

**THE ROLE OF UNITED NATION SECURITY COUNCIL: PEACE AND HUMANITARIAN DEVELOPMENT****Swati Sharma**

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**ABSTRACT**

*This paper examines the multifaceted role of the United Nations Security Council (UNSC) in promoting peace and humanitarian development on a global scale. With a primary mandate to maintain international peace and security, the UNSC serves as a vital mechanism for addressing threats, resolving conflicts, and safeguarding human rights. Furthermore, it actively engages in humanitarian development initiatives to address the interconnections between peace, stability, and socioeconomic well-being.*

*By analysing relevant scholarly literature, official UN documents, and case studies, this research paper provides a comprehensive overview of the UNSC's responsibilities and actions. It explores the Council's efforts in conflict prevention, peacekeeping operations, and the enforcement of sanctions to deter and mitigate armed conflicts and security threats. The paper also investigates the UNSC's engagement in promoting humanitarian development by emphasising the protection of civilians, advocating for humanitarian assistance, and supporting sustainable development initiatives. Furthermore, this research paper examines the efficacy and challenges faced by the UNSC in fulfilling its role. It analyses the impact of veto power wielded by the permanent members on decision-making processes and the Council's ability to respond swiftly to emerging crises.*

*The findings of this research shed light on the critical importance of the UNSC in maintaining international peace, resolving conflicts, and fostering humanitarian development. The analysis provides insights into the Council's achievements, limitations, and potential areas for improvement. The research paper concludes with a call for continued efforts to strengthen the UNSC's capacity to address emerging challenges and promote sustainable peace and humanitarian development worldwide.*

*Keywords: UNSC, UN, Sustainable peace, Humanitarian.*

**INTRODUCTION**

Peaceful relations between nations are defined by international law. Although the main subject of international law is the state and the state is an abstract institution which is ultimately made up of individuals, whether it is international law or at the root of nationwide law, its subject matter is the individual and the individual can be safe only when there is international security and peace is maintained. It is very important to have peace and security in the life of a human being. In the absence of peace and security, human life does not exist.

Since ancient times, continuous efforts have been made by international institutions to ensure that there is no future war and peace and security should be maintained. But there has been no complete success in completing this task so far. Despite knowing and understanding the consequences of war in the present times, nations with infinite power of the weapons have set aside the demand related to the peace and security of humanity by taking aggressive action in one form or the other to take over other weak nations, threatening peace and security to serve their own self-interest.

Realistically, the present concern for the representation and protection of human rights is the result of their gross encroachment from the two world wars. In World War II, there was an open violation of human rights and millions of innocent lives were lost. It was then realised by the world community that human rights can be protected only when international peace is established because unless there is no peace and security in the world, human rights will not matter. As a result, many nations were compelled to re-establish an international institution in which their mutual disputes were resolved, only during the inter-war did the world leaders resolve their mutual

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disputes in a proper manner and establish peace in the world successfully through efforts and established the United Nations to maintain international peace and security on 24th October 1945.

United Nations Organization and Human Rights<sup>1</sup>.

According to the preamble of the United Nations Charter, the main objective of the United Nations Organization is the protection of human rights and the establishment of international peace and security. In this context, the Universal Declaration of Human Rights was adopted and proclaimed by the General Assembly of the United Nations on 10 December 1948.

Article 3 of the Principles of the Charter of the United Nations<sup>2</sup> states that to solve international problems related to economic, social, cultural or human welfare and to promote human rights and freedom for all without distinction on the basis of race, sex, language or religion we have to generate freedom and international peace and cooperation.

### **HUMAN RIGHTS**

Human rights are universally recognized rights of individuals which are considered very basic for their full physical, mental and spiritual development. These rights are inbuilt dignity in the human body, which are linked to life, liberty, equality and dignity of the individual and international peace. Thus both human rights and international peace and security are closely related to each other.

The main objective of the establishment of the United Nations Organization is to protect human rights and to establish and maintain international peace and security. Members have agreed to take immediate and effective action by the United Nations in case of obstruction in maintaining international peace and security. And the primary responsibility of security has been given to the Security Council

### **SECURITY COUNCIL**

The Security Council is one of the four main organs of the United Nations. In the Dumbarton Oaks<sup>3</sup> Conference, there was a lot of emphasis on the fact that such an executive organ should be established with limited membership and which could be entrusted with the primary responsibility of international peace and security. After that, in the San Francisco Conference, it was finally decided to establish the Security Council as a major organ to maintain world peace and security and the Security Council was established on January 12, 1946, at that time the number of members in the Security Council was eleven only.

At present, there are 15 members in the Security Council, five permanent and ten non-permanent US, China, Russia, France, Britain are its permanent members<sup>4</sup> and ten non-permanent members are elected by the General Assembly for a period of two years, apart from this, each member of the Security Council has one vote. In the past, India has also been a non-permanent member of the Security Council for seven times. At present, India has been elected as a non-permanent member of the Security Council for the eighth time from 2021-2022. Among the 192 members to appoint India as a non-permanent member of the Security Council 184 of the members gave their

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<sup>1</sup> Read more about this here; <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

<sup>2</sup> "Voting System | United Nations Security Council." <https://www.un.org/securitycouncil/content/voting-system>. Accessed 25 Dec. 2022.

<sup>3</sup> "The Dumbarton Oaks Conversations, 1944." 15 Jun. 2017, <https://www.doaks.org/research/library-archives/dumbarton-oaks-archives/historical-records/75th-anniversary/blog/the-dumbarton-oaks-conversations-1944>. Accessed 25 Dec. 2022.

<sup>4</sup> "Current Members | United Nations Security Council." <https://www.un.org/securitycouncil/content/current-members>. Accessed 25 Dec. 2022.

vote of support to India. At present, India is a strong contender for getting permanent membership, many countries have also given their support for India to getting permanent membership.

### **Rights and Powers of the Security Council**

The principle has been propounded in the United Nations Charter that in its international relations all states shall respect the territorial integrity and political independence of other states and shall not do any act which is contrary to the objectives of the United Nations. Provided and Article 25<sup>5</sup> makes it clear that all members of the United Nations shall abide by the decisions of the Security Council.

But for this it is necessary that the Security Council must first decide that there is a threat to the peace, a breach of the peace or an aggression by any state. If a dispute threatens world peace and security and the parties concerned fail to settle their dispute themselves. The Security Council can recommend negotiation<sup>6</sup> with the party concerned in the dispute, investigation, arbitration, judicial decision, regional organisation and arrangements, according to its wish, to settle the dispute by peaceful means. But if this problem is not resolved, then under Article 41<sup>7</sup> of the Charter, the Security Council has the right to ask the member states to cut off economic traffic and political relations etc. with the countries that violate the peace. If this does not solve the problem, the Security Council has the power under Article 42<sup>8</sup> of the Charter to maintain or restore international peace and security by using air, sea and land forces against the violating state.

### **Action Taken By the Security Council**

The Security Council contributed to establishing peace under Chapter 6 and 7 of the United Nations Charter by taking many important actions and achieving success in it, such as solving the problem of western countries, intervening in the Palestine and Iran-Iraq cases, and making a ceasefire. Resolved the Suez Canal crisis<sup>9</sup> through emergency forces and maintained the unity of the Congo. Also carried out punitive intervention in South Asia. Due to peaceful and tacit diplomacy the serious conflict in Afghanistan was settled in 1988, Russian army returned home to win independence of Namibia and establish democratic rule there in 1990.

Under the huge political pressure of the Security Council, Iran, Syria, Lebanon, Burma, Afghanistan, etc., helped in the removal of foreign forces and ending the linking, in addition, the conflict between Netherlands and Indonesia was ended by mediation. Apart from this, under the guise of the United Nations, the multinational forces led by America liberated it from the occupation of Iraq. Apart from this, Operation Restore Hope was started in Somalia to provide relief and disarm war groups. General elections were held in Cambodia in May 1993 under the supervision of the United Nations and a national government was formed there.

<sup>5</sup> "Regulation of armaments (Article 25, The Security Council, Charter ...." <https://www.lewik.org/term/12090/regulation-of-armaments-article-25-the-security-council-charter-of-the-united-nations/>. Accessed 25 Dec. 2022.

<sup>6</sup> "What is Negotiation Inside and Outside of The United Nations? - PON." <https://www.pon.harvard.edu/tag/united-nations/>. Accessed 25 Dec. 2022.

<sup>7</sup> "Article 41 — Charter of the United Nations — Repertory of Practice ...." <https://legal.un.org/repertory/art41.shtml>. Accessed 25 Dec. 2022.

<sup>8</sup> "Article 42 — Charter of the United Nations — Repertory of Practice ...." 23 Aug. 2016, <https://legal.un.org/repertory/art42.shtml>. Accessed 25 Dec. 2022.

<sup>9</sup> "Suez Crisis: 1956, Cold War & Summary - HISTORY." 13 Sep. 2022, <https://www.history.com/topics/cold-war/suez-crisis>. Accessed 25 Dec. 2022.

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But in 2003 started the war by alleging the collection of destructive weapons, even then to deal with such a situation, a delegation was sent to Iraq to investigate the collection of destructive weapons.

In February 2006, a resolution was also passed to stop the Israeli attack on Lebanon and cooperated there with the help of Redcrush. Similarly, it played an important role in the Suez Canal, Gulf crisis, Korea etc."

But if seen in the context of India, till date India-Pakistan has not succeeded in stopping the conflict and finding any political solution to the Kashmir problem. In the Indo-Pak conflict, the prestige of the United Nations Security Council dropped a lot and people began to doubt the usefulness of this world organisation in the field of international peace and security. Therefore, the Security Council has shaken the faith of many people in the matter of Indo-Pak conflict. However, the main reason for this was the conflict among the permanent members and the use of veto.

There is also a provision of a military staff committee to assist the Security Council. It is the duty of all nations to provide their military assistance when requested by the Security Council. But according to the provision of the charter, it is necessary to have a special agreement. But due to the conflict and mutual non-cooperation of the superpowers, these special agreements could not be done till now and the provisions related to the Military Staff Committee have also become insignificant.

### **United National Security Council and Global Health System**

By the way, health is generally considered to be a domestic subject, unless there is a challenge related to health, many do not stand up together in relation to health and security. The issue of V-AIDS was raised, in this regard, the Security Council approved a resolution 1308<sup>10</sup>. Due to this, in 2014, the epidemic of Ebola<sup>11</sup> virus spread in West Africa, even then the Security Council insisted in resolution 3177<sup>12</sup> that for the epidemic of Ebola virus for prevention, all organisations of the United Nations should work with mutual coordination. But in the midst of the epidemic of covid 19, in relation to the United Nations Security Council, in a report that came some time ago, it was said that the members of the Security Council are standing in front of humanity. Even during this great crisis, they are fighting among themselves whereas it is said to be the biggest forum for the management of security.

However, in many cases, the Security Council has provided good cooperation by playing its important role and the Security Council has been credited with the work done so far that the Security Council has been successful in stopping the Third World War. But the Security Council has had successes as well as failures. In fact, the Security Council has got important powers in the matter of peace and security under the Charter, but due to the mutual conflict and non-cooperation of the superpowers, the Security Council has not been able to use those powers properly. The biggest obstacle in the use of powers has been due to the use of prohibition (veto) by the superpowers. At the same time, when the Security Council failed to take action in the matter of North and South Korea, then the General Assembly started using the powers of the Security Council by proposing unity for peace. According to Dr. Nagendra Singh in relation to the proposal of unity for peace, the General Assembly has not only gained a prominent position in the organs of the United Nations, but it has become a symbol of democracy in the world community of states to the extent that the Security Council veto power In spite of being associated with the General Assembly, it has fallen short of the General Assembly in many respects. Therefore, the need is felt to make this institution effective so that it can work effectively for the original purpose for which it was created.

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<sup>10</sup> "Security Council Resolution 1308 - UNSCR." <http://unscr.com/en/resolutions/1308>. Accessed 25 Dec. 2022.

<sup>11</sup> "Ebola virus disease - World Health Organization (WHO)." <https://www.who.int/health-topics/ebola>. Accessed 25 Dec. 2022.

<sup>12</sup> "What does UN Security Council Resolution 1973 permit? - EJIL: Talk!." 23 Mar. 2011, <https://www.ejiltalk.org/what-does-un-security-council-resolution-1973-permit/>. Accessed 25 Dec. 2022.

**SUGGESTION:** In view of the defects and weaknesses prevalent in the Security Council at present, most of the countries started demanding its reorganisation and expansion. So that the Security Council can function more smoothly.

### **1.1 Providing Permanent Membership to India**

India has made a significant contribution in making the United Nations Security Council a world wide institution. In every session of the United Nations related to international peace and security, India has been putting forward some or the other proposal, as well as to make the United Nations successful, India has always provided cooperation and support and whenever it needed the army, India has provided. The strong proof of India's unwavering faith towards this organisation is the immediate acceptance of ceasefire resolutions of the Security Council by India during the India-Pakistan war. While Pakistan was reluctant to accept these proposals, India, despite being victorious in the war, showed no hesitation in accepting the orders of the Security Council with pleasure.

### **1.2 Improvement in the System of Voting In the Security Council**

In Article 27<sup>13</sup> of the Charter, the words "Procedural matters" and "On all other matters" are used in the system of voting in the Security Council, but which Matters will be considered procedural and which are not, i.e. in which cases the big nations i.e. permanent members have the right to use veto power and in which cases it is not decided by the Security Council itself and for these decisions also the five big nations consent is required. If a big nation wants to prevent the Security Council from taking a decision in any matter, it can declare it non-procedural by its veto power and stop the decision and proceedings by re-using the veto power on it. This system is very uncertain and unclear. It is because of its ambiguity that the veto has been widely used. Therefore, in order to reduce the use of veto, it is necessary to make necessary changes in this system and make them more clear. For this both the subjects should be divided into different parts and it should be decided which subjects are process related and which are important.

### **1.3 Emphasis on the Need for a Special Agreement**

There is also a provision for a Military Staff Committee for the Force Security Council on the need of a special agreement. It is the duty of all the nations to give their army for help when asked by the Security Council. But according to the provision of the charter, it is necessary to have a special agreement or agreement, but due to the superpower conflict and mutual non-cooperation, this special agreement has not been done so far. In the absence of a special agreement, this provision loses its significance. In this regard, Prof. According to Goodrich and Simmons, due to mutual fear and suspicion, efforts to establish international military power have proved unsuccessful and provisions related to the Military Staff Committee have also become insignificant. Thus the failure to conclude a special agreement and the inaction of the Military Staff Committee have rendered the Security Council incapable of collective action against any state. It is very important to go into this system, as there should be a provision for its own army for the Security Council, reformed so that it can be able to work quickly and effectively in maintaining international peace and security.

### **1.4 The Security Council Needs to Be Made a More Representative Institution**

At present, the United Nations Organization is a worldwide institution. In the last nearly fifty years, the number of its members has increased tremendously. The number of its members is currently 193. Earlier when the United Nations The number of members was only 50, at that time also the number of permanent members of the Security Council was 5 and at present the number of members of the United Nations is 193, even then the number of permanent members is 5. Hence it is inconsistent and undemocratic. The Security Council is the executive of the General Assembly and it works under its supervision or supervision, but it can perform the tasks related to the

<sup>13</sup> "Article 27(3) and Parties to a Dispute: An Abridged History." [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/article\\_27\\_3\\_and\\_parties\\_to\\_a\\_dispute.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/article_27_3_and_parties_to_a_dispute.pdf). Accessed 25 Dec. 2022.



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peace and security of the world smoothly only when it takes into account the member countries, their size, diverse geographical areas and developed and developing countries. represent correctly. It is necessary to increase the number of its permanent members to make its decisions more valid, ethical and politically effective.

### **1.5 Improvement in System of Veto**

On one hand the principle of universality and equality has been emphasised in the charter, on the other hand that principle has been violated by giving special place and veto power to some states in the world organisation. Apart from this, due to the system of veto, the hegemony of the permanent members in the Security Council has been frozen and the majority has no importance. Therefore, it is very necessary to abolish the system of veto because when the permanent members were given the right of veto, then the situation was different, but now there has been a lot of change in that situation, because of the defect in the intention of the permanent members, the use of veto repeatedly. By doing so, the Security Council is rendered incapable of carrying out its proceedings. The veto power was used 194 times between 1946 and 1990. Presently till March 2020, veto was used by permanent members a total of 293 times. Therefore, it is necessary to reform the system of veto.

### **1.6 Establishment of Funds for Maintaining Peace**

In the missions which were established to maintain international peace and security, for the military operations carried out by them (in which to provide food and medicines etc.), finance for military material is provided. The need arises. In this regard, Worldwatch<sup>14</sup>, a Washington-based organisation, conducted a study in this regard with the help of Ford Foundation and suggested that a rotating peace-keeping reserve fund of 400 million American dollars should be established. Once the annual grant is established, the payment should be taken in four instalments. In my opinion, these suggestions are very good and they should be seriously considered and implemented.

### **1.7 Creation of Code of Conduct**

To follow the orders of the Security Council, a code of conduct related to morality should be created for the member nations of the United Nations, so that the peace and security of the whole world can be ensured.

### **1.8 Healthy Change in the Mindset of the Permanent Members**

The failure of the Security Council was not due to any constitutional defect in the provisions of the Charter but due to the attitude of the majority of the members.

Whenever there is mutual cooperation among the permanent members, and they have unanimity towards any problem, then the Security Council can be able to take effective action. Therefore, the permanent members of the Security Council should not bring their mutual conflicts in the middle and should end their conflicts and contribute in making the Security Council successful. So that international peace and security can be maintained and it can become a good international executive by successfully increasing its field of work.

## **CONCLUSION**

All the above actions taken by the Security Council have been related to human rights in one way or the other, in which the Security Council got success many times. To maintain international peace and security, the Security Council has become an integral part of the nations of the world. In this regard, a writer has written that "In this age of serious controversies and dangerous conflicts of conflicting national interests, this is the only forum left, which provides a hope to save the world from the era of complete order and anarchy." And that is why most of the nations of the world want to keep this institution alive despite its serious flaws.

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<sup>14</sup> "Worldwatch Institute - Wikipedia." [https://en.wikipedia.org/wiki/Worldwatch\\_Institute](https://en.wikipedia.org/wiki/Worldwatch_Institute). Accessed 25 Dec. 2022.