

An international organization is “a body that promotes voluntary cooperation and coordination between or among its members.” There are many types of international organizations, but one way of categorizing them is to distinguish between intergovernmental organizations and supranational organizations.

Background

- The development of international organizations has been, in the main, a response to the evident need arising from international intercourse rather than to the philosophical or ideological appeal of the notion of world government
- The growth of international intercourse, in the sense of the development of relations between different peoples, was a constant feature of maturing civilizations; advances in the mechanics of communications combined with the desire for trade to produce a degree of intercourse which ultimately called for regulation by institutional means
- The institution of the consul, an official of the State whose essential task was to watch over the interests of the citizens of this State engaged in commerce in a foreign port, was known to the Greeks and the Romans
- It survives to this day as one of the less spectacular, but important, institutions of international law. The consul was not, however, concerned with representing his state as such, and for this purpose ambassadors were used, being dispatched for the purpose of a specific negotiation
- By the fifteenth century this intermittent diplomacy had been replaced in the relations of certain of the Italian States by the institution of a permanent diplomatic ambassador in the capital of the receiving State, and the practice of exchanging ambassadors, complete with staff and embassy premises, is now a normal (albeit not compulsory) feature of relations between states. Consular and Diplomatic institutions can be found in the origins of the subsequent and more complex institutions
- The League of Nations was the first international organization which was designed not just to organization operation between states in areas which some have referred to as 'low politics', such as transport and communication, or the more mundane aspects of economic co-operation as exemplified by the Metric Union, but to have as its specific aims to guarantee peace and the establishment of a system of collective security, following which an attack against one of the member-states of the League would give the rest the right to come to the attacked state
- The League failed in its own overriding purpose: preventing war. On the ruins of the Second World War the urge to organize was given a new impetus. As early as August 1941, American president Roosevelt and British Prime Minister Churchill had conceded the Atlantic Charter, a declaration of principles which would serve as the basis, first, for a declaration of the wartime allies, and later, after the State Department had overcome President Roosevelt's initial reluctance to commit himself to the creation of a post-War organization, for the Charter of the United Nations
- Also during the war, in 1944, the future of economic cooperation was mapped in Bretton Woods, where agreement was reached on the need to cooperate on monetary and trade issues, eventually leading to the creation of the international monetary Fund and the General Agreement on tariffs and Trade, among others

- The resurrection of the largest battlefield of the Second World War, Europe, also came accompanied by the rise of a number of organizations
- The Council of Europe was a first attempt, born out of Churchill's avowed desire to create the United States of Europe, so that Europe could become an important power alongside the US and the UK
- To channel the American Marshall aid, the Organization for European Economic co-operation was created (In 1960 transformed into the Organization for Economic co-operation and Development), and a relatively small number of European states started a unique experiment when, in 1951, they created the supranational European Coal and Steel Community, some years later followed by the European economic Community and the European community For atomic Energy, all three of which have now been subsumed into the European Union
- In Africa, the wave of independence of the 1950s and early 1960s made possible the establishment of the organization of African Unity in 1963, with later regional organizations such as Ecocas (in central Africa) and Ecowas (western Africa) being added
- In Asia, some states assembled in Asean, for their security, Australia and New Zealand joined the US in Anzus. A relaxed form of cooperation in the Pacific Rim area, moreover, is channeled through Asia-Pacific Economic Cooperation (APEC)

Supranational Organizations

A supranational organization is different because member states do surrender power in specific areas to the higher organization. Decisions taken by a supranational organization must be obeyed by the member states. Often there are courts to determine when violations have occurred, although frequently enforcement mechanisms are not as effective as they are within nation states.

Commonwealth of Nations

- The Commonwealth of Nations, commonly referred to as the Commonwealth, is a political organisation made up of 54 member states, almost all of which were formerly British colonial territory. It is headquartered in London
- Aims of the voluntary Commonwealth include international collaboration, the advancement of economic, social and human rights in member countries, and the promotion of human rights in member countries. The decisions of the different Commonwealth councils are purely advisory in nature

World Health Organisation

- Global public health is the responsibility of the World Health Organisation (WHO), a specialised organisation of the United Nations tasked with this responsibility

- The WHO's mandate includes the following goals and objectives: working globally to promote health, keeping the world secure, and serving the most vulnerable. According to the report, a billion additional people should have universal health care coverage, participation in the monitoring of public health hazards, coordination of responses to health emergencies, and the promotion of health and well-being, among other things

World Trade Organisation

- The World Trade Organisation (WTO) is concerned with the worldwide norms of international trade between nations, and it is based in Geneva
- One of its primary responsibilities is to guarantee that trade moves as easily, reliably, and freely as possible

League of Nations: Achievements and Reasons For Failure

The League of Nations was an international organization that was established after World War I with the goal of promoting international cooperation and resolving international disputes peacefully. It was founded in 1919 and was headquartered in Geneva, Switzerland.

The League of Nations was the first international organization to address issues of global concern, such as disarmament, the refugee crisis, and human rights. It also played a role in resolving disputes between countries and promoting cooperation on issues such as health, education, and the environment.

However, the League of Nations faced several challenges and was ultimately unable to prevent the outbreak of World War II. It was dissolved in 1946 and was replaced by the United Nations. The United Nations inherited many of the functions and principles of the League of Nations and continues to play a central role in international relations today.

Achievement of League of Nations

Despite facing several challenges, the League of Nations made several significant contributions, including:

1. Addressing issues of global concern: The League of Nations was the first international organization to address issues of global concern, such as disarmament, the refugee crisis, and human rights.
2. Resolving disputes between countries: The League of Nations played a role in resolving disputes between countries, including through its system of mandatory arbitration, which helped to prevent the escalation of conflicts.
3. Promoting cooperation on issues such as health, education, and the environment: The League of Nations established several committees and agencies to promote cooperation on issues such as health, education, and the environment.
4. Establishing the principle of collective security: The League of Nations established the principle of collective security, which stated that an attack on one member country would be considered an attack on all member

countries. This principle laid the foundation for the United Nations' system of collective security.

5. Establishing the International Labour Organization (ILO): The League of Nations established the International Labour Organization (ILO), which is an agency of the United Nations that promotes workers' rights and international labor standards. The ILO is still active today.

Why League of Nations failed?

The League of Nations ultimately failed in its mission and was dissolved in 1946. There were several reasons for the failure of the League of Nations, including:

1. Lack of enforcement power: The League of Nations had no military or economic power of its own and relied on member countries to enforce its decisions. This lack of enforcement power made it difficult for the League to effectively address international disputes and conflicts.
2. Absence of major powers: Several major powers, including the United States and the Soviet Union, were not members of the League of Nations. This made it difficult for the League to achieve its goals and to effectively address global issues.
3. Inability to prevent World War II: Despite its efforts to promote international cooperation and prevent the outbreak of another world war, the League of Nations was unable to prevent the outbreak of World War II. This failure undermined the credibility of the organization and contributed to its eventual dissolution.
4. Internal divisions: The League of Nations was plagued by internal divisions and political differences among its member countries, which made it difficult for the organization to effectively address international issues.
5. Limited scope of activities: The League of Nations had a limited scope of activities and did not have the resources or authority to address many of the major global issues of the time. This limited its effectiveness and contributed to its failure.

The UN functions through its 6 principal organs. They are:

1. General Assembly
2. Security Council
3. Secretariat
4. Economic and Social Council
5. Trusteeship Council
6. International Court of Justice

The details of each of the organs are described below.

General Assembly

The United Nations General Assembly (UNGA) is the chief policy-making and representative body of the UN.

- It is the only UN body where all the UN members are represented. So, all 193 member countries are represented here.
- The GA is headed by a President who is elected for a one-year tenure.
- The GA is headquartered in New York, USA.
- The UNGA meets once a year in September.
 - This annual GA session happens in the General Assembly Hall in New York.
- The Assembly also meets at other times of the year depending on the tasks.
- The UNGA can make recommendations to countries on matters within its competence.
- **Functions of the UNGA:**
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 - Consider and approve the UN budget and establish the financial assessments of member countries;
 - Elect the non-permanent members of the UN Security Council and the members of other UN organs and councils and, on the recommendation of the UNSC, appoint the Secretary-General;
 - Consider and make recommendations on the general principles of cooperation for maintaining international security and peace, including disarmament;
 - Discuss any question relating to international peace and security;
 - Discuss any question within the scope of the UN Charter;
 - Conduct studies and make recommendations to encourage global political cooperation, the codification and development of international law, the realization of human rights & fundamental freedoms, and international

collaboration in the social, economic, cultural, humanitarian, health and educational fields;

- Make recommendations for the peaceful settlement of any situation that might hamper the friendly relations between nations;
 - Consider reports from the various UN organs.
- **Voting in the UNGA:**
 - 1. Every member has one vote in the GA.
 2. Most questions are decided by a simple majority, however, budgetary questions, election to the UNSC, and ECOSOC require a 2/3rd majority vote.
 3. In recent times, the UNGA has been striving to make decisions based on consensus among all member countries.

Security Council

The primary responsibility of maintaining peace and security in the world lies with the United Nations Security Council (UNSC).

1. The UNSC has 15 member states, five of whom are permanent members.
2. The 10 non-permanent members are elected by the General Assembly for a term of two years each, on a regional basis.
 - Out of the 10 temporary members, five are from Asia or Africa, two are from Latin America, one from Eastern Europe, and two from Western Europe or other regions.
 - The five permanent member countries are the USA, the UK, France, Russia, and China.
 - Decisions are taken by the Council by vote, that is if 9 out of the 15 members vote 'yes'. However, if any of the permanent members vote 'no', that is, use their veto power, then the resolution is not passed.
 - Each of the permanent members possesses the Veto Power to any resolution of the UNSC.
 - This is seen as the most undemocratic feature of the UN.
 - But, during the formation of the UN, the USA refused to be a part of the UN unless it was given the power to veto.
 - The League of Nations was an ineffective organization partly because of the absence of the US. Hence, this condition of the US was accepted.
 - Critics of the permanent members' veto power also opine that it is this feature that prevents many conflicts from being resolved.

3. The members of the UNSC must carry out the decisions taken by the Council; they are legally binding.
4. The UNSC is headquartered in New York.

Economic and Social Council (ECOSOC)

The ECOSOC is the main body responsible for coordination, policy dialogue, policy review and recommendations on social, economic, and environmental issues, and also the implementation of internationally agreed development goals.

1. It serves as the central mechanism for activities of the UN system and its specialized agencies in the economic, social, and environmental fields, supervising subsidiary and expert bodies.
2. It is the UN's pivotal platform for reflection, debate, and innovative thinking on sustainable development.
3. The ECOSOC has 54 members that are elected by the General Assembly.
4. Voting is by a simple majority and each member has one vote in the ECOSOC.
5. The work of the UN's specialized agencies like the FAO, UNESCO, UNICEF, the ILO, etc. are coordinated by the ECOSOC.
6. The ECOSOC presidency is for one year, and it is headquartered in New York.

Know more about the ECOSOC in the linked article.

Trusteeship Council

The Trusteeship Council was established in 1945 under the UN Charter to administer the 11 Trust Territories after the Second World War.

1. These were former colonies or dependent territories.
2. Since the Council was created, many territories have become independent and are self-governing.
3. The last Trust Territory to become independent was Palau in 1994.
4. Hence, the Trusteeship Council suspended operations in 1994 and decided to meet as and when the occasion arises.

International Court of Justice (ICJ)

The ICJ is the chief judicial organ of the United Nations.

1. The ICJ's seat is at The Hague, the Netherlands. (It is the only UN principal organ not located in New York, USA.)

2. All 193 UN members are automatically a party to the ICJ.
3. ICJ's functions:
 - To settle in accordance with international law the legal disputes submitted to it by States.
 - To give advisory opinions on legal questions referred to it by duly authorized international organs and agencies.

Read more on the ICJ and India's relations with it [here](#).

Secretariat

The Secretariat comprises the UN Secretary-General and the thousands of staff who work at the UN HQ in New York.

1. The Secretary-General is the chief administrative officer of the UN.
 - The Secretary-General is appointed by the GA on the recommendation by the UNSC.
 - He/she has a five-year renewable tenure.
 - The current and the ninth Secretary-General is a Portuguese national, António Guterres.
 - The Secretary-General can bring to the attention of the UNSC any issue which can be a threat to international peace and security.
2. The staff who work at the Secretariat are hired internationally and also locally depending upon the job.
3. They work at stations all over the world.
4. Their work ranges from peacekeeping operations, surveying economic and social trends, mediating in international disputes, conducting international conferences to laying the groundwork for international agreements.
5. The Secretariat has **five regional commissions**:
 0. ECA – Economic Commission for Africa
 1. ECE – Economic Commission for Europe
 2. ECLAC – Economic Commission for Latin America and the Caribbean
 3. ESCAP – Economic and Social Commission for Asia and the Pacific
 4. ESCWA – Economic and Social Commission for Western Asia

PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES IN UN

The United Nations (UN) was founded on the failures of the League of Nations and the ruins of World War II (1939-1945). The League of Nations was formed to prevent another war, but when World War II broke out, it clearly failed in its duties. As a result, when the war ended, the United Nations was founded on renewed hopes and mechanisms to prevent a third World War. Consequently, the preamble of the Charter establishing the UN sets its objective as “to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind ... (UN, 1945). UN Secretary General Dag Hammarskjöld (1953–1961) pursues that position when he submits that ‘the United Nations wasn’t created to take mankind into paradise, but rather to save humanity from hell’. Thus, the founders of the UN were unequivocally unanimous on one point: the new international organization should have adequate safety valves to avoid another war of the magnitude that devastated the world between 1939 and 1945.

The ideas for the ideal of pacific settlement of international disputes predate the establishment of the League of Nations and the United Nations. The ideas date back to the Hague Convention of 8 October 1907. However, to accomplish the task of pacific settlement of international disputes set for the UN, the framework of mechanisms and procedures set out in the Charter has been the guiding principle (Fasulo, 2004:153-155). The UN Charter consists of many chapters, sections, and sub-sections. The pursuit of peaceful settlement of disputes is a fundamental part of the Charter and UN activities. Given that the UN has most sovereign states on its membership pacific settlement of disputes has virtually become one of the bedrocks of international law.

This paper offers no unquestioned ‘conclusions’ on the future of pacific settlement of international disputes within the provisions of Articles 33–38 of the UN Charter. Rather, what it does is to answer the most salient question(s) confronting international relations scholars today, namely, how to maintain global peace and stability through pacific settlement of disputes, uncertainty in the future relevance of Articles 33–38 of the UN Charter, and the roles of sub-national actors in global peace. The singular objective of the paper is to determine whether the provisions for pacific settlement of disputes, as stated in Chapter VI of the UN Charter, have remained of any effect on interstate relations (Krasner, 1983). To accomplish the set objective the paper provides a brief overview of the United Nations Charter with a focus on Chapter VI. It also takes a look at a few of the usages to which the various provisions of the Chapter had been put. Finally the provisions of Articles 33 to 38 of the UN Charter are critiqued in the context of contemporary global happenings.

Yet, what does the challenges in implementing the provisions of Article 33–38 say about the continued relevance of international relations theories? What insights do

these theories bring to our understanding of the changing nature of global peace and security? The paper will be anchored on an eclectic theoretical perspective through a synthesis of elements of Neorealism, Liberal institutionalism, and Constructivism to provide a more nuanced understanding of the state of the peaceful settlement of international disputes.

The Chapter VI of the UN Charter is a product of political idealism. The provisions are evidences of that theory of international relations which posits that international law would bring about global peace. The failure of the provisions to address contemporary global security challenges is intertwined with the inability of the framers of the UN to go beyond the realist conception of international relations as the exclusive province of state actors, to accommodate sub-national actors. This failure is a disservice to the search for peace of the contemporary era.

2. Chapter VI of the United Nations' Charter

The United Nations is an intergovernmental organisation whose sole mission is to maintain global peace and security, foster friendly relations among nations, achieve international cooperation, and serve as a focal point for nations' actions (Fomerand, 2009:70, 73). The organisation is the world's largest intergovernmental organisation, as well as the most representative and powerful of all international organisations. Since its inception in 1945, at the end of World War II, the organization has had its headquarters in New York City, with additional offices in Geneva, Nairobi, Vienna, and The Hague. The organisation was formed to prevent future wars and to take the place of the defunct League of Nations. It was specifically created when fifty world leaders met in San Francisco for a conference and drafted what is now the UN Charter, which was adopted on June 25, 1945, and went into effect on October 24, 1945, when the UN began operations.

The UN acts on a wide range of issues, due to the unique international character and powers vested in the Charter. The Charter has in it nineteen (19) chapters, which then contain one hundred and eleven (111) articles that spell out the rules guiding the interactions between member states of the UN. Expectedly, the UN Charter has been subjected to numerous criticisms, many of which cannot be discussed exhaustively in one paper. In consequence, the Charter has been amended three times: in 1963, 1965, and 1973. Yet one trailing criticism of the UN Charter and which continued to gain traction in the post-Cold War era is that which focuses on the provisions of the sixth chapter, otherwise called the Peaceful Settlement of Disputes.

According to Simma (2002:103) the principle of the peaceful settlement of disputes occupies a pivotal position within a world order whose hallmark is the ban of the use of force and coercion. States are obligated by international law to settle their disputes peacefully and this obligation gained its needed significance when the prohibition of the use of force was formulated in Article 2(4) of the UN Charter viz: “All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.” With a view to replacing aggression with cooperation in interstate relations, the UN has championed both the norm and practice of peaceful settlement of disputes. To further reflect the importance of the provisions of the chapter, the demand for mediation, which is one of the methods recommended for the peaceful settlement of disputes, has skyrocketing and has been referred to by the UN as the most promising method of settling disputes.

Article 33 requires that countries use “negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice to resolve international disputes.” And whenever these methods fail, States are urged to refer the matter(s) in contention to the UN Security Council.

2.1 Negotiations

Negotiation is the conduct of direct talks between the parties to a dispute, aimed at settling the dispute. Iklé (1964:1) defines negotiation as a process in which explicit proposal are put forward ostensibly for the purpose of reaching agreement on an exchange or on the realization of a common interest where conflicting interests are present. Negotiation is a process by which States take steps to agree on an outcome, and each state seeks to make that outcome as good as possible for its national development. It is a method of reaching a compromise or agreement while avoiding argument and dispute. Negotiation has traditionally been included as a parallel process that occurs even during war. In fact, India’s former president Jai Prakash Narayan is quoted to have said, “Every war ends with negotiations. Why don’t we start with negotiations?”

Negotiation skills can be taught (Stein, 1988). Negotiations can be bilateral or multilateral, done in the public or in secret with the goal of reaching an amicable agreement. The beauty of negotiation as a means of dispute settlement is that it is absolutely voluntary (Fisher 1984, pp. 124-130; Buettner, 2006). No nation should be coerced into a negotiation process. The advantageous outcome may benefit all the disputants involved, or it may benefit only one or a few of them. The goal of

negotiation to resolve disagreements, gain an advantage for an individual or group, or craft outcomes that satisfy a variety of interests. It is frequently carried out by presenting a position and making minor concessions in order to reach an agreement. The degree to which the negotiating parties carry out the negotiated solution is germane in the success of negotiations. In the absence of such cooperation the negotiation fails.

A major example of the successes of negotiation is the various agreements that led to the Joint Comprehensive Plan of Action (JCPOA). The JCPOA is an agreement on the Iranian nuclear programme, reached in Vienna on 14th July, 2015 between Iran and the E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom and the United States with the High Representative of the European Union for Foreign Affairs and Security Policy). The JCPOA took effect from 16 January 2016, thereby placing enormous ban on Iran's nuclear programme to lift the previously existing economic sanctions (Katzman & Kerr, 2015).

Prior to The Joint Comprehensive Plan of Action, the United Nations Security Council had been negotiating with Iran over the years, trying to lure them with various incentives to get them to halt their nuclear weapons programme, seeing as it was set to spark conflicts among their neighbouring countries. In 2013, the election of President Hassan Rouhani brought about a breakthrough in negotiations as the parties came to the negotiation table and were able to come to an agreement. The Iranian government signed to stop the production of the materials of nuclear weapons; in exchange the European Union, United Nations and the United States lifted the nuclear weapons related economic sanctions of Iran, which led to a boost in the economic development of Iran (Joyner, 2016). And, although U.S. President Donald Trump pulled his country out of the deal on 8th May, 2018 (Holpuch, 2018), the leaders of France, Germany and the United Nations released a joint statement stating that the United Nations Security Council resolution endorsing the nuclear deal remained the "binding international legal framework for the resolution of the dispute." This is a clear case of negotiations being used as a tool to resolve disputes peacefully in modern day international relations.

2.2 Mediation

Instead of going to arbitration or litigation, chapter VI of the UN Charter implores States to use conciliators or mediators in settling international disputes. Mediation is evaluative in the sense that the mediator analyses issues and relevant norms while refraining from giving the parties prescriptive advice. The mediator, who may be an individual, State or an international organisation, serves as a third-party neutral to

facilitate rather than direct the process. A mediator is a facilitator in the sense that s/he manages the interaction between parties and promotes open communication. Unlike an arbitrator, a mediator has no legal authority to compel acceptance of his/her decision and must rely on persuasion to assist the parties in finding their best solution(s).

The mediator employs a variety of techniques to steer the process in a constructive direction and to assist the parties in reaching their best solution(s). The focus is primarily on the needs, rights, and interests of the parties. Mediators use a variety of techniques to open or improve communication between disputants in order to assist the parties in reaching an agreement. Much is dependent on the skill of the mediator. Meanwhile, the benefits of mediation may include:

1. Mediation saves time and costs;
2. In mediation nobody knows what happened except the disputants and the mediator(s);
3. Control: Unlike in a court case where the judge or jury retain control mediation gives the parties more control over the resolution. As a result, mediation is more likely to produce a result that is acceptable to all parties;
4. Compliance: Because the outcome is the result of the parties cooperating and is mutually acceptable, compliance with the mediated agreement is usually high;
5. Mutuality: Mediation parties are usually willing to work together to find a solution. As a result, the parties are more open to understanding the other party's point of view and working on underlying issues in the dispute. This has the added benefit of frequently preserving the relationship that existed prior to the dispute; and
6. Support: The mediator serves as an impartial facilitator, guiding the parties through the process. The mediator assists the parties in thinking "outside the box" to broaden the range of possible solutions.

Kofi Annan in 2005 strengthened the United Nation's capabilities to settle disputes by establishing the Mediation Support Unit (MSU) within the Policy and Mediation Division of the UN Department of Political Affairs (DPA).

2.3 Enquiry

Ascertaining the truth of the issues that gave rise to disagreements is a common obstacle preventing successful negotiation. The unwillingness to agree on facts is at

the heart of most international disputes. That is where enquiry comes in. The procedure of inquiry has found expression in treaties for the peaceful resolution of disputes. Commissions of inquiry are established as formal institutions for the pacific settlement of international disputes by the two Hague Conventions of 1899 and 1907 (Carnegie Endowment for International Peace, 1920). The Hague Conventions established that the parties to an international dispute may choose the commissioners.

The UN Charter lists “enquiry” as one of the methods of pacific settlement of international disputes. It is being used in conjunction with other methods of dispute resolution. However, as a separate method of resolving disputes “enquiry” has fallen out of favour. It is now being used in conjunction with other methods of dispute resolution. This is evident in the practice of international organizations such as the United Nations and its specialized agencies.

2.4 Conciliation

This is the process of settling a dispute by referring it to a commission of persons whose task it is to elucidate the facts and (usually after hearing the parties and endeavouring to bring them to an agreement) to make a report containing proposals for a settlement. The proposals do not usually have the binding character of an award or judgement.

2.5 Judicial Settlement

Article 33(1) of the UN Charter refers to “judicial settlement” as a method of pacific settlement of resolving international disputes. It also directs the Security Council, in Article 36(3), to “take into account that legal disputes should, as a general rule, be referred to the ICJ by the parties.” Judicial settlement is the resolution of international dispute by an international tribunal in and in accordance with the rules of the law of nations. The International Court of Justice (ICJ), The Hague (UN, 1945), the International Tribunal for the Law of the Sea (ITLOS), the European Court of Justice, the European Court of Human Rights, and the Inter-American Court of Human Rights are examples of international tribunals.

On 17 July 2019, the ICJ determined in a case filed by India against Pakistan that Pakistan was required to provide effective review and reconsideration of Mr. Kulbhushan Sudhir Jadhav's conviction and sentence through means of its own choosing, in order to ensure that full weight was given to his conviction and sentence, so that the full weight of the effect of the violation of the rights set out in Article 36 of the Vienna Convention was given (ICJ, 2019:234). Through this, it is obvious that the

provision of Judicial Settlement of dispute as outlined in Article 33 of the UN Charter is still very much a present-day phenomenon.

2.6 Arbitration

Arbitration entails the appointment of an arbitrator, a neutral and independent third party who hears and decides on the dispute as well as renders a final and binding decision referred to as an award on a private basis, with the expenses borne primarily by both parties. Because the process of arbitration includes the passing of a binding judgment, it is said to be equivalent to litigation but with advantages over the latter. There are four international documents that deal with and describe the guidelines, process, and enforcement of foreign arbitral awards. The documents include:

1. The Protocol on Arbitration Clauses (commonly known as Geneva Protocol, 1923).
2. The Geneva Convention on the Execution of Foreign Arbitral Awards (commonly known as Geneva Convention 1927).
3. The Convention on the Recognition and Enforcement of Foreign Arbitral Awards was signed in New York (commonly known as New York Convention, 1958).
4. The International Centre for Settlement of Investment Disputes (ICSID) Convention on the Settlement of Investment Disputes Between States and Nationals of Other States was signed in Washington in 1965.

However, the International Chamber of Commerce (ICC) Paris is the oldest institution in the field of arbitration. The ICC's arbitration body is the International Court of Arbitration of the International Chamber of Commerce (ICC). It provides necessary facilities for the resolution of international business disputes through arbitration.

3. Criticism of Chapter VI of the United Nations' Charter

There is the argument that the resolutions arising from the chapter VI of the UN Charter may not be legally enforceable. Yet, in some countries (e.g. United Kingdom), the UN Charter and Security Council resolutions have constitutional or special legal standing. In such cases, non-recognition of regimes or other sanctions may be implemented in accordance with the laws of the individual member states. Because "records of the cumulative practice of international organizations may be

regarded as evidence of customary international law with reference to States' relations to the organizations," UN Repertory is established and premised on the needs to consider any UN Security Council's resolution on matters affecting international peace and security in the light of Article 25 of the Charter.

According to de Wet (2004:39-40) while Chapter VI of the UN Charter contains judicial language, it lacks the legally binding force of Chapter VII, and as such any declaration made under its provisions are at worst political and at best advisory. To allow binding measures under Chapter VI, De Wet (2004) believes, is to undermine the separation of competencies envisaged for Chapters VI and VII. De Wet further stated that the purpose of separating the chapters is to distinguish between voluntary and binding measures. Whereas the former provides for a peaceful resolution of disputes through the consent of the parties which is not the case of binding resolutions adopted under Chapter VII.

However, Zunes (2004) believes the foregoing does not in any way mean that resolutions under Chapter VI of the UN Charter are merely advisory, since the resolutions are in any case Security Council directives but differ only in that they do not have the same stringent enforcement options, such as the use of military force. In line with this, Higgins (1972) had earlier contends that the placement of Article 25 outside of Chapter VI and VII, with no reference to either, suggests that its application is not to be considered as limited to Chapter VII decisions.

Mindful of the need to respect the principle of sovereignty and non-interference in matters of domestic jurisdiction, the Security Council, they deployed the provisions of Chapter VI as instruments aimed at preventing the outbreak of international conflicts. Credit must therefore be given to the Charter for its attempt at preferring alternative to dispute resolution (ADR) and its effectiveness in managing conflict or scaling down war. The question that begs for answer is "how effective has chapter VI of the UN Charter been in managing conflicts or scaling down war among member States of the UN? This is the parameter by which Chapter VI of the UN Charter can be assessed for relevance. To answer this question, we need to examine the purpose, provisions of means of managing conflicts and how helpful the provisions of Chapter VI have been.

The main purpose of UN Charter which forms the framework of international law and governs member Nations of the UN is the maintenance of global peace and security. If the lessons of history are anything to go by, we would observe that the direct causes of war are usually disputes between states. Naturally it is in the interest of world peace to ensure that disputes between states are settled amicably, thereby preventing disintegration into war. Looking back at the events of the first and second world wars, one realizes how preferable peace is to war. The experiences and lessons from the two wars led to the establishment of the League of Nations and the United Nations in January 1920 and October 1945

respectively. So important was the need for the maintenance of world peace that a whole chapter of the UN Charter was devoted to the peaceful settlement of disputes. And as earlier noted States have been parties to a number of multilateral treaties that aimed at ensuring that disputes between nations are peacefully settled. Chief among the treaties are the multilateral treaty signed on 26 September 1928 in Geneva. It entered into force on 16 August 1929, as was recorded in the League of Nations Treaty Series on the same day. The treaty was ultimately ratified by 22 states. In fact, there are even regional agreements including the 1948 American Treaty on Pacific Settlement, the 1957 European Convention for the Peaceful Settlement of Disputes, and the 1964 Protocol of the Commissions of Mediation and Arbitration of the Organisation of African Unity (OAU) now African Union . in addition, there are bilateral and multilateral agreements that have embedded in them specific clauses as relates to settling disputes.

The Hague Conventions of 1899 and 1907

On August 24, 1898, Russian Tsar Nicholas II proposed the First Hague Conference. The conference began on May 18, 1899. The conference's treaties, declarations, and final act were signed on July 29, 1900, and went into effect on September 4, 1900. The Hague Convention of 1899 consisted of three main treaties and three additional declarations (Carnegie Endowment for International Peace, 1920).

The Second Hague Conference was convened in 1904 at the instance of US President Theodore Roosevelt. It was however postponed due to the war between Russia and Japan. The Peace Conference eventually took place from between June 15 and October 18, 1907. The goal of the conference was to expand on the 1899 Hague Convention by modifying some parts and adding new topics. The 1907 conference placed a great emphasis on naval warfare. The treaties, declarations, and final act emanating from the conference were signed on October 18, 1907, and entered into force on January 26, 1910. The 1907 Convention consists of thirteen treaties and all but one were ratified and entered into force namely (Carnegie Endowment for International Peace, 1920).

More importantly, we have witnessed the judicial method of settling disputes as provided in Chapter VI of the UN Charter come into play as the ICJ has presided over 164 concluded cases and 16 pending cases from 1947 till August 2021, some of which include the Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea, concluded in 2007, the Bakassi Peninsula dispute between Nigeria and Cameroon, Maritime Delimitation between Guinea-Bissau and Senegal (Guinea Bissau v Senegal) concluded in 1995 among many others.

What is the European Union?

European Union is an international organisation consisting of European Countries, which was formed in 1993. It came into force after the signing of the Maastricht Treaty by 28 countries. The Maastricht Treaty is also known as the Treaty of the European Union (TEU). Maastricht is a city located in the Netherlands. The Maastricht Treaty was amended thrice. The amendments are listed below.

1. Treaty of Amsterdam (1997)
2. Treaty of Nice (2001)
3. Treaty of Lisbon (2007)

European Union – Objectives

The objectives of forming the European Union are listed below.

1. To increase political cooperation
2. To enhance economic integration by creating a single currency the EURO.
3. Unified security and foreign policy
4. Common citizenship Rights
5. Enhanced cooperation in the areas of judiciary, immigration and asylum.

European Union was awarded the Nobel Prize for Peace in 2012.

European Union – Origins

Following the aftermath of World War II. European leaders realised that only large-scale integration would be an antidote to the extreme nationalism that was the cause of the global war. Winston Churchill went further and advocated the emergence of the United States of Europe. The 1948 Hague Congress was a pivotal moment in European federal history, as it led to the creation of the European Movement International and of the College of Europe, where Europe's future leaders would live and study together. The founding of the following unions which eventually evolved into the European Union:

1. European Coal and Steel Community (ECSC) – Treaty of Paris 1951
2. European Economic Community (EEC) – Treaty of Rome 1957

The original 6 members of European Communities were

1. France
2. Italy
3. Netherlands
4. Belgium
5. West Germany
6. Luxembourg

European Union – Brexit

On January 31, 2020, the United Kingdom (U.K) formally left the European Union. U.K is the first country to leave the E.U. The exit was in accordance with Article 50 of the Treaty of the European Union.

Read more about BREXIT and its impact on India at the linked article.

European Union – Decision-Making Bodies

The 7 important decision-making bodies of the European Union are listed below.

1. European Parliament
2. European Council
3. European Commission
4. Council of the European Union
5. Court of Justice of the European Union
6. European Central Bank
7. European Court of Auditors.

European Parliament

1. It is one of the 3 legislative institutions of the E.U.
2. On the basis of proportional representation, Members of the European Parliament are elected by European Union citizens every 5 years.
3. There are 705 Members of the European Parliament (MEP) in the European Parliament.

European Council (E.C)

1. Political direction for the European Council is given by the European Council.
2. European Council was established as an informal summit in 1975. However, with the enactment of the Treaty of Lisbon EC was formalised as an institution in 2009.

European Commission

1. European Commission acts as the executive arm of the European Union. It is responsible for the day to day functioning of the European Union.
2. European Commission is considered as the guardian of the treaties signed.
3. It also has legislative powers like proposing laws for debate.

Council of the European Union

1. It is made up of government ministers from each member state.
2. It has executive powers like addressing common foreign and security policy.

European Union – Economy

1. EU has a share of around 14% of the global Gross Domestic Product (PPP)
2. In 2020, the combined GDP of E.U is \$ 20 trillion
3. E.U also has representation in the World Trade Organization (W.T.O)
4. 19 member states of E.U are part of the Eurozone.
5. Euro is used as the common currency in the Eurozone.
6. Euro is the 2nd most traded currency in the world.
7. Euro is the 2nd largest reserve currency in the world.
8. As of 2010 data, out of the top 500 largest corporations in the world, 161 of them had their Headquarters in the European Union.

Overview:

The African Union recently condemned the Israeli military's moves into southern Gaza's Rafah, calling for the international community to stop "this deadly escalation" of the war.

About African Union (AU):

- It is a **continental body** consisting of the **55 member** states that make up the countries of the **African Continent**.
- It was officially launched in 2002 and **replaced its predecessor**, the **Organization of African Unity (OAU)**, which was founded in 1963.
- Primary Objective: To promote unity, cooperation, and development among African nations while advancing the continent's interests on the global stage.
- The AU is **guided by its vision** of “**An Integrated, Prosperous, and Peaceful Africa**, driven by its own citizens and **representing a dynamic force in the global arena.**”
- To ensure the realisation of its objectives and the attainment of the Pan African Vision of an integrated, prosperous and peaceful Africa, **Agenda 2063 was developed as a strategic framework** for Africa's long term socio-economic and integrative transformation.
 - Agenda 2063 **calls for greater collaboration and support for African led initiatives** to ensure the achievement of the aspirations of African people.
 - **Headquarters: Addis Ababa, Ethiopia**
- **Structure:**
 - **Assembly:** It is the **highest decision-making body, consisting** of the **heads of state** and government of member countries.
 - **Executive Council:** Made up of **foreign affairs ministers, handles policy matters** and makes recommendations to the Assembly.
 - **AU Commission:** Headquartered in Addis Ababa, is the administrative arm responsible for **implementing the decisions** of the Assembly and the Executive Council.
 - **The Peace and Security Council:** Responsible for maintaining peace and security on the continent.
 - The AU structure **promotes the participation of African citizens** and civil society through the **Pan-African Parliament and the Economic, Social & Cultural Council (ECOSOCC).**

African Union is a continental body that consists of 55 states belonging to the African continent. The African Union was launched as a successor to the Organisation of African Unity (OAU) in 2002.

African Union is an important topic for the IAS Exam and is included under the GS-II section. This article will discuss the origin of the African Union (AU) and its controlling bodies.

Latest Context on African Union –

34th African Union Summit was held virtually from February 6th to 7th 2021 organized by the African Union Commission (AUC). The theme of the 2021 AU Summit was “*Arts, Culture and Heritage: Levers for Building Africa We Want*”.

Key Highlights of the AU Summit 2021 –

- Objectives –
 - Report on the Institutional Reform of the AU
 - Report on the progress on the African Union response on COVID-19 pandemic in Africa;
 - Elections and appointments of the Leadership of the AU Commission.
- Six new Board Members of the African Union Advisory Board on Corruption have been appointed by the African Union Executive Council ministerial meeting on the 4th of February 2021.

The AU Summit 2020 was marked by the historical African Continental Free Trade Agreement (AfCFTA).

What is AfCFTA?

- AfCFTA seeks to create a single continental market for goods and services, with free movement of business persons and investments, and thus pave the way for accelerating the establishment of the Continental Customs Union and the African customs union. It establishes the largest free trade area in the world since the creation of the World Trade Organization in 1995.
- The preliminary work of AfCFTA is on steps such as incremental tariff reduction, elimination of non-tariff barriers, supply chains and dispute settlement.

- In a world, becoming increasingly dependent on African markets and commodities, AfCFTA will have a global impact.

IAS exam aspirants can refer to the detailed topic-wise UPSC Syllabus at the linked article, and also complement their preparation with the links given below:

Interesting Facts About Africa	East African Community (EAC)
European Unions (EU)	Horn Of Africa
Economic Community of West African States	African Asian Rural Development Organization (AARDO)

Origin of African Union

OAU was established on 25th May 1963, when 32 heads of independent African States signed the OUA Charter in Addis Ababa Ethiopia on May 1963 for the establishment of Organisation of African Unity (OAU). This initiative was taken as a pan-Asian vision for a united and free Africa with a major focus on the freedom, justice, equality and dignity of the African people. The main objective of the Organisation of African Unity (OAU) was to eradicate the African states from colonisation and to promote unity and solidarity.

On 9th September 1999, the Heads of State and Government of the Organisation of African Unity (OAU) called for the establishment of an African Union through the Sirte Declaration to enable the role of Africa in the global economy. Therefore, the African Union (AU) was officially launched in July 2002 in Durban, South Africa.

Four summits that led to the formation African Union were:

- The Sirte Extraordinary Session (1999) decided to establish an African Union
- The Lome Summit (2000) adopted the Constitutive Act of the Union.
- The Lusaka Summit (2001) drew the road map for the implementation of the AU
- The Durban Summit (2002) launched the AU and convened the 1st Assembly of the Heads of States of the African Union.

To know more about India-Africa relations visit the linked article.

Visions of African Union (AU)

Re-launching of the Organisation of African Unity (OAU) as the African Union was done to realise the potential of Africa to fight against colonisation with a major focus towards increased cooperation and integration of African states for economic development.

AU is guided by its vision of a peaceful, prosperous and an integrated Africa representing a dynamic force in the global economy and is driven by its own citizens.

Objectives of African Union (AU)

The objectives of AU were laid by the Constitutive Act of the African Union and the Protocol on Amendments to the Constitutive Act of the African Union.

1. Achieving greater unity and solidarity among the African countries and the people.
2. Defending the territorial integrity, sovereignty and independence of the 55 Member States.
3. Accelerating the political as well as the socio-economic integrity of the African continent.
4. Promote and defend African common positions on issues of interest to the continent and its peoples
5. Encouraging international cooperation and promoting peace, security, and stability of the continent
6. Promoting the popular participation and governance of the continent including democratic principles and institutions
7. Development and promotion of common policies related to trade, defence and foreign relations strengthening its negotiating positions.
8. Invite and encourage the full participation of the African Diaspora as an important part of our Continent, in the building of the African Union.
9. Protect human rights in accordance with the African Charter on Human and Peoples' Rights.
10. To provide sustainable development of the continent at the social, economic and cultural levels.
11. Development of the continent through the advancement in the field of science and technology

African Union- Controlling Bodies

Working of the African Union is implemented by several controlling bodies that are responsible for handling legal and judicial matters, principal decision making and human rights-related issues. To know more, refer to the table below:

Controlling Bodies of African Union (AU)	
Committees/Councils	Functions
African Commission on Human and Peoples' Rights (ACHPR)	Handling issues related to Human Rights.
African Court on Human and Peoples' Rights (AfCHPR)	
African Committee of Experts on the Rights and Welfare of the Child.	
AU Commission on International Law (AUCIL)	Handling the legal and judicial matters of the 55 member states
AU Advisory Board on Corruption (AUABC)	
The Assembly of Heads of State and Government	It is the governing body of AU having decision-making powers.
Executive Council	Handling foreign trade, social security, food, agriculture and communications of the continent.
Permanent Representatives Committee (PRC)	Manages the executive council.
Peace and Security Council	Facilitating a timely and effective response to any conflict and crisis in Africa.
African Union Commission	Responsible for the administration of AU.

The Regional Economic Communities (RECs) and the African Peer Review Mechanism are also key bodies that constitute the structure of the African Union.