, instantaneously. The Committee on Freedom of Association as one of the governing bodies of ILO reviews all complaints against member states which violate fundamental rights of freedom of association.

According to ILO's perspective, international labour standards are aimed toward promoting decent and productive conditions of freedom, equity, security, and dignity; thus, these standards are for creating fundamental principles and rights of labours. Some of them has priority that result from their simplicity such as right to organize, right to collective bargaining, abolition of child labour, equal remuneration of women and men for work of equal value, elimination of discrimination in respect of employment and occupation. Some

of these rights are mandatory; therefore, member states should obey and practice them albeit they're not ratified. Still, ILO is always encouraging member states to ratify, implement and improve the international labour standards which have grown into a comprehensive system of instruments on work and social policy, backed by a supervisory system designed to deal with all kinds of problems in their application at the national level.

6.8 Limitations of the ILO

The ILO's recent strategy of partnering with non-state actors—beyond the tripartite actors—was partially influenced by former UN Secretary General Kofi Annan's UN reform agenda, which involved greater engagement with the private sector and civil society and their increased involvement as 'shapers of policy'.

The ILO has recognised on many occasions that globalisation and changing employment structures are altering the roles of public and personal actors. But the tripartite actors continue to be wary of including external 'private entities' more substantively as shapers of policy, fearing that their own traditional influence could be undermined. A strong proponent of opening up to civil society, former Director General Somavía was not convinced that including other voices would 'change the balance of the ILO' and had to reassure his core constituents that the ILO's tripartite decision-making processes would not be diluted.

Despite extensive discussions at different points over the past 20 years or more, the social partners (employers and unions) have 'used their institutional prerogatives as voting members of the ILO's legislative and executive organs to block further attempts to adapt the tripartite governance model to respond better to the realities of today's world. Employers and workers agreed in 2002 on the Resolution on Tripartism and Social Dialogue, which formally reaffirmed the traditional structure of the ILO. Moreover, the social partners were to be consulted whenever the Secretariat planned to figure with civil society going forward.

Presently critics see the composition of the ILO's tripartite governance system as being unrepresentative of key constituents. Growing criticisms contend that ILO tripartism only reflects the formal economy, thereby largely leaving out the voices and concerns of these within the vast and growing informal economy, especially in developing nations. With union membership on the decline in many countries and enormous number of companies not

affiliated with their national employer groups, the representativeness of those organisations is now questioned, leading to calls for wider perspectives in setting ILO priorities.

6.9 Conclusion

The fact remains that major policy challenges remain largely unresolved and call out for effective global leadership. Guy Ryder made a bold claim for the ILO's mandate and its role in such leadership on labour issues in his statement as a candidate for the post of Director General: 'The stability of our societies, the sustainability of the global system which binds them ever more closely, and ultimately peace itself depend on its realization'.

The ILO needs to continue to evolve to fulfil that ambitious leadership role. This will require strong leadership within the ILO itself, and an acceptance that the ILO cannot lead the global policy agenda in this important issue domain all on its own.

6.10 Summing Up

- i. The International Labour Organization or ILO was constituted in 1919 by the post-war peace conference, as part of the Treaty of Versailles, to emphasize the need for social justice and labour rights as a precondition for the maintenance of peace and stability.
- ii. The origins of the ILO can be traced to the effects of the Industrial Revolution on the creation of labouring classes and their role in shaping the free market.
- iii. The main aim of the ILO is to safeguard and promote the interests of workers and create a just and inspiring work environment.
- iv. The ILO has enunciated the 1998 Fundamental Declaration on Principles and Rights at Work, to update the perspective on labour management.
- v. The ILO has a tripartite mechanism comprising the International Labour Conference, the Governing Body and the International Labour Office.
- vi. The ILO has deeply influenced the development of labour laws globally.
- vii. The Tripartism of the ILO leaves out huge numbers of informal labour.

6.11 Probable Questions

Essay-type Questions:

1. Attempt a survey of the origin, objectives and structure of the ILO.
2. Does the ILO play an important role in structuring the Labour Law and what are its limitations?

Short Questions:

1. Discuss the origin of the ILO?
2. What are the main objectives of the ILO?
3. Enumerate the basic principles of the ILO?
4. Present a lay-out of the structure of the ILO.
5. What are the limitations of the ILO?

Objective Questions:

1. When was the ILO formed?
2. Which trade union body demanded the formation of the ILO?
3. How many members does the ILO have?
4. When was the Resolution on Tripartism and Social Dialogue passed?
5. What is the full form of ILO?

6.12 Further Reading

1. Steve Hughes and Nigel Haworth, *International labour Organisation: Coming in from the Cold*, (Taylor & Francis, 2013)
2. Francis Maupin, *The Future of the International Labour Organisation in the Global Economy*, (Bloomsbury Publishing, 2013)

Unit 7 United Nations Educational, Scientific and Cultural Organization (UNESCO)

Structure:

- 7.1 Objective**
- 7.2 Introduction**
- 7.3 Origin of the UNESCO**
- 7.4 Objectives of the UNESCO**
- 7.5 Structure of the UNESCO**
- 7.6 Role of UNESCO**
- 7.7 Limitations of the UNESCO**
- 7.8 Conclusion**
- 7.9 Summing Up**
- 7.10 Probable Questions**
- 7.11 Further Reading**

7.1 Objective

By reading this unit, learners will be acquainted with the following:

- The origin, objectives, and structure of the UNESCO
- Composition and functions of UNESCO
- Role of UNESCO in maintaining peace among nation-states.
- The performance of UNESCO in spreading the benefits of education

7.2 Introduction

The UNESCO, which is an acronym for the United Nations Educational, Cultural and Scientific Organization, serves as a specialized agency of the United Nations which was outlined in a constitution signed on November 16, 1945. This constitution entered

into effect in 1946, and urged the International community to facilitate the free sharing and exchange of as well as collaboration in education, science and culture. The agency's permanent headquarters are in Paris, France. The precursor to the UNESCO was an organization known as the International Committee for Intellectual Cooperation working specifically on the mandate of promoting cooperation among the member states. It functioned as a part of the League of Nations and was created in 1922 with members including Albert Einstein, Marie Curie, Henri Bergson, Robert A. Millikan and Gonzague de Reynold. The International Institute of Intellectual Cooperation was created in Paris in 1924 in order to serve as the executive agency of the International Committee for Intellectual Cooperation. The onset of World War II obstructed and hampered efforts towards cooperation. After the war, with special initiative of Rab Butler, the Minister of Education for the United Kingdom, the constitution of the UNESCO was signed by 37 member countries. The first General Conference took place from November 19 to 10 December 1946, and elected Dr. Julian Huxley to the position of Director-General. The Constitution was amended in November 1954 when the General Conference resolved that members of the Executive Board would be representatives of the governments of which they are nationals and would not act in personal capacity. As with most other United Nations Organizations, member states have worked together to realize the objectives. At the same time political and historical factors have shaped the activities of the organization particularly during the Cold War, the decolonization process and the dissolution of the Union of Soviet Socialist Republics (USSR).

7.3 Origins of the UNESCO

The intellectual groundwork, ideational prerogatives, ideological rationale and political motivation for the creation of such an organization were laid during the years of the First World War when animosity and hostility between states was at its peak and the net gains from the war effort was negligible for all the states involved. The experience of the war and the associated destruction compelled the authorities and governments to identify specific points and/or axioms of cooperation. Cooperation that was achievable on a technological and scientific level could extend and proliferate into the domain of culture and education, which was theorized to have a spillover effect on the arena of politics and International Affairs. The mission of the UNESCO to that end explicitly states that it seeks to achieve International Cooperation, sustainability and human rights for the betterment of all mankind. While professing a distinct anthropocentric outlook of reality, the UNESCO has made significant strides since the days of its inception. It is cognizant about the importance of

preserving natural resources and safeguarding the different ecosystems on the planet. The points of difference, divergence, competition and conflict are manifold when it comes to relations between nation-states. Therefore the existence of an organization that could work towards finding commonalities between nation-states, and ensure a better understanding of separate cultures was one of the primary driving forces behind the formation of the UNESCO. Ultimately distinctions on the basis of race, ethnicity, creed and religion have led to extremely violent altercations and it is the task and duty of the UNESCO to ensure that prejudices based on the aforementioned factors are kept at a minimum and harmony is maintained. The origins of the UNESCO also point out to overall structure and function of the United Nations and how each agency within it work together to cumulatively contribute towards the goals of global peace, security, stability and prosperity.

7.4 Objectives of the UNESCO

As stated in Article One of its Constitution, the United Nations Educational, Scientific and Cultural Organization was established with the purpose of facilitating and enhancing peace and security in the world by promoting collaboration among the nations through education, science and culture to further the universal respect for justice, for the rule of law, and the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations. The driving principle behind the activities of the UNESCO is the development of tools, techniques and technologies to critically engage with the psychology of human beings considering the fact that the seeds of war lie within the human psyche. In order to achieve this broad objective, the UNESCO will:

1. *Collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;*
2. Give fresh impulse to popular education and the spread of culture;
 - By collaborating with Members, at their request, in the development of educational activities.
 - By instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social

- By suggesting educational methods best suited to prepare the children of the world for the responsibilities of freedom
3. Maintain, increase and diffuse knowledge;
 - By assuring the conservation of and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary International conventions
 - By encouraging co-operation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information.
 - By initiating methods of international co-operation calculated to give the people of all countries access to the materials printed and published by any of them.
 4. With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the States Members of the Organization, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

The role of the UNESCO in advancing and forwarding the Sustainable Development Goals is a function of its strategy to facilitate the integration of sustainable development in to education and also integrating the systems of knowledge in to the sustainable development framework. To that end, it professes two basic objectives-

1. "To reorient education and learning so that everyone has the opportunity to acquire the knowledge, skills, values and attitudes that empower them to contribute to sustainable development."
2. "To strengthen education and learning in all agendas, programmes and activities that promote sustainable development."

7.5 Structure of the UNESCO

The functionality of the UNESCO elaborates on the autonomous nature of the organization affiliated to the United Nations through a relationship agreement signed in 1946. The three principal organs are the General Conference, the Executive Board, and the Secretariat, headed by a director-general.

General Conference: The General Conference is the supreme decision making body and held every two years. All the members of the UNESCO have the right to be represented in the General Conference, which determines the policies and decides on its major undertakings. Each member state possesses one vote in the conference but can be represented by five delegates. The constitution of UNESCO requires that member governments are to consult with national educational, scientific, and cultural bodies before selecting these delegates; in countries where UNESCO commissions have been established, these too are to be consulted. From 1946 to 1952, the General Conference met every year. Since then it has met generally every two years. As a rule, the conference takes place in Paris, but it has also met in Mexico City, Beirut, Florence, Montevideo, New Delhi, Nairobi, and Belgrade and Sofia. Decisions of the General Conference are made by a simple majority vote, except for certain constitutionality specified matters that require a two-thirds majority, such as amending the UNESCO constitution or adopting an international convention. Member nations are not automatically bound by conventions adopted by the General Conference, but the UNESCO constitution requires them to submit such conventions to their appropriate national authority for ratification within one year. The same applies to recommendations, which the General Conference is empowered to adopt by simple majority vote.

Executive Board: Elected by the General Conference, the Executive Board is one of three constitutional organs of UNESCO and consists of 58 member states serving a four year term. It supervises the execution of the UNESCO's program; meeting twice a year and before the General Conference convenes, the Executive Board reviews the budget estimates and work program for the following two-year period, as prepared by the director-general. It submits these with its recommendations to the General Conference and prepares the agenda for governance. Originally, the UNESCO constitution provided that "although the members of the Executive Board are representatives of their respective governments, they shall exercise the powers delegated to them by the General Conference on behalf of the conference as a whole." Until 1993, the members of the board were not member states but personalities designated by name. UNESCO's constitution only required that the General Conference should "endeavour to include persons, competent in the arts, the humanities, the sciences, education and the diffusion of ideas." In 1993, the General Conference modified this criterion and the member states currently dispense the duties of appointing individuals with the competence and calibre in one or more fields and the requisite administrative expertise to fulfil the responsibilities of the board. Following a constitutional amendment, board members are elected for four years and are not immediately

eligible for a second term. At each session, the General Conference elects members to succeed those whose terms have come to end. A system of electoral groups of member states, governing only elections to the Executive Board was established in 1968.

Director-General and Secretariat: The secretariat is headed by the director-general who is nominated by the executive board and elected by the conference. The staff members are appointed by the director-general and tasked with carrying out the programs of the UNESCO at the ground level. Julian Huxley of the United Kingdom was UNESCO's first director-general and Federico Mayor Zaragoza of Spain was elected director-general in November 1987, succeeding Amadou-Mahtar M'Bow of Senegal, who had held the post since 1974. At the 1993 General Conference, Mr. Mayor was elected for a second six year term. Koshiro Matsuura of Japan was appointed Director-General at the General Conference on 12 November, 1999. The first headquarters of the UNESCO, were in the Hotel Majestic in Paris and it has been later transferred to a location called 7 place de Fontenoy.

7.6 Role of the UNESCO

The goal of sustained peace, security and stability in the international arena is elusive and the efforts to achieve this goal are ultimately the prerogative of the stakeholders which include the nation-states and the Intergovernmental as well as the Non-governmental Institutions. The United Nations and its subsidiary organs provide the basic framework and a set of guiding principles that nation-states may choose to follow. In this regard, the UNESCO is instrumental to identifying and isolating the causes of warfare between and among nation-states and assisting the UN in addressing these issues and preventing the outbreak of conflict. To that end, the UNESCO has directed its efforts towards the proliferation of education and ideas as well as enlightenment of the mind through sustained efforts of cultural exchange. The organization recognizes that the only way to bring about the unity of nations is through the promotion of cultural and people-to-people interactions between different societies. In order to pursue the goal of proliferation of knowledge among the people of the world, the organization has worked tirelessly to ensure that the benefits of education accrue to the remotest corners of the globe. UNESCO has strived to remove the barriers related to access and availability of education stemming from class, race, ethnicity, religion and gender as well as geography. Other than facilitating the sharing of knowledge and cultural intercourse, the organization is also tasked with the protection of historical sites in order to preserve the rich cultural legacy left down by human societies and make it possible for future generations to popularize themselves from

the achievements of their ancestors. The UNESCO also works towards the constant development of technology to the extent that it enables the free interchange of ideas and people, promoting communication and bringing ease, comfort and benefit to the lives of millions of people. In that sense, the organization strives to ensure the sharing of technology among nations without any scope of discrimination that result in a framework for shared prosperity within the globe.

From these efforts, it is clear that the UNESCO has segregated the causes of warfare from warfare itself as a phenomenon with the scarcity of resources, cultural apathy and ignorance and lack of security of vulnerable communities being the prime drivers of global conflict. The UNESCO tries to initiate and execute programs that are intended to bring about the social, economic and environmental advancement of the human race. The pursuit of these programmes necessitates sustained research conducted by the UNESCO which not only aids in intercultural communication but also a consensual understanding on the need for environmental protection and conversation. Additionally, the UNESCO attempts to safeguard human rights of people across the world by stimulating the discourse on human rights as a concept and creating the scope for legal recourse in case of violation.

UNESCO has sought to improve school infrastructure and ensure quality access to educational institutions. The organization promotes expressive freedom, right to free speech through the usage of the print and visual media to enhance the message of peace and harmony. The preservation of archaeological sites and artefacts is also undertaken by the organization. This serves to make succeeding generations aware of their valued cultural heritage. UNESCO focuses on a community approach to knowledge, learning and education where well educated communities would develop innovative communication tools to bring about the growth of stronger societies and economies. UNESCO strives to make all knowledge and information universally accessible and bring about a framework of mutual understanding and respect between communities by eliminating differences based on prejudice and historical violence. It is understood that shared understanding among cultures reduces the risk of conflagration and helps progress towards the goal of global peace.

The objective of peaceful coexistence of cultures is also mutually reinforcing with that of environmental protection as it is only when communities and cultures come together can the exploitation of the environment for narrow geopolitical gains cease and conservation efforts materialize. Through enhanced education and outreach programs, the UNESCO spreads awareness regarding the fragile ecosystems of the earth and encourages the use of revolutionary new technologies and radically revised development paradigms that

promote a sustainable way of living. The UNESCO is particularly cognizant about the loss of biodiversity and the dwindling reserves of freshwater. It seeks to combat these phenomena with the aid of new scientific achievements that can only be made possible when nations agree to share their scientific talent with each other in the interests of the global community and pool in resources, both material and human in order to tackle the most pressing issues confronting humanity. Nations cannot but appreciate the aforementioned initiatives meant for a peaceful and prosperous world where the pursuit of short term interests is detrimental to the long term well being of humanity. It is necessary to disincentivize nations from pursuing an exclusivist policy vis-a-vis other nations.

7.7 Limitations of the UNESCO

As with most international organizations, the UNESCO has undergone periods where the great powers in international politics, especially the United States, the erstwhile Soviet Union, the United Kingdom have shared strained relationship with the organization. During the 1980s and the 1990s the US and the UK perceived the organization's support to the New World Information and Communication Order, aimed at for democratization of Information and egalitarian access to valuable information, as a platform for communists and despotic Third World countries to advance their agenda of attacking the western democracies. To them a free and democratic society meant a free press and a free market as complementary elements. Consequently, the United States withdrew membership from the UNESCO twice, once in 1984 rejoining in 2007 and again in 2018. The United States has withheld over 600 million dollars worth of contribution since it has stopped paying its 80 million dollar dues in 2011 as a protest against the inclusion of Palestine. As it happens, the UNESCO has attracted the ire of states party to a historical conflict like Israel and Palestine, with the former citing anti-Jewish bias within the decision making bodies of the organization. The UNESCO has also felt the brunt of conflicts between ethnic groups, most notably in the context of the Turkish-Kurd conflict as exemplified by the resignation of the Turkish goodwill ambassador to the UNESCO Zulfa Livaneli who drew attention to the human rights situation in Turkey as well as the destruction of the historically significant Sur district of Diyarbakir during a clash between the Turkish army and Kurdish militants.

It is clear that the organization can only urge member states to pursue a peaceful settlement of disputes and that often under complex geo-political compulsions nation states pursue a course of military conflict rather than peace. It has also been observed that the member states can also withhold funding as well as withdraw from the organization at

will, proving thereby the lack of any real authority resting with the organization over supposedly errant members. Both the United Kingdom and Singapore have each withdrawn from it in 1985 and rejoined in 1997 and 2007 respectively for no justifiable reason.

7.8 Conclusion

Having outlined the major contributions and unavoidable shortcomings of the UNESCO as a body, a holistic appraisal is warranted. In spite of the many limitations of the organization and its lack of any real authority, it has pursued a fairly successful agenda of preserving culture and history as well as disseminating knowledge and information. Statistically, a tally of the achievements include the preservation of 1037 World Heritage sites in 137 countries. It coordinates tsunami early warning systems across the globe. It launched the Synchrotron-Light for Experimental Sciences and Applications in the Middle East (SESAME) a world class research laboratory in West Asia. It stands up for the freedom of expression and condemns the killing of journalists. The UNESCO has 11000 associated schools and has built youth networks across 9 Mediterranean countries. From these contributions it is clear that the organization has made enormous contributions to the cause of common good for all humanity and it would be imprudent and ill-advised for the nation-states to ignore these and relegate the UNESCO to the status of a subsidiary body without any financial strength to pursue its goals.

7.9 Summing Up

- i) The UNESCO is a specialized agency which seeks to facilitate cultural and knowledge based linkages between nations in order to reduce the propensity of conflict.
- ii) The UNESCO strives for diffusion of knowledge and scientific research and technology among nation states so as to create a platform for cooperation and collaboration.
- iii) The organization functions through the operation of three structures within it consisting of General Conference, Secretariat and the Director-General.
- iv) The UNESCO operates with the aim to preserve historical sites, archaeologically valuable places and cultural heritage as an important marker of humanity's achievements and progress.

- v) Like any other important International Organization, the UNESCO has to function under the constraints of global geopolitical rivalries and constraints imposed upon them by great powers.

7.10 Probable Questions

Essay type Questions:

1. What are the origin, objective and structure of the UNESCO?
2. Evaluate the role of the UNESCO in maintaining peace among nation states and its performance in spreading the benefits of education.
3. Explain the role of the Director-General in advancing the objectives and goals of the UNESCO.
4. Elaborate with examples of the functions and contributions of each of the Director-Generals.

Short Questions:

1. Trace the origins of the UNESCO?
2. What are the objectives of the UNESCO?
3. Explain the structure of the UNESCO.
4. Briefly explain the role of the UNESCO for preservation of ecology, biodiversity and cultural heritage.
5. What are the limitations of the UNESCO?

Objective Questions:

1. When was the UNESCO established?
2. How many member states are currently part of the UNESCO?
3. What is the current budget of the UNESCO?
4. Name the present Director-Generals at the UNESCO?
5. Why has the United States withdrawn from the UNESCO twice?
6. How many world heritage sites does the UNESCO administer?

7.11 Further Reading

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Unit 8 □ World Health Organization (WHO)

Structure:

- 8.1 Objective**
- 8.2 Introduction**
- 8.3 Origin of the WHO**
- 8.4 Objectives of the WHO**
- 8.5 Basic Principles of the WHO**
- 8.6 Structure of the WHO**
- 8.7 Role of the WHO**
- 8.8 Limitations of the WHO**
- 8.9 Conclusion**
- 8.10 Summing Up**
- 8.11 Probable Questions**
- 8.12 Further Reading**

8.1 Objective

After reading this unit, learners will be acquainted with the following:

- Origin and objectives of WHO
- Basic principles of WHO
- Structure and functions of WHO
- Role of WHO
- Limitations of WHO

8.2 Introduction

The World Health Organization (WHO) is a specialized agency of the United Nations responsible for the maintenance and safeguard of International Public Health. The agency has a constitution which establishes the governing principles and structure of the organization.

The WHO Constitution also states its main objective as “the attainment by all peoples of the highest possible levels of health.” The headquarters are situated in Geneva, Switzerland, with six semi-autonomous regional offices and 150 field offices worldwide. The WHO came to be established by the constitution on the 7th of April, 1948. Incidentally, this date is commemorated as World Health Day. The governing body of the WHO, known as the World Health Assembly took place on the 24th July 1948. The WHO incorporated the assets, personnel, and duties of the League of Nations’ health organization and the Office International d’Hygiene Publique, including the International Classification of Diseases. Actual developmental work began from 1951 which began after considerable infusion of financial and technological resources. The overall goals of the WHO are advancing the universal access to healthcare without any discrimination stemming from race, religion, gender, ethnicity and geography. Additionally the WHO also monitors public health risks and coordinates responses to health emergencies and also promotes human health and best health practices among communities. To trace the historical trajectory that culminated in the establishment of the WHO, the International Sanitary Conferences held on 23 June, 1851 can be considered as the predecessor to the WHO. A series of 14 conferences between 1851 and 1938, focused on combating cholera, bubonic plague and yellow fever. Largely ineffective, the seventh in 1892 resulted in the passing of the International Sanitary Convention. As the United Nations was formed it absorbed all the erstwhile health organizations to constitute the WHO.

8.3 Origin of the WHO

The exact historical moment of creation was the proposition by a Chinese delegate during the 1945 United Nations Conference on International Organization, who was known as Szeming Sze, hailing from the Republic of China. The Secretary General of the conference Alger Hiss facilitated the use of a declaration to establish the organization, and the usage of the word World signified the development of a framework for practicing health that encompassed the whole of humanity. The constitution of the WHO was signed by all the 51 countries of the United Nations, and by all the other 10 countries, on 22nd July, 1946. The WHO possessed the distinction of being the first specialized member of the United Nations. The constitution finally came in to force for the first World Health Day on 7 April, 1948, when it was ratified by the 26th member state. The inaugural meeting concluded on the 24th of July, 1948 with the creation of a budget of 5 million dollars for 1949. Andrija Stampar was the first president of the World Health Assembly and G.Brock Chisolm was

elected as the first director-general of the WHO. The first priorities set were the control of malaria, tuberculosis, and sexually transmitted diseases as well as improving women and child health. Its first effective legislative exercise concerned the compilation of accurate statistics on the spread and morbidity of disease.

8.4 Objectives of the WHO

The objectives of the World Health Organization as stated in the constitution as follows-

1. To act as the directing and coordinating authority on International Health Work.
2. To establish and maintain effective collaboration with the UN and other stakeholders in the goal of advancing health outcomes which may include the governmental health agencies, and other organizations.
3. To provide assistance to governments in order to boost their health infrastructure in face of any health emergency.
4. To provide specific technical assistance to governments confronting health related crises.
5. To provide health services and facilities to special and/or vulnerable groups as according to the request of the United Nations.
6. To create a database which nation-states can refer to while combating any epidemic
7. To promote scientific research and work to eradicate epidemic, endemic and other diseases.

Aside from these broad objectives, the World Health Organisation strove to calibrate its resources and allocate these in terms of specific time periods. For example between 1999 and 2004, the World Health Organisation focused on the creation of a survey and questionnaire system that encompassed all the countries and served as a tool for assessing the health outcomes achieved by a state. Additionally, the survey would also reveal how responsive health systems are for the people who rely on them. From 2005 to 2006, the WHO diverted its resources to the preparation of country level survey reports which could be used as raw data for the WHO to recommend health policy related changes for the respective countries. This has been coupled with a cross-country implementation reports allowing WHO to closely monitor the performance of the healthcare systems and apparatuses

of individual nation states. The WHO invests heavily in detection and monitoring systems because it prioritizes a holistic assessment of the health scenario of a particular country. It understands that health is a manifestation of several sociological mores and cultural factors. Therein, the WHO attempts to improve the quality of water, sanitation and nutrition available to different communities as well as focus on women and child health by working with governments to orient the social dimensions of policy.

8.5 Basic Principles of the WHO

The basic principles of the WHO are centred on the treatment of health and all health related research, information, data to be strict public goods and hence legally prevent individuals and/or organizations from profiteering from them. Specific cases necessitating health related collaboration will be adjudged by the WHO, and the framework for said cooperation would be adjudicated by the organization itself. The WHO works towards the preparation of consent based health systems that respect individual patient confidentiality and dignity and also ensure that large projects are legally validated. Aside from providing and upholding the legal framework for health, the WHO analyzes the costs of health related services, the prohibitive mechanisms put in place by healthcare systems and their performance, the lack of healthcare rights to people and the consequences of poor health outcomes for the general populace. For the WHO, states are obligated to make healthcare as fundamental rights. The WHO also bears the solemn responsibility of conducting in depth research projects related to pathogens and publishing the data in a transparent fashion, whereby the results of said research can be made available to all. The organization seeks to maintain the highest scientific standards when it comes to conducting investigative projects and pledges to steer clear out of the geopolitical intrigues that nation states engage in from time to time, so that the welfare of all humanity remains undisturbed.

The WHO is singularly committed towards providing health benefits without any form of favour towards a particular community or discrimination against a community. It serves a purpose of increasing awareness regarding sexually transmitted diseases and the cultural ostracization that victims have to undergo often times. This is crucial as the WHO helps in ultimately mitigating social cleavages born out of the misdiagnosis of a medical condition. As an organization it advances the idea that health is a problem that does not start and stop with borders, and therefore health attainments for one state are ultimately beneficial for other states. Additionally, it advocates a broad framework for all states to pursue which incorporates healthcare rights with adequate social safety nets for helping the marginalized and vulnerable sections of society. The organization also works towards the efficient and

non-lethal disposal and/or management of health related wastes in order to prevent contamination, infection and outbreaks.

8.6 Structure of the WHO

Around seven thousand dedicated operatives hailing from about 150 countries work for the WHO and man its 150 field offices in different parts of the world, six regional offices at the Global Service Centre in Malaysia and the headquarters at Geneva in Switzerland. The principal organs of the WHO are the World Health Assembly, the Executive Board led by secretariat which is headed by a Director-General. WHO members are always represented in the World Health Assembly. Members have one vote but may send three delegates to the assembly. The members must have technical competence as the WHO is mostly manned by medical doctors, public health specialists, scientists and epidemiologists and therefore hail from the national health systems of the world. The assembly meets annually usually in May, for approximately three weeks. A president is elected by each assembly. The assembly determines the policies, budgeting and administrative issues confronted by the WHO. By a two-thirds vote, the assembly may pass conventions or agreements. These are not binding upon member states but members have to respond and take action within 18 months concerning an agreement. If the legislature of a particular member state refuses to ratify an agreement it must notify the WHO regarding its rationale for such a decision. The assembly also possess quasi-legislative powers regarding certain technical matters specified in the constitution of the WHO. Uniform technical regulations may be introduced regarding the following matters:

1. Sanitary and quarantine requirements and other procedures designed to prevent international pandemics.
2. Nomenclature with respect to disease causes of death and public health practices.
3. Standards with respect to diagnostic procedures for international use.
4. Standards with respect to safety, purity, and potency for biological, pharmaceutical, and similar products in international commerce
5. Advertising and labelling of biological, pharmaceutical and similar products for international commerce.

The assembly at its first session in 1948 adopted World Health Regulation Number One, Nomenclature with Respect to Diseases and Causes of Death. This regulation guides member countries in compiling statistics on disease and death and, by providing for a

standardized nomenclature, facilitates their comparison. World Health Regulation No. 2 deals with quarantinable diseases. Every year, the assembly doubles as a scientific conference on a specific number of topics of worldwide health interest selected in advance, allowing the delegates to discuss problems more thoroughly than in formal meetings and conferences, and it presents opportunities for governments to contribute special working papers and studies to these discussions and, if practicable, to send experts on the matters to discuss with their delegations. The Executive Board is a conglomerate of any 32 countries that are elected by the assembly, with equitable geographical distribution for every three years. The countries are elected by rotation, one-third of the membership being replaced every year, and may succeed themselves. Board members serve as individuals and not as representatives of their governments. The board meets twice a year usually to discuss on matters for a several days and even weeks. It can also convene special meetings at any time. One of the important functions is to prepare the agenda for the World Health Assembly. The constitution of the WHO authorizes the board to take emergency measures within the functions and financial resources of the organization to deal with events requiring immediate action. In particular, it may authorize the director-general to take away the necessary steps to combat epidemics and to participate in the organization of health relief to victims of a calamity.

8.7 Role of the WHO

As stated before, improving global public health and improving extreme inequities and externalities related to healthcare services are the primary functional prerogative of the World Health Organization. The global landscape of the 21st Century is marked by a globalization of trade, travel and labour, and in case of health related emergencies requires effective global action. Hence WHO establishes, monitors and enforces International norms and standards/, and coordinating a multiplicity of organisations towards common health related goals. With the rapid outbreak of diseases like the Severe Acute Respiratory Syndrome and concomitant health inequities between and within the countries, and the global marketing of unhealthy consumption patterns indicate and validate the role of the WHO in nudging populations towards healthier lifestyles. Upholding global health functions requires a brief understanding of what basically the global can be conceptualised as, those that manifest beyond the legal-constitutional boundaries of nation states in terms of financial resource generation, professional and administrative management, scientific transfer, capacity building and executive leadership. Thereafter, global health functions can be distinguished

as taken to advance specific agenda on global public health goals. Examples may include how the World Health Organisation celebrated the 2001 World Health Day to focus on mental health and also promotion of international ethics and human rights through international legal instrumentalities.

The WHO has also displayed exemplary leadership in creating norms such as the International Code of Marketing in Breast-Milk Substitutes, and the Framework Convention on Tobacco Control, and the WHO International Sanitary Regulations. The New International Health Framework is dominated by the WHO, the Rockefeller Foundation, the United Nations Children Fund, as well as the World Bank. Health discussions are no longer restricted to the departments of WHO, and the International order has advanced work on AIDS, tuberculosis, malaria and around 50 public-private partnerships have been established to address infectious diseases and micronutrient deficiencies. Within the largely plural multilateral health framework, the WHO maintains its unique coordinating function as derived directly from its constitution. It is the only agency endowed with the authority to develop health rules and uphold standards as well as facilitate ongoing dialogue between among member states on priorities. Benefits from cooperative supra-national action on global health issues, while numerous, could however be hampered by a shift in budgetary allocations and policy prerogatives from developing global normative framework towards operational work at a country specific level.

Governments convened in 2009 in Geneva, and discussed the role of the WHO towards prospective challenges. Concerns about the future budgetary impact on many global activities in advocacy, surveillance, norms, diseases and their classification occupy the centre stage of the debate. The erstwhile Director-General Margaret Chan delineated the core functions of the WHO in terms of providing leadership on critical issues, shaping the agenda of research and setting future goals. The most recent biennium reports have seen a shift in the expenditure patterns at WHO with more resources being earmarked for work in countries and regions. Greater emphasis on increasing capacity and managerial skills at both the country and regional levels is required to ensure greater transparency, accountability, and more efficient use of resources.

The WHO Constitution identifies core functions such as epidemiological and statistical services, control and eradication of communicable diseases, establishment of nomenclatures and classifications of diseases and causes of death as essential to a world health information system. As a result, WHO occupies a central position and has been involved in technical

assistance to countries in developing their own health information systems. Trends at WHO in the last several years, however, suggest a shift in priorities, evidenced by the emergence of other entities and the US government looking to fill a void left by WHO.

The Millennium Development Goals have come to play a huge role in influencing the work at the WHO. The organisation needs to work in closer coordination with the other UN bodies in order to pursue these goals keeping in mind that each of the eight goals are distinctively interdependent. To that end, the role of WHO in promoting maternal health needs to be looked in to with detail. The organisation defines maternal health as the health of the women during pregnancy, childbirth and the postpartum period. The WHO has to address a number of challenges related to not only health, but culture, gender, economics and other factors. At the International Level, the WHO coordinates actions on maternal health through the Department of Making Pregnancy Safer. This department works to strengthen the role of WHO in providing the technical, intellectual and political leadership in the field of human rights. The department helps WHO divert resources to 75 different countries, which are mostly located in sub-Saharan Africa and parts of South and Central Asia.

8.8 Limitations of the WHO

In the contemporary times, the WHO has noted that climate change poses a multidimensional challenge to the operations and achievements of the World Health Organization. It has been estimated that the global threat posed by climate change affects seven million people annually, effectuating severe weather related events, proliferation of infectious diseases as well compounding malnutrition. To combat the climate crisis, the WHO had to develop air quality guidelines. While delivering health service in conflict prone areas, the WHO has recognized that the targeting of health workers and health facilities is deeply disturbing. Additionally, the WHO has dispatched mobile medical teams, ventilators, medical and vaccine supplies and training health workers on ground at conflict zones. The WHO reiterates that without a political solution its efforts are largely fruitless. The organization recognizes a 18 year old disparity in life expectancy between the rich and the poor countries. The rise of chronic lifestyle diseases like cancer, respiratory ailments and diabetes especially among certain spatio-ethnic groups is a cause for great concern among experts at the WHO. These diseases disproportionately burden lower and middle income nations and the WHO grapples with equitable access to mental health and clean water among other challenges. The WHO strives to expand access to lifesaving drugs, diagnostic services and

equipment, restrict and combat infectious diseases like malaria and tuberculosis. The WHO is especially cognizant of mutagenic influenza strains that may snowball in to epidemics and pandemics. It has consistently maintained International guidelines against the use and abuse of substances like tobacco and drugs as well as the excessive reliance on sugars, salts and trans fats in food materials. The WHO is particularly committed towards investing in health workers and training them to face the complex health related challenges of the 21st century. It recognizes the need to protect the youth for they constitute the valuable human resource, and invest in researching new technologies and life saving medicines which can combat the radical strains of drug resistant microbes. For the WHO to pursue these objectives fully, what it needs but lacks lamentably is autonomy. Like every other organization the WHO is often reined in its actions by the powerful states and it is crucial that it learns to negotiate the intricacies of power politics between the major International players so as to advance global health goals for the entire human community.

8.9 Conclusion

Concluding, the WHO has seen the budget being divided in to five major areas with focuses on communicable diseases, and the specific orientation to reduce the burden of social, economic costs on victims of such diseases. It has paid particular attention to chronic non communicable diseases, mental disorders, impairments related to vision, hearing and nervous diseases as well. The most recent challenges faced by the WHO are in relation to environmental hazards around the world and the threat posed by disruptive environmental occurrences resulting in a host of social and health crises. It is also focusing extensively on life style and life pattern diseases, with emphasis on a balanced diet, adequate sleep, and dependence on tobacco, alcohol, drugs and psychoactive substances. The WHO has stressed on food security around the world and argued for intensive investments in public health and sustainable development. It has grappled with Ebola and the corona virus outbreaks.

8.10 Summing Up

- i) The WHO is tasked with safeguarding global public health and treating it as a public good and a global human right. It has recognized the threat posed by communicable diseases in the era of climate related disruptions as well as the threats posed by pollution.

- ii) It is also particularly cognizant about the disparities in health outcomes among different geographies, ethnicities and between genders.
- iii) The WHO in order to implement its agenda around the world relies on a number of institutions which it has set up and maintains to carry out research on diseases and pathogens. It also runs the International Agency for Research on Cancer.

8.11 Probable Questions

Essay type Questions-

1. Write an essay on the origin, objectives and structure of the WHO?
2. Evaluate the role of the WHO in maintaining and upholding global public health among people and its actions in promoting healthy lifestyles.
3. Explain the impact of the WHO and its policies in dealing with newly discovered pathogens like Ebola and the Novel Coronaviruses.

Short Questions-

1. Trace the origins of the WHO.
2. Enumerate the objectives of the WHO.
3. Explain the structure of the WHO.
4. Discuss briefly the role of the WHO.
5. What are the limitations of the WHO?

Objective Questions-

1. When was the WHO established?
2. How many member states are currently part of the WHO?
3. What is the full form of WHO?
4. Who is the current Director-General of WHO?

8.12 Further Reading

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Unit 9 □ United Nations Children's Fund (UNICEF)

Structure:

- 9.1 Objective**
- 9.2 Introduction**
- 9.3 Origin of the UNICEF**
- 9.4 Objectives of the UNICEF**
- 9.5 Basic Principles of the UNICEF**
- 9.6 Structure of the UNICEF**
- 9.7 Role of the UNICEF**
- 9.8 Limitations of the UNICEF**
- 9.9 Conclusion**
- 9.10 Summing Up**
- 9.11 Probable Questions**
- 9.12 Further Reading**

9.1 Objective

After reading this unit, learners will be familiar with the following:

- Origin and objectives of the UNICEF
- Basic Principles of the UNICEF
- Structure of the UNICEF
- Role of the UNICEF
- Limitations of the UNICEF

9.2 Introduction

The United Nations Children's Emergency Fund or UNICEF is specially endowed with the resources and tasked with the responsibility to dispense aid in the humanitarian sense and developmental contribution to children and their interests worldwide. The agency which

has achieved acclaim for its humanitarian work, is the most widespread and the most recognizable social welfare organization with a presence in 192 countries and territories. Its activities include providing immunizations and disease prevention, administering treatment for children and mothers with HIV, enhancing childhood and maternal nutrition, improving sanitation and enhancing educational scope while also providing disaster related relief. The UNICEF is a successor to the United Nations International Children's Emergency Fund, created on December 1, 1946, in New York, by the U.N Rehabilitation Administration to provide immediate relief to the children and the mothers affected by the Second World War.

The same year saw the United Nations General Assembly establish UNICEF to further institutionalise post war relief work. In the 1950s, its mandate was enlarged to incorporate the long term needs of women and children, particularly in the developing countries. In 1953, the organization became a part of the United Nations System, and its name was changed to its current form. Its program emphasizes community level services to promote health and well-being of children. Most of the work is coordinated by 150 country offices, headquarters and other facilities and 34 national committees that carry out its mission through programs developed with host governments. Seven regional offices provide technical assistance to country offices as needed, while its supply division is located in Copenhagen and New York, assembles 3 billion dollars worth of critical aid. As recently as 2018, the UNICEF assisted in the birth of 27 million babies. It facilitated the administration of pentavalent vaccines to an estimated 65.5 million children, providing education for 12 million children, addressed acute malnutrition in 4 million children. In addition it responded to 285 emergencies in 90 countries.

9.3 Origins of the UNICEF

Established in the aftermath of the Second World War, the mandate for the UNICEF was clear- to aid the most vulnerable in times of crises and emergencies, the children and young people. The primary focus of the UNICEF was harnessing the ability to reach out to every child, safeguarding the rights of children to thrive, survive and pursue their life choices. UNICEF has tended to concentrate and focus all its efforts on areas in which the marginalization and exploitation of kids is the highest. It identifies instances of or the lives of the most underprivileged children, such as the prevention and treatment of disease. In keeping with this strategy, UNICEF supports immunization programmes for childhood disease and programmes to prevent the spread of HIV/AIDS. It also provides funding

for health services, educational facilities, and other welfare programme. As the food and medical crisis of the late 1940s passed, UNICEF continued its role as a relief organization for children who were at the receiving ends of misfortune and tragedy. Its advocacy for child rights particularly intensified during the 1970s and ultimately all the efforts culminated in the signing and ratification of the Convention on the Rights of the Child in 1989. The convention affirms the rights of all children to the “enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.” The origins of the UNICEF can be located in its creation by resolution 57(1) of the United Nations General Assembly on 11 December, 1946. In the 1950’s the main logo of the organization was displayed to be a cup of milk and a child drinking from it. It reflected the main preoccupation of the organization at that point of time, which was to deliver milk and other complex proteins to children who were deprived. The task that the organization sets out for itself is largely carried out in coordination with the governments of various states. Typically, UNICEF programs last five years and seeks to develop strategies for the fulfilment and protection of the rights of children and women. Regional offices are the arbiters of its work, in so far as providing technical assistance is concerned. The total management however takes place at the main headquarters at New York City. From the location of the regional offices a board of about 36 members determine the agenda and the basis on which any humanitarian effort is to be undertaken. The board is the ultimate authority in terms of establishing policies for relief work, approving specific programmes and undertaking financial planning and budgeting. Additionally, the executive board is tasked with initiating and supervising important audits, monitoring progress on particular programs and ensuring the integrity and accountability of the personnel carrying out those programs at the ground level.

9.4 Objectives of the UNICEF

The organisation states its aims to be a multiplier of its central objective which is, “to advocate for the protection of children’s rights, to help meet their basic needs and to expand their opportunities to reach their full potential.” It strives to promote children’s well being and holistic development throughout the world especially in disaster affected areas and places where development levels are depreciated. It also facilitates social cohesion and inclusion as well as gender equality. The UNICEF runs ongoing health programmes like mass immunization and promotes as well as safeguards the right to breastfeed for improving nourishment among infants. The organization has done laudable work when it

came to addressing the global HIV/AIDS challenge, especially breaking the social stigma and exclusion around individuals suffering from it. It strives to ensure access to clean drinking water across the communities and geographical boundaries. The organization recognizes the importance of education in bringing about personal development and eventually ensuring a certain equality of outcome between genders in terms of opportunity. While vociferously arguing for child rights, the fund seeks to protect children from abuse, neglect and exploitation, from sexual predation, child labour and violence at the hands of parents. During natural disasters and environmental emergencies, the UNICEF provides humanitarian support and shelter, relief and psychological assistance to address trauma. Given the circumstantial and financial resources, and their availability the fund strives to create educational facilities for vulnerable children. UNICEF runs skill development programmes and workshops to ensure that adolescents and young people ultimately get some benefits of a globalized economic order.

With regard to fund raising, UNICEF is known for its “Trick-or-Treat for UNICEF” programme in which children collect money from the houses during Halloween. Most ground level donors and benefactors first hear of the UNICEF from its 36 national committees, which function like non-governmental organisations and perform fund-raising duties by selling UNICEF greeting cards, products, creating public-private partnerships, advocating for children’s needs and interests. The US fund for UNICEF is the oldest of the national support committees starting from 1947. The organization also frequently sponsors sports clubs as a way and means to raise funds for relief work.

UNICEF also focuses on creating networks and connectivities of children, consolidated groups through which children protect each other through awareness, vigilance and transparency in the sense that instances of predation and exploitation can be monitored and prevented effectively, and if children are aware of what happens to their peers at the site of the family. UNICEF is also effective in working with businesses and enterprises making sure that they follow ethical business practices as well as obligate under International Law, streamlining their operations to eliminate child labour from their supply lines, and make the business ecosystem holistic enough to respect the sanctity of children’s rights at the workplace, the marketplace and the community level. The organization also strives to create children self help groups across communities and borders so that collective awareness and resistance can develop against malpractices of children, and these networks communicate with the legal framework to safeguard their interests.

In relation to the needs of women, the UNICEF focuses on educational opportunities of women and enlarging these by breaking socio-economic constraints to make success of their lives and become self-sufficient. The UNICEF seeks to break the gender stereotypes, and create scopes for women to pursue non-conventional and non-traditional career choices with an alternate conception of a good life. The organization seeks to rapidly integrate social media in to their operations and strategies to advance protection of the children. They utilise social media campaigns to monitor the level of social consolidation and community participation in terms of a citizen developmental prerogative for the interests of women, children and vulnerable groups. Responses are generated to issues like sanitation, nutrition, youth employment, hygiene, joint response to crises, security and protection of women. Such assessments can then be used to drive national and global agenda towards a safe and overall policy framework to be resorted to by stakeholders so as to ensure development and safety for all.

9.5 Basic Principles of the UNICEF

The Second World War and the horrific crimes associated with it made way for recognition of the specific vulnerabilities and disadvantages confronting women and children in times of crises. The United Nations sought to ensure that the world remained largely peaceful with the outbreak of war being a distant possibility. But other than big national crises, it is essential to take cognizance of, especially by the stakeholders, the intermittent emergencies that sections of societies often have to face owing to the asymmetric distribution of power and resources that characterize every society leading to a high incidence of violence that do not get addressed by the authorities. For the national shortcomings relating to the rights and protection of marginalized parties, an international organization created within the UNO was the need resulting in the conceptualization and effectuation of the UNICEF. Thereafter, the UNICEF got mandated by the United Nations General Assembly to advocate for and adjudicate the existing structures of protecting children, their nourishment and education for holistic development. The organization spearheaded the development of the Convention on the Rights of the Child and abides by the principles enshrined in the Convention. It sets the goal of creating internationally validated ethical and legal standards for upholding the rights and needs of children. The Convention set minimum requirements, obligations and entitlements showcasing the duties of governments towards children. The convention strictly premises on the dignity and equal treatment of all individuals without discrimination or prejudice based on class, colour, creed, religion, ethnicity, gender, religion.

The four core principles of the convention are, as follows – non-discrimination; devotion to the best interests of the child; the right to life, survival and development; respect and dignity for the views of the child. The convention has 54 articles and a detailed preamble with an extensive argument for creating resources for legal recourse to which children can take to especially in case of any abuse or crime against them. The convention actively states the need for developing an alternative framework of legality for trying cases of underage victims as their needs in terms of emotional space and psychological development are separate from those of adults, and need special attention. The UNICEF therefore wants to construct the aforementioned architecture in a way that is generating a consensus by incorporating the universality of child rights in to its message and giving it a structure akin to human rights whereby states and other international stakeholders will be compelled to at least legally abide by the structure and safeguard their children.

9.6 Structure of the UNICEF

As mentioned earlier, the UNICEF has an Executive Board along with 36 members constituting that board, who are all government representatives. The Executive Board is assisted in its work by the Bureau which consists of a president and four vice-presidents, each officer representing one of the five regional groups. These office bearers are selected annually from the executive board for a stipulated period, with the presidency rotating among the regional groups on an annual basis. As a matter of custom, permanent members of the Security Council do not serve as members of the executive board, or indeed its office bearers. The office of the Secretary of the Executive Board helps to maintain an effective relationship between the executive board and the Secretariat of the UNICEF, helping to organize field visits by its members. The UNICEF regional offices exist in the Americas and the Caribbean regional office, located in Panama City, Panama; Europe and the Central Asia Regional Office, located in Geneva, Switzerland, East Asia and the Pacific regional office located in Bangkok, Thailand; Eastern and Southern African Regional office located in Nairobi, Kenya; Middle East and North Africa Regional Office located in Amman, Jordan; South Asia regional office located in Kathmandu, Nepal; West and Central African regional office located in Senegal.

At the ground level, the UNICEF functions by taking the help of 36 national committees in all the developed countries which raise funds, nearly one-third of the UNICEF's annual income. It is pooled through contributions from corporations, civil society

organizations and over 6 million individuals worldwide. On children's rights these committees rally the media, the local government, doctors, and lawyers, teachers, and human rights workers. In addition to all this, the UNICEF also has two facilities like the warehouse in Denmark which houses deliverable goods and emergency goods for delivery to the UNHCR, and the International Federation of Red Cross and Red Crescent Societies. The facility houses the UNICEF Supply division which manages the strategic hubs in Dubai, Douala and Colon. The warehouse contains items like food supplements, water purification tablets, dietary supplements, essential vitamins. The UNICEF also runs the Innocenti Research Centre in Florence, Italy. This centre works tirelessly to research on the needs of children, to promote economic policies that advance the cause of children and their development and help implement and execute all the provisions of the Convention on the Rights of the Child in industrialized and developing countries.

9.7 Role of the UNICEF

The specific programs and roles for the UNICEF are approved by the Executive Board which reaffirms the academic freedom of the aforementioned research centre and address the knowledge gaps and undertake research projects for the need to gather knowledge regarding contemporary issues and new questions concerning the well being of children, with focus on effects of climate related disruption on children, mental health and children who are victims of an unjust social structure. The role of interface played by the UNICEF is particularly important when coordinating with international policy experts, research networks, policy makers and works with academic institutions around the world to pursue the following goals-

- Generation and communication of strategic and influential knowledge on issues affecting children and the realization of their rights
- Knowledge exchange and brokering
- Support to UNICEF's advocacy, policies and programs
- Securing and strengthening the centre's institutional and financial basis.

A synergistic strategy guidet the achievement of these goals, which stresses on,

1. Evidence based analysis drawing on quantitative and qualitative information, the application of appropriate methodologies, and the development of recommendations to assess and inform advocacy and policy action.

2. Enhanced partnerships with research and policy institutions and development actors, globally and at regional levels, in developing and industrialized countries.
3. Communication and leveraging of research findings and recommendations to support policy development and advocacy initiatives through strategic dissemination of studies and contribution to relevant events.

In respect of Women, the UNICEF programme include the promotion of safe abortions, the right of women over their bodies, control over the forces of reproduction being democratized and imparting extensive education in family planning, planned parenting, and use of contraceptive devices. In a joint declaration, UNICEF took serious cognizance of the practice of sex selective abortions and initiated a task force for the prevention of infant mortality due to pneumonia and diarrhoea. The UNICEF pursues the ABC strategy of abstinence, be faithful and consistent condom use to achieve the International AIDS promotion goals. The UNICEF upholds the rights of the LGBT couples so that their children are given natural citizenship status in most countries. The organization mobilises political will and material resources to help countries, particularly developing countries, to ensure a first call for children and to build their capacity to form appropriate policies and deliver services for children and their families. It commits to protecting the most vulnerable of children like victims of war, extreme poverty, and those with disabilities as well as victims of all forms of abuse and exploitation.

The UNICEF is uniquely suited to fight for equal rights of girls and women as well as the need to integrate national socio-economic policies with the needs of women. This would ensure action on the part of stakeholders to protect the interests of women and girls. The UNICEF is also dedicated to the ideals of peace, progress and human rights protection enshrined in the charter of the United Nations, with a special emphasis upon the sustainable development goals. The organisation insists that the rights of children and women are key to charting a course to the achievement of the sustainable development goals.

9.8 Limitations of the UNICEF

The UNICEF prefers adoption to be minimal and is against the setting up of permanent orphanages. It advocates the custody of children in their birth countries rather than in other countries under foreign parents. It has been alleged that UNICEF does not hold a

child centric viewpoint in cases of custody and adoption. Critics have argued that the UNICEF's stress on child rights does little on the ground to prevent child mortality and that the focus on child survivability is seriously lacking in the UNICEF and its decision making apparatuses. This lack of pragmatism has seriously impeded the progress on child mortality in sensitive zones around the world and has reflected on the UNICEF in a negative light. The UNICEF made headlines when it sought to feed poor school children in the United Kingdom, drawing sharp responses from quarters and polarising opinion, with accounts on how UNICEF had to aid one of the richest countries in feeding its kids, without diverting resources to civil war-struck regions of the world and that its real responsibility was towards poor children in crises ridden countries.

9.9 Conclusion

Concluding, the UNICEF has displayed considerable success in protecting the most vulnerable sections of society, children around the world with special emphasis on victims of war and civil strife. It has shown enormous outreach potential with its field offices and also its efforts to create an international legal architecture for the advancement and protection of the human rights of women and children are exemplary in many ways. It also radically breaks existing structures and calls for revising of the human rights architecture itself to incorporate the needs of these marginalized groups. Aside from these, the UNICEF also has been innovative in ensuring securitization of children while at the same time creating children centric frameworks. This has resulted in the formation of children networks which work towards the community oriented promotion of children's interests and rights. The UNICEF for its efforts has received recognition for its work, including a Nobel peace prize, although its seven executive directors starting in 1946 have been from the United States, displaying a brazen lack of diversity and plurality.

9.10 Summing Up

The UNICEF has completed a journey of significant proportions in the last century and as it nears the first quarter of the twenty first century it recognizes that the problems faced by children have increased in a different way, that close family members are the most dangerous subjects to children themselves, a trend and tendency that the UNICEF looks at with alarm and considers the techniques to combat this kind of intimate violence.

9.11 Probable Questions

Essay type Questions:

1. Narrate the origin, objective and structure of the UNICEF?
2. Evaluate the role of the UNICEF in maintaining a refugee protection system and a network upholding the rights of the stateless.
3. Elaborate on the role of the Executive Director in maintaining and upholding the rights of children.

Short Questions:

1. What are the basic principles the UNICEF upholds?
2. What are the objectives of the UNICEF?
3. Describe the structure of the UNICEF.
4. Briefly explain the role of the UNICEF.
5. What are the limitations of the UNICEF?

Objective Questions:

1. When was the UNICEF established?
2. How many member states are currently part of the UNICEF?
3. What is the full form of UNICEF?
4. Name one High Commissioner at the UNICEF.
5. What is meant by “Trick-or-Treat” for UNICEF?

9.12 Further Reading

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5. Sara Cameron, *Out of War: True Stories from the Front Lines of the Children's Movement for Peace in Columbia*, UNICEF.
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Unit 10 □ United Nations High Commissioner for Refugees (UNHCR)

Structure:

- 10.1 Objective**
- 10.2 Introduction**
- 10.3 Origin of the UNHCR**
- 10.4 Objectives of the UNHCR**
- 10.5 Basic Principles of the UNHCR**
- 10.6 Structure of the UNHCR**
- 10.7 Role of the UNHCR**
- 10.8 Limitations of the UNHCR**
- 10.9 Conclusion**
- 10.10 Summing Up**
- 10.11 Probable Questions**
- 10.12 Further Reading**

10.1 Objective

By reading this unit, learners will be acquainted with the following:

- Origin of the UNHCR
- Objectives of the UNHCR
- Basic Principles of the UNHCR
- Structure of the UNHCR
- Role of the UNHCR
- Limitations of the UNHCR

10.2 Introduction

The United Nations High Commissioner for Refugees (UNHCR) is mandated by the United Nations to uphold, protect and safeguard the rights of the refugees displaced due to conflict, environmental catastrophe, or other reasons. It also attempts to voluntarily repatriate refugees and stateless people. It is headquartered in Geneva, Switzerland, with over 17300 staff working in 135 countries. The UNHCR was created in 1950 to address the enormous refugee crisis resulting from world war two. The 1951 Refugee Convention established the scope and the legal framework of the agency's work, which initially was characterised by Euro-centrism. Beginning in the late 1950s, displacement caused by other conflicts especially as the tumultuous phase of decolonization ensued compelled the organization to take a globalist view of refugees and their issues. The resultant broadening in the scope of operations was commensurate with the 1967 Protocol to the Refugee Convention, which effectively expanded the geographical and temporal scope of refugee assistance. Its most important projects took place in the developing countries; it has assisted more than 50 million refugees worldwide. As of June 2020, the UNHCR has more than 20 million refugees under its care. Consequently, its annual budget has grown from 300,000 dollars in 1951 to 8.6 billion dollars in 2019. In monetary terms, it is one of the largest UN agencies, and indeed one of the largest International organizations by expenditure. The Lion's share of the UNHCR's funds come from voluntary contributions, mostly from member states, with the largest donors being the United States, the European Union and Germany.

The agency's work includes providing protection, shelter, healthcare, and emergency relief, assisting in resettlement and repatriation, and advocating for national and multilateral policies on behalf of refugees. The UNHCR has seen particularly disturbing trends continuing from the late twentieth to the early twenty first century in parts of sub-Saharan Africa and the West Asian region. The UNHCR also happens to be part of the United Nations Development Group which is a consortium of organizations oriented towards sustainable development. International Relations Literature on refugee policy adopts a largely statist perspective, underlining the lack of relative autonomy characterizing the UNHCR, like most other international organizations. Remarkably, in the early years of the Cold War, the rationale behind the creation of the UNHCR was two-fold, one that it may expedite the process of delegitimizing communist rule, highlight the oppressive nature of the Eastern Bloc and ensure dissidents from the erstwhile Soviet Union easy accommodation within a

global framework. The second objective was to create a nodal organization under the United Nations. As such it would be under the political control of the western states and that would help legitimize the role of the western nations around the world as champions of freedom, democracy and human rights. Having passed through those times, the UNHCR currently grapples with the ever increasing refugee crisis around the world with points of extreme concern in the Mediterranean region, the plight of the Rohingya refugees and the refugee crisis in the Latin American states, with upward migration towards the United States. Additionally, it has conducted extensive research on the dangers posed by climate change induced migration which may result in destabilization of the global order leading to further crises and conflicts. To that end, the organization seeks to ameliorate and mitigate existing and potential refugee crises.

10.3 Origins of UNHCR

The demise of the League of Nations was a commentary on the failure to develop a framework within the International order of the rights of displaced and vulnerable people. The enormous human tragedy following the Second World War resulted in the creation of the International Refugee Organization in 1947, with the aim of comprehensively dealing with all the aspects of the lives of refugees. Preceding this was the United Nations Relief and Rehabilitation Administration which was established in 1944 to help millions of people displaced in Europe. As the IRO lost importance, the UNO agreed that a body or an organization was required to oversee global refugee issues. Despite many heated debates in the United Nations General Assembly, the UNHCR was founded as a subsidiary organ of the UNGA under Resolution 319 (IV) in December 1949. After this, its mandate was originally set out in its statute, annexed to resolution 428 (V) of the UNGA in 1950. This mandate has seen subsequent broadenings by consecutive resolutions of the UNGA and the ECOSOC. The mandate of the UNHCR, gives it immense moral authority and also the legitimacy for expansion of activities in new geographical spaces. Between the 1950s and the 1970s, the UNHCR has displayed immense skills and tact in allocating to itself greater resources and deepening its influence, role and scope by utilising the UNGA resolutions. As the decades passed the UNHCR proved its competence and showed the major powers its efficacy and operational capacity to tackle any and every refugee crisis that cropped up. The role of the UNHCR is thus also to navigate the system of international politics and systems of humanitarian action that nation states have fashioned in to a loose framework.

10.4 Objectives of UNHCR

To fulfil its role in the capacity of being an arbiter on issues related to refugees, advancing their protection and well being, the UNHCR has set up certain guidelines to abide by in the form of global rehabilitation objectives:

1. Advocate for and support governments in the creation and maintenance of an international protection regime and the provision of protection and assistance, pursuant to the Agenda for protection.
2. Promote refugee self-reliance in stabilized situations as a critical step in the pursuit of desirable solutions.
3. Pursue voluntary repatriation and sustainable reintegration, resettlement or local integration for refugees, with a special focus on those in protracted refugee situations and with particular reference, where applicable, to the strategies, mechanisms and tools developed in the *Framework for Desirable Solutions* and Convention Plus Initiatives.
4. Strengthen UNHCR's preparedness and response capacity to assist states in responding to emergencies.
5. Strengthen UNHCR's support for collaborative efforts to comprehensively address situations of internal displacement.
6. Build effective partnerships through participatory planning involving all stakeholders, comprehensive assessment of needs, and formulation of strategies that utilise the full range of resources available.
7. Advocate for the inclusion of persons of concern to the UNHCR in the Millennium Development Goals. The concerns of refugees can be integrated in particular with the global partnership for development.
8. Enhance the quality, effectiveness and efficiency of UNHCR's operations, in particular by institutionalizing result-based management.
9. Enhance UNHCR's oversight and accountability framework in order to improve compliance with UNHCR policies and standards.
10. Continue to develop a flexible, gender-balanced workforce that can meet the challenges of the future, including enhanced capacity to operate in situations of adversity.

From 2006 onwards, the organizations set for itself a series of basic objectives which would ultimately facilitate the creation and maintenance of an International Protection Regime. The instruments provided with the Office accord it with tremendous persuasive capacity and moral strength as well as the legitimizing authority to advice governments on how to deal with refugees and stateless people. The monopoly it exercises with regard to the legal and social protection of refugees in the international sphere is significant and key to several political developments across the world, especially in the global south. It must also be noted unequivocally that the policies adopted by the UNHCR are heavily influenced by the hierarchical and regimented structure that forms the skeletal framework of the UNHCR. With all the powers vested in the High Commissioner, the first Secretary General Trygve Li argued for the position to be vested with the privileges of autonomy and freedom from the accepted legalities of the United Nations architecture in place. To ensure the independence of the High Commissioner from geopolitical intrigues of the great powers, the General Assembly directly ensured that the office of the High Commissioner would be the result of selection through discussions and deliberation in the General Assembly. This would result in the signification of the office and organization by the name of the High Commissioner, underlying the importance and power embedded in the position. To that end, the achievements and contributions of the first four High Commissioners, Gerrit Van Heuven Goedhart, Auguste Lindt, Felix Schnyder and Sadruddin Aga Khan encapsulated and enshrined the values that would thereafter influence policy and action at the organization. The High Commissioners of the yester years, hence, ensured that the essence of the organization would be determined by the performance and calibre of the commissioners themselves.

10.5 Basic Principles of the UNHCR

The basic principles can be as follows, in the form of short objectives that regularly feature as the intellectual and ethical driving force behind the actions of the UNHCR. These include but are not limited to:

- Improve policy and operational response to situations of mixed flows of asylum-seekers and migrants.
- Increase respect and tolerance for asylum seekers and refugees.
- Preserve asylum space.

- Enhance protection capacity in host countries.
- Address the situation of statelessness prevailing in many parts of the world with respect to the condition of displaced and vulnerable people.
- Ensure international standards of protection for boys, girls, women and men of concern.
- Improve physical security and reduce threats of violence.
- Promoting gender equality and women's empowerment and improving the levels of facilities availed by the refugees.
- Preventing malnutrition and reduce the prevalence as well managing the impact of AIDS.
- Safeguarding the right to education, and thereby ensuring that adequate social and economic protections are put in place with opportunities of self-reliance being maximised.

By integrating persons of concern to the MDG, the right to repatriate is to be upheld. The support and facilitation of voluntary repatriation movements is of paramount importance to the activities of the UNHCR. To enhance the efficacy of resettlement as a measure for protection and durable mechanism of safeguard for refugees. UNHCR ensures local integration to preserve social cohesion and harmony as well as to facilitate social progress and create networks of self-reliant refugees to nudge them back towards normal life. It has to work for development of comprehensive multipronged strategies to address the plight of extremely fragile communities like Afghan or Somali refugees and work with organizations across the world to ensure a solution to the problems and crises they have to face. The organization also seeks to strengthen operational protection capacity and the response preparedness of the UNHCR. This is coupled with the collaborative efforts of the UNHCR to address issues in tandem with other organizations. The organization aims at the creation of NGOs at the local level and the creation of a rule based institutional mechanism which would prevent crimes against displaced people. Internally speaking, the UNHCR prepares to implement workforce management strategy that can increase the efficiency of the organization, and adequately address staff concerns. The organization also stands by the streamlining, rationalising and making transparent reporting, accounts, and budgetary rules for resource allocation.

10.6 Structure of the UNHCR

Starting its operations in 1951, the organization slowly grew in staff and organizational strength. The current strength is around 7190 personnel working in 123 countries. The Executive committee which forms the backbone of the organization comprises of representatives from 54 states that are members of the UN Economic and Social Council. It meets every year in October and produces conclusions that serve as the structural guidelines for the activities of the UNHCR. This committee owes its existence and powers to an election held in the General Assembly, and it attempts to represent the community of states in the dispensation of its duties, thereby incorporating the interests and perspectives of all the states. This is unprecedented in most other international organizations given the fact that even parties not signatories to the refugee convention are represented in the functions of the executive committee. The UNHCR is ultimately divided into several departments which include international protection, operational support, finances, inspection, evaluation and human resources. The work of the organization is carried out at the ground level by several regional offices. Filippo Grandi currently serves as the High Commissioner. As of 2015, the bureau has made rough estimates of the number of asylum seekers or refugees, and as of November, 2018 the UNHCR has a staff of 16,765 personnel working in 138 countries.

10.7 Role of the UNHCR

As the mandate of the UNHCR has increased considerably, the organization has made significant contributions towards the idea of a refugee in international relations, institutionalising the conception, and creating mechanisms for their security and well being. It helped to include internally displaced persons who would fit the legal definition of a refugee under the 1951 United Nations Conventions Relating to the Status of Refugees and the 1967 protocol, the 1969 Organization for African Unity Convention, and similar other instruments. Presently, it has missions in Lebanon, South Sudan, Darfur, Democratic Republic of Congo, Iraq, Afghanistan as well as Kenya to assist and provide services to internally displaced persons and refugees in camps and urban settings. The organization maintains a database of refugee information, ProGres, which was created during the crisis and ensuing war in Kosovo in the 1990s. The database today covers information and tabulated data on more than 11 million refugees. The database contains biometric data, including fingerprints and iris scans and is used to determine aid distribution for recipients.

The results of marinating such a biometric system have been largely successful, with the last mile delivery of relief material being effectuated without graft, subterfuge or corruption. It was reflected during transportation of relief material to refugee camps at Kakuma and Dadaab in the year 2013. Additionally in the same year, the UN Food Programme was able to eliminate 1.4 million dollars worth of waste and fraud. In relation to the Palestinian issue, the UNHCR has a broader mandate in the sense that it also works for the safety and rehabilitation of the descendents of the Arab-Israeli war. The organization has initiated several new programmes in different parts of the world, to raise awareness on the rights of refugees and to establish why it is a matter of global function to protect refugees. It has started aggressive media campaigns in parts of the world to shed light on the plight of the refugees. Since 2009, it has acknowledge the presence of a large population of refugees in the Caribbean islands, and that the refugee crisis on the borders of the United States remains largely unattended, leading to humanitarian crises under successive administrations of US presidents. The UNHCR has stepped in to provide assistance and legalization of Syrian refugees in Lebanon, when the Lebanese government has been hesitant.

The organisation is careful when it comes to the issue of dealing with the human aspect of refugees. Through sponsoring arts around the world, the UNHCR wants to stress on how critical it is for societies and governments to prevent the othering of refugees. This means that refugees must be humanized in other countries, especially in countries where they have taken shelter so that they are not perceived as alien and subjected to revictimisation. The UNHCR cooperates with many other programmes stewarded by the different organs of the United Nations. In 2016, the General Assembly hosted a high level summit for discussion of the plight of refugees around the world, urging global leaders to take note of the problems. The rationale was to develop a humane and coordinated approach to deal with the problem, stressing on twenty principles to deal with the problem centering on human rights, non-discrimination, rescue and assistance, access to justice, border governance, returns, violence, detention, family unity, child migrants, women migrants, right to health, adequate standards of living for refugees, decent work, right to education, right to information, monitoring and accountability, migrant human rights and their enforceability, the defenders and adjudicators of migrant humans, maintaining data bases and monitoring systems and international cooperation. The UNHCR has also partnered with the UN Food and Agricultural Organization in Tehran, for developing a solutions strategy for Afghan refugees. Also, the UNHCR is committed to the enlarging of work opportunities for refugees so that they achieve self-sufficiency and do not have to rely on aid and relief for their sustenance.

10.8 Limitations of the UNHCR

The activities of the UNHCR, currently affect 35.8 million people- 10.5 million refugees, 17.7 million internally displaced persons, 525,940 returnees, 3.3 million stateless people and 936,740 asylum seekers. Scholars have stated that in spite of such impressive statistics, the policy postures adopted by the UNHCR are often problematic in their implications for the vulnerable. As it prioritizes repatriation rather than resettlement and asylum, any attempt on its part to pursue this goal often results in greater problems for the refugees. Also difficulty arises with the bureaucracy within the apparatus working in a pseudo-pathological sense without the empathy warranted of service. An example of this bureaucratic overreach was found in the way the Rohingya refugee crisis in 1995 was dealt with. When thousands were fleeing Myanmar under the threat of its security forces the UNHCR was prompted to repatriate these people without considering the security problems for them in Myanmar. A disconnect with ground realities and the overzealous mission to repatriate refugees was seen as a mark of short-sightedness and indecisiveness on the part of the UNHCR. Also, controversies arose on the methods with which the UNHCR staffs were conducting surveys in the camps to establish if refugees were willing to move back to Myanmar and whether there was clear communication going on between the staff and the refugees.

10.9 Conclusion

In spite of bureaucratic issues plaguing the internal structures of the UNHCR, it goes without saying that there has developed a strong institutional culture within the organization with the junior staff being mentored and monitored by the senior officials, thereby maximizing efficacy of operations and minimising the scope of mistakes. Drawing on the historic adaptability and acclimatizing capacity of the organization, the UNHCR currently faces radical political challenges in the form of populism that creates polarized societies and an unstable, unpredictable world where procedure, process and systems are relegated for the sake of quick and decisive action and the prerogatives of unrestrained leadership. This populism is accompanied by prejudice as well as ethnic, religious and cultural intolerance, driven in part by the deepening of social inequalities in host countries and reluctance to accommodate and share already dwindling resources with migrants. The creation of a multilateral world order has resulted in among other things, the increase of friction and confusion while making policy at the UNHCR, with individual countries like India, China, Brazil and the Arab world being engaged in international humanitarian aid and refugee protection. For the refugee protection agenda to be sustained, the UNHCR must then build meaningful partnerships with these countries and facilitate new frameworks which will have

their own institutional thrust. It therefore, singularly depends on the current High Commissioner Filippo Grandi on how he negotiates the complexities of a globalized and polarized world with no consensus on most issues and reaffirms the agenda of the refugees a some of utmost significance within the global community.

10.10 Summing Up

- i) The UNHCR was thus formed as a result of the burgeoning refugee crisis following the Second World War and thereafter its mandate has only increased while dealing with the refugee issues in parts of the developing world.
- ii) It is a recipient of a number of awards and has successfully created international public opinion towards the plight of refugees resulting in some very concrete improvements.
- iii) Its importance as an organization has increased with the leadership of the high commissioner being crucial to its relevance and survival. However, as it has grown so has its problems concerning its bureaucracy and its profiling of refugees in the political space of different countries.
- iv) To prevent the dehumanization of the vulnerable it is necessary on the part of the High Commissioner to lead with empathy.

10.11 Probable Questions

Essay type Questions :

1. Write an essay on the origin, objective and structure of the UNHCR?
2. Evaluate the role of the UNHCR in maintaining the refugee protection system and network upholding the rights of the stateless.
3. Elaborate on the role of the High Commissioner in maintaining and upholding the standards for the safeguard of refugees, with illustration from the initiatives of High Commissioners past and present.

Short Questions:

1. How would you trace the origins of the UNHCR?
2. What are the objectives of the UNHCR?
3. Describe the structure of the UNHCR.

4. Briefly explain the role of the UNHCR.
5. What are the limitations of the UNHCR?

Objective Questions :

1. When was the UNHCR established?
2. How many member states are currently part of the UNHCR?
3. What is the full form of UNHCR?
4. Name any one High Commissioner at the UNHCR?

10.12 Further Reading

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2. Corrine Lewis, *UNHCR and International Refugee Law: From Treaties to Convention*, Routledge.
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Module : III

UN and Major Global Conflicts

Unit 11 □ Korean War

Structure:

- 11.1 Objective**
- 11.2 Introduction**
- 11.3 Korean War: The Causes**
- 11.4 Path of the War**
- 11.5 Aftermath of the Korean War**
- 11.6 Conclusion**
- 11.7 Summing Up**
- 11.8 Probable Questions**
- 11.9 Further Reading**

11.1 Objective

After studying this unit, the learners will be able to:

- Discuss the causes behind the Korean War
- Trace the path of the Korean War.
- Review the aftermath of the Korean War.
- Relate the Korean War to the Cold War.
- Understand the rationale of the American forces to get involved in the Korean War.
- Evaluate the role of the United Nations in the Korean War.
- Identify the phases of stalemate and armistice in the Korean War.

11.2 Introduction

At the middle of a century that had already witnessed two appallingly destructive and expensive global conflicts, a savage war broke out in a distant country at the extremity

of the Asian landmass. As a result of the Cold War, the Soviet Union and the United States divided Korea into two sovereign states in 1948 with the border set at the 38th parallel. A socialist state was set up in the north under the communist control of Kim Il-sung and a capitalist state in the south was formed under the anti-communist leadership of Syngman Rhee. Both these governments in the north and the south claimed to be the exclusive legitimate government of all of Korea, and neither accepted the border as permanent.

The north had the support of communist allies including the USSR and China, while the south had the support of the West with the United States. Owing to the time period and nature of the Korean War historians and scholars today consider it to be a Cold War era proxy war between the United States and Soviet Union. However today, historians in general agree on several key causes of the Korean War, which includes Japanese occupation of Korea during World War II, the spread of communism during the Cold War and American containment.

In South Korea, the war is generally referred to as “625” or the “6–2–5 Upheaval”, hinting at the date of its commencement on 25 June, while in North Korea, the war is officially referred to as the “Fatherland Liberation War”.

11.3 Korean War: The Causes

The Korean War was the first major conflict following the conclusion of World War II and the first war of the Cold War between the United States and Soviet Union. There has been a range of reasons that could be associated with the onset of the Korean War. This section would look into the important basis that led to one of the most destructive conflicts of the modern era.

● Korea under imperial Japanese rule

Imperial Japan destroyed the influence of China over Korea in the First Sino-Japanese War (1894–95), leading to a short-lived Korean Empire. A decade later, after beating Imperial Russia in the Russo-Japanese War (1904–05), Japan made Korea its protectorate with the Eulsa Treaty in 1905, and then annexed it with the Japan–Korea Annexation Treaty in 1910. Many Korean nationalists fled the country. The Provisional Government of the Republic of Korea founded in 1919 in Nationalist China, failed to accomplish international recognition; it also failed to fuse nationalist groups, and had a

fractious association with its US-based founding president, Syngman Rhee. From 1919 to 1925 and beyond, Korean communists led internal and external conflict against the Japanese.

On the other front, in China, the Nationalist National Revolutionary Army and the communist People's Liberation Army helped put in order Korean refugees against the Japanese military, which had also occupied parts of China. At the Cairo Conference in November 1943, China, the United Kingdom and the United States all decided that "in due course Korea shall become free and independent".

In the aftermath of the Hiroshima and Nagasaki nuke bombings in August 1945, and the looming overrun of the Korean Peninsula by Soviet forces, Japan admitted defeat to the Allied forces on 15 August 1945, ending 35 years of Japanese occupation.

The US Colonel Dean Rusk proposed to Chischakov, the Soviet military administrator of northern Korea, that Korea should be split at the 38th parallel. This proposal was made at an emergency meeting to determine postwar spheres of influence, which led to the division of Korea.

● Soviet-Japanese War

It was a military conflict with the beginning of the World War II, soon after midnight on 9 August, 1945, with the Soviet assault of the Japanese puppet state of Manchukuo. The Soviets and Mongolians ended Japanese control of Manchukuo, Mengjiang (Inner Mongolia), northern Korea, Karafuto, and the Chishima Islands (Kuril Islands). The defeat of Japan's Kwantung Army facilitated the Japanese surrender and the termination of World War II. The Soviet entry into the war was a noteworthy factor in the Japanese government's decision to submit unconditionally, as it made clear that the Soviet Union was not willing to act as a third party in bargaining an end to hostilities on conditional terms.

In November 1943 at the Tehran Conference and the Yalta Conference in February 1945, the USSR promised to join its allies in the Pacific War within three months of the triumph in Europe. Consequently, it declared war on Japan on 9 August, 1945, three days after the atomic bombing of Hiroshima. By 10 August, 1945 the Red Army (the army and the air force of the Russian Soviet Federative Socialist Republic) had begun to occupy the northern part of the Korean Peninsula.

By the later part of August in Washington, US Colonels Dean Rusk and Charles H. Bonesteel III were assigned with dividing the Korean Peninsula into Soviet and US

occupation zones and proposed the 38th Parallel. This was incorporated into the US General Order No. 1 which responded to the Japanese surrender on 15 August, 1945. Soviet leader Joseph Stalin, maintaining his wartime policy of cooperation, on 16 August kept the Red Army halted at the 38th parallel for three weeks to await the arrival of US forces in the south.

● Division of Korea

According to an agreement made with the US, the Soviet 25th Army participated in the Soviet advance into northern Korea at once after World War II had ended, and was headquartered at Pyongyang for a period. As decided earlier on the division, the US had asked the Soviet forces to enter Korea in August as part of the handling of the Japanese surrender. Upon reaching the agreed upon point of the 38th parallel, the Soviet forces halted their advance and waited for US forces to arrive in Korea. The Soviet forces took the surrender of the Japanese forces in their area of control. On 8 September 1945, US Lieutenant General John R. Hodge arrived in Incheon to accept the Japanese surrender south of the 38th parallel.

In December 1945, Korea was controlled by a US-Soviet Union Joint Commission, as agreed at the Moscow Conference held in December 1945, with the purpose of granting independence after a five-year trusteeship. The plan did not go well with the Koreans and riots broke out. In order to contain them, the United States Army Military Government in Korea (USAMGIK) banned strikes on 8 December 1945 and outlawed the People's Republic of Korea (PRK) Revolutionary Government and the PRK People's Committees on 12 December 1945. In the event of further large-scale civilian unrest, the USAMGIK declared martial law.

In 1948, after both north and south had eliminated their dissenters, UN-supervised elections took place in the US-occupied south only. The US-backed Syngman Rhee won the election while Kim Il-sung was chosen the leader of North Korea. This led to the establishment of the Republic of Korea in South Korea, which was quickly followed by the setting up of the Democratic People's Republic of Korea in North Korea. While the United States supported South Korea and the Soviet Union supported North Korea, both the governments claimed sovereignty over the whole Korean peninsula. In 1950, subsequent to years of mutual hostilities, North Korea invaded South Korea in an effort to unite the peninsula under its communist rule. The outcome was the subsequent Korean War, which lasted from 1950 to 1953.

● Chinese Civil War

The Chinese Civil War resumed in earnest between the Communists and Nationalists; while the Communists were struggling for preeminence in Manchuria, they were backed by the North Korean government with material and manpower. According to Chinese sources, the North Koreans contributed 2,000 railway cars worth of supplies while thousands of Koreans served in the Chinese People's Liberation Army (PLA) during the war. North Korea also provided the Chinese Communists in Manchuria with a safe shelter for non-combatants and communications with the rest of China.

The North Korean assistance to the Chinese Communist victory was not forgotten after the establishment of the People's Republic of China (PRC) in 1949. As a gesture of appreciation, approximately 70,000 Korean veterans who served in the PLA were sent back along with their weapons, and they later played a considerable role in the early invasion of South Korea. China pledged to support the North Koreans in the event of a war against South Korea.

● US Policy of Restricting Communism

The key reason that made the United States get involved in Korea was the purpose of doing everything possible to restrict communism from spreading around globe. Since the start of the Cold War the US had practiced a strategy of containment against the expansion of communism, and wanted to thwart the ideology from taking roots in different regions of the world. For its part, the USSR had actively supported the propagation of communism around the globe such as Cuba, Korea, Vietnam and Eastern Europe. The American containment policy is often referred to as the Truman Doctrine, since American President Harry S. Truman argued that the US should vigorously support the containment of Soviet Communism in the aftermath of World War II.

Supplementary to this idea, the grounds for American participation in the Korean War are often held as part of the Domino Theory. During the Cold War period, the Domino theory was a belief accepted within the United States from the 1950's until the end of the Cold War. On the basis of the Truman Doctrine, the theory generated the idea that if Soviet communism was able to expand into a single country, then it had the potential to spread to all of the other nearby countries. The fundamental idea was that the Americans needed to avoid the first domino from falling (country turning to communism) so as to prevent the expansion of communism. However in the contemporary times, there has been an argument amongst historians and experts that the United States used the Domino Theory to validate its participation in Korea, just as it did afterward in the Vietnam War.

11.4 Path of The War

By 1949, South Korean and American military actions had reduced the active number of indigenous communist guerrillas in the South from 5,000 to 1,000. However, Kim Il-sung believed that widespread uprisings had destabilized the South Korean forces and that a North Korean invasion would be greeted by much of the South Korean population. Kim initiated seeking Stalin's support for an offensive in March 1949, traveling to Moscow in an effort to persuade him. Nevertheless, Stalin initially did not consider the time was conducive for a war in Korea as the PLA forces were still involved in the Chinese Civil War, while US forces remained stationed in South Korea. By spring 1950, he assessed that the strategic condition has changed and only in April 1950, Stalin gave Kim consent to attack the government in the South subject to the provision that Mao would be in agreement to send reinforcements if required.

On 25 June 1950, the Korean's people Army (KPA) crossed the 38th Parallel behind artillery fire. The KPA had a combined armed force including tanks supported by heavy artillery. The Republic of Korea Army (ROK) had no tanks, anti-tank weapons or heavy artillery to prevent such an attack. Besides, the South Koreans committed their forces in a piecemeal fashion and these were routed in a few days. In the next five days, the ROK, which had 95,000 men on 25 June, was brought down to less than 22,000 men. In early July, when US forces arrived, the ROK forces that were left were placed under US operational command of the United Nations Command.

● US Intervention

The Truman administration was not ready for the invasion. Korea was not included in the strategic Asian Defense Perimeter outlined by Secretary of State Dean Acheson. In fact, the Truman administration was quite doubtful if the attack was a ploy by the Soviet Union or just a test of US resolve. Truman believed if assault went unrestrained, a chain reaction would be set off that would marginalize the UN and promote Communist aggression to other places. The UN Security Council approved the application of force to facilitate the South Koreans, and the US instantaneously began employing what ever air and naval forces that were there in the area to that end. The Truman government still abstained from committing soldiers on the ground as some advisers were of the opinion that the North Koreans could be prevented by air and naval power alone.

The decision to assign ground troops became practical when a communiqué was received on 27 June indicating the Soviet Union would not move against US forces in

Korea. It was then that the Truman administration believed it could get involved in Korea without undermining its pledge elsewhere. By July 1950, American troops had entered the war on South Korea's behalf. As far as American officials were concerned, it was a war against the forces of international communism itself – their policy of containment, refusing to allow communism to spread anywhere in the world.

● **United Nations Security Council Resolutions**

On 25 June 1950, the United Nations Security Council (UNSC) collectively condemned the North Korean attack of South Korea, with UNSC Resolution 82. The Soviet Union, a veto-wielding power that had boycotted the Council meetings since January 1950, was not part of this deliberation. After debating the matter, the Security Council, on 27 June 1950, published Resolution 83 proposing member states provide military assistance to the Republic of Korea. It was on that day that President Truman ordered US air and sea forces to lend a hand to South Korea.

The Soviet Union challenged the legality of the war for several reasons. The ROK intelligence upon which Resolution 83 was based upon, came from US Intelligence; North Korea was not present as a sitting temporary member of the UN, which dishonoured UN Charter Article 32; and the fighting was beyond the UN Charter's capacity, because the initial north-south border fighting was categorized as a civil war. Since the Soviet Union was boycotting the UNSC at the time, legal scholars put forward that deciding upon an action of this kind required the undisputed vote of all the five permanent members including the Soviet Union.

● **UN Offensive into North Korea**

Soon after the UNSC Resolution, a number of US industries were mobilized to provide materials, labor, production facilities, capital and other services essential for supporting the military objectives of the Korean War. In the battle of Osan, which was the first major US engagement of the Korean War, American forces attacked the KPA at Osan but without weapons capable of destroying the KPA tanks, leading to the defeat of the US soldiers — the result was 180 American dead, wounded, or taken prisoner.

By September, UN forces were hemmed into a small corner of southeast Korea, near Pusan. On 27 September near Osan UN forces approaching from Inchon linked up with UN forces that had broken out of the Pusan Perimeter and began a general counteroffensive. The Joint Chiefs of Staff on 27 September issued a comprehensive directive that stated that the principal goal was the devastation of the KPA, with unification of the Korean Peninsula;

the Joint Chiefs added that this goal was dependent on whether or not the Chinese and Soviets would get involved, and was subject to altering conditions. On 30 September, Prime Minister Zhou Enlai cautioned the US that China was equipped to intervene in Korea if the US crossed the 38th Parallel. Zhou attempted to recommend KPA commanders on how to carry out a general withdrawal by using the same tactics that helped Chinese communist forces to effectively escape Chiang Kai-shek's Encirclement Campaigns in the 1930s, but by some accounts KPA commanders did not employ those tactics effectively. The KPA had been shattered and its remnants were fleeing back towards North Korea. The UN Command then decided to chase the KPA into North Korea, completing their annihilation and unifying the country. On 30 September, Republic of Korea Army (ROK) forces crossed the 38th Parallel, the de facto border between North and South Korea on the east coast of the Korean peninsula and this was followed by a general UN offensive into North Korea. By the end of October, UN forces held 135,000 KPA prisoners of war.

● **Chinese Intervention**

Within a month UN forces were closing in to the Yalu River, prompting Chinese involvement in the war. The People's Voluntary Army (PVA) 13th Army Group launched the First Phase Offensive on 25 October, attacking the advancing UN forces near the Sino-Korean border. Twelve days after PVA troops entered the war, Stalin allowed the Soviet Air Force to provide air cover, and supported more aid to China. After inflicting serious losses on the ROK II Corps at the Battle of Onjong, the first conflict between Chinese and US military occurred on 1 November 1950. Deep in North Korea, thousands of soldiers from the PVA 39th Army surrounded and attacked the US 8th Cavalry Regiment with three-prong assaults—from the north, northwest, and west—overran the defensive position flanks in the Battle of Unsan. The surprise attack resulted in the UN forces withdrawing back to the Ch'ongch'on River, while the PVA all of a sudden disappeared into mountain hideouts after the victory. It is imprecise why the Chinese did not press the attack and transcribe their triumph.

Despite the early Chinese attacks in late October-early November, the UN renewed their offensive on 24 November before it was suddenly halted by immense Chinese intervention in the Second Phase Offensive starting on 24 November, 1950, which they executed at two sectors: in the East at the Chosin Reservoir and in the Western sector at Ch'ongch'on River. In the east on 27 November the PVA 9th Army Group commenced the Battle of Chosin Reservoir.

The Chinese justification for its entry into the war was ‘a response to American aggression in the guise of the UN’. Later, the Chinese asserted that US bombers had violated PRC national airspace on three separate occasions and hit Chinese targets prior to China’s intervention.

● **Operation Thunderbolt**

Under the new commanding officer of the US Eighth Army, General Matthew Ridgway, the first offensive was ordered which came to be known as Operation Thunderbolt (25 January 1951). A full-scale assault followed, which fully exploited the UN’s air superiority, leading to the UN forces reaching the Han River and recapturing Wonju in South Korea. While the UN forces established themselves on the southern bank of the Han River, the PVA and KPA forces advanced their operations further east launching the Fourth Phase Campaign, achieving early successes at the Battle of Hoengsong but then being blocked and routed at the Battle of Chipyeong-ni. On 20 February, Ridgway ordered Operation Killer to eliminate the PVA and KPA forces.

In the last two weeks of February 1951, Operation Thunderbolt was followed by Operation Killer, which was carried out by the rejuvenated Eighth Army. It was a full-blown, battlefront-length assault staged for utmost exploitation of military capability to execute as many KPA and PVA troops as possible. Operation Killer ended with US I Corps re-occupying the territory south of the Han River, and IX Corps capturing Hoengseong.

● **Stalemate and Armistice**

For the rest of the war the UN and the PVA and KPA fought but exchanged little territory, as the stalemate held. Extensive bombing of North Korea continued, and protracted armistice dialogue began on 10 July 1951 at Kaesong, an ancient capital of North Korea located in PVA and KPA held territory. On the Chinese side, Zhou Enlai directed peace talks, and Li Kenong and Qiao Guanhua headed the negotiation team. Combat was continuous while the belligerents negotiated; the objective of the UN forces was to bring back all of South Korea and to evade losing territory. The PVA and the KPA attempted similar actions, and later effected military and psychological actions in order to check the UN Command’s determination to continue the war.

The on-again, off-again armistice negotiations continued for two years, initially at Kaesong and then at the neighboring village of Panmunjom. A major challenging point of the negotiation was prisoner of war (POW) repatriation. Finally, after more than two years of negotiations, the adversaries signed an armistice on July 27, 1953. The agreement permitted the POWs

to stay where they liked; drew a new boundary near the 38th parallel that gave South Korea an extra 1,500 square miles of territory and formed a 2-mile-wide ‘demilitarized zone’ (DMZ) that still exists today.

The DMZ has since been patrolled by the KPA and the ROK and US still operating as the UN Command. The armistice also called upon the governments of South Korea, North Korea, China and the United States to partake in continued peace talks.

11.5 Aftermath of The Korean War

In 1953, an armistice established a status quo *ante bellum* near the border that had initially divided North and South Korea. The heavily armed two-and-a-half mile wide DMZ (Demilitarized Zone) dividing North and South Korea exists to this day. The war led to the death of about 40,000 American soldiers, as well as hundreds of thousands of soldiers and civilians from North Korea, South Korea, and UN coalition forces.

South Korea stagnated in the first postwar decade. In 1953, South Korea and the United States signed a Mutual Defense Treaty. From 1965 to 1973, South Korea dispatched troops to South Vietnam and received \$235,560,000 in grant and military procurement from the United States. South Korea industrialized and modernized and had one of the world’s fastest-growing economies from the early 1960s to the late 1990s. By 2010 it was a developed country and ranked thirteenth in the world.

On the other front, North Korea had been ‘virtually destroyed as an industrial society’. After the armistice, Kim Il-sung requested Soviet economic and industrial assistance. In September 1953, the Soviet administration agreed to cancel or postpone repayment for all outstanding debts, and promised to grant North Korea one billion Rubles in monetary aid, industrial equipment and consumer goods. The eastern European members of the Soviet Bloc also donated with logistical support, technical aid and medical supplies. China disregarded North Korea’s war debts, provided 800 million Yuan, guaranteed trade cooperation, and sent in thousands of troops to reconstruct damaged infrastructure. The contemporary North Korea still remains underdeveloped.

11.6 Conclusion

The North Korean invasion came as a worrying surprise to American officials. As far as they were concerned, this was not merely a border conflict between two unstable

dictatorships on the other side of the world. Instead, many feared it was the early step in a communist crusade to take over the world.

The Korean War was comparatively short but remarkably bloody. Nearly 5 million people died. More than half of these—about 10 percent of Korea's pre-war population—were civilians. This rate of civilian casualties was higher than that of World War II and Vietnam War. Almost 40,000 Americans died in action in Korea, and more than 100,000 were hurt.

There were numerous atrocities and massacres of civilians throughout the Korean War committed by both sides, but the majority by the South Korean side. There were mass killings of alleged leftist sympathizers and their families by South Korean officials and right-wing groups. Estimates of those killed during the Bodo League massacre range from at least 60,000 to 200,000. During the massacre, the British protested to their allies and saved some citizens.

11.7 Summing Up

- The Korean War was the first major conflict following the conclusion of World War II and the first war of the Cold War between the United States and Soviet Union.
- In the immediate context of World War II the United States supported South Korea while the Soviet Union supported North Korea; both the governments claimed sovereignty over the whole of Korean peninsula. In 1950, North Korea invaded South Korea in an effort to unite the peninsula under its communist rule. The outcome was the subsequent Korean War, which lasted from 1950 to 1953.
- By July 1950, American troops had joined the war on South Korea's behalf. As far as American officials were concerned, it was a war against the forces of international communism, refusing to allow communism to spread anywhere in the world.
- In 1953, an armistice established a border near the boundary that had initially divided North and South Korea. The heavily armed two-and-a-half mile wide DMZ (Demilitarized Zone) dividing North and South Korea exists to this day.

11.8 Probable Questions

Essay Type Questions:

1. Discuss the causes and the aftermath of the Korean War.
2. Explain the rationale of the American forces to get involved in the Korean War. What was the path of the war?
3. Explain the Korean War in connection with the Cold War. Assess the aftermath of the war.

Short Questions:

1. What were the causes behind the Korean War?
2. How did the path of the war unfold?
3. Discuss about the casualties and repatriation involved in the Korean War.

Short Questions:

1. In which year did the Korean War start?
2. What is the full form of USAMGIK?
3. What is the full form of PRK?
4. In which year was Operation Thunderbolt ordered?

11.9 Further Reading

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Unit 12 ☐ Vietnam War

Structure:

- 12.1 Objective**
- 12.2 Introduction**
- 12.3 Vietnam War: The Causes**
- 12.4 Course of the War**
- 12.5 End of the War: Fall of South Vietnam**
- 12.6 Conclusion**
- 12.7 Summing Up**
- 12.8 Probable Questions**
- 12.9 Further Reading**

12.1 Objective

After studying this unit, the learners will be able to:

- Understand the causes behind the Vietnam War.
- Examine the Domino theory.
- Discuss the end of the war and the formation of the Socialist Republic of Vietnam.
- Explain the American policy of ‘Body Count’
- Understand the fall of South Vietnam

12.2 Introduction

The Vietnam War, also known as the Second Indochina War, and in Vietnam as the Resistance War against America (or simply the American War) was a protracted conflict that pitted the communist government of North Vietnam and its allies in South Vietnam, known as the Viet Cong, against the government of South Vietnam and its principal ally, the United States. The war, considered a Cold War era proxy war by some, lasted 19

years with direct US involvement ending in 1973, and included the Laotian Civil War and the Cambodian Civil War, which ended with all three countries becoming communist in 1975.

The conflict emerged from the First Indochina War aged by the French imperialists after the WWII Japanese occupation forces left. It turned out to be a war against the communist-led Viet Minh. Most of the funding for the French war effort was provided by the US. After the French quit Indochina in 1954, the US assumed financial and military support for the South Vietnamese state. The Viet Cong, with its political platform known as NLF (the National Liberation Front), a South Vietnamese common front under the direction of North Vietnam, initiated a guerrilla war in the south. North Vietnam was aided by the Soviet Union and China while South Vietnam was protected by the United States, South Korea, the Philippines, Australia, Thailand and other anti-communist allies.

12.3 Vietnam War: The Causes

There is no question that few conflicts have been as violent, long lasting and complex as the Vietnam War. It is due to the time span and devastating nature of the Vietnam War that historians today deem it to be a Cold War era proxy war between the United States and Soviet Union. In general, historians have recognized a number of different causes of the Vietnam war, which includes the spread of communism during the Cold War, American policy of containment, and European imperialism in Vietnam.

The primary military organizations involved in the Vietnam war were the Army of the Republic of Vietnam (ARVN) and the United States armed forces on one side, while the other side consisted of the People's Army of Vietnam (PAVN) (also known as the North Vietnamese Army or NVA) and the National Front for the Liberation of South Vietnam (NLF, more commonly known as the Viet Cong), a South Vietnamese communist guerrilla force.

At the heart of the conflict was the aspiration of North Vietnam, which had defeated the French colonial administration of Vietnam in 1954, to merge the entire country under a single communist regime modeled after those of the USSR and China. The South Vietnamese government, on the contrary, fought to protect a Vietnam more closely allied with the West.

Indochina was a French colony during the 19th century. When the Japanese invaded during World War II, the Viet Minh opposed them with support from the US, the Soviet

Union and China. The Viet Minh, a Communist-led common front under the leadership of Ho Chi Minh, then initiated an insurgency against French rule. Hostilities soared into the First Indochina War (beginning in December 1946). By the 1950s, the conflict had become entangled with the Cold War. In January 1950, China and the Soviet Union recognized the Viet Minh's Democratic Republic of Vietnam, based in Hanoi, as the legitimate government of Vietnam. The following month the United States and Great Britain recognized the French-backed State of Vietnam in Saigon as the legitimate Vietnamese government.

Finally, with their shattering defeat by the Viet Minh at the Battle of Dien Bien Phu in May 1954, the French came to the end of their rule in Indochina. The battle prodded negotiators at the Geneva Conference to produce the final Geneva Accords in July 1954. The accords established the 17th parallel (latitude 17° N) as a provisional demarcation line separating the military forces of the French and the Viet Minh. North of the line was the Democratic Republic of Vietnam, or North Vietnam, which had waged a successful eight-year struggle against the French. The North was then under the full control of the Worker's Party, or Vietnamese Communist Party, led by Ho Chi Minh; its capital was Hanoi. The line of demarcation was provisional as the Geneva Accords provided for reunification eventually through democratic election of a national government.

Accepting the de facto partition of Vietnam as inevitable but still pledging to stop the spread of communism in Asia, US President Eisenhower began a crash program of support to the State of Vietnam or South Vietnam, as it was invariably called. Ngo Dinh Diem, the newly installed premier of South Vietnam, faced opposition from the communist regime in the North as well as from the Viet Minh's stay-behind political agents, armed religious sects in the South, and even subversive elements in his own army. Yet Diem had the full support of US military advisers, who trained and re-equipped his army along American lines and foiled coup plots by dissident officers.

Towards late 1955, Diem had consolidated his power in the South, overcoming the remaining sectarian forces and arresting communist operatives who had surfaced in considerable numbers in order to compete in the anticipated elections. Publicly opposed to the elections, Diem called for a referendum only in the South, and in October 1955 he declared himself president of the Republic of Vietnam. The North, not prepared to initiate a new war and incapable to induce its Chinese or Russian allies to act, had very little to do.

● The Viet Cong

With the Cold War escalating globally, the United States toughened its policies against any allies of the Soviet Union, and by 1955 President Eisenhower had pledged his firm support to Diem and South Vietnam. Under the training and equipment assistance from American military and the CIA, Diem's security forces cracked down on Viet Minh sympathizers in the south, whom he contemptuously called Viet Cong (or Vietnamese Communist), arresting some 100,000 people, many of whom were brutally tortured and executed.

By 1957, the Viet Cong and other adversaries of Diem's repressive regime began fighting back with attacks on government officials and other targets, and by 1959 they had begun engaging the South Vietnamese army in firefights. By that time the Central Committee of the Vietnamese Communist Party, meeting in Hanoi, had authorized a resolution calling for the employment of armed force to put an end to the Diem government. Southerners specially trained in the North as insurgents were infiltrated back into the South along with arms and equipment, hinting at the onset of a new war. In December 1960, Diem's many opponents within South Vietnam—both communist and non-communist formed the National Liberation Front (NLF) to launch an organised resistance to the regime. Though the NLF claimed to be autonomous and that most of its members were not communists, many in Washington assumed it to be a puppet of Hanoi. Neither the American government nor Diem's State of Vietnam signed anything at the 1954 Geneva Conference. With respect to the matter of reunification, the non-communist Vietnamese delegation objected strenuously to any division of Vietnam. The US countered with what came to be known as the 'American Plan', with the support of South Vietnam and the United Kingdom. It provided for merger elections under the control of the United Nations, which was rejected by the Soviet delegation. The Soviet government, incidentally, was a co-chair at the 1954 Geneva Conference.

● Domino Theory

The domino theory, which argued that if one country fell to communism, then all of the surrounding states would follow, was first proposed as policy by the Eisenhower administration. John F. Kennedy, then a US senator, said in a speech to the American Friends of Vietnam, "Burma, Thailand, India, Japan, the Philippines and obviously Laos and Cambodia are among those whose security would be threatened if the Red Tide of Communism overflowed into Vietnam".

The Kennedy administration remained essentially committed to the Cold War foreign policy inherited from the Truman and Eisenhower administrations. The failure of the Bay of Pigs Invasion and Cuban Missile crisis made Kennedy believe that another failure on the part of the United States to gain control and prevent communist growth would gravely damage American credibility with its allies and his own reputation. Kennedy was thus resolute to “draw a line in the sand” and prevent a communist victory in Vietnam. Kennedy’s policy toward South Vietnam rested on the postulation that Diem and his forces had to eventually defeat the guerrillas on their own. He was against the deployment of American combat troops and observed that “to introduce US forces in large numbers there today, while it might have an initially favorable military impact, would almost certainly lead to adverse political and, in the long run, adverse military consequences.”

A team sent by President John F. Kennedy in 1961 to report on conditions in South Vietnam advised a build-up of American military, economic and technical aid in order to help Diem confront the Viet Cong threat. Working under the ‘domino theory’, which held that if one Southeast Asian country fell to communism, many other countries would follow, Kennedy increased US aid, though he stopped short of committing to a large-scale military intervention. By 1962, the US military presence in South Vietnam had reached some 9,000 troops, compared with fewer than 800 during the 1950s.

● **Gulf of Tonkin**

With the assassination of Kennedy in November, 1963 Lyndon B. Johnson became the President and immediately focused on the war. Johnson was aware that he had inherited a fast deteriorating situation in South Vietnam, but he held on to the widely established domino theory argument for defending the South. During the same time a coup by some of his own generals succeeded in toppling and killing Diem and his brother, Ngo Dinh Nhu, in November 1963, precisely three weeks before Kennedy was assassinated in Dallas, Texas. Those who had expected that the removal of the unpopular Ngos would lead to unity and a more vigorous prosecution of the war were quickly disillusioned. A brief military junta was followed by an unstable dictatorship under General Nguyen Khanh in January 1964.

In Hanoi, communist leaders, believing that victory was near, decided to make a major military commitment to winning the South. With the South Vietnamese government in disarray, striking a blow against the North seemed to the Americans to be the only option.

US advisers were already working with the South Vietnamese to carry out small maritime raids and parachute drops of agents, saboteurs, and commandos into North Vietnam. By the summer of 1964 the Pentagon had developed a plan for air strikes against selected targets in North Vietnam designed to inflict unacceptable damage on the North and perhaps retard its support of the war in the South.

In August of 1964, the destroyer USS Maddox was attacked by North Vietnamese torpedo boats while on electronic surveillance patrol in the Gulf of Tonkin. After DRV torpedo boats attacked two US destroyers in the Gulf of Tonkin, Johnson ordered the retaliatory bombing of military targets in North Vietnam. The US Congress soon passed the Gulf of Tonkin Resolution, which gave Johnson broad war-making powers, and American planes began regular bombing raids, codenamed Operation Rolling Thunder, the following year.

Between the Gulf of Tonkin Resolution and the US presidential election in November 1964, the situation in Vietnam had changed for the worse. Beginning in September, the Khanh government was succeeded by a bewildering array of cliques and coalitions, some of which stayed in power less than a month. In the countryside even the best ARVN units seemed inept of conquering the main forces of the Viet Cong. The communists were deliberately targeting the American military personnel and bases, beginning with a mortar attack on the US air base at Bien Hoa near Saigon in November.

Many of Johnson's advisers now began to argue for some sort of retaliation against the North. The military favoured a short and sharp crusade intended to cripple the North's war-making capacities. The bombing was not limited to Vietnam; during 1964-1973, the United States covertly dropped two million tons of bombs on neighboring, neutral Laos during the CIA-led "Secret War" in Laos. The bombing campaign was aimed to upset the flow of supplies across the Ho Chi Minh trail into Vietnam and to avert the rise of the Pathet Lao, or Lao communist forces. The American bombings made Laos the most heavily bombed country per capita in the world. In March 1965, Johnson with solid support from the American public decided to send US combat forces into battle in Vietnam. By June, 82,000 combat troops were stationed in Vietnam, and military leaders were calling for 175,000 more by the end of 1965 to support the struggling South Vietnamese army. In addition to the United States, South Korea, Thailand, Australia and New Zealand also committed troops to fight in South Vietnam.

12.4 Course of The War

● US Enters the War: ‘Body Count’ Policy

During the air attacks on North Vietnam, the US-South Vietnamese war effort in the south was fought primarily on the ground, largely under the command of General William Westmoreland, in coordination with the government of General Nguyen Van Thieu in Saigon. On 8 March 1965, 3,500 US Marines were landed near Da Nang, South Vietnam. This marked the beginning of the American ground war; though it was increasingly becoming doubtful if the US public opinion supported the deployment of such magnitude.

Westmoreland pursued a strategy of attrition, which intended to kill as many enemy troops as possible rather than trying to protect the territory. By 1966, large areas of South Vietnam had been chosen as ‘free-fire zones’, from which all innocent civilians were supposed to have vacated and only enemy remained. Heavy bombing by B-52 aircraft or shelling made these zones uninhabitable, as refugees poured into camps in designated safe areas near Saigon and other cities.

Westmoreland adopted a ‘search-and-destroy’ strategy to find and engage the enemy and apply advanced firepower to destroy him. Triumph was measured in terms of ‘body count’. It was to be a war of attrition and statistics, a policy that suited Secretary of Defense Robert McNamara, who had misgivings about the military and frequently bypassed the Joint Chiefs of Staff in issuing directives. Westmoreland predicted success by the end of 1967 and Johnson, who approved the plan did not, however, correspond this change in strategy to the media; instead he emphasized continuity. The policy of body count fell into disfavor and was not used in future American wars, while in Vietnam it led officers to blow up enemy casualties. The Viet Cong dragged off as many of their dead and wounded as possible, at times impressing villagers into performing this task for the duration of battles, so determining their casualties was speculation based on such things as the number of blood trails.

● Tet Offensive

In late 1967, Hanoi’s communist leadership was turning impatient and sought to strike a decisive blow aimed at forcing the better-supplied United States to give up hopes of success; the People’s Army of Vietnam (PAVN) lured US forces into the hinterlands at Dakto and at the Marine KheSanh combat base in Quang Tri Province, where the US forces engaged in a series of battles known as The Hill Fights. These actions were part of

a diversionary tactic-intended to draw US forces towards the Central Highlands. Preparations were in progress for the general offensive, General Uprising, known as Tet Mau Than, or the Tet Offensive.

The Tet Offensive began on 30 January 1968 — over 100 cities were attacked by more than 85,000 PAVN troops, including attacks on important military installations, headquarters, and government buildings and offices that included the American Embassy in Saigon. At the outset the US and South Vietnamese forces were shocked by the degree, intensity and deliberative planning of the urban offensive, as infiltration of personnel and weapons into the cities was accomplished stealthily; the offensive constituted an unprecedented intelligence failure.

Although taken by surprise, United States and South Vietnamese forces retaliated quickly against the often poorly coordinated attacks. With the exception of Hue, the former imperial Vietnamese capital, the communists were incapable to hold any town or base for more than a day or two, and their forces suffered very heavy casualties. However, the Tet Offensive sent shock waves throughout the United States, astonishing those who had believed the White House's claims that triumph was near and convincing those with doubts that the state of affairs was even poorer than they had anticipated. Television coverage of the destructive fighting in Saigon and Hue was widespread leaving many with the idea that the United States and its ally were in desperate straits. On the other hand, Westmoreland, assessing the Tet attacks as a serious defeat for the communists, wanted the additional troops to carry out a knockout blow against the weakened PAVN. With his support base dropping in an election year, Johnson called a close down to bombing in much of North Vietnam, though bombings continued in the south, and assured to devote the rest of his term to seeking peace rather than reelection.

● Vietnamization

In 1968, Republican Richard M. Nixon won the US presidency. Along with his close adviser on foreign affairs, Henry A. Kissinger, Nixon recognized that the United States could not ensure a military triumph in Vietnam but insisted that the war could be ended only by an 'honourable' resolution that would give South Vietnam an evenhanded chance of survival. In their view, a hasty American withdrawal would undermine US credibility throughout the world.

In an attempt to limit the volume of American casualties, he announced a program called Vietnamization: withdrawing US troops, increasing aerial and artillery bombardment

and giving the South Vietnamese the training and weapons needed to effectively control the ground war. President Nixon began troop withdrawals in 1969. Interestingly, it was during this time that Nixon had also sought détente with the Soviet Union and rapprochement with China, which reduced global tensions and led to nuclear arms decline on the part of both superpowers; however, there was disappointment when both the communist states continued to provide North Vietnam with aid.

At the home front, though the withdrawal of the US forces was enormously popular, it certainly lowered the morale of the troops remaining in Vietnam by underscoring the apparent futility of the war. The convictions about the righteousness of the US military effort in Vietnam was further undermined when the news of the My Lai Massacre, a mass murder by US soldiers of several hundred civilians in Quang Ngai province in 1968 broke out.

In addition to the policy of Vietnamization, Nixon continued public peace talks in Paris, adding higher-level covert talks conducted by Secretary of State Henry Kissinger beginning in the spring of 1968. However, the North Vietnamese continued to be firm on absolute and unconditional US withdrawal along with the ouster of US backed General Nguyen Van Thieu—as conditions of peace, and as a result the peace talks got mired.

● American Withdrawal

While Vietnamization and troop withdrawals continued in Vietnam, the negotiations in Paris remained deadlocked. Kissinger secretly opened separate talks with high-level Vietnamese diplomats, but the two sides remained far apart. Nixon consequently desisted from striking North Vietnam, but it was during this time that he could not resist the opportunity to get involved in Cambodia, where a pro-Western government under General Lon Nol had brought down Sihanouk's neutralist regime in March 1970. Since that time, the new regime had attempted to force the communists out of their border sanctuaries. The North Vietnamese easily fended off the attacks of the Cambodian army and started to arm and sustain the Cambodian communist movement, known as the Khmer Rouge. Fervent to support Lon Nol and destroy the sanctuaries, Nixon authorized a large sweep into the border areas by a US and South Vietnamese force of 20,000 men. In the United States, news of the Cambodian incursion triggered widespread protest and demonstrations.

The process of Vietnamization appeared to be taking place smoothly and American counterinsurgency experts had moved quickly after Tet Offensive to help the South Vietnamese government to develop programs to root out the Viet Cong's underground government and

re-establish control of the countryside. However, the limitations of Vietnamization were soon demonstrated, when in March 1971 a large Army of the Republic of Vietnam (ARVN) conducted an attack into Laos, code-named Lam Son 719, which was designed to interdict the Ho Chi Minh Trail, and yet ended in heavy casualties and a rebellious retreat.

The success in Laos encouraged the Hanoi leadership to launch a fresh all-out assault of the South on March 30, 1972 (termed as Easter Offensive), spearheaded by tanks and supported by artillery. South Vietnamese forces at first suffered overwhelming defeats, but Nixon, in an operation code-named Linebacker, let loose US air power against the North, mined Haiphong Harbour, which happened to be the principal entry point for Soviet seaborne supplies, and ordered hundreds of American aircraft into action against the invasion forces and their supply lines. By mid-June the communists' Easter Offensive had ground to a halt. Interestingly, this was central to the 1972 US presidential election as Nixon's opponent, George McGovern, campaigned on immediate withdrawal.

The failure of their offensive led to the compromise of the Hanoi leaders. The United States had indicated as early as 1971 that it would not persist on the pulling out of North Vietnamese forces from the South; rather it was Hanoi that signaled in return that it would not insist on substituting Thieu with a coalition government. On the basis of these two concessions, Kissinger and North Vietnamese emissary Le Duc Tho secretly hammered out a complex peace accord in October 1972. In November, Kissinger returned to Paris with some 69 suggested changes to the agreement designed to satisfy Thieu, which, naturally, was not accepted by the North Vietnamese and in the process left Nixon exasperated. An anxious Nixon, in order to persuade Thieu to cooperate, ordered B-52 bombers again to attack Hanoi — this so-called Christmas bombing was the most severe bombing campaign of the war. After eight days the North Vietnamese agreed to return to Paris to sign an agreement fundamentally the same as that agreed upon in October. Thieu, reassured by a huge influx of American military aid and by a combination of promises and threats from Nixon, reluctantly agreed to go along. On January 27, 1973, the Agreement on Ending the War and Restoring Peace in Vietnam was signed by representatives of the South Vietnamese communist forces, North Vietnam, South Vietnam, and the United States.

A cease-fire became effective the subsequent morning throughout North and South Vietnam, and within 60 days all US forces would be withdrawn, all US bases dismantled, and all prisoners of war (POWs) freed. The issue of POWs would still remain a controversial one, despite the fact that there was no reliable evidence to advocate that American POWs had been kept secretly in Vietnam after the signing of the Paris accords.

12.5 Fall of South Vietnam

The last US military unit left Vietnam on March 29, 1973. By that time the communists and South Vietnamese were already engaged in what journalists branded as the ‘postwar war’. Both sides alleged, more or less precisely, that the other side was constantly violating the terms of the peace agreements. The United States maintained its programme of broad military aid to Saigon, but the president’s ability to manipulate events in Vietnam was being sharply shortened.

In the following year discernible pattern of hostilities continued — there were lower levels of combat and casualties but unimpeded warfare along the never-defined zones of control of the South Vietnamese government and the communists. Hundreds of Vietnamese continued to lose their lives each day after the fighting was supposed to have ended. By the summer of 1974 Nixon had resigned in disgrace owing to the Watergate scandal, Congress had cut military and economic aid to South Vietnam by 30 percent, and the Lon Nol regime in Cambodia appeared close to defeat. Thieu’s government, corrupt and inefficient as ever, now faced massive difficulties with inflation, joblessness, apathy, and a huge desertion rate in the army.

In early March, 1975, the North Vietnamese opened the first phase of what was expected to be a two-year offensive to secure South Vietnam. As it happened, the South’s government and army collapsed in less than two months. Thousands of ARVN troops moved back in confusion, first from the central highlands and then from Hue and Da Nang. On April 21, 1975, Thieu resigned and flew to Taiwan. On April 30 what remained of the South Vietnamese government surrendered unconditionally, and NVA tank columns occupied Saigon with no struggle. The remaining Americans escaped in a series of frantic air and sealifts with Vietnamese friends and co-workers. A military government was set up, and on July 2, 1976, the country was formally united as the Socialist Republic of Vietnam with its capital in Hanoi; Saigon was renamed Ho Chi Minh City. This brought the end of the 30-year struggle for control over Vietnam.

12.6 Conclusion

More than two decades of violent clash had inflicted a distressing toll on Vietnam’s population — after years of warfare, approximately 2 million Vietnamese were killed, while 3 million were wounded and another 12 million became refugees. Warfare had

bulldozed the country's infrastructure and economy, and the process of rebuilding proceeded slowly. A large number of war crimes happened during the Vietnam War. War crimes were committed by both sides during the conflict and included rape, massacres of civilians, bombings of civilian targets, terrorism, the extensive use of torture, and the murder of prisoners of war. Further, common crimes included theft, arson, and the damage of property not warranted by military requirement. Psychologically, the effects of the war ran even deeper. It had pierced the myth of American invincibility and had bitterly divided the nation.

In 1976, Vietnam was unified as the Socialist Republic of Vietnam, though sporadic violence continued over the next 15 years, including conflicts with neighboring China and Cambodia. In the United States, the outcome of the Vietnam War would linger long after the last troops returned home in 1973. The nation spent more than \$120 billion on the clash in Vietnam from 1965-73; this huge spending led to widespread inflation, aggravated by a global oil crisis in 1973 and skyrocketing fuel prices. Normalization took time to happen. The trade and diplomatic relations between Vietnam and the US commenced not earlier than the 1990s.

Almost three decades later, Robert McNamara, a key architect of the Vietnam War who served as defense secretary for both Presidents Kennedy and Johnson, renounced the wartime claims that they had invoked to justify the war. In two books, 'In Retrospect' (1995) and 'Argument without End' (2000), McNamara conceded that the United States had been "terribly wrong" to interfere in Vietnam.

12.7 Summing Up

- The Vietnam War was a protracted conflict between the communist government of North Vietnam and its allies in South Vietnam, known as the Viet Cong, against the government of South Vietnam and its principal ally, the United States; it was considered a Cold War era proxy war by some, lasted for 19 years.
- A number of causes of the war have been cited by some historians, which includes the spread of communism during the Cold War, American policy of containment, and European imperialism in Vietnam.
- The policy first proposed by the Eisenhower administration, the Domino Theory was inherited by the Kennedy regime with the determination to "draw a line in the sand" and avert a communist victory in Vietnam.

- As belligerence on both sides escalated US General William Westmoreland adopted a ‘search-and-destroy’ strategy to find and engage the enemy and apply advanced firepower to destroy him. This policy of ‘body count’ fell into disfavor and was not used in future American wars.
- The Tet Offensive was a coordinated series of North Vietnamese attacks on more than 100 cities and outposts in South Vietnam. The offensive was an effort to provoke rebellion among the South Vietnamese population and push the United States to scale back its involvement in the Vietnam War.
- President Nixon resorted to a programme called Vietnamization — moving back of US troops, growing aerial and artillery bombardment and giving the South Vietnamese the training and weapons needed to effectively control the ground war. This marked the beginning of the withdrawal of US troops in 1969. In addition to the policy of Vietnamization, Nixon continued public peace talks in Paris.
- In early March, 1975, the North Vietnamese opened the first phase of securing South Vietnam. On April 30 what remained of the South Vietnamese government surrendered unconditionally. A military government was set up, and on July 2, 1976, the country was formally united as the Socialist Republic of Vietnam with its capital in Hanoi; Saigon was renamed Ho Chi Minh City, bringing an end to the 30-year struggle for control over Vietnam.

12.8 Probable Questions

Essay Type Questions:

1. Describe the causes and the course of Vietnam War.
2. “The United States military intervention in Vietnam was terribly wrong”. Argue your case.
3. How did the Vietnam War end? Why was the fall of South Vietnam imminent?

Short Questions:

1. What were the causes behind the Vietnam War?
2. How was the policy of Vietnamization connected with the withdrawal of US forces?

3. Discuss the end of the war and the formation of the Socialist Republic of Vietnam.
4. Write a note on Domino theory.
5. Explain the American policy of 'Body Count'.
6. Mention the factors causing American withdrawal from Vietnam.
7. Briefly note the aftermath of the end of the Vietnam War.

Objective Questions

1. How long the Vietnam War lasted?
2. Who was the American President when Vietnam War started?
3. Who were called 'Viet-Cong'?
4. In which year was Vietnam united as the 'Socialist Republic of Vietnam'?

12.9 Further Reading

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Unit 13 □ Afghanistan War

Structure:

- 13.1 Objective**
- 13.2 Introduction**
- 13.3 Afghan War: Background**
- 13.4 Soviet Invasion and the Mujahideen Resistance**
- 13.5 Soviet withdrawal: The Causes**
- 13.6 The Aftermath of the War**
- 13.7 Conclusion**
- 13.8 Summing Up**
- 13.9 Probable Questions**
- 13.10 Further Reading**

13.1 Objective

After studying this unit, the learners will be able to:

- Discuss the background of the war in Afghanistan in 1979
- Account for the Soviet invasion and the nature of Mujahideen resistance
- Explain the causes behind the withdrawal of the Soviet troops from Afghanistan.
- Understand the rise of Taliban regime in Afghanistan.
- Explain the causes of the withdrawal of Soviet troops from Afghanistan

13.2 Introduction

About 40 years back, Afghanistan faced extreme violence and crisis, arguably as a proxy war during the Cold War period. The Afghan War, in the history of Afghanistan was an internal conflict that began in 1978 between anti-communist Islamic guerrillas and the Afghan communist government, aided in 1979-89 by Soviet troops. The war also known as the Soviet–Afghan War was a conflict wherein rebel groups known collectively as the Mujahideen, as well as smaller Maoist groups, fought a guerrilla war against the

Soviet Army and the Democratic Republic of Afghanistan government for over nine years, throughout the 1980s, mostly in the Afghan countryside. The Mujahideen were backed primarily by the United States, Saudi Arabia, and Pakistan.

On December 24, 1979, the Soviet Union invaded Afghanistan, under the pretext of upholding the Soviet-Afghan Friendship Treaty of 1978. As midnight approached, the Soviets organized a huge military airlift into Kabul, involving an estimated 280 transport aircraft and three divisions of almost 8,500 men each. It was the first Soviet military mission beyond the Eastern bloc since World War II and marked the end of a period of improving East-West relations in the Cold War.

13.3 Afghan War: Background

The seed of the war was sown when the centrist government of President Mohammad Daoud Khan was overthrown in April 1978 by an uprising (known as Saur Revolution) of left-wing military officers led by Nur Mohammad Taraki. Thereafter power was shared by two Marxist-Leninist political groups — the People's (Khalq) Party and the Banner (Parcham) Party, which had earlier emerged from a single organization, the People's Democratic Party of Afghanistan, and had come together in an edgy alliance shortly before the coup. The new government with very little popular support forged close ties with the Soviet Union, launched cruel purges of all domestic opposition, and began widespread land and social alterations that were bitterly resented by the piously Muslim and mostly anti-communist population. In a country where Islamic authority was strong, changes such as equal status for men and women and the secularization of society were seen as an affront to Islam. In 1979, Soviet troops entered the country to support the government; they were afraid that if the regime was brought down by a fundamentalist Muslim revolution, like the one in Iran in January 1979, this would stir up the millions of Muslims who were Soviet citizens and undermine those republics with considerable Muslim populations.

At the outset of this section, it is noteworthy to keep in mind that in the aftermath of the Saur Revolution (it was a coup d'état led by the Soviet-backed People's Democratic Party of Afghanistan against the rule of Afghan President Mohammed Daoud Khan) in 1978, the Democratic Republic of Afghanistan was formed on April 27, 1978. The government was one with a pro-poor, pro-farmer socialist agenda. It had close ties with the Soviet Union and subsequently on December 5, 1978, a treaty of friendship was signed between the Soviet Union and Afghanistan.

● Soviet–Afghan Relations

The USSR or the Soviet Union had been a key power broker and influential mentor in Afghan politics. The Soviet Union always considered the bordering nation of Afghanistan of interest to its national security. Since 1947, Afghanistan had developed under the aegis of the Soviet government – it had received large amounts of aid, financial assistance, training military and military hardware from the USSR. As a matter of fact, as early as 1919, soon after the Russian Revolution and when the regime was facing the Russian Civil War, economic aid and assistance used to be provided to Afghanistan. Provisions were given in the form of small arms, ammunition, a few aircraft, and a million gold rubles to support the conflict during the Third Anglo-Afghan War in 1919. In 1942, the USSR again moved to support the Afghan Armed Forces by supplying small arms and aircraft, and setting up training centers in Tashkent (Uzbek Soviet Socialist Republic). The Soviet-Afghan military cooperation initiated on a regular basis in 1956, and further contracts were made in the 1970s, owing to which the USSR had sent advisers and experts.

In 1978, President Daoud Khan initiated a military upsurge to respond to Pakistan's armed forces and Iranian military control in Afghan politics. A final pre-war treaty, signed in December 1978, allowed the People's Democratic Party of Afghanistan (PDPA) to call upon the Soviet Union for military support. The treaty established a 20-year period of 'friendship and cooperation' between the USSR and Afghanistan. In addition to increased economic assistance, the Soviet Union promised continued cooperation in the military field. Soviet leader Leonid Brezhnev declared that the treaty marked a 'qualitatively new character' of relations between the two nations.

It could be argued that in an effort to support an unpopular pro-Soviet administration in Afghanistan, the Soviet Union signed the 'friendship treaty' with the Afghan government in agreement to provide economic and military help. The treaty, hastened the Russians participation in the Afghan civil war between the Soviet-supported communist government and the Muslim rebels, the Mujahideen, which formally began in 1979.

● Onset of the Insurgency

Under the regime of Mohammed Daoud Khan, Afghanistan had hostile relations with both Pakistan and Iran. Like all earlier Afghan rulers since 1901, Daoud Khan also wanted to follow Emir Abdur Rahman Khan and unite his divided country. In that connection, he formulated the Pashtunistan policy which aimed to take over Pashtun areas of Pakistan and unite the Afghan people divided along the tribal lines; however, he used this policy for his own benefit. Daoud Khan's Pashtunistan policy had angered both Pakistan and non-

Pashtun population of Afghanistan. In 1960 and 1961, Afghan army, on the orders of Daoud Khan, made two unsuccessful incursions into Pakistan's Bajaur district, where the Afghan army was routed after suffering heavy casualties. This turned the Afghan-Pakistan relations further bitter and as a consequence all trade routes running through the Pakistan-Afghanistan border were blocked by Pakistan; hence, Daoud's regime was pushed towards closer trade alliance with the USSR. As a result of unrelenting resentment against Daoud's despotic rule, close ties with the Soviet Union and economic downturn, Daoud Khan was forced to resign. After his resignation, relations between Afghanistan and Pakistan turned better.

However, during a coup in 1973, Daoud Khan supported by Soviet-trained Afghan army officers again seized power from his cousin, King Zahir Shah and revived his Pashtunistan policy and for the first time started a proxy war against Pakistan by supporting anti-Pakistani groups and supplying them with arms, training and shelter. Soviet Union certainly backed Daoud Khan's militancy against Pakistan as the Soviets wanted to weaken Pakistan which was a partner of United States and China. However, it did not openly try to create troubles for Pakistan, considering that would hamper the relations of Soviet Union with other Islamic countries.

When Daoud came to power in Afghanistan, he was assigned the task to heal the divisions within the PDPA — a political composition that supported communism. Before his ascent, the PDPA split into the Parchamists, led by Babrak Karmal, which remained loyal to Daoud, and the Khalqis, which was a radical group led by Noor Taraki. Realizing that the split could result in a civil war in Afghanistan, Daoud attempted to distance away from communism and welcome Western relations, which resulted in Daoud being executed during a coup led by the Khalqis in 1978. Taraki assumed power in Afghanistan and entered into a pact with Babrak Karmal to realign the PDPA. The two factions then launched a national drive in an effort to transition Afghanistan's rural Muslim population into supporters of communism, which quite understandably was unacceptable to the orthodox Muslim population as they considered communism to be an atheist ideology.

Towards the middle of 1979, Muslim insurgents, or the Mujahideen, armed them and started moving in the direction of important cities in Afghanistan, for instance the capital city Kabul. An anxious USSR deployed a number of divisions to the border of Afghanistan, but held off an assault in the hope that Taraki could suppress the insurgency. However, it was during this time that internal strife in Afghan administration allowed the mujahideen fighters to get greater control of Afghanistan, which forced the Soviet Union to react.

13.4 Soviet Invasion And The Mujahideen Resistance

On December 24, 1979, the Soviet Union invaded Afghanistan. Throughout the first few months of 1980, the Soviet forces mainly established defensive perimeters around strategic cities. At the start of spring of 1980, the USSR implemented the military strategy of search-and-destroy, which was occupying the key cities while sending divisions of troops into the countryside to spot and flush out the mujahideen fighters. The Soviets launched numerous offensives over the span of five years, but the most significant was the Panjshir Valley Offensive, which included nine tactical strikes. Heavy fighting also occurred in the provinces neighbouring Pakistan, where cities and government settlement were always under siege by the Mujahideen. Massive Soviet operations would often break these sieges, but the Mujahideen would return as soon as the Soviets left.

The Mujahideen fighters were carrying out the tactic of guerilla warfare, for which they got material support from the US. Knowing that they no match against the powerful Soviet military, they took to hit and run tactics and fought irregularly. In fact, there were many of the recruits into KHAD (Afghan secret police), who were in reality Mujahideen fighters and would join up to acquire arms, ammunition and money besides gathering information about forthcoming Soviet military actions. In 1985, the size of the LCOSF (Limited Contingent of Soviet Forces) was augmented to 108,800 and fighting increased all over the country, making 1985 the bloodiest year of the war. However, in spite of suffering heavily, the Mujahideen were capable to continue in the field, mostly because they received thousands of new volunteers daily and sustained defying the Soviets.

The Soviets followed three main strategies aimed at quelling the resistance — intimidation was the first strategy, in which the Soviets made use of airborne attacks and armored ground attacks to demolish villages, livestock and crops in difficult terrains that were sites of guerrilla attacks on Soviet convoys or known to prop up resistance groups. Natives were forced to either flee their homes or die as regular Soviet attacks made it impossible to live in those areas. By forcing the people of Afghanistan to run away from their homes, the Soviets hoped to deprive the guerrillas of resources and safe havens. The second strategy involved subversion, which entailed sending spies to join resistance groups and pass information as well as bribing local tribes or guerrilla leaders into weakening operations. Finally, the Soviets used military forays into disputed territories in an attempt to eradicate the guerrillas and restrict their options. The standard search and destroy operations were implemented; once the villages were occupied by Soviet forces, residents were regularly interrogated and tormented for information or killed.

Towards the mid-1980s, the Afghan resistance movement, supported by the United States, Pakistan, Saudi Arabia, the United Kingdom, Egypt, the People's Republic of China and others, added up to Moscow's high military costs and tensed international relations. The quality of arms used by the mujahideen fighters and combat organization gradually improved with large amount of arms and other war material dispatched to the rebels by the US and its allies and the sympathetic Muslims across the globe. The US viewed the conflict in Afghanistan as a central part of the Cold War struggle, and the CIA provided support to anti-Soviet forces through the Pakistani intelligence services, in a programme called the Operation Cyclone.

The North-West Frontier province of Pakistan became a base for the Mujahideen and the Deobandulama of that province played a noteworthy role in the Afghan 'jihad', with Madrasa Haqqaniyya becoming a prominent organizational and networking base for the anti-Soviet Afghan fighters. Besides money, Muslim countries provided thousands of volunteer fighters known as 'Afghan Arabs', who aspired to wage jihad against the atheist communists – notable among them was a young Saudi Prince named Osama bin Laden, whose Arab group ultimately advanced into Al-Qaeda. Sabotage operations were also applied by the Mujahideen – the more common kinds of sabotage included destroying power lines, knocking out pipelines and radio stations, exploding government office buildings, air terminals, hotels, cinemas, and so on. In the border region with Pakistan, the Mujahideen would frequently launch hundreds of rockets each day. Between April 1985 and January 1987, they conducted over 23,500 shelling attacks on government establishments. The Mujahideen surveyed firing positions that they usually located near villages within the range of Soviet artillery posts, putting the villagers in threat of death from Soviet retaliation. Land mines were extensively used by the Mujahideen on supply routes of troops and materials sent by the Soviet side.

The Maoist guerilla groups were also active – though to a lesser extent compared to the religious Mujahideen. Perhaps the most distinguished of these groups was the Liberation Organization of the People of Afghanistan (SAMA), which launched expert guerilla attacks and controlled some territory north of Kabul in the initial years of the war. The Maoist resistance in the long run lost its speed and was severely destabilized following the deaths of leaders like Faiz Ahmad and Mulavi Dawood in 1986, both committed by the Hezb-e Islami Gulbuddin Mujahideen faction.

Afghanistan's resistance movement began in chaos, extended and triumphed chaotically, and did not discover a way to govern differently. Practically all of its war was waged

locally by regional warlords. As the war produced leaders of repute, the position of 'commander' was bestowed on leaders of fighting divisions of all sizes, signifying pride in independence, self-sufficiency, and distinct ties to local communities. The title symbolized Afghan pride in their fight back against a potent foe.

It is argued that the introduction of the personal, portable, infrared-homing surface-to-air 'Stinger' missile in September 1986 was a turning point in the war. According to some military analysts, Stinger was a 'game changer', which is why they coined the term 'Stinger effect' to describe it. US Congressman Charlie Wilson, who was instrumental in financially backing the Stingers for the mujahideen stated that before the Stinger the Mujahideen never won a set piece battle with the Soviets but after its introduction, the Mujahideen never again lost one.

13.5 Soviet Withdrawal: The Causes

During early 1983, initiatives were led by Pakistan's Foreign Minister Yaqub Ali Khan and Khurshid Kasuri towards planning out an exit plan for the Soviets; the ministry began working with the USSR to offer them an exit from Afghanistan. Despite an active support for rebel groups, Pakistanis remained considerate to the challenges faced by the Russians in reinstating peace, in the long run exploring the idea towards the prospect of creation of the interim system of government, which however, was not endorsed by President Zia-ul-Haq because of his standpoint on the issue of the Durand line. In 1984-85, Foreign Minister Yaqub Ali Khan paid state visits to China, Saudi Arabia, Soviet Union, France, United States and the United Kingdom for developing a framework for the Geneva Accords which was formalized in 1988 between Pakistan and Afghanistan.

In 1985, the promotion of Mikhail Gorbachev to General Secretary and his 'new thinking' on foreign and domestic policy was possibly a significant factor towards the decision of the Soviets to withdraw troops from Afghanistan. Gorbachev had been putting in efforts to get rid of the economic stagnation that Soviet Union had stepped in during the leadership of Brezhnev. He sought to restructure the Soviet economy with his policies of the Glasnost and Perestroika. Gorbachev had also been attempting to ease cold war tensions by signing the Intermediate-Range Nuclear Forces Treaty with the US in 1987. Eventually Gorbachev understood that he was in a similar situation to the one in which the Americans had been in Vietnam. He certainly acknowledged that war in Afghanistan could not be won and that withdrawal of Soviet troops was a necessary step. In fact, there was a general change in Soviet foreign policy – from one of confrontation to avoidance of conflict wherever possible.

By mid-1987 the Soviet Union announced that it would start withdrawing its forces. Operation Magistral, from November 1987 to early January 1988 was one of the concluding offensive operations undertaken by the Soviets, a successful sweep operation that cleared the road between Gardez and Khost. This operation did not have any enduring effect on the result of the conflict nor the soiled political and military status of the Soviets in the eyes of the West, but was a symbolic gesture that marked the end of their widely condemned stay in the country without victory. In order to guarantee a safe passage for themselves, the Soviets had agreed on ceasefires with local Mujahideen commanders, so the withdrawal was generally executed peacefully. The first half of the Soviet contingent was withdrawn from May 15 to August 16, 1988, and the second from November 15 to February 15, 1989.

After the withdrawal of the Soviets the Democratic Republic of Afghanistan (DRA) forces were left fighting alone and had to desert some provincial capitals, and it was generally believed that they would not be able to challenge the Mujahideen for long. However, in the spring of 1989 DRA forces inflicted a crushing defeat on the Mujahideen at Jalalabad.

Some of the reasons behind the withdrawal of the Soviet forces from Afghanistan were:

- The Soviets used comprehensive offensives against mujahideen strongholds, such as in the Panjshir Valley, by which those sectors were temporarily cleared and killed many civilians in addition to enemy soldiers. The biggest limitation here was the fact that once the Soviet forces engaged with the enemy in force, they could not hold the ground by moving back once their operation was accomplished. The killing of civilians further estranged the inhabitants from the invading Soviets, with terrible long-term effects.
- The Soviet Army of 1980 was skilled and equipped for large-scale, conventional warfare in Central Europe against a similar adversary, i.e. it used armoured and motor-rifle formations. This was particularly futile against small-scale guerrilla groups using hit-and-run tactics in the rugged terrains of Afghanistan. The large Red Army formations were not movable enough to engage with small groups of Mujahideen fighters that effortlessly merged back into the terrain. The set strategy also meant that troops were discouraged from ‘tactical initiative’, important in counter-insurgency, as it “tended to disturb operational timing”.

- The Soviets did not have enough militia trained to fight a counter-insurgency war and their troops were not motivated. The peak number of Soviet troops during the war was 115,000; the bulk of which were conscripts. That led to poor combat performance in their motor-rifle formations.
- For a successful counter-insurgency war, intelligence gathering is very essential, which in this case was inadequate. The Soviets relied too much on less-than-accurate aerial recon and radio intercepts rather than their recon infantry and Special Forces.

13.6 The Aftermath of The War

As the Soviet troops withdrew, left to fend for itself, the socialist government of Afghanistan survived until 1992 when it was finally overthrown. The Mujahideen formed a coalition government, but the country soon fell into total chaos as the rival factions fought for power. A transitional government, sponsored by different rebel groups, proclaimed an Islamic republic, but jubilation was short-lived as the President Burhanuddin Rabbani, leader of the Islamic Society, a major Mujahideen group, refused to leave office in agreement with the power-sharing deal reached by the new government. Other Mujahideen groups surrounded Kabul and began to bombard the city with artillery and rockets. These attacks continued erratically over the next few years as the countryside outside Kabul slipped into chaos.

To certain extent as a response, the Taliban (meaning students in Pashto), a puritanical Islamic group led by a former Mujahideen commander, Mohammad Omar, emerged in the fall of 1994 and thoroughly seized the charge of the country, occupying Kabul in 1996. The Taliban were a conservative Muslim faction made up of Pashtuns, the ethnic group in the south-east of the country, especially in the province of Kandahar. By the end of 2000 they controlled most of the country except the north-west, where they were opposed by the rival ethnic groups - Uzbeks, Tajiks and Hazara - known as the 'Northern Alliance'.

The Taliban regime aroused global disapproval due to its extreme policies such as excluding women from public life, prevention of women from continuing as teachers and doctors and in other professions infliction of, harsh criminal punishments, the country was used as a sanctuary and training ground for Islamic militants and many more. Following such developments, very few states recognized the Taliban rule, and its unpopularity enhanced

the American plan to employ force against it. A joint US and UK operation against Afghanistan was launched on 7 October 2001. Taliban military targets and al-Qaeda camps were attacked with cruise missiles fired from ships. Meanwhile troops of the Northern Alliance began an offensive against Taliban positions in the north-west. Fighting continued at an impasse until 2001, when the Taliban refused demands by the US government to hand over Saudi Arabian exile Osama bin Laden, the leader of an Islamic extremist group, al-Qaeda, which had close ties with the Taliban and was accused of having launched terrorist attacks against the United States, including a series of destructive strikes on September 11. On 14 October the Taliban offered to hand over Laden to an intermediary state, though not directly to the USA. In return they demanded that the USA should stop the bombing. However, President Bush rejected this offer and refused to negotiate. At first the Taliban forces put up strong resistance, and at the end of the month they still controlled most of the country. However, by November, under pressure from the continued US air attacks and the Northern Alliance forces, the Taliban began to lose their grip. On 12 November they abandoned Kabul and were soon driven from their main power base - the province of Kandahar. Many fled into the mountains or over the border into Pakistan. The USA continued to bomb the mountain region, hoping to flush out Laden and his al-Qaeda fighters, but without much success. Years later Osama bin Laden was killed in May 2011 by a clandestine operation of the US forces at Abotabad in Pakistan, where Bin Laden was hiding.

On 27 November 2001 a peace conference was held in Bonn (Germany), under the auspices of the United Nations to decide on a new government for Afghanistan. Early in 2004 the central government of President Hamid Karzai in Kabul was under pressure to impose its authority over troublesome warlords in the north. He was backed by the US troops who were still pursuing the 'war on terror', and by the NATO forces who were trying to keep the peace and help restructure the country, which was certainly an uphill task. Notably, India, a well-meaning neighbour, came to the assistance of the elected government in Kabul for years together, building vital connectivities, infrastructure, schools, institutions and hospitals.

Under the Bonn Agreement, dialogue continued between the Afghan government and Taliban. After decades of US military presence in Afghanistan and American supervision of the peace talks with Taliban, it is only in February 2020 that US signed a historic pact with Taliban owing to which the American troops will be withdrawn from Afghanistan; possibly bringing an end to the Afghan war.

13.7 Conclusion

This war which brought Afghanistan back to square one with the Taliban back to power as soon as the US forces left was a barren episode. It witnessed mass killing of civilians in the summer of 1980. Up to 2 million Afghans lost their lives during the Soviet occupation. Civilian death and annihilation due to the war was considerable. Estimates of Afghan civilian deaths vary from 562,000 to 2,000,000. About 5-10 million Afghans fled to Pakistan and Iran, which is one-third of the pre-war population of the country, and another 2 million people were dislocated within the country. There were other gruesome instances of violence against civilians, women included.

International reaction to the Soviet intervention in Afghanistan was diverse. US President Jimmy Carter issued a trade ban against the Soviet Union on shipments of commodities such as grain, which led to newly increased strains between the two nations. The diplomatic responses across the globe were also disturbing — from stern warnings issued by the UN to a US-led boycott of the 1980 Summer Olympics in Moscow. Interestingly, India, a close ally of the Soviet Union, endorsed the Soviet incursion of Afghanistan and by the end of the hostilities, offered to make available humanitarian assistance to the Afghan government. India also opposed an UN resolution condemning the intervention.

In the view of experts, the war led to the fall of the Soviet Union by undermining the image of the Red Army as invincible, undermining Soviet legitimacy, and by creating new forms of political participation in the form of new civil organizations of war veterans (Afghanis), which destabilized the political supremacy of the communist party.

13.8 Summing Up

- The Soviet Union invaded Afghanistan in December 1979, under the pretext of upholding the Soviet-Afghan Friendship Treaty of 1978. It was the first military mission of the USSR beyond the Eastern bloc since World War II and marked the end of a stage of improving relations in the Cold War.
- The Soviets fought the battle against the Mujahideen who were backed primarily by the United States, Saudi Arabia, and Pakistan. During mid 1979, the Mujahideen fighters started moving in the direction of important cities in Afghanistan to drive out the Russians. One of the organizations fighting with the Mujahideen was al-Qaeda, led by Osama bin Laden, who, paradoxically, received training, weapons and cash from the US.

- The USSR implemented the military plan of search-and-destroy to aim and flush out the Mujahideen fighters. The Soviets launched numerous offensives over the span of five years, but the most significant was the Panjshir Valley Offensive, which included nine tactical strikes. However, the biggest difficulty remained in the fact that once the Soviet forces engaged with the enemy in force, they could not hold the ground by moving back after their operation was accomplished.
- After joining office in 1985, Gorbachev understood that the Afghan venture had backfired. He certainly acknowledged that war in Afghanistan could not be won and that withdrawal of Soviet troops was a necessary step. So by February 1989 all Soviet troops had been withdrawn, leaving Afghanistan in greater internal chaos.
- After the withdrawal of the Soviet forces, the socialist government of Afghanistan survived until 1992 when it was finally overthrown. Chaos amidst rival factions of the Mujahideen continued to fracture Afghanistan and it was the Taliban group, led by a former Mujahideen commander, Mohammad Omar that came to prominence in the fall of 1994 and thoroughly seized the control of the country, occupying Kabul in 1996.

13.9 Probable Questions

Essay Type Questions:

1. What caused the Soviets to intervene in to Afghanistan? How did the Afghan war impact international politics since 1979?
2. Discuss the relations between the USSR and Afghanistan before the War. How did the insurgency and consequently the resistance by the Mujahideen gain momentum?
3. What led to the withdrawal of the Soviet troops from Afghanistan? What did Afghanistan experience after the withdrawal?

Short Questions

1. Briefly discuss the background of the war in Afghanistan in 1979.
2. Examine the rationale of the involvement of the Soviet Union in the Afghan war. Why did the Mujahideen resistance succeed?
3. Discuss the causes behind the withdrawal of the Soviet troops from Afghanistan.

4. How did the Taliban regime begin in Afghanistan?
5. What made Afghanistan an area of vital interest for Russia before the revolution?
6. Who were the Mujahideen?
7. Were the Soviet troops equipped and capable of fighting in Afghanistan?
8. How did the Afghan politics shape in the aftermath of the Soviet withdrawal of troops?

Objective Questions:

1. In which year was Afghanistan invaded by Russia?
2. What is KHAD?
3. Which country was behind the Operation Cyclone'?
4. Who were the members of 'Northern Alliance'?

13.10 Further Reading

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Unit 14 ☐ Balkans: Serbia and Bosnia

Structure:

- 14.1 Objective**
- 14.2 Introduction**
- 14.3 Civil War in Yugoslavia**
- 14.4 The Yugoslav Wars**
- 14.5 Conclusion**
- 14.6 Summing Up**
- 14.7 Probable Questions**
- 14.8 Further Reading**

14.1 Objective

After studying this unit, the learners will be able to:

- Discuss the civil war in Yugoslavia followed by the call for independence by Slovenia.
- Understand the significance of the civil war in Yugoslavia in the history of world politics.
- Explain the backdrop of the Serb-Croat War and the conflict in Bosnia-Herzegovina.
- Understand the Serb-Croat conflict.
- Explain the Dayton Accords of 1995.

14.2 Introduction

The former Yugoslavia was a Socialist state formed after German occupation in World War II and a bitter civil war. A federation was constituted with six republics each populated by distinct ethnic groups – Serbs, Croats, Bosnian Muslims, Albanians, Slovenes and

others under a comparatively relaxed communist regime. Under the leadership of President Tito old tensions between these groups were effectively suppressed. However, in the times after the death of Tito in 1980, tensions resurfaced. In the 1980s sharp decline of the Yugoslav economy led to extensive public discontent with the political system, which along with the manipulation of nationalist feelings by politicians, weakened Yugoslav politics. Independent political parties soon appeared. In 1991, calls for more autonomy within Yugoslavia by nationalist groups led to declarations of independence in Croatia and Slovenia.

Subsequently, the Slovenian and Croatian secessions from the Socialist Federal Republic of Yugoslavia in 1991, the multi-ethnic Socialist Republic of Bosnia and Herzegovina, which was mainly populated by Muslim Bosniaks (44 percent), Orthodox Serbs (32.5 percent) and Catholic Croats (17 percent), passed a referendum for independence on 29 February 1992. It was rejected by the political representatives of the Bosnian Serbs, who had boycotted the referendum. This was soon followed by the mobilization of the forces of the Bosnian Serbs supported by the Serbian government of Slobodan Milošević and the Yugoslav People's Army (JNA) inside Bosnia and Herzegovina in order to protect ethnic Serb region; war soon spread across the nation, accompanied by ethnic cleansing. This war has been popularly known as the Bosnian War that continued from 1992 to 1995, which involved the international stakeholders as well.

14.3 Civil War In Yugoslavia

Yugoslavia was formed after World War I, and consisted of the pre-World War I state of Serbia, in addition to the territory gained by Serbia from Turkey in 1913, which contained a considerable Muslim population, and the territory taken from the conquered Habsburg Empire. It comprised people of diverse nationalities, and the state was structured on federal outline. It consisted of six republics – Serbia, Croatia, Montenegro, Slovenia, Bosnia-Herzegovina and Macedonia. There were also two provinces namely, Vojvodina and Kosovo, which were connected with Serbia. Under communism and the headship of Tito, the nationalist thoughts of the divergent populace were kept stringently under control, and people were encouraged to consider of themselves mainly as Yugoslavs rather than as Serbs or Croats.

Yugoslavia was a country, at one level, in whose towns and villages one out of three marriages reflected the union of a couple from different ethnic and religious communities. On the other level – which is political – it was a country whose many republics were

run by politicians who championed their communal roots and divisive loyalties, in other words, they built their power by abusing other communities. At the time of Tito's death, Yugoslavia was unique; it was the only communist neutral country in the world. However, it was also fragmenting and impoverished – it was no more interconnected as a communist federation than it had been as a triune kingdom. A crisis appeared in Yugoslavia due to the weakening of the system of confederation at the end of the Cold War. In Yugoslavia, the national communist party, the League of Communists of Yugoslavia, was losing its ideological effectiveness.

The most influential of the six republics was Serbia, which was home to the largest group and the one with the maximum numbers outside its own republic — 2 million Serbs residing in Croatia and Bosnia in addition to 10 million in Serbia itself. The Orthodox Church supported the Serbian leaders in Serbia and beyond, particularly in Cyprus and Greece. The temper of the Serbs was personified in Slobodan Milosevic, who emerged through the Serbian League of Communists to become the President of the Serbian Republic. Milosevic was a Serb nationalist and an experienced politician with very little loyalty to the idea of Yugoslavia. In 1989, he had annulled the autonomous status of Kosovo and Vojvodina.

Towards the mid-1980s, things started turning unfavourable for the country, which gradually led to the breakdown of Yugoslavia. To point out the factors that were responsible:

- i. In 1986, the economy was in danger, with inflation running at 90 percent and joblessness standing at over a million. There were differences between areas such as Slovenia was reasonably affluent while parts of Serbia were poverty-stricken.
- ii. Milosevic on purpose stirred up Serbian nationalist feelings to boost his own reputation, using the situation in Kosovo. He claimed that the Serbian minority in Kosovo were being intimidated by the Albanian majority, though there was no specific evidence of this. The Serbian government's aggressive treatment of the Albanians led to protest demonstrations and the first occurrence of violence. Milosevic remained in power after the first free elections in Serbia in 1990, having been able to successfully convince the voters that he was now a nationalist and not a communist and that he wanted to protect the united federal state of

Yugoslavia, nevertheless with the intention of placing Serbia as the dominant republic.

- iii. By the end of 1990 free elections had also been held in the other republics, and new non-communist governments had come to power. They resented Serbia's attitude, in fact, Franjo Tudjman, former communist and then leader of the right-wing Croatian Democratic Union and president of Croatia did all he could to stir up Croatian nationalism with the intention to have an independent state of Croatia.
- iv. As Slovenia also wanted to become independent, the future for the united Yugoslavia looked dreary. Interestingly, only Milosevic was against the break-up of the state, however, he wanted it to be kept on Serbian terms and rejected any concessions to be made to other nationalities. He was against the idea of a Croat being the President of Yugoslavia and used Yugoslav federal money to facilitate the Serb economy.
- v. The situation was difficult because every republic had ethnic minorities: there were about 60,000 Serbs living in Croatia (about 15 percent of the population) and about 1.3 million Serbs in Bosnia-Herzegovina (approximately one-third of the population). Tudjman offered no guarantees to the Serbs of Croatia, and this provided Serbia the excuse to declare that she would defend all Serbs forced to live under Croatian rule. If leaders would have made reasonable concessions, peaceful resolutions could have been found, certainly war was not inevitable. But clearly, if Yugoslavia broke up, with leaders like Milosevic and Tudjman in power, peaceful future had very little chance.

In this regard, it must be noted that Milosevic encouraged Serbs in Croatia who were stirring up for an autonomous Serb region, also revived Serb claims to parts of Bosnia. To Slovenes and Croats it appeared to be a menacing Greater Serbia. Soon after in June 1991, Croatia and Slovenia declared their independence from Yugoslavia, rejecting not only the existing federation but any alteration of it.

14.4 The Yugoslav Wars

To begin with this section, we would try to understand what happened in early 1991. Frequent meetings were held in early 1991 between the leaders of the six Yugoslav republics and the two autonomous regions to talk about the ongoing emergency in Yugoslavia. Almost

all six republics favoured and proposed different stances. On 25 March, Tudjman and Milosevic held a meeting in Karađorđevo (north-west Serbia). Soon after in June, Croatia and Slovenia became independent.

● The Serb-Croat War

When Croatia and Slovenia declared their independence against the desires of Serbia, it opened the lid of the crisis. Fighting appeared likely between troops of the Yugoslav federal army (primarily Serbian) positioned in those countries, and the newly formed Croatian and Slovenian militia armies, which had just been formed. Immediately after both these republic became independent, a short armed conflict occurred in Slovenia called the Ten-Day War along with the acceleration of the Croatian War of Independence in regions that had substantial ethnic Serb population. In the second half of 1991, the war was escalating in Croatia; the Yugoslav People's Army (JNA) also attacked Croatia from Bosnia and Herzegovina.

Slovenia could avoid civil war mainly because there were very few Serbs living there. The Yugoslav government sent federal forces into both countries. Slovenia being a compact, homogenous, peripheral and merely with a population of one million had its own defence force separate from the federal army, whose units in Slovenia were isolated from one another and from their supplies. It helped in checking the war in Slovenia.

However, the story in Croatia was different as it had a large Serbian minority. Croatia covered one-fifth of Yugoslavia with a population of 4.5 million. The Serbs had a control over one-third of Croatia. Serbian troops marched into the eastern part of Croatia which was inhabited by many Serbs, and other towns and cities, including Dubrovnik on the Dalmatian coast, were shelled. Towards the end of August 1991, about one-third of the country had been captured. In eastern Slovenia, the federal army's devastation of Vukovar, in a way, facilitated the Croats to gain international sympathy and also helped them to win international recognition of their independence. In the Krajina, which lies between the Adriatic coast and Bosnia, the Croats were defeated by the native Serbs. Only then, having captured all the territory he wanted, did Milosevic agree to a ceasefire.

At this stage international intervention was crucial for two reasons. The first was to end the fighting as there was a fear that it would spread to the entire Yugoslavia and beyond. These fears were practical as the independence of Croatia and Slovenia was likely to create similar demands in other republics because Serbia and Macedonia had ethnic minorities and Bosnia consisted of only minorities. Conflicts in Yugoslavia attracted serious attention

and provoked national susceptibilities in Greece, Albania and to some extent in Bulgaria. In 1991, the UN passed the Resolution 713 and imposed an embargo on the delivery of arms to any part of Yugoslavia, which made Milosevic little disturbed. The second reason was for providing relief to victims of war and the protection of those providing such services. It was pursued in 1992 by different agencies, including UN agencies to form the UN force –UNPROFOR, which recruited a force of 13,000 troops from over 20 countries and dispatched to aid and protect the aid-providers by avoiding any involvement in the hostilities. UNPROFOR was not a peace-keeping force but was established, first in Croatia and later in Bosnia to safeguard aid-providers, to help victims in different areas where peace has not been able to be established and to keep away from fighting. It was placed in a war situation devoid of any authority or capacity to make war and in the hope that it might perform its tasks in spite of the wars being carried out in its zones of operation. This was a first of such kind of operation undertaken by the UN Security Council. In many areas and in a number of ways UNPROFOR was successful but it was always a pawn waiting to be seized by one belligerent or other.

● War in Bosnia-Herzegovina

Bosnia-Herzegovina was distinct from Serbia and Croatia not only as a separate Yugoslav republic but also as a political entity, which within varying boundaries, had been recognized as such formally since the 16th century. A large section of the population had affinities with Serbs or Croats, while others were Muslims. The Bosnian Serbs accounted for less than one-third of the population, the Bosnian Croats comprised of one-sixth and the Muslims were nearly half the population. Linguistically and racially all of these people were Slavs due to the invasion of the Slavs during the early Middle Ages.

In Tito's Yugoslavia, Bosnia was one of the federation's more depressed republics; it faced growing communal tension and there was departure of many Bosnian Serbs to Serbia. Tito encouraged the Muslims to consider themselves as a distinct community and they were formally so accepted in 1971, but there was a divide between communist and anti-communist Muslims. Alija Izetbegovic, the then future President of Bosnia-Herzegovina, was a prominent anti-communist leader. After the elections in 1990, Bosnia-Herzegovina had a coalition government. It included Serbs, Croats and Muslims; however the Serbs left the coalition with the intent to form a distinct Serb state in as much of Bosnia as they might be able to triumph over. When the Serb-Croat conflict began President Izetbegovic was left with the choice between remaining in a new Yugoslavia without Slovenia and Croatia, or attaining independence like Slovenia and Croatia. He chose the latter.

Bosnia declared itself independent under the presidency of Izetbegovic in March 1992. The European Community (EC) recognized its independence, repeating the same mistake as it had done with Croatia - it failed to ensure that the new government assured fair treatment for its minorities. The Bosnian Serbs discarded the new constitution and objected to a Muslim president. Conflict soon broke out between Bosnian Serbs, who were aided and encouraged by Serbia, and Bosnian Muslims. The Serbs hoped that a large strip of land in the east of Bosnia, which bordered onto Serbia, could separate from the Muslim-dominated Bosnia and become part of Serbia. During the same time Croatia attacked and occupied areas in the north of Bosnia where most of the Bosnian Croats resided. Violence was resorted to by all sides, but it appeared that the Bosnian Serbs were accountable for most cruelty. They carried out 'ethnic cleansing' — driving out the Muslim civilian population from Serb-majority areas, putting them into camps, and in some cases executing all the men. Barbarism of such kind was not previously seen in Europe since the Nazi treatment of the Jews during the World War II. The Bosnian capital of Sarajevo was besieged and bombarded by the Serbs, and throughout the country there was chaos – two million refugees had been evicted of their homes by 'ethnic cleansing' and not adequate food and medical supplies were accessible. The UN force, UNPROFOR, did its best to dispense aid, but its job was extremely hard due to lack of supporting artillery or aircraft. Later the UN tried to safeguard the Muslims by pronouncing three key Muslim towns in the Serb-majority region – Srebrenica, Zepa and Gorazde as 'safe areas'; but not sufficient troops were present to protect them if the Serbs carried out an attack. The EC was hesitant to send any troops and the US felt that Europe should be able to sort out its own troubles. However, they all certainly agreed to place economic sanctions on Serbia to compel Milosevic to stop helping the Bosnian Serbs. The war continued till 1995; there were endless talks, pressure of NATO action and efforts to get a ceasefire, but no progress could be made.

During 1995 important changes took place which facilitated a peace agreement to be signed in November. It was in this phase, that Serb forces again shelled Sarajevo, killing a number of people, after they had promised to pull out their heavy weapons. In fact, Serbs seized UN forces as hostages to prevent NATO air strikes; they also attacked and captured Srebrenica and Zepa, two of the UN demarcated 'safe areas', and in July at Srebrenica they carried out possibly the ultimate act of barbarism, killing about 8000 Muslims in a dreadful final burst of 'ethnic cleansing'.

Quite obviously, Serb behaviour in due course proved too much for the international community. At a conference in London attended by the Americans, it was decided to use NATO air strikes and to deploy a 'rapid reaction force' against the Bosnian Serbs if they continued their assault. The Bosnian Serbs disregarded this and continued to shell Sarajevo. Soon there was a massive NATO bombing of Bosnian Serb positions, which continued until they agreed to shift their arms away from Sarajevo. More UN troops were sent; nonetheless in fact the UN position was undermined because the operation was under the control of NATO. By this time the Bosnian Serb leaders had been prosecuted by the European Court for war crimes. President Milosevic desperately wanted to get the economic sanctions on his country lifted. With the Bosnian Serb leaders discredited on global stage as war criminals, he got the opportunity to stand for the Serbs at the conference table.

The Americans effectively took the lead against the Bosnian Serbs without going through the formalities of condemning them at the UN as a threat to global peace and hoping to drive a wedge between them and Milosevic. Thus, a truce was agreed and Presidents Clinton and Yeltsin agreed to cooperate on peace arrangements. A peace conference held in the USA at Dayton, Ohio in November and a treaty (Dayton Accords) was officially signed in Paris in December 1995. The Dayton Accords stated the following:

- i. Bosnia was to remain a single state with a single elected parliament and president, and a unified Sarajevo as its capital.
- ii. The state would include two sections — the Bosnian Muslim or Croat federation and the Bosnian Serb republic.
- iii. Gorazde, the surviving 'safe area', was to continue in Muslim hands, linked to Sarajevo by a corridor through Serb territory.
- iv. All prosecuted war criminals were disqualified from public life.
- v. All Bosnian refugees, more than two million of them, had the right to return, and the freedom of movement throughout the new state.
- vi. About 60,000 NATO troops were to monitor the settlement.
- vii. It was understood that the UN would lift the economic sanctions on Serbia.

Bill Clinton publicly mentioned that US diplomacy had created the Dayton Accords and that US troops had been requested to help the parties put into operation the peace plan. He asserted that peace in the Balkans was in America's interest.

Peace has lasted since the signing of the Dayton Accords. The Annex 4 of the General Framework Agreement still stands as the constitution for Bosnia and Herzegovina maintains to be the foundation for the present political divisions of Bosnia and Herzegovina and its formation of government. The agreement also put down the groundwork for NATO military action in Kosovo in 1999, which has since led to its independence.

14.5 Conclusion

Initially it was estimated that no less than 200,000 people were killed and over 2,000,000 people were displaced during the 1992–95 war. However, subsequent studies established that about 100,000 people were killed. In 2012, the Sarajevo-based Research and Documentation Center (RDC) published its final report, which came up with figures that show a total of 101,040 dead or disappeared, of whom 61.4 percent were Bosniaks, 24.7 percent were Serbs, 8.3 percent were Croats and less than 1 percent belonged to other ethnicities, with an additional 5 percent whose ethnic identity was unspecified. In case of the Serb-Croat War, according to the head of the Croatian Commission for Missing Persons, Croatia suffered 12,000 killed or missing, which included 6,788 military personnel and 4,508 civilians.

According to the UN, there were 167 fatalities amongst UNPROFOR personnel during the course of the force's mandate, from February 1992 to March 1995. Of those who died, three were military observers, 159 were other military personnel, there was one member of the civilian police, two were international civilian workforce and two were local workforce.

The United Nations Commission on Human Rights (UNCHR) confirmed that the conflict in Bosnia and Herzegovina forced over 2.2 million people to flee their homes, making it the largest displacement of people in Europe since the end of World War II. The Serb-Croat War caused 500,000 refugees and displaced persons. According to the Organization for Security and Co-operation in Europe (OSCE), 221,000 people were displaced in 2006, of which 218,000 had returned.

In the Bosnian War, an estimated 12,000 to 20,000 women were raped, most of them Bosniak. For the first time in judicial history, ICTY declared that 'systematic rape', and 'sexual enslavement' during war as crime against humanity, second only to the war crime of genocide. Post war complications that were common among surviving women and girls include psychological, gynaecological and other physical problems, in addition to unwanted

pregnancies and sexually transmitted diseases. During the Croatian War, about 600 Croat women were raped in the Serb-occupied territories, outside of detention camps, from 1991-1995. The Croat forces were also known to have committed rapes and acts of sexual violence against Serb women during military operations. In May 2015, the Croatian parliament passed the first law in the country recognizing rape as a war crime – the Law on the Rights of Victims of Sexual Violence during the Military Aggression against the Republic of Croatia in the Homeland War.

In May 1993, the UN formed the International Criminal Tribunal for the former Yugoslavia (ICTY), and in the subsequent years, the court brought charges against individuals from every ethnicity and nationality who participated in the conflict. Most prominent, nonetheless, were cases brought against Serb and Bosnian Serb authorities. In 2001, Milosevic was arrested and charged with genocide and crimes against humanity; he passed away in prison in 2006 before the end of his trial. The ICTY also found six senior Croatian officials responsible for war crimes and concluded that Tudjman's government had practiced a criminal policy of ethnic cleansing. In connection with the siege of Sarajevo and the Srebrenica carnage, Ratko Mladic (military commander who led the Army of Republika Srpska (VRS) as a general during the Yugoslav Wars) was also tried by the ICTY.

14.6 Summing Up

- The former Yugoslavia comprised six republics of Serbia, Croatia, Montenegro, Slovenia, Bosnia-Herzegovina and Macedonia. In 1991, calls for more autonomy within Yugoslavia by nationalist groups led to declarations of independence in Croatia and Slovenia. This was soon followed by demand of independence by the multi-ethnic Socialist Republic of Bosnia and Herzegovina.
- Serbia was the most influential of the six republics and Slobodan Milosevic, a Serb nationalist, was against the break-up of the state, but wanted it to be kept on Serbian terms and rejected any allowance to be made to other nationalities. He was also against the idea of a Croat being the President of Yugoslavia.
- Croatia and Slovenia declared their independence from Yugoslavia in June 1991. Soon after the independence of both these republics, a short armed conflict occurred in Slovenia called the Ten-Day War began along with the acceleration of the Croatian War of Independence in regions that had substantial ethnic Serb population. The war continued till 1995.

- Bosnia declared itself independent under the presidency of Izetbegovic in March 1992. The Bosnian Serbs rejected the new constitution and objected to a Muslim president. Conflict soon broke out between Bosnian Serbs, who were aided and encouraged by Serbia, and Bosnian Muslims.
- Following a number of violent incidents in early 1992, the Bosnian War that took place in Bosnia and Herzegovina between 1992 and 1995, ended through the signing of the Dayton Accords in December 1995.
- The UN in 1992 formed the UNPROFOR, first in Croatia and later in Bosnia, to protect aid-providers, to help victims in different areas where peace has not been able to be established and to keep away from fighting.

14.7 Probable Questions

Essay Type Questions:

1. Discuss in detail the civil war in Yugoslavia followed by the call for independence by Slovenia, Croatia and Bosnia-Herzegovina.
2. Trace the main course of the Yugoslav war.
3. Discuss the role of the international agencies, especially the UN in the backdrop of the Serb-Croat War and the conflict in Bosnia-Herzegovina?
4. Discuss the impact of the civil war in Yugoslavia on world politics.
5. Show how ethnic factors led to the Yugoslav War? How influential were the Serbs in the war?
6. Discuss in light of the Yugoslav Wars, how the aftermath of the war shattered an otherwise independent and viable state.

Short Questions:

1. How important was the role of the UN and NATO in the wars of independence in Croatia and Bosnia?
2. Explain the nature of the Serb-Croat conflict.
3. Write a short note on the Dayton Accords of 1995.
4. Give an idea of the magnitude of ethnic cleansing for which Serbian leaders have been held responsible.

Objective Questions:

1. Name any two republics consisting Yugoslavia.
2. What is the full form of NATO?
3. In which year did Croatia achieve independence from Yugoslavia?
4. What is the full form of UNCHR?

14.8 Further Reading

- Lowe, N., *Mastering Modern World History* (Palgrave Macmillan, 2016).
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Unit 15 Iraq War

Structure:

- 15.1 Objective
- 15.2 Introduction
- 15.3 Iraq War: The Background
- 15.4 Onset of the War
- 15.5 Gulf War: Ground Campaign
- 15.6 End of War and the Aftermath
- 15.7 Conclusion
- 15.8 Summing Up
- 15.9 Probable Questions
- 15.10 Further Reading

15.1 Objective

After studying this unit, the learners will be able to:

- Understand the background of the Iraq War.
- Understand the motives of Saddam Hussein behind invading Kuwait.
- Explain the factors that led Saddam Hussein to attack Kuwait.
- Understand the interest of the US and the coalition forces, especially the members of the Arab world to defeat Iraq.
- Explain the end and aftermath of the Iraq war.

15.2 Introduction

An international conflict that was triggered by Iraq's invasion of Kuwait on 2 August 1990, by the orders of Iraq's leader, Saddam Hussein came to be known as the Persian Gulf War. The war is also known as the First Gulf War, Gulf War I, Kuwait War or Iraq War. Saddam Hussein ordered the invasion and occupation of Kuwait with the aim of getting hold of the large oil reserves of Kuwait, annulling a large debt that Iraq owed

Kuwait, and expanding Iraqi power in the region. Alarmed by such action, fellow Arab powers such as Saudi Arabia and Egypt called on the United States and other Western nations for intervention. Hussein disobeyed United Nations Security Council (UNSC) demands to pull out from Kuwait by mid-January 1991, and subsequently the Persian Gulf War began with an enormous US led air offensive codenamed Operation Desert Storm. This war saw coalition military forces from the US, Saudi Arabia, the United Kingdom and Egypt against the Iraqi army.

15.3 Iraq War: The Background

Throughout the Cold War, Iraq had been an ally of the Soviet Union, and there existed a history of friction between the United States and Iraq. Interestingly, the position of the US was of being officially neutral after Iraq's invasion of Iran in 1980 (Iran–Iraq War), while it provided resources, political support, and some 'non-military' aircraft to Iraq. In March 1982, Iran began a successful counterattack (Operation Undeniable Victory), and the US augmented its support for Iraq to avert Iran from forcing a surrender. Amongst American defence experts it is a common view that the actual reason was to help them be successful in the war against Iran, with whom the US has a long-standing enmity.

The long-running Iran-Iraq War had ended in a United Nations-brokered truce in August 1988; by mid-1990 the two states were yet to commence negotiating a permanent peace treaty. Months later in July, when their foreign ministers met in Geneva, prospects for peace all of a sudden seemed bright, as it appeared that Saddam Hussein was ready to dissolve the conflict and return territory that his forces had long occupied. Two weeks later, however, Hussein in a speech accused neighboring nation Kuwait of tapping crude oil from the Ar-Rumaylah oil fields located along their common border; he insisted that Kuwait and Saudi Arabia terminate \$30 billion of Iraq's foreign debt, and indicted them of conniving to keep oil prices low in an attempt to pander to Western oil-buying nations. Even before Saddam Hussein had agreed on the peace terms at the end of the Iran-Iraq War, he initiated his next act of violence. His forces invaded and swiftly occupied the small neighbouring state of Kuwait in August 1990. The motives of Saddam Hussein were:

- i. He did not anticipate any action from the rest of the world now that his troops were firmly rooted in Kuwait, and he had the powerful army in the region. He was also in the impression that Europe and the USA were sensibly amenable to him since Iraq had been supplied with arms during the war with Iran. Nevertheless,

the USA had been supporting Iraq throughout the war against the Iranian regime only to avenge its discomfiture following the ouster of the Shah and the abject surrender of its beleaguered embassy to the new Islamic regime in Tehran. The Americans valued the Shah as a stabilizing authority within the region and in Iraq itself — no action was taken against Saddam when he had suppressed the Shias, or when he harshly crushed the Kurds (who were demanding an independent state) in the north of Iraq, in 1988.

- ii. It was perhaps to acquire the wealth of Kuwait, since there was serious shortage of cash after the long war with Iran. Kuwait, however small, had important oil wells, which he intended to control.
- iii. He also had a claim that Kuwait was historically a part of Iraq, though in fact Kuwait had long been present as a separate territory; it has been a British protectorate since 1899, while Iraq had not been created until after the First World War.

On the 23 July 1990, the Central Intelligence Agency (CIA) reported that 30,000 Iraqi troops had been moved up to the Iraq-Kuwait border, and the American naval fleet in the Persian Gulf was positioned on alert. Hussein assumed an anti-Iraq conspiracy was developing – Kuwait had initiated talks with Iran, and Iraq's adversary Syria had arranged a visit to Egypt. Review by the Secretary of Defense found that Syria, in fact, had planned a strike against Iraq in the upcoming days. Saddam instantaneously used funding to incorporate central intelligence into Syria and eventually prevented the approaching air strike. On 15 July 1990, Saddam's government laid out its combined opposition to the Arab League as well, with the propaganda that policy moves were costing Iraq \$1 billion a year, that Kuwait was still accessing the Ar-Rumaylah oil field, that loans made by the UAE and Kuwait could not be considered debts to its 'Arab brothers'. In the process, he threatened force against Kuwait and the UAE; in response to which the US sent aerial refueling planes and combat ships to the Persian Gulf. On behalf of the Arab League, mediation was carried out by Egyptian President Hosni Mubarak in Jeddah, Saudi Arabia on 31 July and Mubarak was of the opinion that a nonviolent course could be established. At the Jeddah talks, Iraqi demand was of \$10 billion to cover the lost revenues from Rumaylah; Kuwait offered \$500 million. Notwithstanding any peaceful negotiation, the Iraqi response was to immediately order an invasion, which started on 2 August 1990 with the bombing of Kuwait's capital, Kuwait City.

● Iraqi Invasion of Kuwait

On 2 August 1990 Saddam Hussein ordered the invasion of Kuwait. Hussein's conjecture that his fellow Arab states would stand by in the face of his invasion of Kuwait, and not invite in external help to stop it, proved to be flawed. Two-thirds of the 21 members of the Arab League condemned Iraq's act of violence, and Saudi Arabia's King Fahd, together with Kuwait's government-in-exile, turned to the US and other members of the North Atlantic Treaty Organization (NATO) for support. Like in the case of Iran, Saddam Hussein again miscalculated.

The invasion was immediately condemned by the US President George H.W. Bush, as did the governments of Britain and the Soviet Union. On 3 August 1990, the United Nations Security Council called for Iraq to withdraw from Kuwait and on 6 August the council imposed a global ban on trade with Iraq. In response, the Iraqi government formally annexed Kuwait on 8 August — Hussein called it Iraq's '19th province'. The invasion by Iraq and the threat it posed to Saudi Arabia, the world's largest oil producer and exporter, prompted the US and its western European NATO allies to rush troops to Saudi Arabia to prevent a possible attack. The anti-Iraq alliance was joined by Egypt and several other Arab nations and they contributed armed forces to the military buildup, known as Operation Desert Shield.

In Kuwait, Iraq augmented its forces to some 300,000 troops. In an attempt to gather support from the Muslim world, Hussein declared a jihad, or holy war, against the alliance; he moreover attempted to ally himself with the Palestinian cause by offering to withdraw from Kuwait in return for an Israeli departure from the occupied areas. When these efforts turned futile, Hussein concluded a quick peace with Iran in order to bring his army up to full strength.

Meanwhile Kuwaitis founded a local armed resistance movement following the Iraqi occupation of Kuwait. The casualty rate of Kuwaiti resistance surpassed that of the coalition military forces and Western hostages. The resistance largely comprised of ordinary citizens who were devoid of any form of training and direction.

15.4 Onset of The War

On 29 November 1990, the Security Council passed Resolution 678, which endorsed the use of 'all necessary means' of force against Iraq if it did not pull out from Kuwait by the following 15 January. In December 1990, Iraq made an offer to withdraw from

Kuwait provided that foreign troops left the region and that an agreement was reached on the subject of the Palestinian problem and the dismantling of both Israel's and Iraq's weapons of mass destruction. The White House rejected the proposal. From the start of the crisis, President Bush was vehemently opposed to any 'linkage' between Iraqi invasion of Kuwait and the Palestinian issue. As a matter of fact, the US and UK stayed rigid with their position that there would be no dialogue until Iraq pulled out from Kuwait and that they should not grant Iraq allowance, in case it gives a sense that Iraq benefited from its military operation. For the Arabs, however, from King Fahd of Saudi Arabia to Egyptian President Hosni Mubarak, Hussein was the culprit of flouting the principles that were proclaimed by Hussein himself in 1980, that no Arab nation would attack another and that the issues of the Arab states should be settled by the Arabs. This breach of principle by Saddam Hussein made his fellow Arab leaders face an awkward position of having to select between complying with Iraq's unprincipled abuse of power and allying themselves with the Americans, whose attitude and very attendance in force in the Middle East were unpleasant to many Arabs and Muslims.

By January 1991, the coalition forces geared up to face off against Iraq numbered some 750,000, which included 540,000 American personnel and smaller armed forces from Britain, France, Germany, Japan, Egypt and Saudi Arabia, among other nations. Precisely, US troops formed 73 percent of the coalition's 956,600 troops in Iraq. On the other front, Iraq had the support of Jordan, Algeria, Yemen, Tunisia, the Sudan, and the Palestinian Liberation Organization (PLO). The US Army General Norman Schwarzkopf, Jr. was chosen to be the commander of the coalition forces in the Persian Gulf area.

The US and the UN offered a number of public explanation for involvement in the conflict, the most prominent being the Iraqi breach of Kuwaiti territorial integrity. Besides, justifications for foreign involvement included Iraq's record of human rights abuses under Saddam Hussein. Iraq was also suspected to have owned biological weapons and chemical weapons, which Saddam had brought into play against Iranian troops during the Iran-Iraq War and against his own country's Kurdish population in the Al-Anfal campaign (1986 -1989). Iraq was also allegedly branded to have a nuclear weapons programme; however the report about it from January 1991 was partly declassified by the CIA on 26 May 2001.

In spite of frenetic diplomatic efforts, Hussein felt that he could not lose face by withdrawing from Kuwait, though he was aware of the fact that an international force of over 600,000 had been gathered in Saudi Arabia. More than thirty nations contributed

with troops, weaponry or cash. The withdrawal deadline for Iraq ended on 15 January and early on the morning of 17 January 1991, a massive US-led air offensive hit Iraq's air defenses. Over the next few weeks, this continued aerial bombardment, which had been named Operation Desert Storm, further, destroyed Iraq's communications networks, oil refineries, government buildings, weapons plants, and bridges and roads. The first priority of the air offensive was the demolition of Iraq's Air Force and anti-aircraft facilities. However, Iraqi anti-aircraft defenses, including manually-portable air-defense systems, were unexpectedly ineffective against enemy aircraft, and the coalition suffered only 75 aircraft losses in over 100,000 sorties, 44 owing to Iraqi action. Iraq countered with largely ineffective missiles aimed at cities of Saudi Arabia and Israel and by devastating Kuwait City and barbarously mistreating its citizens.

The coalition effort had advantage due to the latest military technology, including stealth bombers, cruise missiles, supposed 'Smart' bombs with laser-guidance systems and infrared night-bombing gear. The Iraqi air force was either shattered early on or opted out of combat under the unrelenting attack, the aim of which was to win the war in the air and diminish combat on the ground as much as possible.

15.5 Gulf War: Ground Campaign

The campaign took place in two parts and was quickly successful. First part was a series of bombing attacks on Baghdad, the Iraqi capital, whose unfortunate citizens again suffered heavy casualties and on military targets such as roads and bridges. The second phase — the attack on the Iraqi army itself, by mid-February of the same year, the coalition had shifted their air attacks to Iraq's forward ground forces in Kuwait and southern Iraq, destroying their fortifications and tanks. A massive allied ground offensive, Operation Desert Sabre, was initiated on 24 February 1991, with troops heading from northeastern Saudi Arabia into Kuwait and southern Iraq. Over the next four days, coalition forces surrounded and defeated the Iraqis and liberated Kuwait. Kuwait was liberated and its ruling dynasty restarted its influence. An unsavoury Iraqi regime was disgraced.

During the same time, the US forces stormed into Iraq — some 120 miles west of Kuwait, attacking Iraq's armoured reserves from the rear. The elite Iraqi Republican Guard mounted a defense south of Al-Basrah in southeastern Iraq, but most of them were defeated in the next three days. By the time that the US President George H.W. Bush declared a ceasefire for 28 February, Iraqi opposition had completely collapsed. With the liberation of Kuwait, Saddam Hussein accepted defeat. Saddam was allowed

to pull out with much of his army intact. The withdrawing Iraqis were at the leniency of the allies, but the decision of a ceasefire by Bush came up as he was afraid that in case the slaughter continued, the allies would be unable to find support of the other Arab nations.

The ground campaign of the Iraq War consisted of three or perhaps four of the largest tank battles in American military history. The battles at 73 Easting, Norfolk, and Medina Ridge are well noted for their historic significance (Battle of Norfolk and Battle of Medina Ridge). According to some experts, the battle of Medina Ridge was the largest tank battle of the war. The US Marine Corps also fought the biggest tank battle in its history at Kuwait International Airport (Battle of Kuwait International Airport). The US 3rd Armored Division also fought a significant battle at Objective Dorset not far-off from where the battle of Norfolk took place. The US 3rd Armored Division damaged approximately 300 enemy combat vehicles during this particular encounter with Iraqi forces. All this led to the Iraqis suffering a loss of more than 3,000 tanks and over 2,000 other combat vehicles during these battles against the American-led coalition. It is argued that about 8,000 to 50,000 Iraqi military deaths took place during this operation. Conversely, the allies lost about 300 troops in the conflict.

In coalition-occupied Iraqi territory, a peace conference took place where a ceasefire accord was negotiated and signed by both parties. At the conference, Iraq was sanctioned to fly armed helicopters on their side of the temporary border, apparently for government transit as the civilian infrastructure was damaged.

15.6 End of War and the Aftermath

With Iraqi resistance collapsing and Bush declaring a ceasefire on 28 February 1991 and the ceasefire formalizing on 11 April 1991, the Persian Gulf War marked its end. According to the peace terms that Saddam Hussein subsequently accepted, Iraq would acknowledge the sovereignty of Kuwait, dispose of all its weapons of mass destruction (including nuclear, biological and chemical weapons) and will get rid of all missiles with ranges exceeding 90 miles (150 km). Though the Gulf War was acknowledged as a significant victory for the coalition, Kuwait and Iraq suffered huge damage, and Saddam Hussein was not forced from power.

The war had adverse consequences for many of the Iraqi people. It was extensively expected beyond Iraq that after this crushing defeat, Saddam Hussein would soon be removed from power. There were uprisings of Kurds in the north and Shia Muslims in

the south, and it appeared that Iraq was breaking up. In the aftermath of Iraq's defeat, the rebellion of the Kurds and Shi'ites was suppressed by Saddam with immense brutality, which could only happen as the allies had left Saddam enough troops, tanks and aircraft to handle the situation. In the initial phase, nobody intervened: Russia, Syria and Turkey had their own Kurdish minorities and did not want the uprising to spread over from Iraq. Likewise a Shi'ite triumph in southern Iraq would in all probability amplify the power of Iran in that region, and that was something the Americans did not want. But sooner or later world opinion became so fuming at Saddam's constant merciless bombings of his people that the US and Britain, along with UN backing, declared the areas 'no-fly zones', and used their air power to keep Saddam's aircraft out. As the other allies gradually left the coalition, American and British aircraft continued to guard Iraqi skies, and UN inspectors sought to pledge that all illegal weapons were destroyed.

In 1998, Iraq's failure to work together with inspectors led to a short-lived recommencement of hostilities known as the Operation Desert Fox. Iraq, thereafter, rejected to readmit inspectors into its territory, and regular fire exchanges between Iraqi forces and the US and British aircraft over the no-fly zones continued into the 21st century. In 2002, the United States led by George W. Bush backed a new UN resolution calling for the return of weapons inspectors, who then reentered Iraq in November. However, UNSC member states differed in their opinion of the degree to which Iraq had cooperated with inspections. Bush, without further UN approval, issued an ultimatum on 17 March 2003, demanding that Saddam Hussein resigns from power and departs Iraq within 48 hours, under threat of war. Hussein refused, and the second Persian Gulf War (more generally known as the Iraq War) began three days later. Saddam Hussein was captured by the US forces on 13 December 2003 and executed on 30 December 2006 for committing crimes against humanity.

15.7 Conclusion

A report of the United Nations published in March 1991 described the outcome on Iraq of the US-led bombing operation as "near apocalyptic", taking Iraq back to the "pre-industrial age". This war, besides physical losses also witnessed life-long illnesses. Many returning coalition militia complained of illnesses after their action in the war, a phenomenon known as Gulf War syndrome or Gulf War illness. The reported common symptoms were chronic fatigue, fibromyalgia, and gastrointestinal disorder. There had been

widespread conjecture and disagreement about the reasons behind the illness and the probably related birth defects. Some children born following the war to Gulf War veterans had a certain kidney deformity that was unseen in Gulf War veterans' whose children were born prior to the war. It is important to mention here that the US military made use of depleted uranium in tank kinetic energy penetrators along with 20-30 mm cannon ordnance. The major controversy about the long term safety of depleted uranium exists, which includes claims of pyrophoric, genotoxic, and teratogenic heavy metal effects. Many researchers have cited that its use during the war has a causative factor to a number of key health issues in veterans and in adjacent civilian populations, including birth imperfections and child cancer rates.

To broadly look into the Persian Gulf War, the invasion of Kuwait by Iraq posed a geopolitical oil crisis. If Saddam Hussein had control of Kuwait and Saudi Arabia, he would have gained control over 20 percent of the global oil reserves and hence turn into the world's dominant oil power. The United States and United Nations Security Council immediately condemned the invasion with the concern of the US that the invasion might be Iraq's initial step in a larger attempt to strengthen its power over other states in the Middle East, such as Saudi Arabia. In this direction, huge sum of money was invested in the Gulf War; the US Department of Defense has estimated the incremental costs of the Gulf War at \$61 billion, with American allies offering about \$54 billion of that – Kuwait, Saudi Arabia and other Gulf states provided \$36 billion. Another \$16 billion was covered by Germany and Japan.

The war and its consequences were sort of eye-opener about the motives of the West and the allied powers. Their primary concern was neither international justice nor moral questions of right and wrong, but about their own self-interest. They only reacted against Saddam Hussein in the first place as they felt he was threatening their oil supplies. Time and again in the past when other small nations had been attacked or invaded, no global action had been taken. Example of such instance could be cited as in the case of the occupation of East Timor by neighbouring Indonesia in 1975, the rest of the world overlooked it, for the reason that their interests were not in jeopardy. It is also interesting to note that following the Gulf War, Saddam, who on any evaluation must rank as one of the most atrocious dictators of the century, however, was permitted to continue in power because the West contemplated that his survival was the best manner of keeping Iran at arm's length and the region stable.

In view of many scholars, the Gulf War was barely the end of the involvement of the United States in the Middle East; instead it signaled that at the end of the twentieth century, the US foreign policy was becoming more and more enmeshed in the politics of the Middle East.

15.8 Summing Up

- Iraq War was an international conflict, where Saddam Hussein ordered the invasion and occupation of Kuwait with the aim of getting hold of the large oil reserves of Kuwait, annulling a large debt that Iraq owed Kuwait, and expanding Iraqi power in the region.
- On 2 August 1990, Saddam Hussein ordered the invasion of Kuwait, with the expectation that his fellow Arab states would stand by in the face of his invasion of Kuwait, and not invite any external help to impede it, but he was proved wrong. Most member states of the Arab League condemned Iraq's act of violence, and Saudi Arabia together with Kuwait's government-in-exile, sought assistance from the US and other members of the North Atlantic Treaty Organization (NATO).
- On 29 November 1990, the UN Security Council passed Resolution 678, which endorsed the use of 'all necessary means' of force against Iraq if it did not withdraw from Kuwait by the following 15 January. With the end of the withdrawal deadline, early on the morning of 17 January 1991, a massive US-led air offensive hit Iraq's air defenses.
- By January 1991, the coalition forces geared up to face off against Iraq. It included 540,000 American personnel and smaller armed forces from Britain, France, Germany, the Soviet Union, Japan, Egypt and Saudi Arabia, among other nations. Iraq had the support of Jordan, Algeria, Yemen, Tunisia, the Sudan, and the Palestinian Liberation Organization (PLO).
- With Iraqi confrontation collapsing and Bush declaring a ceasefire on 28 February 1991 and the ceasefire formalizing on 11 April 1991, the Persian Gulf War marked its end.
- As per the peace terms that Saddam Hussein subsequently accepted, Iraq would acknowledge the sovereignty of Kuwait, discard all its weapons of mass destruction and will get rid of all missiles with ranges exceeding 90 miles.

15.9 Probable Questions

Essay Type Questions:

1. “The Iraq War of 1990-91 was a regional crisis with serious global implications”. Elucidate.
2. Discuss the motives of Saddam Hussein behind invading Kuwait. What was Operation Desert Shield?
3. Discuss the beginning of Gulf War and what happened on the ground.
4. What factors led Saddam Hussein to attack Kuwait and how did the war begin?
5. How was Kuwait liberated from Iraqi control? How crucial was the role of the United States?
6. How did the Gulf War come to an end? What were the consequences of the war?

Short Questions:

1. What was the interest of the US and the coalition forces, especially the members of the Arab world to defeat Iraq?
2. What outcomes did the ceasefire bring to Iraq, Kuwait and the region?
3. Write a short note on the decision to send UN weapons inspectors to Iraq.

Objective Questions:

1. In which year did Gulf War start?
2. What is the another name of Iraq War ?
3. Who wrote “The Gulf War : Operation Desert Storm”?
4. In which year did Iraq War end?

15.10 Further Reading

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Note

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