

# Public International Law

## organizations

John Palmer

Class 9: March 1, 2011

# Libya



# Libya

## UN Security Council Resolution 1970:

- ▶ Refers situation in Libya to ICC Prosecutor
- ▶ “... Member States shall immediately take the necessary measures to prevent the ... supply, sale or transfer to [Libya] ... of arms and related materiel of all types....
- ▶ “... Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in Annex I ....
- ▶ “... Member States shall freeze without delay all funds ... which are owned or controlled ... by the individuals or entities listed in Annex II ....

From where does Security Council derive authority to do all this?

# UN Security Council

## UN Charter, Chapter VII:

*Article 39. The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.*

# UN Security Council

## UN Charter, Chapter VII:

*Article 41. 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.*

# UN Security Council

## UN Charter, Chapter VII:

*Article 42. Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.*

# Security Council

Which countries sit on Security Council?

# Security Council

Permanent members: China, France, Russian Federation, the United Kingdom and the United States

Non-permanent members currently: Bosnia-Herzegovina, Germany, Portugal, Brazil, India, South Africa, Colombia, Lebanon, Gabon, Nigeria



# Security Council

Why this composition of states?

What sorts of things have changed since founding of UN, which might be relevant to composition question?

[www.bit.ly/fVg5BE](http://www.bit.ly/fVg5BE)

Should Security Council membership be changed?

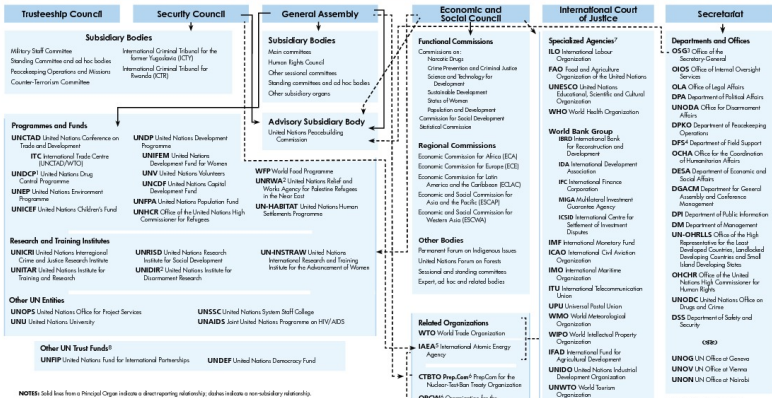
# Security Council

What would have happened to Res. 1970 had Russia disagreed?



## The United Nations System

### Principal Organs



NOTES: Solid line from a Principal Organ indicates a direct reporting relationship, dashed indicates a non-subsidiary relationship.

<sup>1</sup> The UN Drug Control Programme is part of the UN Office on Drugs and Crime.

<sup>2</sup> UNWTO and UNDEF report only to the GA.

<sup>3</sup> The United Nations Office of the United Nations Children's Rights, and the Chief Information Technology Officer report directly to the Secretary-General.

<sup>4</sup> In an exceptional arrangement, the Under-Secretary General for Field Support reports directly to the Under-Secretary General for Peacekeeping Operations.

<sup>5</sup> UNFIP reports to the Security Council and the General Assembly (GA).

<sup>6</sup> The CSO Prep.Com and CPWV report to the GA.

<sup>7</sup> Specialized agencies are autonomous organizations working with the UN and each other through the coordinating machinery of the ECOSOC at the intergovernmental level, and through the Chief Executive Board for coordination (CEB) at the non-subsidiary level.

<sup>8</sup> UNFIP is an autonomous trust fund operating under the leadership of the United Nations Deputy Secretary-General. UNDEF's subsidiary-based secretariats follow the general approach approved by the Secretary-General.

# UN General Assembly

Is one country, one vote fair?

How else might voting have been designed?

# UN Secretary General

What should be the role of the Secretary General?