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### UNITED NATIONS AND INTERNATIONAL ORDER: EXCURSION TO THE RECENT PAST

*The possibilities of the UN to maintain peace and security in the international arena are considered as one of the Organization's priorities and a means of strengthening its authority. The purpose of the article is to elucidate the theoretical and applied principles of implementation of the UN policy of maintaining peace and security, based on the liberal and realistic approaches of the basic theories of international relations. As a methodological basis of the study, the necessity of a systematic (the UN definition as the leading world social and political actor designed to perform a set of functions at the international level), structural (consideration of organizations and other UN structural units) and regulatory (registration and coverage of the appointment of basic documents, regulating the activities of the United Nations in this area) analysis of these approaches.*

**Keywords:** United Nations, international (world) order, international security, liberalism, idealism, realism, international politics.

(стаття друкується мовою оригіналу)

*Introduction.* During the history of the United Nations peacekeeping remains one of the priorities of the organization. With the emerging challenges and threats the need to strengthen the capacity and credibility of the UN in maintaining international peace and security remains an important objective of this international organization. The general principles of the UN, such as peacekeeping activities, are defined in the Charter, which is the foundation of modern international law. A considerable practical experience in peacekeeping operations is gained on different levels, from local to international, but legal frameworks of the activity of the UN continue causing debates among the subjects of international law. There is a strong need to improve legal tools to ensure an undeniable role of the UN in the system of international security, and to prevent the abuse of power and violation of fundamental norms of international law. At this point, the role of the UN in the maintenance of the world order can be interpreted in terms of liberal and realist theories of international relation.

*Brief Review of Literature.* The bibliographic base of the submitted article is formed primarily by documentary, reference and normative sources, the feature of which is their electronic format. The edition «U.S. Diplomacy. A Brief History of U.S. Diplomacy» deserves special attention. «U.S. Diplomacy. A Brief History of US Diplomacy», which presents an analysis of both theoretical foundations and applied tasks of American diplomacy. The purpose and tasks of our work have made it necessary to apply to the documentary and reference sources: «United Nations. The United Nations and Human Rights», «United National official homepage», «CIA. The World Factbook» and others that allow for a comprehensive analysis of the UN activities in the peacekeeping and security sectors.

*The purpose of the article.* The purpose of this article is to consider the United Nations policy on human rights and social development in terms of a liberal approach to international relations and the position of realism in defining security policy. In determining the tasks of the article, the authors draw attention to the fact that the liberal paradigm was gradually formed in the depths of realism.

*Results.* The realist thesis of radical difference of political interactions within a state and internationally is not being questioned, but at the same time liberals believe that the whole nature of international relations is changing toward «mature anarchy» in which Western liberal democracies are able to play the role of guarantor of international security and progress are made available to all, including the weak states and ordinary individuals [1]. Proponents of liberalism agree with the statement that since the international community has no sovereign, the international system is anarchic in terms of relations of domination and subordination. Considering the safety aspect, liberals believe that the idea of international cooperation is more successful than the classical realist views on the conflict (U.S. Diplomacy). The basis of the liberals «views is the idea of the moral and political unity of humanity and inseparable human rights» [2].

Supporters of idealism are always accompanied by the conviction of the possibility of achieving everlasting peace between the people either by the legal and moral regulation of international relations, or in other ways related to the historical necessity of self-realization. The liberal theory of international relation was enhanced by the neoliberalism, a theory that puts emphasis on economic cooperation between countries as the main regulator of world security and cooperation [1; 2]. The structure of the UN has various organs responsible for cooperation in the sphere of human right and economic cooperation, which clearly shows that the UN adopted many of the liberal and neoliberal principles in the maintenance of world order.

The UN always aimed to ensure human rights and freedoms since 1945, when the founding nations decided that such severe violations of the human rights as during the World War II should never reoccur again. According to the UN official website, human rights and human dignity are the pillars of justice and peace in the world (United Nations) [3]. For these purposes, the UN developed a whole network of human rights organizations and bodies with the Universal Declaration of Human Rights as a core value. The main bodies dealing with human rights are the General Assembly (with its supplementary body the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories) and the Economic and Social Council (with the Commission on Human Rights, the Commission on the Status of Women, and the Commission on Crime Prevention and Criminal Justice as its supplementary bodies) (United Nations) [4].

The UN is also responsible for the establishment of international standards of human rights to ensure that they are observed equally in every member state. The Universal Declaration of Human Rights (1948), the Declaration on the Right to Development (1986), and the Declaration on the Protection of All Persons from Enforced Disappearance do not bear legal means of enforcement, however, most countries adopted their main points in national constitutions and legislature (United Nations). On the other side, The

International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights provide legal binding of all human rights agreements (United Nations) [5]. The UN human rights agreements are supported by the world community on conventional and legal levels, which creates a stable basis for certain common understanding of the core values lying in the core of the international order.

Despite strong differentiation of nations into rich and poor and various corporations establishing their influence worldwide, the UN is seeking opportunities to contribute to world countries' prosperity through its social and policy making institutions. The 2005 World Summit Outcome reaffirmed the leading role of the UN in the design, implementation, and coordination of developmental goals (Council on Foreign Relations). Currently, the ECOSOC is working on its upgrade to a full economic body titled Global Economic Council. The body should be a new version of G20 that ensures enough representation to the third-world countries. The Council is supposed to have 25 seats, 16 of which will be given to four main economic regions: Africa, America, Asia, and Europe. The other nine seats will be spread among countries with greatest GDP in order not to undermine big economies' significance (Vestergaard and Wade) [6].

Currently, the UN plays a great role in the developing countries due to its multiple programs in fighting poverty, building democratic societies, protecting an environment, empowering women, and growing national capacity. The UN top donors are Japan, Norway, United Kingdom, the US, Sweden, Netherlands, and Canada, which clearly shows the important role of the UN in wealth distribution from rich countries to poor ones (UNDP). Such economic cooperation between the rich and the poor countries is possible only due to United Nations intermediation and its multiple developmental programs. However, the UN's aid is possible only when governments value human rights and freedoms.

A great example of the UN's economic role in maintaining the balance between rich and poor countries is Myanmar. The UN always criticized inhumane treatment of women and children in Myanmar and the country did not have any significant donations and investments until 2009, when ASEAN established an Intergovernmental Commission on Human Rights with Myanmar as one of its members (IWGIA). Transition to civilian government 2011 and better enforcement of the human rights laws resulted in Myanmar's economic growth and increase in foreign investments (CIA). Although there is no direct influence of the UN on Myanmar economy, there is a direct relationship between the human rights and world community's aid [7; 8]. The leading role in such system belongs to the UN. Therefore, one can conclude that both economic and human rights policies of the UN correspond to the liberal vision of the international relations.

The supporters of the political realism paradigm believe that states should not rely on the international organizations in ensuring peace and stability due to the absence of supreme political power over the nations and legal and moral standards. No one, other than the state (through its political leadership) is interested in its security, therefore, each state tries to increase its strength (U.S. Diplomacy) [1]. However, in doing so, it violates the security of other states that are trying to catch up with it and surpass the force of a troublemaker. This security race takes the form of a

vicious circle in which states develop through competition with each other.

The UN recognizes each state's desire to be on the safe side, therefore, built its security policy with regard to representation of member states' security interests. The UN serves as a permanent forum for disarmament negotiations, making recommendations and initiating studies in this area. It supports the multilateral negotiations in the Conference on Disarmament and other international bodies. As a result of these negotiations, the Treaty on the Non-Proliferation of Nuclear Weapons (1968) and the Comprehensive Nuclear Test Ban Treaty (1996) were concluded (United Nations). The Vienna-based International Atomic Energy Agency ensures that nuclear materials and equipment are used for peaceful, not military, purposes through a system of safeguards agreements. The Organization for the Prohibition of Chemical Weapons in Hague collects information on chemical objects around the world and regularly conducts inspections to monitor compliance with the Chemical Weapons Convention (UNODA) [5; 9; 10; 11].

As part of its peacekeeping operations, the UN helps the warring parties come to an agreement through diplomatic means. The Security Council in its efforts to maintain international peace and security can recommend ways to avoid conflict and restore balance of power, for example, through negotiations or recourse to the International Court of Justice (United Nations Security Council). The Secretary General plays an important role in peacekeeping. He may bring to the attention of the Security Council any matter, which, in his opinion, threatens international peace and security. Any attempts to extrapolate the conflict outside the UN's sphere of competence results in disapproval of the other UN members [3; 4]. Basically, the UN does not have effective means of limiting nation's aggression or development of nuclear weapons, however, other states may find such actions as a threat to their own security and use the UN as an effective tool for realization of their national interest. The example with the US sending troops in omission of the UN's decision proves the importance of the UN as a mediator of international conflicts.

After the events of 9/11 Bush Administration expressed concerns that Iraq had weapons of mass destruction. The Congress authorized the use of force against Iraq, however, George Bush wanted to gain the UN support before taking any steps. The Security Council, hastened by the US, adopted Resolution 1441 that gave Iraq an opportunity to comply with the US disarmament demands, yet, Iraq ignored the resolution. On February 24, 2003, the US, the UK, and Spain introduced the second resolution that authorized the immediate use of force against Iraq, though, Russian Federation, Germany, and France did not support it due to the lack of evidences (CNN World). The war against Iraq began on March 19, 2003 without Security Council approval (Goldenberg). Such actions resulted in Europe's moral disapproval of the US actions although George Bush managed to maintain good relations with Germany, France, and Russia (Gordon). Such actions of the US had serious consequences on further understanding of global issues. The US initiative to resolve the Syrian crisis was opposed by Russia and China during the Security Council vote on February 5, 2012. The US Ambassador Rice was very displeased with Russian and Chinese vetoes and blamed Russian for delivering weapons to Assad. At that point, Russian foreign minister used totally

realist rhetoric by saying that Russia did not affect the regional balance of power (CNN). This case study shows the UN role in negotiations between main political actors and results of ignoring the Security Council's decisions. There is no direct evidence that US war against Iraq without UN consent resulted in Russian and Chinese vetoes, however, it was obvious that both Russia and China used their permanent seats in Security Council weaken the US influence on world affairs [12; 9].

**Conclusions.** The UN maintains international order with regard to liberal and realist approaches. On the one side, the UN promotes the universal human rights and cooperation between rich and poor countries. On the other side, it became a supranational body that articulates security interests of its members. The case of Myanmar showed that economic growth and foreign investments correlate with recognition human rights and freedoms at least formally. The case of War in Iraq demonstrated that UN remains an influential body that represents security interests of its members. Omitting the Security Council's decisions may result in harsh consequences for peacekeeping activities that require multilateral consent.

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**Організація Об'єднаних Націй та міжнародний порядок: екскурс у недавнє минуле**

*Розглядаються можливості ООН підтримувати мир та безпеку на міжнародній арені як одне з пріоритетних завдань Організації та засіб зміцнення її авторитету. Метою статті є з'ясування теоретичних і прикладних засад реалізації політики ООН з підтримання миру та безпеки, спираючись на ліберальний і реалістичний підходи базових теорій міжнародних відносин. Як методологічна основа дослідження обгрунтовується необхідність системного (визначення ООН як провідного світового соціального і політичного актора, покликаного здійснювати комплекс функцій на міжнародному рівні), структурного (розгляд організації та інших структурних підрозділів ООН) та нормативно-правового (фіксація і висвітлення призначення базових документів, які регламентують діяльність ООН в названій царині) аналізу вказаних підходів.*

**Ключові слова:** Організація Об'єднаних Націй, міжнародний (світовий) порядок, міжнародна безпека, лібералізм, ідеалізм, реалізм, міжнародна політика.

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#### СПІВВІДНОШЕННЯ СУВЕРЕНІТЕТУ І НАДНАЦІОНАЛЬНОСТІ В ПОЛІТИКО-ПРАВОВІЙ ПРАКТИЦІ ЄВРОПЕЙСЬКОГО СОЮЗУ

*Метою статті є з'ясування співвідношення суверенітету та основних ознак наднаціональності на прикладі Європейського Союзу, з огляду на посилення наукової зацікавленості до проблем функціонування ЄС. У статті проаналізовано основні риси наднаціональності та встановлено відповісність Європейського Союзу основним ознакам наднаціональної організації. Визначення рис наднаціональності дало нам змогу провести аналіз особливостей реалізації державного суверенітету в умовах Євросоюзу зважаючи на його наднаціональну природу. З метою встановлення особливостей прояву державного суверенітету в Євросоюзі було проведено аналіз поглядів науковців щодо питання обмеження чи розширення суверенітету держав-членів Європейського Союзу.*

**Ключові слова:** Європейський Союз, суверенітет, державний суверенітет, наднаціональність, наднаціональна організація.

У XXI столітті Європа переживає особливий етап розвитку. За нетривалий період часу вона встигла зазнати економічних, політичних та соціальних криз. Серед ряду проблем можна назвати інституційну кризу, міграцію, сепаратизм, терористичні загрози тощо. Вирішення спільних для Європи проблемних питань потребує активної залученості кожної з держав у її вирішення, що тягне за собою необхідність делегування державою частини суверенних прав на користь наднаціональних об'єднань (у Європі таким визнають Європейський Союз). Зважаючи на те, що саме суверенітет є тою провідною ознакою, яка визначає державу, як державу, важливим є гарантування їй збереження суверенітету. Відповідно, найактуальнішими проблемами, які стоять на порядку денному є не лише визначення та врегулювання проблемних для європейської спільноти питань, а й гарантування кожній з держав збереження свого суверенітету.

Відсутність однозначної точки зору щодо розуміння суверенітету та особливостей його реалізації у