

## **Role of United Nations- 3**

The UN Charter, in its Preamble, set an objective: "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained". Ever since, the development of, and respect for international law has been a key part of the work of the Organization. This work is carried out in many ways - by courts, tribunals, multilateral treaties - and by the Security Council, which can approve peacekeeping missions, impose sanctions, or authorize the use of force when there is a threat to international peace and security, if it deems this necessary. These powers are given to it by the UN Charter, which is considered an international treaty. As such, it is an instrument of international law, and UN Member States are bound by it. The UN Charter codifies the major principles of international relations, from sovereign equality of States to the prohibition of the use of force in international relations.

The International Court of Justice (ICJ) delivers its order on the request for the indication of provisional measures filed by Nicaragua on 11 October 2013 in the case concerning Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica).

### **International Court of Justice**

The principal judicial organ of the United Nations is the International Court of Justice (ICJ). This main body of the UN settles legal disputes submitted to it by States in accordance with international law. It also gives advisory opinions on legal questions referred to it from authorized UN organs and specialized agencies. The Court is composed of 15 judges, who are elected for terms of nine years by the General Assembly and the Security Council.

### **Courts and Tribunals**

In addition to the International Court of Justice, a wide variety of international courts, international tribunals, ad hoc tribunals and UN-assisted tribunals have varying degrees of relation to the United Nations (such as the tribunals for the former Yugoslavia and Rwanda, the Special Court for Sierra Leone, the

Extraordinary Chambers in the Courts of Cambodia and the Special Tribunal for Lebanon). The Mechanism for International Criminal Tribunals (the MICT) was established by the United Nations Security Council on 22 December 2010 to carry out a number of essential functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY), after the completion of their respective mandates. These are established by (and are Subsidiary Organs of) the Security Council.

The International Criminal Court (ICC) and International Tribunal for the Law of the Sea (ITLOS), were established by conventions drafted within the UN, but are now independent entities with special cooperation agreements.

### What Is International Law?

International law defines the legal responsibilities of States in their conduct with each other, and their treatment of individuals within State boundaries. Its domain encompasses a wide range of issues of international concern, such as human rights, disarmament, international crime, refugees, migration, problems of nationality, the treatment of prisoners, the use of force, and the conduct of war, among others. It also regulates the global commons, such as the environment and sustainable development, international waters, outer space, global communications and world trade.

### The Security Council and International Law

Some of the action of the Security Council have international law implications, such as those related to peacekeeping missions, ad hoc tribunals, sanctions, and resolutions adopted under Chapter VII of the Charter. In accordance with Article 13(b) of the Rome Statute, the Security Council can refer certain situations to the Prosecutor of the International Criminal Court (ICC), if it appears international crimes (such as genocide, crimes against humanity, war crimes, the crime of aggression) have been committed.

### The General Assembly and International Law

The UN Charter gives the General Assembly the power to initiate studies and make recommendations to promote the development and codification of international law. Many subsidiary bodies of the General Assembly consider specific areas of international law and report to the plenary. Most legal matters are referred to the Sixth Committee, which then reports to the plenary. The International Law Commission and the UN Commission on International Trade Law report to the General Assembly. The General Assembly also considers topics related to the institutional law of the United Nations, such as the adoption of the Staff Regulations and the establishment of the system of internal justice.

#### General Assembly - Sixth Committee (Legal)

The General Assembly's Sixth Committee is the primary forum for the consideration of legal questions in the General Assembly. All UN Member States are entitled to representation on the Sixth Committee as one of the main committees of the General Assembly.

#### International Law Commission

The International Law Commission promotes the progressive development of international law and its codification. The Commission's work on a topic usually involves some aspects of the progressive development, as well as the codification of international law, with the balance between the two varying depending on the particular topic.

#### United Nations Commission on International Trade Law (UNCITRAL)

The United Nations Commission on International Trade Law is a core legal body of the United Nations system in the field of international trade law, with universal membership, specializing in commercial law, with a focus on the modernization and harmonization of rules on international business. The UNCITRAL Secretariat has established a Case Law on UNCITRAL texts (CLOUT) system for collecting and disseminating information on court decisions and arbitral awards relating to the Conventions and Model Laws that have emanated from the work of the Commission.

## The UN Convention on the Law of the Sea

The United Nations Convention on the Law of the Sea lays down a comprehensive regime of law and order in the world's oceans and seas, establishing rules governing all uses of the oceans and their resources. The Division for Ocean Affairs and the Law of the Sea (DOALOS) of the Office of Legal Affairs of the United Nations serves as the secretariat of the Convention on the Law of the Sea.

## UN Treaty Database

The Status of Multilateral Treaties Deposited with the Secretary-General online database provides the most detailed information on the status of over 560 major multilateral instruments deposited with the Secretary-General of the United Nations and covers a range of subject matters, such as Human Rights, Disarmament, Commodities, Refugees, the Environment, and the Law of the Sea. This database reflects the status of these instruments, as Member States sign, ratify, accede to, or lodge declarations, reservations or objections.

## The Internal Justice System at the United Nations

A new Internal Justice System for the United Nations was introduced in 2009, with the goal of having a system that was independent, professionalized, expedient, transparent and decentralized, with a stronger emphasis on resolving disputes through informal means, before resorting to formal litigation. Because the United Nations has immunity from local jurisdiction and cannot be sued in a national court, the Organization has set up an internal justice system to resolve staff-management disputes, including those that involve disciplinary action.

## Legal Resources and Training

The historic archives at the Audiovisual Library of International Law provide a unique resource for the teaching, studying and researching significant legal instruments on international law.

### Legal Technical Assistance for UN Member States

The United Nations currently offers Member States technical assistance in connection with a range of legal matters. Such assistance includes the provision of advice, expertise, research, analysis, training or other assistance.

### Programme of Assistance for International Law

The Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law is meant to contribute to a better knowledge of international law “as a means for strengthening international peace and security and promoting friendly relations and co-operation among States.” It is one of the cornerstones of the efforts of the United Nations to promote international law.

***Source-<https://www.un.org/en/sections/what-we-do/uphold-international-law/index.html>***