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Global Stability at Cross-Road: Navigating UNSC'S Role in Safeguarding Global Stability amidst rising WW III Concerns

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“[T]o save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind” has been the object of the formation of the United Nations as envisaged in the preamble of the UN Charter. However, today global stability stands at a crossroads and hinges intricately on the actions and policies of the founding members commonly known as the P5 or the Permanent Five. This article focuses on the working of the United Nations and most importantly the United Nations Security Council’s dealings with the technicalities and challenges brought before it. It discusses the principles and strategies the UNSC adopts to maintain world peace and security. While doing so, we will be navigating through UN peacekeeping, humanitarian access, sanctions, and other measures emphasizing its significance and examining its effectiveness in dealing with past issues as well as contemporary and dynamic concerns. Furthermore, we shall be navigating its diplomatic efforts, dialogue promotion, negotiations, and dispute resolution through amicable as well as coercive means. The article throws insight into the ongoing geopolitical tensions and rivalries among member states and most importantly the divergence among the keepers of world peace i.e. the P5, while making and implementing policies wherein there has been a gross misuse of the privileged veto power. The UN is ineffective and has failed to adapt its work in synchronous to world dynamism, for which, the world today seeking reforms in the United Nations and its policies and integration of the world at large. The paper delves into the intricacies of ongoing ominous global conflicts and navigates the indispensable role of the UNSC in averting the potential threat of such devastation that might leave the world paralyzed in all aspects. The paper ponders upon contemporary issues and brings to the notice of the

¹ United Nations Charter 1945

reader a comprehensive depiction of the need for the reformation of policies across the globe and conflict resolution through dialogue, discussion, and diplomatic interventions rather than resorting to harsh and coercive means to preserve a sustainable, stable, secure and peaceful future. It is not solely the obligation of the United Nations, rather the contribution of the world at large is indispensable and exigent to avert the onset of a potentially destructive war which might be inchoate today but it is insidious for sure.

Keywords: *united nations, peacekeeping, sanctions, humanitarian, war crime, resolution, embargoes, charter.*

INTRODUCTION

The Treaty of Versailles, 1919, outlined the League of Nations, 1920, conceived and conceptualized amidst the ruins of the catastrophe of World War I during the years 1914-1919, as a mechanism for collective diplomacy aimed at maintaining peace and security along with a broader and more widespread vision to prevent any further war of such a devastating nature. The league could not accomplish its objective and saw a significant failure resulting in its dusk. The dawn of World War II In the year 1939 between the Allied and Axis forces triggered by Nazi Germany eventually concluded in 1945 as the most widespread and deadliest conflict in the history of mankind, leading to profound geopolitical change and the establishment of the United Nations (UN) in the year 1945 out of the ashes of the war as the successor of the League with a prominent and discernable aim similar to the League, i.e. to prevent any further war and subsequently World War III, so to say.

Established on 24 October 1949, through the guiding principles of the founding Charter, the United Nations is a global intergovernmental organization consisting of 51 member states in the inception and has been joined and promptly participated by 193 countries to date. Five among (Russia, China, USA, UK & France) have the power to veto and are called the Permanent Five (P 5).² The UN Charter envisages the purposes viz.,³ maintain international peace and security; through international cooperation and collective measures to solve economic, social, cultural, and humanitarian concerns at the global front, without any distinction and discrimination based

² 'About Us' (United Nations) <<https://www.un.org/en/about-us>> accessed 07 June 2024

³ United Nations Charter 1945, arts 1-2

on religion, race, sex, nationality, language, etc., and uphold international law; international disputes settlement by amicable or any other means; delivering humanitarian aid along with sustainable development and climate actions as contemporary issues. At the UN Headquarters in New York, the General Assembly, the Security Council, and the Economic and Social Council pass resolutions, which set what could informally be called the UN's 'work plan'. The UN Secretariat carries out this work along with UN system entities.⁴

However, with the changing global scenario, the UNSC cannot rely upon contemporary measures only. It requires adaptations and reforms in the core working principle to tackle dynamic issues in the contemporary world. The rising conflicts, although in patches today, it is the duty of the UN to propose and implement measures effectively to prevent a full-scale escalation that might lead to such consequences which the UN formed to avert.

UN: KEEPER OF INTERNATIONAL PEACE AND SECURITY

The maintenance of international peace and security was one of the prominent and central issues among all other global issues taken into consideration by the United Nations. The UN organ *United Nations Security Council (UNSC)* is primarily responsible and accountable for the issues related to international peace and security. Under Chapter VII of the UN Charter, the UNSC has the following duty:⁵ 'determine the existence of any threat to the peace, breach of the peace, or act of aggression, recommend measures to be taken per Articles 41 and 42 (Article 39); take account of failure to comply with provisional measures(Article 40); decide measures regarding none use of armed force, complete or partial interruption of economic relations, severance of rail, sea, radio, and other means of communication, and the severance of diplomatic relations (Article 41), failing which it may take action by air, sea, or land forces as may be necessary which may include demonstrations, blockade, and other operations by Members of the United Nations(Article 42).' Chapter VII of the charter empowers and enables the UNSC to take necessary enforcement measures viz. sanctions,

⁴ 'Our Work' (*United Nations*) <<https://www.un.org/en/our-work>> accessed 07 June 2024

⁵ United Nations Charter 1945, arts 39-51

international military action, peacekeeping operations, and other special political missions.⁶ Working in consonance with the Charter, the UNSC thrives to achieve international peace and security.

PEACEKEEPING

Peacekeeping *ipso facto* has not been enshrined in the UN Charter but has been an important tool for the United Nations and specifically to the Security Council to accomplish the goal of preservation of international peace and security. Nonetheless, Chapters V, VI, and VII of the UN Charter underline the legal basis of enforcement of measures by the Security Council, UN Peacekeeping has never been strictly associated with any specific chapter of the UN Charter and such a claim might be misleading. However, Peacekeeping operations derive their mandates from the UNSC, wherein member states contribute troops and police and are managed by the *Department of Peace Operations* and supported by the *Department of Operational Support* at UN Headquarters, New York.⁷ Besides maintaining peace and security peacekeeping operations today have expanded their scope to promote and protect human rights, provide humanitarian assistance, civilian protection, socio-economic development and recovery, maintenance of rule of law, assist in disarmament along with reintegration, demobilization, etc., of ex-combatants. Furthermore, it facilitates political processes viz., mine action, electoral assistance, imparting legitimate state authority, etc.⁸ The UN peacekeeping operations to date have evolved and expanded immensely in response to diverging and ever-growing conflicts across the international sphere posing threats to international peace and security. In response to growing concerns regarding international peace and security, the Security Council has assigned the UN peace operation several cross-cutting and thematic assignments based on the following resolutions:

Security Council resolution 1325 (2000) on Women, Peace and Security⁹– realized the impact of armed conflict on women for the first time and acknowledged their participation in peace and security

⁶ 'Maintain international peace and security' (United Nations) <<https://www.un.org/en/our-work/maintain-international-peace-and-security>> accessed 07 June 2024

⁷ *Ibid*

⁸ 'Mandates and the Legal Basis for Peacekeeping' (*United Nations Peace Keeping*) <<https://peacekeeping.un.org/en/mandates-and-legal-basis-peacekeeping>> accessed 08 June 2024

⁹ 'United Nations Peacekeeping Operations: Principles and Guidelines' (*United Nations Department of Peacekeeping Operations & Department of Field Support*, 16 February 2008) <https://peacekeeping.un.org/sites/default/files/capstone_eng_0.pdf> accessed 08 June 2024

operations for the contributions women and girls make to conflict prevention and resolution, peacekeeping as well as peace. Also stressed its (SC) responsibility to ensure and monitor coordinated responses and report to the Secretary-General. Other resolutions include:¹⁰ SCR 1820 (2008), SCR 1888 (2009) and SCR 1960 (2010) for protecting women & girls from sexual violence; SCR 1889 (2009) encourage more women's participation in peace processes; SCR 2106 (2013) to operationalize obligations incurred; SCR 2122 (2013) affirms and adhere to integrated approach for sustainable peace; SCR 2242 (2015) strategies and resources management to implement the WPS mandates; SCR 2467 (2019) elevate support for survivors and for the betterment of civil society.

*Security Council resolution 1612 (2005) on Children and Armed Conflict (CAAC)*¹¹ - The requirements of Child Protection Advisors in each peacekeeping operation are taken into consideration by the Secretary-General and the *Special Representative of the Secretary-General (SRSG) supervises the country-based Task Forces on CAAC and has to monitor and report to the SRSG.*

*Security Council resolution 1674 (2006) on the protection of civilians in armed conflict*¹² - reaffirms the Council's commitment to implement mandates on a case-by-case basis, by (i) the protection of susceptible civilians within the operation zone (ii) the facilitation of humanitarian assistance (iii) 'the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons.'

PRINCIPLES OF PEACEKEEPING

UN peacekeeping operation follows the under-mentioned principle for its mandate:¹³

Consent of the Parties – In conflict consent of the main parties is sine qua none for deployment of peacekeeping operations and for the UN to work with necessary political as well as physical freedom. Wherein, parties are required to commit to a political process. Nevertheless, force is prescribed to be used as a last resort, such enforcement mechanism may also be adopted by the

¹⁰ 'Women, Peace And Security: Gender Equality In Peacekeeping Operations' (*United Nations Peace Keeping*, 07 March 2019) <https://peacekeeping.un.org/sites/default/files/dpo_brochure_2019_english.pdf> accessed 11 June 2024

¹¹ *Ibid*

¹² *Ibid*

¹³ 'Principles of Peacekeeping' (*United Nations*) <<https://peacekeeping.un.org/en/principles-of-peacekeeping>> accessed 08 June 2024

Security Council even without consent if there occurs any threat to peace and security and if the Security Council deems it necessary for humanitarian and protection purposes and where civilians are suffering even if there is no political process.¹⁴

Impartiality – Peacekeepers need to be impartial to the parties in executing their mandates however they shouldn't be neutral or inactive while they maintain consent and cooperation between the main parties. Impartiality should be applied rigorously without the fear of retaliation or misinterpretation scrupulously avoiding activities that might compromise its impartial image and credibility and legitimacy of the operation which might lead to the withdrawal of consent of parties.

Non-use of force without the Security Council's authorization, but in self-defence while carrying out the mandate.

Though there are similarities, robust peacekeeping and peace enforcement, as envisaged under Chapter VII of the Charter differ in operation. Robust peacekeeping use of force at the tactical level wherein consent of host nations (main party to conflict) along with Security Council authorization is sine qua non. Whereas, peace enforcement uses force at the international level vide UNSC authorization, and no need to obtain parties' consent as states are prohibited to do so under Article 2(4) of the Charter.¹⁵

While operating there should be proportional and not arbitrary use of force. However, the use of force only as a last resource has been the policy of UN Peacekeeping as the operations have political implications and may lead to unforeseen consequences. While operating, factors like public perceptions, humanitarian concerns, the safety of personnel, mission capabilities impact on the common public, local perceptions and consents, etc. are also taken into account.

¹⁴ United Nations Peacekeeping Operations: Principles and Guidelines (n 9)

¹⁵ Principles of Peacekeeping (n 13)

PEACEKEEPING OPERATIONS

While operating in various regions and with the change in dynamics of conflicts the UN Peacekeepers are guided and directed by the UNSC and while implementing mandates peacekeepers are urged to take into account the following doctrines:¹⁶

Capstone Doctrine: The doctrine envisages the objective along with principles and guidelines for the operations to operate successfully in the field keeping in mind the factors essential for program implementation and proper training of personnel and civilians involved.

Action for Peacekeeping (A4P): An initiative launched by the UN Secretary-General to fulfil mandates by mitigating factors that undermine peacekeeping ability. ‘It calls the Member States, the Security Council, host countries, troop and police-contributing countries, regional partners and financial contributors to renew collective engagement with UN peacekeeping and mutually commit to reaching for excellence.’

As of March 31st, according to global peacekeeping data, there have been 71 peacekeeping operations conducted since 1948 leading to the deployment of 53,549 troops. At present, there are 11 UN peacekeeping operations deployed throughout Asia, Africa, Europe, and the Middle East served by almost 72 thousand personnel contributed by 121 nations.¹⁷ The 75 years of peacekeeping has deployed over 2 million personnel inclusive of both men and women contributed by 125 nations. The goal has been set to triple the number of military contingents and double the number of formed police units consisting of women. The cost-effective process of UN peacekeeping attracts only 0.5% of the UNSC annual budget.¹⁸

According to the report generated on March 30, 2024, India is the 4th largest contributor of uniformed personnel followed by Nepal, Bangladesh, and Rwanda as the 1st, 2nd, and 3rd largest contributors simultaneously. India used to be the largest contributor till the end of 2023. The

¹⁶ ‘Guidance’ (*United Nations Peacekeeping*) <<https://peacekeeping.un.org/en/guidance>> accessed 11 June 2024

¹⁷ ‘Data Peacekeeping’ (*United Nations Peacekeeping*) <<https://peacekeeping.un.org/en/data>> accessed 11 June 2024.

¹⁸ ‘WHAT PEACEKEEPING DOES’ (*United Nations Peacekeeping*) <<https://peacekeeping.un.org/en>> accessed 11 June 2024

table hereunder¹⁹ depicts an exhaustive list of active peacekeeping operations along with brief insights into the operation's mandate and objective.

| Region | Missions | Mandates |
|--------|---|---|
| Africa | 1. Western Sahara MINURSO - Mission for the Referendum in Western Sahara Est. in 1991 | Monitors ceasefire between Morocco and the POLISARIO. Endeavored to mitigate the threat of mines and other unexploded ordnances and avert ongoing violence since its establishment. |
| | 2. South Sudan - world's youngest country, established in July 2011 UNMISS - United Nations Mission in South Sudan | It was formed to support the new government, monitor human rights violations, investigate to protect civilians, provide humanitarian assistance, and implement peace agreements. The mandate was extended in April 2024 for an additional year to prevent civil war through Resolution 2729 adopted by the Security Council considering the country's 1 st election leading to the deployment of 17000 troops, 2,101 personnel, 88 justices as well as corrections advisors. |
| | 3. Democratic Republic of Congo MONUSCO | The mandate vows to protect civilians from violence, providing humanitarian support, also disarming, demobilizing |

¹⁹ 'Active Missions' (*Better World Campaign*) <<https://betterworldcampaign.org/active-missions>> accessed 11 June 2024

| | | |
|--------|--|---|
| | | combatants, and preventing them from further reintegrating into society |
| | 4. Central African Republic MINUSCA- Multidimensional Integrated Stabilization Mission in the Central African Republic | The mandate vows to protect civilians by preventing violence caused by the country's fragile transitional government leading to mass killing and an exodus of millions into neighboring countries. Est. in 2014. |
| | 5. Abyei Central African Republic UNISFA - United Nations Interim Security Force for Abyei | North and South borders were monitored and facilitated by humanitarian aid, protecting civilians from political and economic exclusion, and ethnic and religious discrimination by Arab & Muslim North. |
| Asia | 1. Kashmir - India- Pakistan border UNMOGIP - United Nations Military Observer Group in India and Pakistan | Supervising since 1949. Deployed to initiate a ceasefire to stop the violence that took place due to the accession of Kashmir to India in the aftermath of partition. Although agreed on Line of Control Agreement, 1972 the UNMOGIP mandate was not agreed upon hence it is open-ended which need not require renewal, and can only be terminated by the UNSC. |
| Europe | 1. Kosovo | To help the establishment of a Kosovar government having legitimate authority and capacity following the brutal 1998-99 |

| | | |
|--------------------|---|--|
| | <p>UNMIK - United Nations Interim Administration Mission in Kosovo</p> | <p>Kosovo & Serbia war aimed to disarm groups, promote human rights, and maintain peace in the communities. Today, a small number of troops have been deployed to maintain peace and to provide all ethnic groups with an inclusive society.</p> |
| | <p>2. Cyprus UNFICYP - United Nations Peacekeeping Force in Cyprus Est. in 1964</p> | <p>To prevent further fighting among the Greek, Turkish, and Cypriot communities, ethnically and politically divided on the island of Cyprus. The attempted coup d'état (1974), expanded the mandate to monitor a buffer zone through a de-facto ceasefire, restoring law and order and providing measures to build confidence between parties. Providing humanitarian access and the country's infrastructure development is in continuance. Also, discussions are facilitated to reunify the island.</p> |
| <p>Middle-East</p> | <p>1. UNTSO - United Nations Truce Supervision Organization</p> | <p>Became the 1st UN Peacekeeping. In May 1948, mediated Israel's conflict with its neighbors during as well as after the 1948 war between Arab & Israel. Carried out over countries like Egypt, Jordan, Lebanon, Israel, and Syria. Since then, operating in the region to monitor ceasefires, prevent escalation, supervise armistice agreements, and also assist</p> |

| | | |
|--|---|--|
| | | other UN peacekeeping operations in Golan Heights (UNDOF) and Lebanon (UNIFIL). |
| | 2. Lebanon UNIFIL - UN Interim Force in Lebanon Est. in 1978 | In response to a surge in border violence between Israel and Lebanon called for an immediate ceasefire and withdrawal of Israeli forces, to assist the government in restoring Lebanese authority and establishing peace and security in the area, which was short-lived. Further, UNIFIL expanded in response to the 2006 Israel-Hezbollah War to conduct military observations besides peacekeeping. |
| | 3. UNDOF - United Nations Disengagement Observer Force Est. in 1973 | A ceasefire between Syria and Israel was maintained, Israeli and Syrian forces disengaged, and areas of separation i.e. Golan Heights were monitored. Breaches of the agreement were monitored. Emerging tensions nevertheless compliance has forced the ongoing peacekeeping presence. |

Women Contributions

The contribution of women has been increasing immensely with time in every aspect of society and so in UN Peacekeeping operations. The world has witnessed the active participation of women in the activities and realizing the need of women in peacekeeping and other humanitarian activities encouraged them to participate and contribute. UNSC has left behind no lacuna and has been calling for women contributors and has set up a target to involve more and more women in the near future.

The same has been complemented by Me Saran Keita who said It is a question of political will. It is not a question of women's capacities; there are a lot of capable women.²⁰ The figures below depict through graphical representation, the active participation of women as military and police personnel in peacekeeping operations.

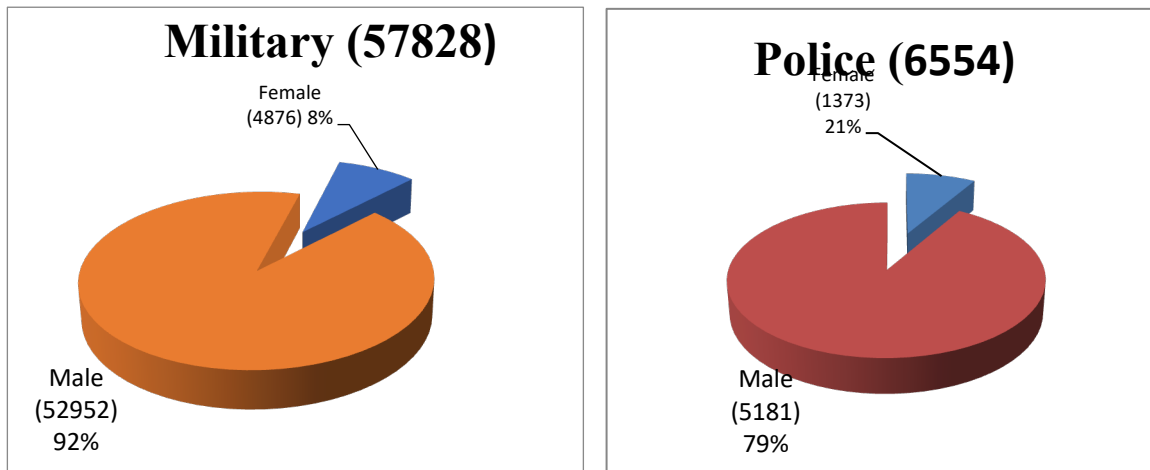
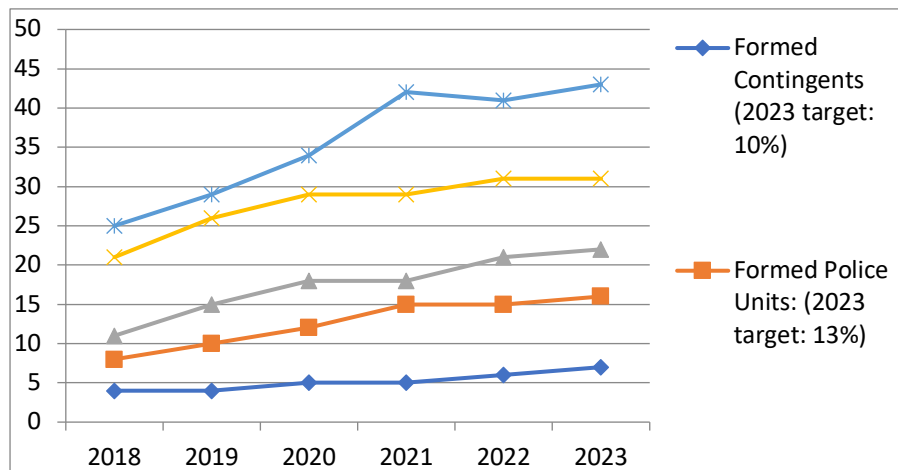


Fig: Deployment of Women as of 31 March 2024²¹



²⁰ 'Women Transforming Peace' (United Nations, 09 September 2019) <https://peacekeeping.un.org/sites/default/files/19-00094_women_transforming_peace.pdf> accessed 11 June 2024

²¹ 'Contribution of Uniformed Personnel to UN by Mission, Personnel Type, and Gender' (Experts on Mission, 08 May 2024) <https://peacekeeping.un.org/sites/default/files/07_gender_statistics_72_march_2024_0.pdf> accessed 11 June 2024

Fig: Average Annual Deployment of Women till 2023²²

UN PEACE KEEPING OVER THE YEARS

UN peacekeeping mission completed 75 years in 2023 commencing in 1948. The effectiveness of peacekeeping operations has witnessed mixed responses in all regions wherein it has operated. The mission has succeeded immensely in regions like Liberia, Sierra Leone, and the Ivory Coast of Africa.²³ However, the multidimensional missions deployed in Somalia, Bosnia, Angola, and Rwanda, have failed miserably.²⁴ Although there may be various factors for such disappointing results the major factors leading to failure include lack of consent, the disinterest of the Security Council, organizational dysfunction, and extremely hard mandates followed by lack of ground support and departmental tensions are the major causes.²⁵

A 2014 report²⁶ of the UN depicts the lacunae leading to the failure of strategic operations for the protection of Civilians nonetheless the report shows there has been considerable advancement in maturing comprehensive guidance and structural framework and their implementation in missions like 'MONUSCO and UNMISS'. *The Department of Peacekeeping Operations/Department of Field Support* subsequently issued guidelines in the form of an operational concept (2010), a compilation of lessons learned (2010), a framework and template for drafting comprehensive protection of civilians strategies (2011), and a resource and capability matrix to assist mission protection of civilians planning (2012).

However, the report while analyzing the causes of failure illustrates the following reasons: persistent none use of force even as a last resort when civilians are under threat, very few instances of quick response, or the presence of the personnel on the site of attack instead in most of the cases they were engaged in self-defence, lack of clarity over the mission, the difference in

²² 'Women, Peace and Security Highlights of UN Peacekeeping in 2023' (*United Nations*, 24 May 2024) <https://peacekeeping.un.org/sites/default/files/dpo_wps_report_2023-may24-digital.pdf> accessed 11 June 2024

²³ 'The Role of Peacekeeping in Africa' (*Council on Foreign Relations*) <<https://www.cfr.org/backgrounder/role-peacekeeping-africa>> accessed 11 June 2024

²⁴ 'The Failures: Somalia, Rwanda, Angola, Bosnia' in Lise Morjé Howard (ed), *UN Peacekeeping in Civil Wars* (CUP 2007)

²⁵ *Ibid*

²⁶ Office of Internal Oversight Services, *Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations* (2014)

tactical guidance and complexities at ground reality, etc. Considering the facts the Office of Internal Oversight Services (OIOS) also provided three recommendations.

The 1994 Rwanda genocide has been one of the most cited failures of the UN in African nations wherein almost 800000 Rwandans (Tutsis and Hutus) were caused to death within a span of a hundred days. *The United Nations Stabilization Mission in Haiti (MINUSTAH)* has been reportedly alleged to have issues of sexual exploitation and abuse. The incitement includes rape and molestation even amidst the cholera outbreak in the region which forced the people to resort to their respective means as they lost faith in the mission and consequently, were forced to withdraw.²⁷ Somalia, the Central African Republic, Democratic Republic of Congo (MONUSCO) are the other regions where instances of sexual abuse and exploitation by African Union peacekeepers, French and UN forces, and UN troops simultaneously have been reported.²⁸ Although probes against such allegations have been increased by the UN the rate of public conviction has been meager or none.²⁹

UN SANCTIONS

Sanction is generally prohibitions or restrictions imposed upon states, entities, organizations, and/ or even against individuals to refrain or constrain them from indulging in illegal and harmful activities that might pose threats to international peace, security, and law and order. These are diplomatic constraints rather than the use of force which sometimes also lead to cultural restraints, bans on the supply of arms and ammunition to a particular group, diplomatic restraints, accreditation withdrawal to curb terrorism, the proliferation of nuclear weapons, humanitarian crises and to promote conflict resolution, peacekeeping as well as peace-building, along with maintenance peace and security. Also advances certain foreign policies regarding counterterrorism, cyber security, counter-narcotics, etc.

²⁷ Mariana Cabrera Figueroa, 'Peacekeeping in Haiti: Successes and Failures' *The Pardee Atlas Journal of Global Affairs* <<https://sites.bu.edu/pardeeatlas/advancing-human-progress-initiative/back2school/peacekeeping-in-haiti-successes-and-failures/>> accessed 11 June 2024

²⁸ Skye Wheeler, 'UN Peacekeeping Has a Sexual Abuse Problem' (*Human Rights Watch*, 02 August 2023) <<https://www.hrw.org/news/2020/01/11/un-peacekeeping-has-sexual-abuse-problem>> accessed 11 June 2024

²⁹ *Ibid*

The UN Charter envisages under Chapter VII and specifically under Article 41 a wide range of enforcement mechanisms without the use of force which is through sanctions that are classified as targeted/ intelligent sanctions which include:³⁰

- Freezing of economic resources viz. funds, financial or commodity assets;
- Arms and trade embargo;
- Travel ban.

The slumbering sanctions during the Cold War became frequent during the 1990s which the Security Council has been utilizing as a prominent tool to curb threats to international peace and security. Iraq, Haiti and former Yugoslavia fell under the garb of sanctions during the period. The major two instances preceding to Berlin Wall fall i.e. prior to 1910 were a trade embargo (1966) against Southern Rhodesia (Zimbabwe) and an arms embargo (1977) against South Africa. About 15 sanction regimes operating currently.³¹

Working

The decisions related to sanctions are taken up by the UN Security Council in consonance with the Sanction Committee formed or created by resolutions to examine requests and inspect cases and decide in what form and manner sanctions on states, other entities, or individuals are to be implemented and what to exclude depending upon the fact and circumstances of the case.

The committees (a subsidiary body) are formed through resolution. Constitute up of 15 members of the UNSC in respective committees, a chairperson (from non-permanent members) is elected by the 15-member committee for a span of one year. The chairperson is assigned a Secretariat which includes a secretary along with 5-6 staff members and is part of the UN's Department of Political Affairs (DPRK). Each Committee dictates its respective mandates and procedures. Decisions are taken by convenience of all the members having the power to veto

³⁰ 'United Nations Sanctions - Committee of Legal Advisers on Public International Law' (*Committee of Legal Advisers on Public International Law*) <<https://www.coe.int/en/web/cahdi/united-nations-sanctions>> accessed 12 June 2024

³¹ 'The UN Security Council' (*Council on Foreign Relations*, 26 February 2024) <<https://www.cfr.org/background/un-security-council#chapter-title-0-3>> accessed 12 June 2024

and the presence of all the members is sine qua non as the absence of even one member blocks the decision.³²

The Sanctions Committees, look upon proper implementation, based on information released by states produce the lists of persons concerned, and supervise enforcement measures. UN member states are required to adopt 'national implementation measures' to ensure compliance by the individuals concerned as it is responsible for implementation and sanction enforcement at the national level.³³

UNSC Sanction Regimes - Source: United Nations Security Council³⁴

| S.no | Sanction Regimes | Sanctions |
|-------------|---|---|
| 1. | Al-Shabaad Sanctions Committee | Individual targeted sanctions in Somalia for terrorist threat - arms embargo, including training besides financial assistance, travel ban, and assets freeze on individuals (23) as well as entities (1) as of 21 May 2024. |
| 2. | ISIL (Da'esh) & Al-Qaida Sanction Committee | Individual targeted sanctions to curb terrorist threat - arms embargo, travel ban and assets freeze on individuals (256) as well as entities (89) as of 25 April 2024. |
| 3. | Iraq - 1518 Sanction Committee | Individual targeted sanctions - assets freeze on individuals (66) as well as entities (16) as of 5 October 2023. |

³² Albert Camus, 'The Practical Guide to Humanitarian Law "Calling Things by the Wrong Name Adds to the Affliction of the World"' (*Doctors without borders*) <<https://guide-humanitarian-law.org/content/article/3/sanctions-committees/>> accessed 12 June 2024

³³ United Nations Sanctions - Committee of Legal Advisers on Public International Law (n 30)

³⁴ 'Sanctions' (*United Nations Security Council*) <<https://www.un.org/securitycouncil/sanctions/information>> accessed 12 June 2024

| | | |
|----|---|---|
| 4. | Democratic Republic of the Congo (DRC) Sanction Committee | Individual targeted sanctions for exploiting natural resources illegally and to release from the fist of certain non-state entities - arms embargo, including training along with financial assistance, travel ban, and an assets freeze on individuals (44) as well as entities (9) as of 20 February 2024 |
| 5. | Sudan | Individual targeted sanctions - a travel ban and assets freeze on individuals (3) as of 5 March 2021. |
| 6. | Lebanon | Established to register identified individuals designated by the <i>International Independent Investigation Commission</i> or the Government of Lebanon as suspected of involvement in the 14 February 2005 terrorist bombing in Beirut, Lebanon that killed former Lebanese Prime Minister Rafiq Hariri and 22 others. |
| 7. | Democratic People’s Republic of Korea (DPRK) | Arms and related materiel embargo, non-proliferation and proliferation networks financial measures, technical and scientific teaching and assistance to 80 individuals and 75 entities as of 15 April 2024 |
| 8. | Libya | Individual targeted sanctions for conflict resolution – a travel ban and assets freeze on individuals (29) and assets freeze entities (2) as of 31 January 2024. |

| | | |
|-----|--------------------------|--|
| 9. | Taliban | Individual targeted sanctions - arms embargo, travel ban, and assets freeze on individuals (135) as well as entities (05) as of 30 January 2019. Works with INTERPOL. |
| 10. | Guinea-Bissau | Individual targeted sanctions for changing the government unconstitutionally - travel ban individuals (10) as of 20 December 2017. |
| 11. | Central African Republic | Individual targeted sanctions - arms embargo, including technical assistance, training, financial and other assistance related to military activities, and provision of armed mercenary personnel, on individuals and entities, travel bans on individuals; and assets freeze on individuals and entities for illicit and illegal natural resources exploitation. By resolution 2693 (2023), the sanction was extended till 31 July 2024. 14 individuals and 1 entity as of 21 December 2021 have been sanctioned. |
| 12. | Yemen | Individual targeted sanctions for conflict resolution- travel ban and assets freeze - individuals (12) and entities (1) as of 4 October 2022 |
| 13. | South Sudan | Individual targeted sanctions for conflict resolution - travel ban and assets freeze - individuals (8) and entities (0) as of 13 July 2018 |

| | | |
|-----|-------|---|
| 14. | Haiti | Individual targeted sanctions - travel ban and assets freeze - individuals (5) and entities (0) as of 8 December 2023 |
|-----|-------|---|

Besides the UNSC sanction regime, other unions or countries may form their respective sanction regimes dictated by their respective terms and conditions and they may at their discretion work with the UN sanction regime. US Sanctions, EU Sections and Australian Autonomous Sanctions are examples of such. To date, the UNSC has formed 31 sanction regimes.³⁵

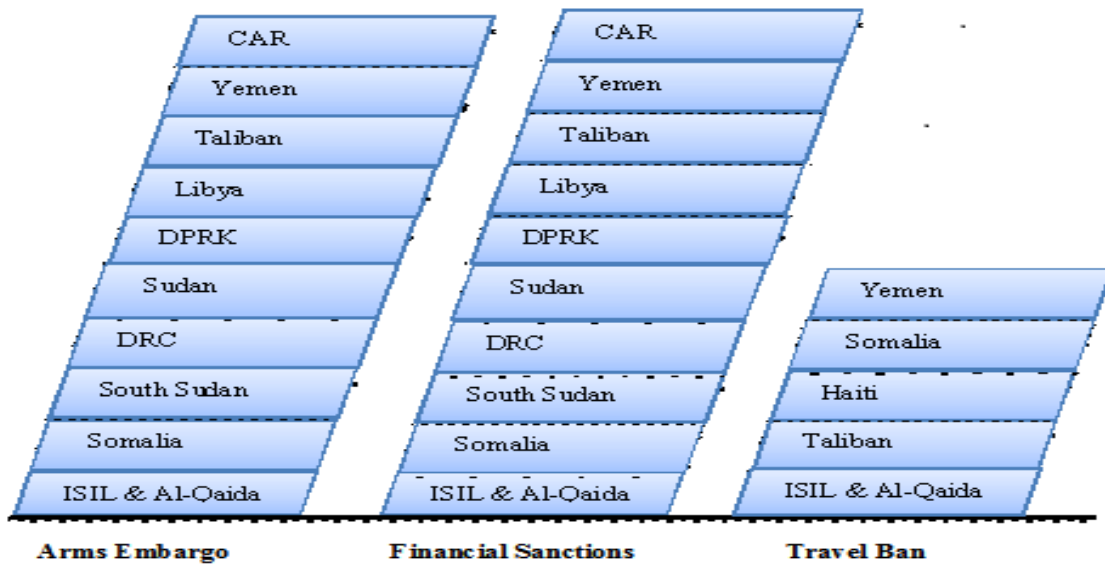


Fig: Entities and individuals from countries subject to sanctions³⁶

EFFECTIVENESS OF UN SANCTIONS

While assessing whether sanctions as a prominent coercive tool used by the UNSC to achieve its objective has been efficacious or not we need to ponder upon several factors and different phases of its evolution. The discussed instances of sanctions prior to 1990 and the lack of

³⁵ *Ibid*

³⁶ 'United Nations Security Council Sanctions' (Commerce and Economic Development Bureau)

<<https://www.cedb.gov.hk/en/policies/united-nations-security-council-sanctions.html>> accessed 12 June 2024

comprehensive study (published in 1990 for the first time by the *International Institute of Economics* on its efficacy show the slumbering efforts of the UNSC.³⁷ The report depicts limited success (66% of 115 issues) between WW I and 1990 which was one out of four between 1973 & 1990.³⁸ Target regime rather than operating effectively caused harm to ordinary people than operating effectively. The situation was overcome through multilateral sanctions afterwards by the UN however the increasing unilateral sanctions by powerful countries like the USA led to the detriment of it. Nonetheless, the expanding scope of sanctions and comprehensive sanctions led to unintended humanitarian consequences which made the UN approach for a targeted/smart sanction measure which has been in continuance since 2004.³⁹

There have been various resolutions to curtail humanitarian implications nonetheless there are concerns. Today, sanctions are being used rigorously but in a planned and smart manner. However, there has been a lot of criticism surfacing. The members of the UNSC while advocating in favor of sanctions have referred to some of their successes:⁴⁰

A few of them are the humanitarian carve-outs and exemptions in Afghanistan, a check on proliferation activities, and the terrorist threat of the Democratic People's Republic of Korea and by Islamic State in Iraq by ISIL/Da'esh, Al-Qaida, and their affiliates respectively, approval of 85/100 exemption requests by DPRK between 2017 and 2022, establishment of Ombudsperson in 2009 to provide an expedient due process gateway for seeker of ISIL/Da'esh and Al-Qaida sanction list, release of abducted women and children in early 2020 from the military bases in South Sudan and from armed groups in the Democratic Republic of Congo through negotiation. Also, emphasized the importance and necessity of sanctions in the regions of Angola, Liberia, Sierra Leone, Central African Republic, Somalia, etc.

³⁷ Andrew Mack and Asif Khan, 'The Efficacy of UN Sanctions' (2000) 31(3) Security Dialogue
<https://www.jstor.org/stable/26296655?read-now=1&seq=1#page_scan_tab_contents> accessed 12 June 2024

³⁸ *Ibid*

³⁹ Security Council Report, *In Hindsight: UN Security Council Sanctions* (2023)

⁴⁰ 'Concerned by Unintended Negative Impact of Sanctions, Speakers in Security Council Urge Action to Better Protect Civilians, Ensure Humanitarian Needs Are Met' (*United Nations, Meeting and Press Coverage Release*, 07 February 2022)

<<https://press.un.org/en/2022/sc14788.doc.htm#:~:text=To%20be%20effective%2C%20sanctions%20should,deterring%20unconstitutional%20changes%20of%20the>> accessed 13 June 2024

MARTIN GRIFFITHS, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, acknowledged the Council for reaffirming the continuation of humanitarian operations in Afghanistan and allowing exemptions. He also stated that, ‘Sanctions are a fact of life in many humanitarian relief operations,’ and unintended impacts do not hinder humanitarian work.’

To the counterpart, nations like Russia and China have cleared their stance on the adverse implications whether intended or unintended of sanctions whether multilateral or unilateral. The Russian Federation (DMITRY A. POLYANSKIY, Council President for February) discouraged leveraging sanctions as a punitive weapon citing examples of Yemen, Guinea-Bissau, Libya, CAR, Sudan, etc., where people are suffering and being refrained from routine transactions. *Michael Kapkiai Kiboino (Kenya)*, responding to former United Nations Secretary-General Kofi Annan who regarded sanctions as a ‘necessary middle ground between war and words’, said ‘sanctions can nevertheless have devastating impacts on civilians without achieving their intended aims’. Issuing several recommendations, Mr. Kiboino drew attention to the need to examine the ethics and legality of sanctions beyond their humanitarian impact. ‘The frequency and reach of unilateral sanctions have led to a growing view that they are the weapons of the strong against the vulnerable or weak,’ he added that ‘such a perception undermines faith in multilateralism’. *ZHANG JUN (China)* called for steps to monitor and reduce adverse impacts with a comprehensive document to guide each step taken forward.

T.S. TIRUMURTI (India) stressed that, ‘sanction regimes must not be an end in themselves or further exacerbate the suffering of the receiving populations’.⁴¹ He urged for constant review of the regimes so that it remains neutral rather than being ‘political instruments of the few powerful’. There should not be impediments to legitimate economic activities of the state and whilst lifting targeted measures and providing humanitarian carve-outs due diligence is a must to avert terrorist groups from wrongly benefiting by rebranding themselves as humanitarian organizations to evade sanctions and to culture terrorism. He urged subsidiary bodies to work transparently and credibly.

⁴¹ *Ibid*

The contemporary growing conflicts and division amongst members are having serious implications. There has been a stark contrast of opinion between Western nations and nations like Africa, Russia and China. Whilst the former claims sanction to be an effective tool, it has been seen as oppressive, ineffective and an impediment to progress having serious humanitarian impacts because of not-so-non-perpetual sanction regimes. There has been divergence amongst the panel regarding several factors which are evident.

Such can be assumed from the fact that during the end of October 2023, there were 12 resolutions voted out of which only six were unanimously adopted. Resolutions in South Sudan, Sudan and CAR faced two or more abstentions. There was one abstention on the resolution (Libya) for renewal of authorization to inspect suspected vessels (in case of embargo violation) by member states. One out of the two Mali sanctions for renewal of the sanctions regime along with a panel of experts vetoed (by Russia), while the other one, presented by Russia – for renewal of sanctions regime didn't receive enough votes, leading to termination of Mali sanctions regime.⁴²

CONTEMPORARY ISSUES

Israel – Gaza Conflict

A report was published on 27 May, after an investigation (on 7 Oct 2023), by *The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel* because of Human Rights Councils' imputations that both Israel and Hams committing war crime by violating International Humanitarian Law of adequate precautions, distinction, proportionality, and special protections for children and women and International Human Rights Law by cruel and inhuman treatment to civilians, seizure and destruction of property and killing of thousands of women and children by both the parties. Also, there have been age and gender-specific violations.⁴³

10th June 2024 - The UNSC adopted the US resolution for an immediate, full and complete ceasefire through a majority of 14 votes wherein Russia abstained stating ambiguity over the

⁴² Security Council Report, *In Hindsight: UN Security Council Sanctions* (2023)

⁴³ United Nations Human Rights Council, *The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel* (2021)

terms on which Israel acknowledged the resolution. The resolution urged for a ceasefire without conditions and any further delay through a three-phase approach proposed in the resolution:⁴⁴

- The first phase seeks an immediate, full, and complete ceasefire with the release of hostages including women, the old age and the injured, the return of the remains of some hostages who have been killed, and the exchange of Palestinian prisoners.
- The Second phase urges for a permanent end to hostilities in exchange for the release of all other hostages still in Gaza and a full withdrawal of Israeli forces from Gaza.
- In the final phase, ‘there shall be a major multi-year reconstruction plan for Gaza along with access to all possible humanitarian access would begin and the remains of any deceased hostages still in the Strip would be returned to Israel.’

Any demographic or territorial alteration in the Gaza Strip has been rejected while proposing its unification with the West Bank under the authority of the Palestinian government.⁴⁵ The resolution aimed at a complete ceasefire with immediate effect emphasizing the value of every single life. The resolution however urged for political settlement nonetheless Israel asked for the return of all the hostages as per previous resolutions (three) and urged that Hams should abstain from launching rockets into Israeli territory. Israel has made its stand clear not to cease until the hostages are returned and the Hamas military and assisting capabilities are completely dismantled.

The immediate status shows that the Israeli bombardments have destroyed over 60 cent residential buildings along with 80 cent commercial utilities wherein the health and educational facilities are in dire situation in Gaza. There has been a denial of access to humanitarian, medical and other essential aids. Also, due to other operational and security reasons, there have been forced delays and cancellations. Looking at the dire situation *António Guterres (Secretary-General of the UN)* said on Tuesday (11 June 2024) that a comprehensive ceasefire in Gaza linked to the release of all remaining hostages cannot come too soon.⁴⁶ However, a deadly raid over the

⁴⁴ ‘Gaza: Security Council adopts US resolution calling for ‘immediate, full and complete ceasefire’ *UN News* (10 June 2024) <<https://news.un.org/en/story/2024/06/1150886>> accessed 11 June 2024

⁴⁵ *Ibid*

⁴⁶ ‘Gaza: “High Time” for Ceasefire and Hostage Release, Says Guterres’ *UN News* (11 June 2024) <<https://news.un.org/en/story/2024/06/1150901>> accessed 11 June 2024

weekend by Israeli forces to free four hostages led to the killing of hundreds of Palestinians claimed by the UN to be an HR violation.⁴⁷ A day after, news surfaced on 12 and 13 June wherein Hezbollah claimed to have fired around 160 rockets from Lebanon into two military bases inside Israeli territory in retaliation to Tale Sami Abdullah's (an official) killing.⁴⁸

India after abstaining from the use of terms used by BRICS such as occupied Palestinian territory and Israel's blatant disregard of international law in its speeches since last October has finally condemned Israel by signing the BRICS statement.⁴⁹

Russia - Ukraine War

On the second anniversary (the war began on 24 Feb 2022) of the invasion, it has caused devastation leading to the injury and death of around 20,000 and 10,000 civilians respectively and there have been an undisclosed number of casualties of combatants. Almost 40 percent (18 million) people of Ukraine's population needed humanitarian access. Almost three million people belonging to frontline communities are in a glaring shortage of resources besides regular bombardment. Millions are living in displaced Ukraine and around 6 million seeking refugees leading to the formation of 3rd largest population of refugees around the world because of the fastest and largest refugee exodus in history.⁵⁰ As reported by the UN High Commissioner for Refugees, within 48 hours of the invasion, 50 thousand people or more left Ukraine.⁵¹ António

⁴⁷ 'Un Says Israeli Forces and Palestinian Armed Groups May Have Committed War Crimes in a Deadly Raid' *The Hindu* (Geneva, 11 June 2024) <<https://www.thehindu.com/news/international/un-says-israeli-forces-and-palestinian-armed-groups-may-have-committed-war-crimes-in-a-deadly-raid/article68278096.ece>> accessed 13 June 2024

⁴⁸ 'Hezbollah Fires Scores of Rockets at Israel after Senior Commander Killed' *The Hindu* (Jerusalem, 12 June 2024) <<https://www.thehindu.com/news/international/hezbollah-fires-scores-of-rockets-at-israel-after-senior-commander-killed/article68281607.ece>> accessed 13 June 2024

⁴⁹ Pia Krishnankutty, 'India Co-Signs BRICS Statement That Decries Israel's "blatant Disregard of International Law" in Gaza' *The Print* (11 June 2024) <<https://theprint.in/diplomacy/india-co-signs-brics-statement-that-decries-israels-blatant-disregard-of-international-law-in-gaza/2126873/>> accessed 13 June 2024

⁵⁰ 'UN Experts Urge International Community to Step up Efforts to Forge Peace between Russia and Ukraine' (*United Nations Human Rights Office Of The High Commissioner*, 23 February 2024) <<https://www.ohchr.org/en/statements/2024/02/un-experts-urge-international-community-step-efforts-forge-peace-between-russia>> accessed 13 June 2024

⁵¹ 'The UN and Ukraine: Year-Long War Spreads Global Fallout' *UN News* (03 March 2023) <<https://news.un.org/en/story/2023/03/1134122>> accessed 13 June 2024

Guterres (UN Secretary-General) during his Kyiv visit described Ukraine as an epicentre of unbearable heartache and pain.⁵²

On March 2 via the emergency special session, a resolution demanding the Russian Federation immediately, completely and unconditionally withdraw all its armed forces from the territory of Ukraine within its internationally recognized borders was adopted by UNGA to which 141 out of 193 UN members voted in favour and there were 35 abstentions, and Russia, Belarus, North Korea, Syria, and Eritrea – voting against.⁵³

On March 24 during the emergency special session (renewed), through adopting the resolution 'Humanitarian Consequences of Aggression against Ukraine', the UNGA demanded the immediate ceasing of hostilities and attacks on the civilians and their infrastructure and asked for the termination of Ukrainian cities and particularly Mariupol blockade which received 140 supports while Russia, Belarus, North Korea, Syria, and Eritrea opposed the resolution and 38 abstained. Nonetheless, the UN received reports of civilian killings in Bucha and other areas in the suburbs of Kyiv, of the bombing of Kharkiv, and the destruction of Mariupol in the later part of the month.

The former 'Chernobyl nuclear power plant' was seized and the '*Zaporizhzhia Nuclear Power Plant (ZNPP)*' was taken into control by Russian invaders in no time. Since the commencement, UN agencies in collaboration with humanitarian partners have been putting every possible effort into preventing humanitarian crisis. During the power outage, UN agents supplied electricity through generators to all necessary places like hospitals, etc., and carried out repair work. Many cities were nearly obliterated within a year leading to mass exodus but were guided by agencies of UNICEF, UNHCR and other UN agencies at checkpoints assisting in their registration and rehabilitation.⁵⁴

In 2022, the international community raised \$3.8 billion for Ukraine, mostly through the organizations that were part of the UN [Humanitarian Flash Appeal](#). The UNSC itself allocated \$20

⁵² 'The United Nations in Ukraine' (*United Nations Ukraine*) <<https://ukraine.un.org/en/about/about-the-un#:~:text=In%20the%20wake%20of%20the,otherwise%20affected%20by%20the%20war>> accessed 13 June 2024

⁵³ The UN and Ukraine: Year-Long War Spreads Global Fallout (n 51)

⁵⁴ *Ibid*

million from its *Central Emergency Response Fund (CERF)* on the day of the invasion and further, \$40 million was allotted within a month or two. For 2023, the UN has urged for \$5.6 billion for Ukraine: \$3.6 billion to provide over 11 million people (out of nearly 18 million in need) with humanitarian aid, and \$1.7 billion to help Ukrainian refugees in 10 host countries: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, and Slovakia.

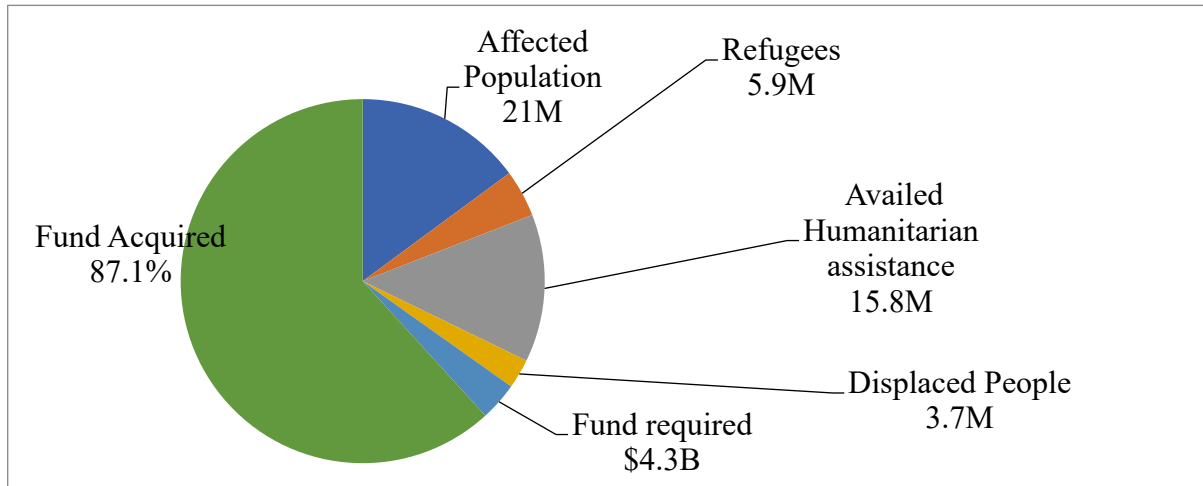
An independent *International Commission of Inquiry* was established by the *Geneva-based UN Human Rights Council* to investigate alleged human rights abuses and violations in Ukraine during the initial stage. Concluding report alleged war crimes in regions like 'Kyiv, Chernihiv, Kharkiv and Sumy' wherein there were civilian executions and rape of women of almost all ages.

The Office of the Prosecutor of the *International Criminal Court (ICC)* also opened its respective investigation by sending a team of 'analysts, forensic experts, anthropologists, and lawyers' to investigate sites of mass atrocities. At the same time, as part of Ukraine's claim against Russia under the Genocide Convention, the *International Court of Justice* issued a ruling, obliging Russia to suspend military operations promptly.

Yet after 40 rounds of discussion within a year, there was no sign of the end of war. Reiterating peace call UNGA in late February 2023 resumed a special emergency session 'to consider a new draft resolution calling for an immediate ceasefire' supported by 141 Member States and denied by 'Belarus, the Democratic People's Republic of Korea, Eritrea, Mali, Nicaragua, Russia and Syria'. China, India and Pakistan were among the 32 abstained. Addressing the council António Guterres called for urgent action, reminding ministers that life is a living hell for the people of Ukraine.⁵⁵

Yet the war continued despite several condemnations from nations all over the world. Russia kept capturing cities and continued committing humanitarian and international law violations which caused such devastation leaving people in chaos and utter suffering. Irrespective of sex, race, gender, class, or religion suffering left no one in exclusion.

⁵⁵ *Ibid*



As of November 2023⁵⁶

UN experts in Geneva on 23 February 2024 called on the international community for better and greater efforts through the guiding principles of the UN Charter to end the war and find a way to restore peace without delay.⁵⁷ The world has undergone serious geopolitical changes because of the impact of the war because of the disruption of supply chains and consequential commercial losses the price of essential commodities has surged immensely causing unrest among common people. Yet Russia is adamant about continuing the war as long as Ukraine is getting support from Western nations and most importantly involvement of NATO is triggering Russia. On May 9, stated in Moscow, “Our strategic forces are always at combat readiness”, Putin warned those threatening Russia.⁵⁸ The statement came during the annual celebration of victory over Nazis in WW II shows the readiness of Russia for further and future war and the fact that the UN has succumbed to yet another failure.

⁵⁶ ‘How the UN Is Supporting the People of Ukraine’ (*United Nations Foundation*, November 2023) <<https://unfoundation.org/ukraine/>> accessed 13 June 2024

⁵⁷ ‘UN Experts Urge International Community to Step up Efforts to Forge Peace between Russia and Ukraine’ (n 50)

⁵⁸ Mary Glantz, ‘Putin Renews His Signal on Ukraine: Readiness for a Long War’ (*United States Institute of Peace*, 23 May 2024) <<https://www.usip.org/publications/2024/05/putin-renews-his-signal-ukraine-readiness-long-war>> accessed 13 June 2024

Israel-Iran Issue

On the 13th of April 2024, the not-so-clear sky over Iran was draped with about 300 missiles and drones in retaliation by Iran to the alleged killing of their two officials namely General Mohammad Reza Zahedi and General Mohammad Hadi Hajriahimi along with five other military officers.⁵⁹ Iran while advocating its stance took the plea of 'inherent right of self-defense' in consonance with the UN Charter as highlighted by the UN Chief.⁶⁰ After the Damascus retaliation, condemning the act of Israel, the UN Secretary-General urged for 'maximum restraint' stating that it is vital to avoid any action that could lead to major military confrontations on multiple fronts in the Middle East.⁶¹

Condemning both sides experts stated Israel's claim of self-defense under Article 51 of the Charter to be absurd as there was no direct evidence of an armed attack on the part of Iran and alleged to have committed the violation of Article 2(4) of the Charter which prohibits the use of armed force against states. On the other hand, rejecting the plea of self-defense experts stated that the retaliation was not immediate as the attack by Israel was concluded on 1st April and was not in continuation for which the retaliation of such kind can be termed as deterrence.⁶² Nevertheless, Robert Wood (US Deputy Ambassador) urged the UNSC to put an obligation upon Iran to answer the imputed intention of death and destruction stating that, Iran's reckless actions not only posed a threat to populations in Israel but also to other UN Member States in the region, including Jordan and Iraq, Iran alleged certain council members i.e. UK, France, and the USA of supporting Israel.⁶³

However, Iran has been adamant and shown readiness in its statements to defend and retaliate in the interest and security of the nation in case of further provocation.⁶⁴ However, the issue

⁵⁹ 'Israel and Iran Must De-Escalate Conflict to Protect Human Rights, Warn UN Experts' (*United Nations Human Rights Office Of The High Commissioner*, 16 April 2024) <<https://www.ohchr.org/en/press-releases/2024/04/israel-and-iran-must-de-escalate-conflict-protect-human-rights-warn-un>> accessed 13 June 2024

⁶⁰ "'Step Back From The Brink,'" to Avert Full-Scale Middle East Conflict, Says UN Chief' *UN News* (14 April 2024) <<https://news.un.org/en/story/2024/04/1148551>> accessed 13 June 2024

⁶¹ *Ibid*

⁶² Israel and Iran Must De-Escalate Conflict to Protect Human Rights, Warn UN Experts (n 59)

⁶³ Step Back From The Brink," to Avert Full-Scale Middle East Conflict, Says UN Chief (n 60)

⁶⁴ *Ibid*

never stopped there even after suggestions from the USA and India, on April 19 Israel struck on Iran in targets assuming them to be strategic points, military bases, and nuclear facilities.⁶⁵ Consequently, the issue has escalated to seemingly non-ending aggression from both the part and if provoked might lead to full-scale escalation.

Other Conflicts

Besides the above-mentioned heightened issues news of humanitarian crises and international law violations are surfacing regularly. The South China Sea case, the Houthi threat on the Red Sea, and the military aggression in Myanmar are among the most concerned issues that the UNSC has not succeeded in resolving effectively.

Myanmar has been under military aggression since the 1st day of February 2021 in response to the protest of common people against the elected National League for Democracy (NLD) government and its proclaimed national emergency. In response to the military force, Myanmar civilians along with organizations like 'The People Defense Force (PDF)' and ethnic groups put up an armed rebellion opposing the continued dictatorship policies of the government for the last two years. Considering the graveness of the situation UNSC for the first time since 1948 (Myanmar joined the UN) issued a resolution i.e. resolution 2669 in 2022 December urging de-escalation and immediate restraint to military atrocities along with the release of Aung San Su KI (state counselor) and other political captives.⁶⁶

However, successful implementation of the resolution could not happen rather the atrocities intensified further leading to war crimes, mass killings, unlawful detention and destruction of cities leading to a call for concrete action by the UNSC.⁶⁷ While briefing at the UN on 4th April 2024, US Ambassador Robert Wood raised concern over the statistics of about 500 civilians killed

⁶⁵ Susahini Haidar, 'Watch | Israel-Iran Strikes | Can India Escape Being Caught in Conflict?' *The Hindu* (19 April 2024) <<https://www.thehindu.com/news/international/watch-israel-iran-strikes-can-india-escape-being-caught-in-conflict/article68083914.ece>> accessed 14 June 2024

⁶⁶ Sadia Korobi, 'UNSC Resolution 2669 and the Future of the Myanmar Crisis' (*South Asian Voices/Stimson Center Publication*, 16 March 2023) <<https://southasianvoices.org/unsc-resolution-2669-and-the-future-of-the-myanmar-crisis/>> accessed 14 June 2024

⁶⁷ 'Myanmar: Concrete UN Security Council Action Needed: Human Rights Catastrophe Intensifies Since December Resolution' (*Human Rights Watch*, 11 April 2023) <<https://www.hrw.org/news/2023/03/13/myanmar-concrete-un-security-council-action-needed>> accessed 14 June 2024

and internal displacement of about 2.8 million.⁶⁸ Looking at the worsening condition to take action promptly senior officials at the UN announced a plan to appoint a special envoy in the days to come.⁶⁹

CONCLUSION AND SUGGESTIONS

Although the UNSC has been tasked with international peace and security maintenance, the major impediment has been the veto power of the 5 permanent members who decide what conflict can be considered a threat to international peace and security. While doing so they advance their national interest abusing the option to veto. Despite the missions being comprehensive and inclusive they are mostly Western-centric as the maximum funding and the pivotal positions have been assigned to them. The contemporary world is stunned witnessing gross human rights and international law violations. However, the world has raised eyebrows over the effectiveness of the UNSC in securing global stability. There has been a growing demand for reform in the UNSC to increase seats for both permanent and non-permanent members so the world gets equal representation and contributes to global conflict mitigation. Amidst the rising demand for reform nations like Brazil, African Union, China and India have considered the UNSC to be crippled.

Ruchira Kamboj, India's Permanent Ambassador to the UN while addressing 'Intergovernmental Negotiations on Security Council Reforms', in New York while advocating UNSC reforms on 17th February 2024, raised the question that can allow five permanent members to eternally override the collective voice of 188 member states?⁷⁰, besides that she argued for the inclusion into UNSC permanent membership of the regions of the global south like Africa, Latin America and Asia in delivering effective justice and upholding global stability.

⁶⁸ Robert Wood, 'Remarks At A UN Security Council Briefing On Myanmar' (*United States Mission to the United Nations*, 4 April 2024) <<https://usun.usmission.gov/remarks-at-a-un-security-council-briefing-on-myanmar/#:~:text=With%202.8%20million%20internally%20displaced,with%20Resolution%20669%20in%202022.>> accessed 14 June 2024

⁶⁹ 'As Crisis in Myanmar Worsens, Security Council Must Take Resolute Action to End Violence by Country's Military, Address Humanitarian Situation, Speakers Urge: Senior UN Official Announces Plan to Appoint Special Envoy "in the Coming Days"' (*United Nations Meeting Coverage and Press Release*, 04 April 2024) <https://press.un.org/en/2024/sc15652.doc.htm> > accessed 14 June 2024

⁷⁰ 'History Of UNSC Reform' (*Elect The Council*) <<https://electthecouncil.org/history-of-reform/>> accessed 14 June 2024

Nonetheless, the world today is involved in conflicts and humanitarian crises, and the involvement of UNSC permanent members has been significant among all which is concerning. While maintaining world peace and security is the objective behind the formation of an organization and the involvement of its members in major conflicts, posing threats to peace and security across the globe, falling short of mitigating conflict-generating factors, and resolving global conflicts effectively fail the organization as a whole. The world is on the brink of not only physical or tangible security concerns but also intangible concerns like heightening cybercrime, and data piracy.

UN Chief, Guterres has also highlighted several times the ineffectiveness of the UN and its becoming paralyzed in critical situations. While doing so he has also warned the Council amidst the Russia-Ukraine conflict that the Council will become incapable of doing anything, if it fails to act positively.⁷¹

Our analysis through the article depicts a clear picture of the need for expansion of UNSC membership, policy reformation, a greater and better analysis of the use of the veto, restructuring and reframing organizations as per need, choosing and promoting prompt and effective diplomatic discussions rather than the use of force, advancement of better structured international legislations and inclusion and integration of all nations to take an active part in decision making to save the future of the upcoming generation and avert a possibility of a large scale war about which history books of the future generation might contain a chapter under the heading 'World War III'.

⁷¹ *Ibid*