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# Library Note

## The United Nations

2015 marks the 70th anniversary of the creation of the United Nations in 1945. Since its inception at the end of the Second World War, the United Nations has become a wide-ranging transnational organisation with a number of key decision making forums and subsidiary bodies. There are six main organs of the UN: the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the UN Secretariat. This Note provides a general overview of the work of these bodies, as well as a more in depth look at the General Assembly, the Security Council and the International Court of Justice.

This Note also examines a selection of the funds, programmes, specialised agencies and other subsidiary bodies, known collectively as the 'UN family'. In particular, the paper focuses on the International Monetary Fund; the World Bank Group; the World Health Organisation; and the International Atomic Energy Agency.

Emily Haves, James Tobin, Eren Waitzman and Samuel Thomas White  
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## I. The United Nations: Overview

### I.1 The Creation of the United Nations and the UN Charter

The United Nations was founded in 1945, following the end of the Second World War. The term ‘United Nations’ had first been used by then President of the United States, Franklin D. Roosevelt, in 1942 when representatives of twenty-six nations committed to fighting against the Axis powers issued the ‘[Declaration by United Nations](#)’.<sup>1</sup> The organisation itself had been foreshadowed by the League of Nations, created in 1919 at the end of the First World War by the Treaty of Versailles, in order to “promote international cooperation and to achieve peace and security”.<sup>2</sup>

History illustrates that the League of Nations was unable to prevent the outbreak of a second global conflict. However, meeting in Yalta on 11 February 1945, President Roosevelt, UK Prime Minister, Winston Churchill, and Soviet Union Premier, Joseph Stalin, declared their intention to resurrect the idea of such a global body, and to establish “a general international organisation to maintain peace and security”.<sup>3</sup> This was followed by the San Francisco Conference between April–June 1945, at the culmination of which 50 nation states unanimously adopted the UN Charter.<sup>4</sup>

The UN has grown significantly in the last seventy years since its inception, and is currently comprised of 193 Member States.<sup>5</sup>

#### The UN Charter

The mission and work of the United Nations are guided by the purposes and principles contained in its founding Charter.<sup>6</sup> Article I of that Charter states that the purposes of the UN are as follows:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and

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<sup>1</sup> United Nations, ‘[History of the United Nations](#)’, accessed 8 June 2015.

<sup>2</sup> *ibid.*

<sup>3</sup> *ibid.*

<sup>4</sup> United Nations, ‘[History of the United Nations 1941–50](#)’, accessed 8 June 2015. Poland, which was not represented at the Conference, signed it later and became one of the original 51 Member States.

<sup>5</sup> United Nations, ‘[Member States of the United Nations](#)’, accessed 8 June 2015.

<sup>6</sup> United Nations, ‘[The Charter of the United Nations](#)’, accessed 8 June 2015.

encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.<sup>7</sup>

## **I.2 Main/Principal Organs**

The main or principal organs of the UN are detailed below:

### **The General Assembly**

The General Assembly is the main deliberative, policymaking and representative organ of the UN, within which all 193 Member States of the UN are represented. The General Assembly meets once a year in New York for the annual General Assembly session, and ‘general debate’, which many heads of state attend and address.

### **The Security Council**

The Security Council has primary responsibility under the UN Charter for the “maintenance of international peace and security”.<sup>8</sup> It has 15 Members—5 permanent and 10 non-permanent—and each Member has one vote. According to the UN Charter, all Member States are obligated to comply with Council decisions. The Security Council’s mandate provides for it to take the lead in determining the existence of a threat to the peace, or act of aggression; call upon the parties to a dispute to settle it by peaceful means, and recommend methods of adjustment or terms of settlement; or if deemed necessary impose sanctions or authorize the use of force.<sup>9</sup>

### **The Economic and Social Council**

The Economic and Social Council is the principal body for policy and coordination on economic, social and environmental issues, as well as implementation of development goals. The Council has 54 Members, elected by the General Assembly for overlapping three-year terms. Seats on the Council are allotted based on geographical representation with fourteen allocated to African States, eleven to Asian States, six to Eastern European States, ten to Latin American and Caribbean States, and thirteen to Western European and ‘other’ States.<sup>10</sup>

### **The Trusteeship Council**

The Trusteeship Council was established under Chapter XIII of the UN Charter, to provide international supervision for eleven Trust Territories that had been placed under the administration of seven Member States, and ensure that “adequate steps were taken to prepare the Territories for self-government and independence”.<sup>11</sup> By 1994, all Trust Territories had attained self-government or independence, and thus the Trusteeship Council suspended operation on 1 November 1994.

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<sup>7</sup> *ibid.*

<sup>8</sup> United Nations, ‘[Main Organs](#)’, accessed 8 June 2015.

<sup>9</sup> *ibid.*

<sup>10</sup> United Nations, ‘[ECOSOC Members](#)’, accessed 8 June 2015

<sup>11</sup> United Nations, ‘[Main Organs](#)’, accessed 8 June 2015.

## The International Court of Justice

The International Court of Justice is the principal judicial organ of the United Nations, and it is the only one of the six principal organs of the UN not located in New York. Instead, it is located in the Hague, in the Netherlands. The Court's role is to settle legal disputes submitted to it in accordance with international law, and to give advisory opinions on legal questions referred to it by authorised United Nations organs and specialised agencies.

## The Secretariat

Led by the Secretary-General, the Secretariat carry out the day-to-day work of the United Nations.

### 1.3 The Secretary-General

The United Nations is headed by the Secretary-General. The current incumbent, Ban Ki-moon, is the eighth Secretary-General and has been in post since 2011. He is due to serve until the 31 December 2016. The Charter describes the Secretary-General as 'chief administrative officer' of the United Nations, and provides them with a mandate to act in that capacity and perform "such other functions as are entrusted" to him or her by the Security Council, General Assembly, Economic and Social Council and other United Nations organs.<sup>12</sup> The Charter also empowers the Secretary-General to "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security".<sup>13</sup>

## The Appointment of a Secretary General

A Secretary-General is appointed by the General Assembly for a five-year term, on the recommendation of the Security Council. The selection of a Secretary-General is therefore subject to the veto of any of the five permanent members of the Security Council. Although there is technically no limit to the number of five-year terms a Secretary-General may serve, so far none have held office for more than two terms.

## 2. The United Nations General Assembly

The General Assembly was created in 1945 by the Charter of the United Nations, Article 7 of which establishes it as one of the six principal organs of the UN. According to the Council on Foreign Relations, since its creation the Assembly has been a "forum for lofty declarations, sometimes audacious rhetoric, and rigorous debate over the world's most vexing issues, from poverty and development to peace and security".<sup>14</sup>

The General Assembly occupies a central position as the chief deliberative, policymaking and representative organ of the United Nations, and, according to the UN's own definition, provides a "unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter".<sup>15</sup> There are 193 Member States in the Assembly, and each has one vote. Resolutions and decisions (the status of which are detailed below) generally require a simple majority to pass, apart from certain 'important questions' outlined in Article 18 of the

<sup>12</sup> United Nations, '[The Role of the Secretary General](#)', accessed 8 June 2015.

<sup>13</sup> *ibid.*

<sup>14</sup> Council on Foreign Relations, '[The Role of the UN General Assembly](#)', 19 September 2014.

<sup>15</sup> United Nations, '[Functions and Powers of the General Assembly](#)', accessed 31 March 2015.

UN Charter—such as the election of non-permanent members of the Security Council—which require a two-thirds majority. However, in recent years, there has been a shift towards building consensus among members, bypassing formal votes.<sup>16</sup> According to commentator MJ Peterson, Member States previously considered a unanimous vote the “strongest endorsement” of a proposal.<sup>17</sup> However, since the late 1990s, consensus has arguably come to be viewed as the strongest form of such endorsement, with Member States usually requesting formal votes in order to demonstrate opposition.<sup>18</sup>

## 2.1 Functions and Powers

The General Assembly has a number of functions and powers, as defined in Chapter IV of the UN Charter, which include:

- Considering and making recommendations on the principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms regulation;
- Discussing any question relating to international peace and security and, except where a dispute or situation is being discussed by the Security Council, making recommendations on it;
- Discussing and, with the same exception, making recommendations on any question within the scope of the *Charter* or affecting the powers and functions of any organ of the United Nations;
- Initiating studies and making recommendations to promote international political cooperation, the development and codification of international law, the realisation of human rights and fundamental freedoms for all, and international collaboration in the economic, social cultural, educational and health fields;
- Making recommendations for the peaceful settlement of any situation, regardless of origin, which might impair friendly relations among nations;
- Receiving and considering reports from the Security Council and other United Nations organs;
- Considering and approving the United Nations budget and apportioning the contributions among members; and
- Electing the non-permanent members of the Security Council, the members of the Economic and Social Council and additional members of the Trusteeship Council (when necessary); electing jointly with the Security Council the judges of the International Court of Justice; and, on the recommendation of the Security Council, appointing the Secretary General.<sup>19</sup>

According to commentators Sven Bernhard Gareis and Johannes Varwick, Article 10 of the UN Charter—which pertains to the General Assembly’s power to discuss anything within the scope of the Charter—effectively “empowers the General Assembly to concern itself with practically every question of international relevance”.<sup>20</sup> Further, while Article 12 ostensibly prohibits the General Assembly from making recommendations on any issue that the Security Council is

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<sup>16</sup> *ibid.*

<sup>17</sup> MJ Peterson, ‘General Assembly’ in Thomas G Weiss and Sam Daws (eds), *The Oxford Handbook on the United Nations*, (Oxford University Press), 2008, p 102.

<sup>18</sup> *ibid.*

<sup>19</sup> United Nations, [Charter of the United Nations](#), accessed 29 May 2015; United Nations, *Basic Facts About the United Nations 2014*, 2014, pp 5–6.

<sup>20</sup> Sven Bernhard Gareis and Johannes Varwick, *The United Nations: An Introduction*, 2005, p 26.



currently discussing, Gareis and Varwick suggest this “has in practice lost all meaning”.<sup>21</sup> Indeed, Peterson writes that the “Assembly has always commented on conflicts-in-progress, whether or not the Security Council was also addressing them at that moment”.<sup>22</sup> Moreover, Peterson explains that the potential for deadlock in the Security Council (because of the veto power of the five Permanent Members) has led to developments in the Assembly so it can consider problems of international peace and security, particularly following the 1950 ‘Uniting for Peace Resolution’.<sup>23</sup>

### ***Uniting for Peace: Resolution 377 A (V)***

Following the outbreak of the Korean War, the United States was able to secure Security Council authorisation to launch military operations against North Korea in 1950 because the Soviet Union was boycotting the Security Council at the time. When the Soviet Union stopped boycotting the Council, and thus regained its power to veto such operations, the United States put forward resolution 377 A (V) to the General Assembly in November 1950 in order to circumvent such potential deadlock. The Assembly subsequently adopted the resolution, which authorised it to act if the:

Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security.

Resolution 377 A (V) also created a procedure where an emergency special session of the General Assembly could be convened to consider issues where the Security Council cannot act. There have been ten emergency special sessions called in the UN’s history, with the first initiated by the Soviet bloc over Britain and France’s intervention in the Suez Crisis in 1956.

According to Peterson, the resolution has now become an “enduring institutional feature” in the General Assembly.

Source: M J Peterson, ‘General Assembly’ in Thomas G Weiss and Sam Daws (eds), *The Oxford Handbook on the United Nations*, 2008. The ten emergency special sessions of the General Assembly are listed in Appendix I.

<sup>21</sup> *ibid.*

<sup>22</sup> M J Peterson, ‘General Assembly’ in Thomas G Weiss and Sam Daws (eds), *The Oxford Handbook on the United Nations*, 2008, p 99.

<sup>23</sup> *ibid.*, pp 103–4.

## Resolutions and Decisions

The General Assembly (GA) has the power to adopt resolutions and decisions, both of which have the same legal status as outlined below:

### GA resolutions and GA decisions

GA resolutions and GA decisions have the same legal status. GA resolutions reflect the views of the Member States, provide policy recommendations, assign mandates to the UN Secretariat and the subsidiary bodies of the GA and decide on all questions regarding the UN budget.

With the exception of decisions regarding payments to the regular and peacekeeping budgets of the UN, GA resolutions/decisions are not binding for Member States. The implementation of the policy recommendations contained in resolutions/ decisions is the responsibility of each Member State.

Most resolutions are recurrent, i.e., they are adopted every year or in a multi-year rhythm under the same agenda item.

GA decisions are divided into “elections” and “other decisions.” Most “other decisions” pertain to procedural questions and are generally very short.

On simple procedural matters “oral decisions” can be taken. An oral decision is normally proposed by the PGA or the Chair of a Main Committee and is acted on immediately afterwards. Adoption is usually by consensus.<sup>24</sup>

As mentioned previously, each member state in the General Assembly has one vote and resolutions and decisions are usually adopted through a simple majority.<sup>25</sup> However, Article 18 of the Charter outlines certain ‘important questions’ which require a two-thirds majority to pass.<sup>26</sup> These include:

- Recommendations with respect to the maintenance of international peace and security;
- The election of non-permanent members of the Security Council;
- The election of the members of the Economic and Social Council;
- The admission of new Members to the United Nations;
- The suspension of the rights and privileges of membership;
- The expulsion of members; and
- Budgetary questions.<sup>27</sup>

Article 18 also contains provisions on the elections to the Trusteeship Council and the operation of the trusteeship system. However, the Trusteeship Council was suspended in

<sup>24</sup> Permanent Mission of Switzerland to the United Nations, [The PGA Handbook: A Practical Guide to the United Nations](#), 2011, p 52.

<sup>25</sup> United Nations, ‘[Functions and Powers of the General Assembly](#)’, accessed 7 April 2015

<sup>26</sup> United Nations, [Charter of the United Nations](#), accessed 29 May 2015.

<sup>27</sup> [ibid.](#)

November 1994, following the independence of Palau which was the last UN trust territory to become independent.<sup>28</sup>

The UN website explains that in recent years “an effort has been made to achieve consensus on issues, rather than deciding by formal vote, thus strengthening support for the Assembly’s decisions”.<sup>29</sup> Hence, the General Assembly President, after having consulted and reached agreement with delegations, can propose that a resolution be adopted without a vote.<sup>30</sup>

Gareis and Varwick write that the General Assembly “functions something like a legislature within the organisation itself, and can make decisions that are binding on the other main bodies...and the subsidiary bodies”.<sup>31</sup> However, they add that “it enjoys no such authority” in its external relations.<sup>32</sup> Indeed, commentators observe that the decisions of the Assembly have no legally binding force for national governments, yet do ostensibly “carry the weight of world opinion and the moral authority of the world community”.<sup>33</sup>

## 2.2 Structure of the General Assembly

The General Assembly consists of a Plenary, six Main Committees, a General Committee and a Credentials Committee. It elects a President and 21 Vice-Presidents, and a number of subsidiary bodies also fall under the auspices of the Assembly. The General Assembly’s *Rules of Procedure* govern how its work is conducted.<sup>34</sup>

### President and Vice-Presidents of the General Assembly

The General Assembly President represents the membership as a whole but lacks formal powers: Presidents cannot vote, serve only one term, and always remain under the authority of the General Assembly. Nevertheless, the *Rules of Procedure* empower the President to:

- Open and close each plenary meetings;
- Direct discussions in plenary meetings;
- Accord the right to speak, put questions and announce decisions;
- Ensure compliance with the Rules of Procedure;
- Rule on points of order; and
- Propose the suspension or adjournment of meetings.<sup>35</sup>

In addition, several other Presidential functions have emerged through General Assembly ‘revitalisation’ resolutions, allowing the President to:

- Organise thematic debates;
- Suggest the theme for the general debate;
- Prepare a report on best practices and lessons learned for their successor;

<sup>28</sup> United Nations, ‘[Trusteeship Council](#)’, accessed 7 April 2015.

<sup>29</sup> United Nations, ‘[Functions and Powers of the General Assembly](#)’, accessed 7 April 2015.

<sup>30</sup> *ibid.*

<sup>31</sup> Sven Bernhard Gareis and Johannes Varwick, *The United Nations: An Introduction*, 2005, p 26.

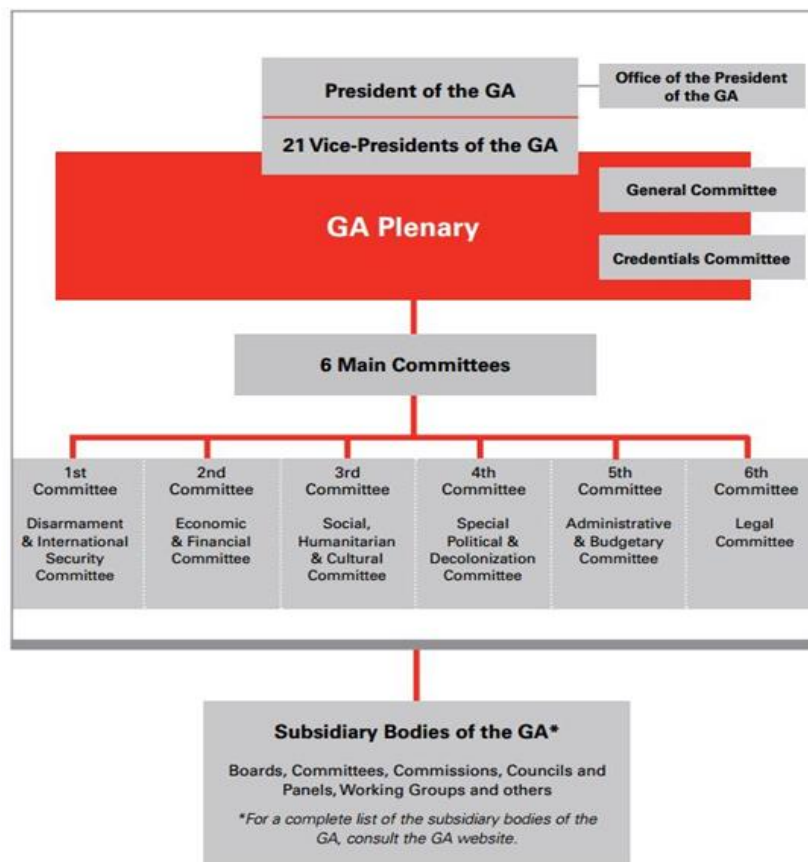
<sup>32</sup> *ibid.*

<sup>33</sup> United Nations, *Basic Facts About the United Nations 2014*, 2014, p 6.

<sup>34</sup> United Nations General Assembly, ‘[Rules of Procedure](#)’, accessed 14 April 2015.

<sup>35</sup> *ibid.*

- Enhance public visibility of the President and GA; and
- Meet regularly with the Secretary-General, the President of the Security Council, and the President of ECOSOC.<sup>36</sup>



Source: [The PGA Handbook: A Practical Guide to the United Nations](#)

Candidates for General Assembly President can be proposed by any member state, although it is not possible for one nation to hold the Presidency, Vice-Presidency, or Chair of a Main Committee, simultaneously. This therefore excludes the five permanent members of the Security Council, who are automatically Vice-Presidents of the General Assembly, from holding the Presidency. The President is elected by a simple majority at least three months before the start of a session, and the office-holder rotates among candidates from the five regional state groups of Africa, Asia, Eastern Europe, Latin America and the Caribbean and Western Europe and others.<sup>37</sup>

The General Assembly also elects 21 Vice-Presidents. A Vice-President fills in for the President in their absence and Vice-Presidents are all members of the General Committee. The five-permanent members of the Security Council are always Vice-Presidents, with the remaining posts allocated among the regional groups. Six go to the African group, five to the Asian group, one to the Eastern European group, three to the Latin American group and two to the Western European and other states group.<sup>38</sup>

<sup>36</sup> Permanent Mission of Switzerland to the United Nations, [The PGA Handbook: A Practical Guide to the United Nations](#), 2011, p 16.

<sup>37</sup> *ibid*, pp 15–16.

<sup>38</sup> *ibid*, p 17.

## Procedural Committees

### General Committee

The remit of the General Committee of the General Assembly is outlined in section VI of the *Rules of Procedure*.<sup>39</sup> At the start of each session, the General Committee considers the provisional agenda and supplementary items, and makes recommendations to the General Assembly on the inclusion of agenda items.<sup>40</sup> It also assists the President and Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items and in coordinating the proceedings of all committees of the Assembly, and makes recommendations to the GA on when the session will be closed.<sup>41</sup> Finally, it also assists the President in the general conduct of the work of the General Assembly, but is prohibited from deciding on any political question.<sup>42</sup> The President, 21 Vice-Presidents and the Chairs of the six main committees sit on the General Committee.<sup>43</sup>

### Credentials Committee

The Credentials Committee reports to the Assembly on the credentials of representatives as required under rule 28 of the *Rules of Procedure*.<sup>44</sup>

### Main Committees

The General Assembly has six main committees which consider agenda items and submit draft resolutions and decisions to the Plenary. Each committee elects a Chair, three Vice-chairs and a Rapporteur, with the Chairs typically rotating among the regional groups. The main committees are divided into specific areas as follows:

- First Committee (Disarmament and International Security);
- Second Committee (Economic and Financial);
- Third Committee (Social, Humanitarian and Cultural);
- Fourth Committee (Special Political and Decolonisation);
- Fifth Committee (Administrative and Budgetary); and
- Sixth Committee (Legal).<sup>45</sup>

### Subsidiary Bodies

The General Assembly also has a large number of subsidiary organs, consisting of boards, commissions, committees, councils and panels and working groups. The work of these entities is wide-ranging. Some relate to the General Assembly's oversight of other UN bodies, such as the Board of Auditors, which provides audit services for the General Assembly to help it to "hold UN entities to account for the use of public resources".<sup>46</sup> Others have an external agenda

<sup>39</sup> United Nations General Assembly, '[Rules of Procedure](#)', accessed 15 April 2015.

<sup>40</sup> *ibid.*

<sup>41</sup> *ibid.*

<sup>42</sup> *ibid.*

<sup>43</sup> New Zealand Ministry of Foreign Affairs and Trade, *United Nations Handbook 2013–14*, p 25.

<sup>44</sup> United Nations General Assembly, '[Credentials Committee](#)', accessed 9 April 2015.

<sup>45</sup> United Nations, *Basic Facts About the United Nations 2014*, 2014, p 7.

<sup>46</sup> United Nations, '[Board of Auditors](#)', accessed 9 April 2015.

such as the United Nations Human Rights Council, which seeks to promote and protect human rights and address violations.<sup>47</sup>

## Membership

As of April 2015, the United Nations has 193 members.<sup>48</sup> According to the UN Charter, membership of the UN is “open to all other peace-loving states”, and new members are approved by the General Assembly upon the recommendation of the Security Council.<sup>49</sup> South Sudan is the most recent UN member, following its admission on 14 July 2011. Article 9 of the UN Charter provides that the General Assembly is constituted of representatives from every member state, restricting each to a maximum of five representatives.<sup>50</sup> Each member has one vote. However, a state can lose its right to vote in the General Assembly if it fails to pay its required financial contributions to the organisation, as per Article 19 of the UN Charter.<sup>51</sup>

In addition, certain non-Member States and intergovernmental organisations have been granted ‘Permanent Observer’ status. Currently, the Holy See and the State of Palestine are the only non-Member States to have received a standing invitation to participate as observers in the sessions and work of the General Assembly, and they also maintain permanent missions at the UN Headquarters.<sup>52</sup> There are also a number of intergovernmental organisations with Permanent Observer status, ranging from supranational bodies such as the European Union to non-governmental organisations like the International Committee of the Red Cross.<sup>53</sup>

## 2.3 Sessions

The General Assembly meets in ‘regular annual sessions’, ‘special sessions’ and ‘emergency special sessions’, as provided for by Article 20 of the UN Charter.<sup>54</sup> At least three months before the beginning of a regular annual session, elections for the General Assembly President, the 21 Vice-Presidents and Chairpersons of the six Main Committees are elected by Assembly members.<sup>55</sup> Adopting the agenda is the first order of business in each Assembly session, which takes place by the Friday of its first week in session.<sup>56</sup> Regular sessions begin in September and last for one year. A general debate on a theme suggested by the President-elect is held at the start of this session which is attended by Heads of State and Government.<sup>57</sup> The General Assembly will consider all items on the agenda, which are allocated among the main committees and plenary, much of which follows a cycle described as ‘debate, decision, implementation and

<sup>47</sup> United Nations, ‘[United Nations Human Rights Council](#)’, accessed 9 April 2015.

<sup>48</sup> United Nations, ‘[What are Member States](#)’, accessed 15 April 2015.

<sup>49</sup> United Nations, ‘[Charter of the United Nations](#)’, accessed 29 May 2015.

<sup>50</sup> *ibid.*

<sup>51</sup> According to the UN website, as of 27 February 2015, 8 Member States are in arrears. Grenada, Tonga, Vanuatu and Yemen cannot vote in the General Assembly, while Comoros, Guinea-Bissau, Sao Tome and Principe and Somalia have been allowed to vote until the end of the current session under resolution 69/4 from October 2014. See United Nations, ‘[Countries in Arrears in the Payment of their Financial Contributions under the Terms of Article 19 of the UN Charter](#)’, accessed 31 March 2015.

<sup>52</sup> United Nations, ‘[Non-Member States](#)’, accessed 31 March 2015.

<sup>53</sup> United Nations, ‘[Permanent Observers: Intergovernmental Organisations](#)’, accessed 31 March 2015.

<sup>54</sup> Permanent Mission of Switzerland to the United Nations, *The PGA Handbook: A Practical Guide to the United Nations*, 2011, p 18.

<sup>55</sup> United Nations, *Basic Facts About the United Nations 2014*, 2014, p 6.

<sup>56</sup> Permanent Mission of Switzerland to the United Nations, *The PGA Handbook: A Practical Guide to the United Nations*, 2011, p 36.

<sup>57</sup> *ibid.*, p 78.

reporting'.<sup>58</sup> When an item has been considered, the Assembly will usually adopt a resolution and/or decision.

In addition, under the provisions of Article 20 of the UN Charter, special sessions are convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.<sup>59</sup> An emergency special session can also be convened under the terms of resolution 377 A (V) in situations where the Security Council is unable to act on matters of international peace and security.<sup>60</sup>

## 2.4 Reform of the General Assembly

Reforming the work of the General Assembly has been on the agenda since 1991. An 'Ad-Hoc Working Group on the Revitalisation of the General Assembly' was established following the 2005 World Summit. This group considers the role and authority of the Assembly; its working methods; the selection and appointment of the Secretary-General and other executive heads; and strengthening the 'institutional memory' of the Office of the Assembly President.<sup>61</sup> One of the changes implemented as a result of the ongoing reform process includes the introduction of regular meetings between the President of the General Assembly and the Secretary-General, Presidents of the Security Council and Economic and Social Council (ECOSOC).<sup>62</sup>

## 3. The UN Security Council

### 3.1 History of the Security Council

Following the signing of the Declaration by United Nations on 1 January 1942, representatives from China, the United Kingdom, the Union of Soviet Socialist Republics (USSR) and the United States met in Dumbarton Oaks, Washington, 21 August–7 October 1944, to formulate and discuss proposals leading to the creation of the United Nations organisation.<sup>63</sup> The Dumbarton Oak proposals included the formation of four principal bodies which would constitute the United Nations. They were the General Assembly, the Security Council, the International Court of Justice and a Secretariat. In addition, the representatives agreed that it would be the responsibility of the Security Council to prevent any future armed conflict, with Member States placing their armed forces at the disposal of the Security Council in its task of "preventing war and suppressing acts of aggression".<sup>64</sup> It was also decided that the five permanent members of the Security Council would be the Republic of China, France, the USSR, the UK and the US.

However, the issue of Security Council voting was left open until the Yalta Conference of 4–11 February 1945, which saw the UK, the USSR and the US formulate Security Council voting procedure, including veto powers for permanent members.<sup>65</sup>

On 24 October 1945, the Charter of the United Nations was ratified by the five permanent members of the Security Council. It was also signed by a majority of other signatory states, who

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<sup>58</sup> *ibid*, p 36.

<sup>59</sup> United Nations, [Charter of the United Nations](#), accessed 29 May 2015.

<sup>60</sup> United Nations General Assembly, [Emergency Special Sessions](#), accessed 16 April 2015.

<sup>61</sup> United Nations, [Revitalization of the Work of the General Assembly: Background](#), accessed 9 April 2015.

<sup>62</sup> *ibid*.

<sup>63</sup> United Nations, [History of the United Nations: Dumbarton Oaks and Yalta](#), accessed 13 April 2015.

<sup>64</sup> *ibid*.

<sup>65</sup> US Department of State, [United Nations](#), accessed 14 April 2015.

had helped create the Charter at the San Francisco Conference on 25 April 1945.<sup>66</sup> On 17 January 1946, the Security Council held its first meeting, where it discussed and adopted the Security Council's rules and procedure.

## 3.2 Structure

### Membership

The United Nations Security Council is composed of fifteen members. Of these, five are permanent members (China, France, the Russian Federation, the United States and the United Kingdom). The remaining ten members are each elected by the General Assembly to serve a two-year term on the Security Council. Elections happen each year, with five members (of the ten) being elected each time.<sup>67</sup> In accordance with General Assembly Resolution 1991 (XVIII) of 17 December 1963, the ten elected seats on the Security Council are distributed as follows: five from African and Asian States; one from Eastern European States; two from the Latin American and Caribbean States; and two from Western European and other States.<sup>68</sup>

According to Rule 83 of the United Nations' Rules of Procedure, the election of non-permanent members to the Security Council requires the support of a two-thirds majority in the General Assembly, from those participating in the voting process.<sup>69</sup> Rule 93 states that, should multiple candidates from the same region stand for a single seat on the Security Council, balloting will continue until one of the candidates receives a two-thirds majority and is subsequently elected.<sup>70</sup>

Article 23 of the United Nations Charter suggests that when electing a non-permanent member, Member States should first consider:

The contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation.<sup>71</sup>

### Subsidiary Organs

Subsidiary organs are bodies that have been created by the Security Council in accordance with Article 29 of the Charter of the United Nations, in order to assist the Council where necessary for the performance of its functions.<sup>72</sup> A subsidiary organ may be an individual, committee, peace-keeping force or a tribunal.<sup>73</sup> The work of subsidiary organs can range from procedural matters—such as the admission of new members to the Security Council—to peace-keeping operations, international tribunals and sanctions regimes.<sup>74</sup>

An example of a United Nations' subsidiary organ is the International Criminal Tribunal for Rwanda. Created by the Security Council in 1994, it is tasked with prosecuting “those

<sup>66</sup> United Nations, '[History of the United Nations: 1941–1950](#)', accessed 14 April 2015.

<sup>67</sup> United Nations Security Council, '[Frequently Asked Questions](#)', accessed 30 March 2015.

<sup>68</sup> *ibid.*

<sup>69</sup> United Nations General Assembly, '[Rules of Procedure](#)', accessed 29 March 2015.

<sup>70</sup> *ibid.*

<sup>71</sup> United Nations, '[Charter of the United Nations: Chapter V: The Security Council](#)', accessed 1 April 2015.

<sup>72</sup> *ibid.*

<sup>73</sup> Sydney Bailey and Sam Daws, *The Procedure of the UN Security Council*, 1998, p 333.

<sup>74</sup> *ibid.*, pp 356–365.



responsible for genocide and other serious violations of international humanitarian law”, which were reportedly committed in the East African country in 1994.<sup>75</sup>

### 3.3 Powers and Responsibilities

#### Peacekeeping and Conflict Resolution

In accordance with Article 24 of the Charter of the United Nations, the Security Council is required to act on behalf of all Member States within the United Nations to “maintain international peace and security in accordance with the principles and purposes of the United Nations”.<sup>76</sup> Therefore, the Security Council is responsible for investigating disputes or situations which could lead to international conflict and for recommending methods to resolve or settle such hostilities.<sup>77</sup>

Should the Security Council be unable to resolve an international conflict through negotiation or settlement, it is able to call on members of the United Nations to apply economic sanctions to “prevent or stop aggression”.<sup>78</sup> If required, it can also decide to take military action.

Unlike other bodies of the United Nations, the Security Council is the only body whose resolutions are binding on all states when adopted under Chapter VII of the Charter of the United Nations.<sup>79</sup> Chapter VII of the Charter outlines the Security Council’s powers “with respect to threats to the peace, breaches of the peace, and acts of aggression”.<sup>80</sup>

#### Supporting the Work of the United Nations

In addition to conflict resolution, the Security Council also functions to support the procedural work of the United Nations.<sup>81</sup> Despite the fact that the UN Secretary-General is appointed by the General Assembly, Article 97 of the Charter of the United Nations rules that the appointment will only be made “upon the recommendation of the Security Council”.<sup>82</sup> Subsequently, any of the five permanent members of the Security Council have the power to veto the appointment of a Secretary-General.<sup>83</sup>

The Security Council also supports the work of other bodies within the United Nations’ framework, such as the International Court of Justice. Article 8 of the Statute of the International Court of Justice rules that the General Assembly and Security Council together elect judges, otherwise known as “members of the Court”.<sup>84</sup>

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<sup>75</sup> United Nations Security Council, [‘Subsidiary Organs’](#), accessed 2 April 2015.

<sup>76</sup> United Nations Security Council, [‘Functions and Powers’](#), accessed 4 April 2015.

<sup>77</sup> *ibid.*

<sup>78</sup> *ibid.*

<sup>79</sup> Max Hilaire, *United Nations Law and the Security Council*, 2005, p 2.

<sup>80</sup> United Nations, [‘Charter of the United Nations: Chapter VII: Actions with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression’](#), accessed 2 April 2015.

<sup>81</sup> United Nations Security Council, [‘Functions and Powers’](#), accessed 5 April 2015.

<sup>82</sup> United Nations, [‘Charter of the United Nations: Chapter XV: The Secretariat’](#), accessed 4 April 2015

<sup>83</sup> *ibid.*

<sup>84</sup> International Court of Justice, [‘Statute of the International Court of Justice’](#), accessed 6 April 2015.

## Voting Powers

Article 27 of the Charter of the United Nations outlines voting procedure for the Security Council. It states that:

- Each member of the Security Council shall have one vote;
- Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members;
- Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.<sup>85</sup>

Subsequently, if one of the five permanent members casts a negative vote in the Security Council, it acts as a veto and prevents a resolution or decision from passing. However, permanent members are unable to veto procedural votes in the Security Council.<sup>86</sup>

## 3.4 Finance

The Security Council is financed out of the United Nations' regular budget. According to the United Nations Department of Management:

The budget covers the costs of United Nations programmes in areas such as political affairs, international justice and law, international cooperation for development, public information, human rights and humanitarian affairs.<sup>87</sup>

The regular budget is approved by the General Assembly biennially. Before the budget can be approved, it is submitted by the Secretary-General to the Advisory Committee on Administrative and Budgetary Questions, before being passed to the General Assembly's Fifth Committee for its review and approval.<sup>88</sup>

The main source of funding for the regular budget comes from the financial contributions of Member States. However, in order to determine the financial contributions of a member state to the regular budget, a scale of assessments is approved by the General Assembly on the recommendation of the Committee on Contributions. According to United Nations General Assembly Resolution 67/238, the elements and criteria used to determine the scale of assessments for 2013–14 included estimates of country's national incomes.<sup>89</sup>

In the regular budget of 2012–13, US \$499.7million was allocated to the Security Council and General Assembly for special political missions to be either approved or extended during the two-year budgetary period.<sup>90</sup> However, the regular budget does not fund peacekeeping operations and international tribunals.

<sup>85</sup> United Nations, '[Charter of the United Nations: Chapter V: The Security Council](#)', accessed 8 April 2015.

<sup>86</sup> Sydney Bailey and Sam Daws, *The Procedure of the UN Security Council*, 1998, p 227.

<sup>87</sup> United Nations Department of Management, '[Programme Planning, Budgets and Accounts](#)', accessed 14 April 2015.

<sup>88</sup> United Nations Peacekeeping, '[Financing Peacekeeping](#)', accessed 10 April 2015.

<sup>89</sup> United Nations Department of Public Information, *Basic Facts about the United Nations*, 2014, p 27.

<sup>90</sup> *ibid.*

## 4. The International Court of Justice

### 4.1 History

The International Court of Justice was established on 24 October 1945, upon the ratification of the Charter of the United Nations by the five permanent members of the Security Council.<sup>91</sup> Article 93 of the Charter of the United Nations states that members of the United Nations are “ipso facto parties” to the Statute of the International Court of Justice and, as a result, are automatically subject to the rules of the Court.<sup>92</sup>

### 4.2 Membership of the International Court of Justice

The International Court of Justice is the principal judicial organ of the United Nations. It comprises of fifteen judges elected to serve nine-year terms by both the United Nations General Assembly and the Security Council, “simultaneously but separately”.<sup>93</sup>

Elections take place every three years, with five judges being chosen at every election. Candidates are nominated to stand for election by national groups in the Permanent Court of Arbitration. Each national group is allowed to nominate four candidates to stand for election, but can only select a maximum of two candidates from its own nation. Once nominated, the Secretary-General submits the list of candidates for election to the General Assembly and the Security Council.

In order for a judge to be elected to the International Court of Justice, a candidate must receive an absolute majority in both the United Nations General Assembly and the Security Council. This is achieved by both the General Assembly and Security Council voting independently on a list of candidates, until five have received an absolute majority and are placed on a list. Once both organs of the United Nations have produced separate lists from the voting, with the names of the five candidates who received an absolute majority, the lists are compared. Any candidate appearing on both lists is elected to the Court.

Article 9 of the Statute of the International Court of Justice states that when voting for a candidate, electors should:

Bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.<sup>94</sup>

To ensure that the principal legal systems of the world are represented, membership of the International Court of Justice is distributed as follows: three members from Africa; two members from Latin America and the Caribbean; three members from Asia; five members from Western Europe and other states; and two members from Eastern Europe.<sup>95</sup> Furthermore, the International Court of Justice has always included judges of the nationality of the permanent

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<sup>91</sup> United Nations, ‘[San Francisco Conference](#)’, accessed 12 April 2015.

<sup>92</sup> Sam Daws and Thomas G Weiss, *The Oxford Handbook on the United Nations*, 2007, p 198.

<sup>93</sup> International Court of Justice, ‘[Members of the Court](#)’, accessed 17 April 2015.

<sup>94</sup> United Nations, ‘[Statute of the International Court of Justice](#)’, accessed 14 April 2015.

<sup>95</sup> International Court of Justice, ‘[Members of the Court](#)’, accessed 17 April 2015.

members of the Security Council—China, France, the Russian Federation, the United Kingdom and the United States.<sup>96</sup>

Once elected to the Court, judges neither represent a government or their nation. To ensure their independence, judges must make a declaration in an open court that they will remain impartial, prior to undertaking their work with the International Court of Justice. In addition, a judge can be removed from their role with the Court, should the remaining members of the Court unanimously agree to it.

### 4.3 Procedure

The International Court of Justice has a dual role. It aims to resolve—in accordance to international law—contentious cases or disputes between Member States, and also to provide advisory opinions on legal questions at the request of United Nation bodies and agencies.<sup>97</sup>

#### Contentious Cases

Contentious cases are legal disputes between states, submitted to the International Court of Justice by means of a “unilateral application filed by one state against another state”.<sup>98</sup> In order for a contentious case to be brought forward, each state involved in the legal dispute must be a United Nations member state. In addition, both parties must have consented to the International Court of Justice’s jurisdiction over the legal dispute.<sup>99</sup>

However, to consent to the jurisdiction of the Court, a state must do at least one of the following:

- Enter into a special agreement to submit the dispute to the Court;
- Follow a jurisdictional clause. For example, when states are parties to a treaty containing a provision, in the event of a dispute or disagreement over the interpretation or application of the treaty, one of them may refer the dispute to the International Court of Justice;
- Declare that under the Statute of the International Court of Justice, a state has accepted the Court’s jurisdiction as compulsory, with another state having made the same declaration.<sup>100</sup>

Contentious cases consist of both written and oral proceedings. The written phase involves both parties filing and exchanging pleadings, which contain a “detailed statement of the points of fact and of law on which each party relies”.<sup>101</sup> Oral proceedings comprise of a number of public hearings, in which states, who are represented by agents, address the Court. Once both written and oral proceedings have been completed, the International Court of Justice deliberates and then delivers its judgment in public. In accordance with Article 94 of the Charter of the United Nations, the judgment of the Court is final, with no appeal.<sup>102</sup>

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<sup>96</sup> *ibid.*

<sup>97</sup> International Court of Justice, ‘[The Court—How the Court Works](#)’, accessed 14 April 2015.

<sup>98</sup> International Court of Justice, ‘[Cases](#)’, accessed 15 April 2015.

<sup>99</sup> Sam Daws and Thomas G Weiss, *The Oxford Handbook on the United Nations*, 2007, p 195.

<sup>100</sup> International Court of Justice, ‘[The Court—How the Court Works](#)’, accessed 14 April 2015.

<sup>101</sup> *ibid.*

<sup>102</sup> United Nations, [Charter of the United Nations: Chapter XIV: The International Court of Justice](#), accessed 15 April 2015.

However, in the event of non-compliance by a member state to implement the judgment of the Court, there are provisions in place for the Security Council to intervene and take action, such as by way of military action or economic sanctions.<sup>103</sup>

### Advisory Proceedings

The main function of an advisory proceeding is to provide an opinion on a legal question. Their workings are similar to that of a contentious case, where prior to giving its judgment, the International Court of Justice seeks both written and oral proceedings from states and organisations. Advisory proceedings are also concluded with judgments delivered in a public sitting.<sup>104</sup>

However, there are also significant differences between a contentious case and an advisory proceeding. An advisory proceeding is only available to five United Nations organs—the General Assembly, Security Council, Economic and Social Council, Trusteeship Council and the Interim Committee of the General Assembly—and to sixteen specialist agencies of the United Nations, such as the World Health Organisation and the International Monetary Fund. As a result, individual Member States are unable to submit a request to the International Court of Justice for an advisory opinion.

Also unlike with contentious cases, the opinion of the International Court of Justice in an advisory proceeding is not legally binding, with Member States avoiding facing further repercussion should the advice of the International Court of Justice be ignored. Subsequently, the United Nations organ or agency who requested an advisory proceeding “remains free to give effect to the opinion, or not to do so”.<sup>105</sup>

In addition, the International Court of Justice is not obliged to provide an advisory opinion. This occurs when the Court believes that providing an advisory opinion would conflict with: its judicial character; the rules that guides its activity as a court; or if the request is beyond the capacity of the organ requesting an advisory opinion.<sup>106</sup> For example, the International Court of Justice website states that:

The Court has several times been impelled, either on its own initiative or at a State’s request, to investigate whether it had jurisdiction, whether the question put to it was a legal question, or whether certain features of the previous treatment of the subject-matter rendered it undesirable for the Court to pronounce upon it.<sup>107</sup>

That the Court should decline to give an advisory opinion is rare; it has done so only once in its history.<sup>108</sup>

## 4.4 Finance

According to Article 33 from the Statute of the International Court of Justice, the expenses of the Court are “borne by the United Nations in such a manner as shall be decided by the

<sup>103</sup> Sam Daws and Thomas G Weiss, *The Oxford Handbook on the United Nations*, 2007, p 199.

<sup>104</sup> International Court of Justice, ‘[The Court—How the Court Works](#)’, accessed 15 April 2015.

<sup>105</sup> International Court of Justice, ‘[Questions and Answers about the Advisory Procedure](#)’, accessed 16 April 2015.

<sup>106</sup> *ibid.*

<sup>107</sup> *ibid.*

<sup>108</sup> *ibid.*

General Assembly”.<sup>109</sup> As a result, in 1989, the Secretary-General announced the establishment of the ‘Trust Fund’, which was designed to provide financial assistance to Member States and to encourage them to settle their disputes through the International Court of Justice.<sup>110</sup>

## 5. The International Monetary Fund

### 5.1 History and Foundation

The International Monetary Fund (IMF) was conceived at the international conference held in Bretton Woods in 1944. The primary motivation behind the creation of the IMF was to avoid the economic policies that the founders believed had led to the Great Depression of the 1930s, particularly competitive currency devaluations. The IMF came into formal existence in December 1945 and began operations in 1947.<sup>111</sup>

### 5.2 Role and Functions

The IMF’s ‘fundamental mission’ is to ensure the stability of the international monetary system. In order to do this, it employs the following mechanisms:

- Surveillance:** Surveillance is the name given to the process through which the IMF reviews the economic and financial policies of its 188 member countries, as well as national, regional, and global economic and financial developments. Under the surveillance framework, the IMF provides advice to member countries to encourage measures which it believes will foster economic stability, reduce vulnerability to economic and financial crises, and raise living standards.
- Financial Assistance:** The IMF provides loans to member countries, the aim of which is to provide “breathing room to correct balance of payments problems”.<sup>112</sup> A policy program supported by financing is designed by the national authorities in cooperation with the IMF, and continued financial support is conditional on the implementation of this program.
- Technical Assistance:** The IMF provides technical assistance and training to assist member countries in economic and fiscal policy making and implementation. Assistance is offered in a range of areas, including tax policy and administration, expenditure management, and banking and financial system supervision and regulation.<sup>113</sup>

### 5.3 Membership, Governance and Structure

The IMF is a specialised agency of the United Nations; it is part of the UN system but is a legally independent organisation, with its own constitution, rules, membership, organs, and financial resources.<sup>114</sup> There are 188 member countries of the IMF. In order to join, a country must

<sup>109</sup> Sam Daws and Thomas G Weiss, *The Oxford Handbook on the United Nations*, 2007, p 202.

<sup>110</sup> International Court of Justice, ‘[Financial Assistance to Parties](#)’, accessed 21 April 2015.

<sup>111</sup> International Monetary Fund, ‘[Cooperation and reconstruction \(1944–71\)](#)’, accessed 15 April 2015.

<sup>112</sup> International Monetary Fund, ‘[The IMF at a Glance](#)’, accessed 15 April 2015.

<sup>113</sup> *ibid.*

<sup>114</sup> Congressional Research Service, ‘[Membership in the United Nations and Its Specialized Agencies](#)’, 19 June 2014.

agree not to restrict the exchange of foreign currency and to “strive for openness in economic policies affecting other countries”.<sup>115</sup> In addition, member countries must pay a quota subscription.<sup>116</sup>

The highest authority in the IMF is the Board of Governors. Each member country is represented on the Board by one governor, usually its minister of finance or leader of the central bank, and one alternate governor. The Board of Governors has delegated most of its powers to the Executive Board, which runs the daily business of the IMF. There are 24 seats on the Executive Board, each representing either a single country or group of countries. Large economies have their own member on the Executive Board, but most countries are grouped in constituencies representing four or more countries.<sup>117</sup> The Chair of the Executive Board and leader of the IMF is the Managing Director, currently Christine Lagarde. By convention, the Managing Director is a European.<sup>118</sup>

Each IMF member country is assigned a quota that determines both its financial commitment to the IMF and its voting power. A country’s quota is “based broadly” on its position in the global economy, with the larger economies having a greater share of the vote.<sup>119</sup> The five countries with the largest vote share are the United States (16.75 percent), Japan (6.23 percent), Germany (5.81 percent), France (4.29 percent) and the UK (4.29 percent).<sup>120</sup>

## 5.4 Financing

The IMF is financed primarily by its Member States, the financial contribution of which is determined by its assigned quota. Currently, the G7 countries contribute 45.3 percent of the IMF’s resources from quotas, 15.1 percent comes from other ‘advanced economies’, and 39.6 percent from ‘emerging market and developing countries’.<sup>121</sup> On 3 March 2015, the IMF held US\$327 billion from quotas.<sup>122</sup>

In addition to the financial resources provided by its Member States, the IMF has significant holdings of gold, which can only be sold if approved by an 85 percent majority of voting power. In 2009, the Executive Board approved such a measure and approximately one-eighth of the IMF’s gold holdings were sold in order to finance an endowment fund, as well as to subsidise financing for low-income countries.<sup>123</sup>

In addition to quota subscriptions of member countries, the IMF can supplement its quota resources through borrowing if it believes that it might not have enough resources to meet members’ needs. Through two borrowing mechanisms, the New Arrangements to Borrow and the General Arrangements to Borrow, a number of member countries and institutions have agreed to be prepared to lend additional resources to the IMF if needed.<sup>124</sup>

<sup>115</sup> International Monetary Fund, ‘[Obligations and Benefits of IMF Membership](#)’, accessed 15 April 2015.

<sup>116</sup> *ibid.*

<sup>117</sup> International Monetary Fund, ‘[Governance Structure](#)’, accessed 16 April 2015.

<sup>118</sup> Graeme Reardon and Dominic Rush, ‘[IMF Under Growing Pressure to Appoint Non-European Head](#)’, *The Guardian*, 19 May 2011.

<sup>119</sup> International Monetary Fund, ‘[Where the IMF Gets its Money](#)’, accessed 16 April 2015.

<sup>120</sup> International Monetary Fund, ‘[IMF Executive Directors and Voting Power](#)’, accessed 16 April 2015.

<sup>121</sup> International Monetary Fund, ‘[Quota and Voting Shares Before and After Implementation of Reforms Agreed in 2008 and 2010](#)’, accessed 29 April 2015.

<sup>122</sup> International Monetary Fund, ‘[About the IMF](#)’, accessed 29 April 2015.

<sup>123</sup> International Monetary Fund, ‘[Gold Sales](#)’, accessed 29 April 2015.

<sup>124</sup> *ibid.*

The IMF uses the Special Drawing Right (SDR) as its unit of account. The SDR is an ‘international reserve asset’ which was created by the IMF in 1969 in order to support the expansion of world trade under the Bretton Woods fixed exchange rate system, as there was a shortage of US dollars and gold, two key reserve assets. In spite of the fact that the fixed exchange rate system collapsed only a few years after the SDR was introduced, the IMF continues to use the SDR, providing liquidity and supplementing member countries’ official reserves.<sup>125</sup>

## 5.5 Reform

In 2010, the Board of Governors agreed to a package of reforms that would address two perceived problems with the IMF: that its resources have declined as a share of the global economy at the same time as the need for its support has grown, and that the representation of developing countries and emerging economies does not reflect their position in the global economy.<sup>126</sup> The reforms would provide for an increase in the IMF’s capital from quotas of 100 percent, from approximately SDR 238.5 billion to approximately SDR 477 billion, and a “major realignment” of quota shares.<sup>127</sup> Notably, this realignment includes a shift of voting shares and board seats to emerging markets (in particular China, Brazil, Russia and India).<sup>128</sup>

For these reforms to come into effect, approval by an 85 percent majority of voting power is required. This means that the USA, with 16.75 percent of the voting power, has an effective veto.<sup>129</sup> As the US Congress has not approved the measures, the reforms have yet to take effect.<sup>130</sup> In December 2014, Christine Lagarde, the Managing Director of the IMF, “expressed her disappointment” after the reforms were not included in a 2015 budget deal in the US Congress, and said that the IMF would now explore “other options”.<sup>131</sup>

## 6. The World Bank Group

### 6.1 History and Foundation

The International Bank for Reconstruction and Development, which later became known as the World Bank, was also conceived at the Bretton Woods conference.<sup>132</sup> The aim of establishing the World Bank and the IMF was to ensure economic stability, cooperation and prosperity after the end of the war.<sup>133</sup> The World Bank began operations in June 1946.<sup>134</sup>

The World Bank’s work initially focused on helping Europe to recover from World War II, but its mandate has evolved over time. The mission of the World Bank Group is now to alleviate poverty worldwide, to which end it has set two specific goals:

- End extreme poverty by decreasing the percentage of people living on less than US\$1.25 a day to no more than 3 percent.

<sup>125</sup> International Monetary Fund, ‘[Special Drawing Rights \(SDRs\)](#)’, 9 April 2015.

<sup>126</sup> Congressional Research Service, ‘[IMF Reforms: Issues for Congress](#)’, 9 April 2015, p 2.

<sup>127</sup> International Monetary Fund, ‘[IMF Quotas](#)’, 9 April 2015.

<sup>128</sup> *ibid.*

<sup>129</sup> Congressional Research Service, ‘[IMF Reforms: Issues for Congress](#)’, 9 April 2015, p 1.

<sup>130</sup> ‘[Getting around Uncle Sam](#)’, *Economist*, 31 January 2015.

<sup>131</sup> Robin Harding, ‘[Christine Lagarde Warns US over IMF Reform Failings](#)’, *Financial Times*, 12 December 2014.

<sup>132</sup> Encyclopaedia Britannica, ‘[Bretton Woods Conference](#)’, accessed 7 April 2015.

<sup>133</sup> International Monetary Fund, ‘[The IMF and the World Bank](#)’, 27 March 2015.

<sup>134</sup> World Bank, ‘[World Bank Group Historical Chronology: 1944-1949](#)’, accessed 7 April 2015.



- Promote shared prosperity by fostering the income growth of the bottom 40 percent for every country.<sup>135</sup>

## 6.2 Constituent Organisations

The World Bank Group is a specialised agency of the United Nations; it is part of the UN system but is a legally independent organisation, with its own constitution, rules, membership, organs, and financial resources.<sup>136</sup> The World Bank Group has expanded since its creation and now comprises five organisations:



The **International Bank for Reconstruction and Development (IBRD)** lends to governments of middle-income and creditworthy low-income countries.



The **International Development Association (IDA)** provides interest-free loans—called credits—and grants to governments of the poorest countries.



The **International Finance Corporation (IFC)** provides loans, equity and technical assistance to stimulate private sector investment in developing countries.



The **Multilateral Investment Guarantee Agency (MIGA)** provides guarantees against losses caused by non-commercial risks to investors in developing countries.



The **International Centre for Settlement of Investment Disputes (ICSID)** provides international facilities for the conciliation and arbitration of investment disputes.<sup>137</sup>

Together, the International Bank for Reconstruction and Development and the International Development Association make up what is known as the World Bank. All five organisations together are the World Bank Group.

## 6.3 Role, Functions and Financing of the World Bank (IBRD and IDA)

The aim of the World Bank is to reduce poverty and promote economic growth in the developing world. To further this aim, it provides loans, policy advice and technical assistance to developing country governments. Middle-income and credit-worthy poorer countries work with the World Bank through the IBRD, and the world's poorest countries work with the IDA.<sup>138</sup>

The World Bank's stated priorities are:

- Investing in people, particularly through basic health and education;
- Focusing on social development, inclusion, governance, and institution building as key elements of poverty reduction;
- Strengthening governments' ability to deliver quality services efficiently and transparently;

<sup>135</sup> World Bank, '[What We Do](#)', accessed 8 April 2015.

<sup>136</sup> Congressional Research Service, '[Membership in the United Nations and Its Specialized Agencies](#)', 19 June 2014.

<sup>137</sup> World Bank, '[World Bank Group](#)', accessed 7 April 2015.

<sup>138</sup> World Bank, '[A Guide to the World Bank](#)', 1 June 2011, p 10.

- Protecting the environment;
- Supporting and encouraging private business development;
- Promoting reforms to create a stable macroeconomic environment conducive to investment and long-term planning.<sup>139</sup>

The IBRD provides its borrowing member countries with access to capital on terms more favourable than they would receive on the open market, as well as other financial services such as guarantees and risk management. It also provides policy and technical advice. The IBRD finances its activities by selling bonds on international financial markets and lending its own capital.<sup>140</sup> This capital comes from reserves which have been built up over time and from money paid in by the IBRD's shareholders.<sup>141</sup>

The IDA was created in 1960 to lend money to countries that could not afford to borrow from the IBRD.<sup>142</sup> It provides interest-free or low-interest loans to the world's poorest countries, which, in 2015, were defined by the IDA as countries with an income per capita of less than US\$1,215.<sup>143</sup> As part of the concessional nature of the loans, repayments are not due for the first five to ten years and are made over an extended time. These loans make up approximately 40 percent of the World Bank's total lending.<sup>144</sup> In addition to providing loans, the IDA also gives grants and delivers debt-relief.<sup>145</sup> The IDA is primarily funded by contributions from its high-income members through a process called 'replenishment', which occurs every three years. Additional funding comes from transfers from other World Bank Group organisations and repayments of previous loans.<sup>146</sup>

## 6.4 Membership, Governance and Structure

To become a member of the IBRD, a country must first join the International Monetary Fund (IMF). Membership of the IDA, IFC and MIGA are conditional on membership of the IBRD, which currently has 188 Member States.<sup>147</sup>

All Member States of the IBRD are shareholders in it. The size of these shareholdings affects the voting shares of the Member States. Each member receives votes consisting of share votes (one vote for each share of the IBRD's capital stock held by the member), plus basic votes (calculated so that the sum of all basic votes is equal to 5.55 percent of the sum of basic votes and share votes for all members).<sup>148</sup> The largest shareholders are the United States (17.14 percent), Japan (7.92 percent), China (5.11 percent), Germany (4.63 percent), France (4.15 percent), and the UK (4.15 percent).<sup>149</sup>

All Member States of the IBRD are represented on its Board of Governors. These Governors also serve by default on the governing bodies of other World Bank Group organisations that

<sup>139</sup> *ibid*, p 12.

<sup>140</sup> World Bank, ['FAQs: About the World Bank'](#), accessed 8 April 2015.

<sup>141</sup> World Bank, [A Guide to the World Bank](#), 1 June 2011, p 14.

<sup>142</sup> International Development Association, [The World Bank's Fund for the Poorest](#), October 2014, p 11.

<sup>143</sup> *ibid*, p 5.

<sup>144</sup> World Bank, ['FAQs: About the World Bank'](#), accessed 8 April 2015.

<sup>145</sup> World Bank, ['What Is IDA?'](#), accessed 8 April 2015.

<sup>146</sup> World Bank, [A Guide to the World Bank](#), 1 June 2011, p 18.

<sup>147</sup> World Bank, ['Member Countries'](#), accessed 7 April 2015.

<sup>148</sup> World Bank, ['Voting Power'](#), accessed 7 April 2015.

<sup>149</sup> World Bank, [International Bank for Reconstruction and Development Subscriptions and Voting Power of Member Countries](#), 7 April 2015.

the country is a member of, except for the MIGA, the Governors of which are appointed separately.<sup>150</sup> General operations of the IBRD are delegated to a smaller group of 25 Executive Directors, six of whom are appointed by the six largest shareholders; the remainder are elected by the IBRD's other members.<sup>151</sup> The President of the World Bank Group, also the Chair of the IBRD's Executive Directors, is traditionally a US citizen, nominated by the United States. The current President of the World Bank Group is Jim Yong Kim.<sup>152</sup>

The two organisations of the World Bank, the IBRD and the IDA, work closely together, sharing premises and staff, reporting to the same senior management, and using the same standards to evaluate projects.

## 6.5 The UK and the World Bank Group

The UK interacts with the World Bank Group through the Department for International Development (DFID). Typically, the Secretary of State for International Development represents the UK on the World Bank Board of Governors, and the Chancellor of the Exchequer is the UK's alternate Governor. The United Kingdom holds 4.17 percent of the voting power in the IBRD; 6.12 percent of the voting power in the International Development Association; 4.59 percent of the voting power in the International Finance Corporation; and 4.03 percent of the voting power in the Multilateral Investment Guarantee Agency.<sup>153</sup>

While the UK participates in all five of the World Bank Group's organisations, it focuses its contributions on the IDA, as this organisation's work is "most closely aligned with DFID's core objectives".<sup>154</sup> The UK plans to contribute £3.3 billion to the IDA between July 2014 and June 2017, in the form of a £2.8 billion grant and a £486 million loan.<sup>155</sup>

## 7. World Health Organisation

### 7.1 History and Foundation

The World Health Organisation (WHO) was created at the United Nations Conference on International Organisation in 1945, when a proposal by Brazil and China to establish an autonomous international health organisation within the United Nations system was unanimously approved.<sup>156</sup> The WHO's constitution was adopted by the International Health Conference in 1946 and entered into force in 1948.<sup>157</sup> Article one of the Constitution states that the aim of the World Health Organisation "shall be the attainment by all peoples of the highest possible level of health".<sup>158</sup>

<sup>150</sup> International Bank for Reconstruction and Development, [Voting Power of Executive Directors](#), 7 April 2015.

<sup>151</sup> World Bank, [A Guide to the World Bank](#), 1 June 2011, p 8.

<sup>152</sup> World Bank, [Office of the President](#), accessed 14 April 2015.

<sup>153</sup> World Bank, [Voting Powers](#), accessed 9 April 2015.

<sup>154</sup> Department for International Development, [UK Engagement with the World Bank Group 2014/15](#), 2014, p 2.

<sup>155</sup> *ibid.*

<sup>156</sup> World Health Organisation, *WHO: What It Is, What It Does*, 1988.

<sup>157</sup> World Health Organisation, [Constitution of the World Health Organisation](#), October 2006, p 1.

<sup>158</sup> *ibid.*, p 2.

## 7.2 Organisational Structure

As a specialised agency of the UN, the WHO is part of the UN system but is a legally independent organisation, with its own constitution, rules, membership, organs, and financial resources.<sup>159</sup>

The WHO is formed of the following three bodies:

- **World Health Assembly:** the WHO's 'decision-making body', composed of delegations from all WHO Member States. Meeting annually, its main functions are to determine the policies of the organisation, appoint the Director-General, supervise financial policies, and review and approve the proposed programme budget.<sup>160</sup> Each member has one vote in the Health Assembly.<sup>161</sup>
- **Executive Board:** a board of 34 people which facilitates the work of the World Health Assembly by putting into practice its decisions and policies. Member States represented on the Board are elected by the World Health Assembly, and terms last for three years.<sup>162</sup>
- **Secretariat:** the staff of the WHO, approximately 8000 health and other experts and support staff.<sup>163</sup>

The constitution of the WHO commits the organisation to the principle of regionalisation, and "a great part" of its power and responsibilities resides in its regional bodies.<sup>164</sup> The headquarters of the WHO are in Geneva, Switzerland, and there are six regional offices covering the following regions: Africa, the Americas, South-East Asia, Europe, Eastern Mediterranean and Western Pacific.<sup>165</sup>

## 7.3 Funding and Membership

There are currently 194 Member States of the WHO. All countries which are members of the UN may become members of WHO by accepting its constitution. Countries which are not members of the UN may be admitted to the WHO by a simple majority vote of the World Health Assembly.<sup>166</sup>

The WHO's funding is made up of assessed and voluntary contributions. Assessed contributions are Member States' dues, calculated relative to the country's wealth and population size.<sup>167</sup> Each member state's assessed contribution is based on the level approved by the UN General Assembly for UN contributions.<sup>168</sup> The proportion of the WHO's costs which are met by assessed contributions has declined over time, and for several years assessed

<sup>159</sup> Congressional Research Service, [Membership in the United Nations and Its Specialized Agencies](#), 19 June 2014.

<sup>160</sup> World Health Organisation, [World Health Assembly](#), accessed 31 March 2015.

<sup>161</sup> World Health Organisation, [Constitution of the World Health Organisation](#), October 2006, p 14.

<sup>162</sup> World Health Organisation, [The Executive Board](#), accessed 31 March 2015.

<sup>163</sup> World Health Organisation, [Governance](#), accessed 31 March 2015.

<sup>164</sup> Gian Luca Burci and Claude-Henri Vignes, *World Health Organisation*, 2004, p 17.

<sup>165</sup> World Health Organisation, [WHO—Its People and Offices](#), accessed 1 April 2015.

<sup>166</sup> World Health Organisation, [Countries](#), accessed 31 March 2015.

<sup>167</sup> World Health Organisation, [Assessed Contributions](#), accessed 1 April 2015.

<sup>168</sup> Gian Luca Burci and Claude-Henri Vignes, *World Health Organisation*, 2004, p 207.

contributions have made up less than a quarter of the WHO's financing.<sup>169</sup> The balance of the WHO's funding needs is met through voluntary contributions from Member States and other partners.<sup>170</sup>

## 7.4 Role and Functions

The WHO defines itself as “the directing and coordinating authority on international health within the United Nations’ system”.<sup>171</sup> The functions of the WHO can be divided into two groups: direction and coordination of international health work, including the setting of international norms and standards in different fields of health; and technical cooperation with members, including research as well as the provision of advice and assistance.<sup>172</sup>

The WHO's *Twelfth General Programme of Work*, which sets out the organisation's strategy for the period 2014–19, elucidates six core functions of the organisation's work:

1. Providing leadership on matters critical to health and engaging in partnerships where joint action is needed.
2. Shaping the research agenda and stimulating the generation, translation and dissemination of valuable knowledge.
3. Setting norms and standards, and promoting and monitoring their implementation.
4. Articulating ethical and evidence-based policy options.
5. Providing technical support, catalysing change, and building sustainable institutional capacity.
6. Monitoring the health situation and assessing health trends.<sup>173</sup>

The *Twelfth General Programme of Work* also defines six ‘leadership priorities’ for the WHO's work in 2014–19:

1. Advancing universal health coverage: enabling countries to sustain or expand access to all needed health services and financial protection, and promoting universal health coverage as a unifying concept in global health.
2. Health-related Millennium Development Goals—addressing unfinished and future challenges: accelerating the achievement of the current health-related goals up to and beyond 2015. This priority includes completing the eradication of poliomyelitis and selected neglected tropical diseases.
3. Addressing the challenge of non-communicable diseases and mental health, violence and injuries and disabilities.
4. Implementing the provisions of the International Health Regulations (2005): ensuring that all countries can meet the capacity requirements specified in the Regulations.
5. Increasing access to quality, safe, efficacious and affordable medical products (medicines, vaccines, diagnostics and other health technologies).
6. Addressing the social, economic and environmental determinants of health as a means to promote health outcomes and reduce health inequities within and between countries.<sup>174</sup>

<sup>169</sup> World Health Organisation, ‘[Assessed Contributions](#)’, accessed 1 April 2015.

<sup>170</sup> World Health Organisation, ‘[Voluntary Contributions](#)’, accessed 1 April 2015.

<sup>171</sup> World Health Organisation, [Working for Health: An Introduction to the World Health Organisation](#), 2007, p 2.

<sup>172</sup> Gian Luca Burci and Claude-Henri Vignes, *World Health Organisation*, 2004, p 17.

<sup>173</sup> World Health Organisation, [Twelfth General Programme of Work: Not Merely the Absence of Disease](#), 2014, p 20.

<sup>174</sup> *ibid*, p 27.

## 7.5 Reform

In January 2010, an informal consultation on the financing of the WHO was launched in response to a potential funding crisis, due in part to a stagnation in funding as well as what was perceived to be an excessive reliance on uncertain and inflexible funding from voluntary contributions and grants.<sup>175</sup> This consultation process led to agreement on the need for wider reform of the organisation.<sup>176</sup> The WHO outlines three reasons why it believes that reform is necessary:

WHO has found itself overcommitted and overextended. It was in need of selective and strategically focused priorities, which can best reflect the Organization's comparative advantage and that can guide WHO's response over the coming years. Secondly, WHO's role in global health governance and relation to other actors in international health needs to be defined with greater clarity. Thirdly, when faced with new challenges and a rapidly changing environment, it is important for WHO to be able to respond with sufficient speed and agility.<sup>177</sup>

In January 2011, a plan for reform—comprising programmatic, governance and managerial themes—was developed by the Executive Board.<sup>178</sup> In May 2011, WHO Member States passed a resolution endorsing the overall direction of reform, and in May 2012 key reforms were endorsed by the World Health Assembly.<sup>179</sup> By November 2014, 64.5 percent of the 31 designated reform outputs had reached the implementation stage.<sup>180</sup>

## 8. The International Atomic Energy Agency

The International Atomic Energy Agency (IAEA) was created in 1957. It describes itself as the “world's foremost forum for scientific and technical cooperation in the peaceful use of nuclear technology”.<sup>181</sup> While the IAEA is an independent organisation, it is related to the United Nations system and reports to the General Assembly and Security Council. As of March 2015, the IAEA has a total membership of 164 states.<sup>182</sup> The organisation emerged following US President Eisenhower's ‘Atoms for Peace’ address to the UN General Assembly in December 1953, in which he called for the establishment of an “international atomic energy agency” to promote the peaceful use of atomic energy.<sup>183</sup> According to the Statute of the IAEA, the objectives of the organisation are to:

[A]ccelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world. It shall ensure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.<sup>184</sup>

<sup>175</sup> Charles Clift, [What's the World Health Organisation For?](#), Chatham House, 2014.

<sup>176</sup> World Health Organisation, [‘WHO Reform Milestones’](#), accessed 2 April 2015.

<sup>177</sup> World Health Organisation, [‘Why Reform?’](#) accessed 2 April 2015.

<sup>178</sup> World Health Organisation, [‘WHO Reform Milestones’](#), accessed 2 April 2015.

<sup>179</sup> *ibid.*

<sup>180</sup> World Health Organisation, [‘Achievements of WHO Reform’](#), accessed 2 April 2015.

<sup>181</sup> International Atomic Energy Agency, [‘Fact Sheets: IAEA Primer’](#), updated March 2013.

<sup>182</sup> International Atomic Energy Agency, [‘The “Atoms for Peace” Agency’](#), accessed 10 April 2015.

<sup>183</sup> Speech by Dwight D. Eisenhower, President of the United States, [‘Atoms for Peace Speech’](#), 8 December 1953.

<sup>184</sup> International Atomic Energy Agency, [‘The Statute of the IAEA’](#), accessed 10 April 2015.

## 8.1 Structure of the IAEA

### Statute of the IAEA

Underpinning the organisation is the Statute of the IAEA. The Conference on the Statute of the International Atomic Energy Agency approved the statute on 23 October 1956, and it came into force on 29 July 1957. The Statute outlines the roles and responsibilities of the organisation, its membership, governance arrangements and relationship with the UN.<sup>185</sup>

### Membership

There are currently 164 members of the IAEA. According to the Statute, the IAEA is “based on the principle of the sovereign equality of all its members”.<sup>186</sup> New members need to submit an application to the organisation which is then considered by the Board of Governors (the composition of which is detailed below). On the recommendation of the Board, the General Conference will then approve a state’s membership. According to the IAEA statute:

In recommending and approving a State for membership, the Board of Governors and the General Conference shall determine that the State is able and willing to carry out the obligations of membership in the Agency, giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations.<sup>187</sup>

### Board of Governors

The Board of Governors and the General Conference are the policy-making organs of the IAEA. According to the IAEA website, the Board:

Examines and makes recommendations to the General Conference on the IAEA’s accounts, programme and budget, and considers applications for memberships. It also approves safeguards agreements and the publication of the IAEA’s safety standards and has the responsibility of appointing the Director General of the IAEA with the approval of the General Conference.<sup>188</sup>

The Board consists of 35 Member States and meets five times a year. 22 members are elected by the General Conference and 13 are nominated by the Board. In addition, the Board Governors elect a Chairman and two Vice-Chairmen. The Chair presides over meetings of the Board, directs discussions and ensures Board procedure is followed correctly.

### General Conference

The General Conference is the plenary policy making body of the IAEA. It consists of all Member States of the IAEA, and according to the Statute “may discuss any questions or any

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<sup>185</sup> International Atomic Energy Agency, ‘[About the Statute of the IAEA](#)’, updated 20 October 2014.

<sup>186</sup> International Atomic Energy Agency, ‘[The Statute of the IAEA](#)’, accessed 10 April 2015.

<sup>187</sup> *ibid.*

<sup>188</sup> International Atomic Energy Agency, ‘[Board of Governors](#)’, accessed 13 April 2015.

matters within the scope of this Statute or relating to the powers and functions of any organs provided for in this Statute”.<sup>189</sup> In addition, the Statute empowers the General Conference to:

- Elect members of the Board of Governors;
- Approve states for membership;
- Suspend a member from the privileges and rights of membership;
- Consider the annual report of the Board;
- Approve the budget of the Agency;
- Approve reports to be submitted to the United Nations;
- Approve any agreement or agreements between the Agency and the United Nations and other organisations;
- Approve rules and limitations regarding the exercise of borrowing powers by the Board;
- Approve amendments to the Statute; and
- Approve the appointment of the Director General.<sup>190</sup>

### Secretariat

The IAEA Secretariat comprises of the staff employed to run the agency. There are around 2500 staff members and the Secretariat is split into six major departments: Management; Nuclear Sciences and Applications; Nuclear Energy; Nuclear Safety and Security; Technical Cooperation; and Safeguards.<sup>191</sup> The head of the Secretariat is the Director General who is the ‘chief administrative officer’ and as of 17 April 2015, the position is currently held by Yukiya Amano. Six Deputy Directors General head the departments listed above.

## 8.2 Work of the IAEA

According to its mission statement, the IAEA:

- is an independent intergovernmental, science and technology-based organisation, in the United Nations family, that serves as the global focal point for nuclear cooperation;
- assists its Member States, in the context of social and economic goals, in planning for an using nuclear science and technology for various peaceful purposes, including the generation of electricity, and facilitates the transfer of such technology and knowledge in a sustainable manner to developing Member States;
- develops nuclear safety standards and, based on these standards, promotes the achievement and maintenance of high levels of safety in applications of nuclear energy, as well as the protection of human health and the environment against ionizing radiation;
- verifies through its inspection system that States comply with their commitments, under the Non-Proliferation Treaty and other non-proliferation agreements, to use nuclear material and facilities only for peaceful purposes.<sup>192</sup>

<sup>189</sup> International Atomic Energy Agency, ‘[The Statute of the IAEA](#)’, accessed 13 April 2015.

<sup>190</sup> *ibid.*

<sup>191</sup> International Atomic Energy Agency, ‘[Employees and Staff: Strength Through Diversity](#)’, 1 April 2015.

<sup>192</sup> International Atomic Energy Agency, ‘[The IAEA Mission Statement](#)’, accessed 10 April 2015.



Excluding the Department of Management—which provides services to support the organisation’s programmes—the IAEA’s work is divided between the five remaining departments.

Through its technical cooperation (TC) programme, the Department of Technical Cooperation supports Member States in the “peaceful application of nuclear sciences and technology”.<sup>193</sup> In pursuit of that goal, it helps Member States to “safety and securely apply nuclear technology in pursuit of sustainable socio-economic development” and tends to focus on developing countries.<sup>194</sup> The technical cooperation programme is arguably unique in the United Nations system, as it combines specialised technical and development competencies.

The Department of Nuclear Sciences and Applications promotes research and development by working with research institutions throughout the world and international organisations such as the World Health Organisation (WHO) and the International Centre for Theoretical Physics (ICTP). It also operates 12 nuclear applications laboratories which provide Member States with applied R&D, training and capacity building, technical and analytical services, reference materials, quality control and quality assurance services, as well as setting international standards in these areas.

Similarly, the Department of Nuclear Energy works towards the:

[E]fficient and safe use of nuclear power in the IAEA’s Member States by supporting existing and new nuclear programmes and facilitating improvements in the performance of nuclear power plants, the nuclear fuel cycle, and the management of nuclear wastes, by catalysing innovation in nuclear power and fuel cycle technologies, by building indigenous capability in energy planning, analysis, and nuclear information and knowledge, and by advancing science and industry through the improved operation of research reactors.<sup>195</sup>

The Department of Nuclear Safety and Security deals with nuclear, radiation and waste safety as well as nuclear security issues. The IAEA explains that while the organisation is “not an international regulatory body, its nuclear safety efforts are directed towards creating agreed multilateral norms”.<sup>196</sup> Many countries adopt IAEA safety recommendations as part of domestic regulations and the IAEA also assists Member States with improving the provision of nuclear security.<sup>197</sup> In 2011, an Action Plan on Nuclear Safety was adopted by the IAEA to learn lessons from the Fukushima nuclear power plant disaster.<sup>198</sup>

Finally, the primary role of the Department for Safeguards is to deter the proliferation of nuclear weapons, through:

- Providing credible assurances that States are honouring their international obligations, thus helping to build international confidence; and
- Being able to detect early any misuse of nuclear material or technology, thereby alerting the world to potential proliferation.<sup>199</sup>

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<sup>193</sup> *ibid*, p 9.

<sup>194</sup> *ibid*.

<sup>195</sup> *ibid*, p 20.

<sup>196</sup> International Atomic Energy Agency, ‘[Fact Sheets: IAEA Primer](#)’, updated March 2013.

<sup>197</sup> *ibid*.

<sup>198</sup> International Atomic Energy Agency, ‘[IAEA Action Plan on Nuclear Safety](#)’, updated September 2011.

<sup>199</sup> *ibid*.

The IAEA also verifies whether states are complying with the terms of the Non-Proliferation of Nuclear Weapons Treaty (NPT) regarding the peaceful use of nuclear material and implements safeguards in the five nuclear-weapon states.

### 8.3 Relationship with the United Nations

While remaining an independent organisation, under the provisions of the IAEA Statute the organisation submits annual reports on its activities to the General Assembly. When appropriate, the IAEA will also report to the Security Council if an issue has arisen that falls within the Security Council's remit.

### 8.4 Finances

The IAEA is funded through contributions from Member States. According to the IAEA Statute, the Board of Governors apportions expenses among Member States in accordance with a scale to be fixed by the General Conference. The most recent scale for the assessment of members' contributions was adopted in General Conference resolution 9 on 25 September 2014 (GC(58)/RES/9).<sup>200</sup> Its regular budget for 2014 was €344 million, and the target for voluntary contributions to the Technical Cooperation fund was US \$90 million.<sup>201</sup>

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<sup>200</sup> International Atomic Energy Agency, '[Scale of Assessment of Member's Contributions for 2015](#)', 25 September 2014.

<sup>201</sup> International Atomic Energy Agency, '[IAEA Regular Budget for 2014](#)', 14 October 2015. It should be noted that these figures are provided in Euros and US dollars by the IAEA, and so are represented in this way here for accuracy.

## Appendix I

As detailed in Chapter 2 of this Note, there have been ten emergency special sessions of the General Assembly convened since the creation of the United Nations. Those sessions were as follows:

- 10th session: 'Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory', convened for the first time in April 1997, and last resumed on 15 and 16 January 2009 to consider the crisis in the Gaza strip, at the request of the President of the General Assembly.
- 9th session: 'The situation in the occupied Arab territories', convened by the Security Council on 29 January to 5 February 1982.
- 8th session: 'Question of Namibia', convened by Zimbabwe on 13–14 September 1981.
- 7th session: 'Question of Palestine', convened by Senegal on 22–29 July 1980; 20–28 April 1982; 25–26 June 1982; 16–19 August 1982 and 24 September 1982.
- 6th session: 'The situation in Afghanistan and its implications for international peace and security', convened by the Security Council on 10–14 January 1980.
- 5th session: 'Middle East', convened by the Security Council on 17–18 June 1967.
- 4th session: 'Question of Congo', convened by the Security Council on 17–19 September 1960.
- 3rd session: 'Middle East', convened by the Security Council on 8–21 August 1958.
- 2nd session: 'Hungary', convened by the Security Council on 4–10 November 1956.
- 1st session: 'Middle East', convened by the Security Council on 1–10 November 1956.<sup>202</sup>

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<sup>202</sup> United Nations, '[Emergency Special Sessions](#)', accessed 8 June 2015.