Drifting Toward Insignificance or Increased Relevance?

The UN Following the Iraq War—Learning from Other Institutions

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In many respects, the February 2004 request by the Bush administration for the United Nations to play a formative role in the political reconstruction of Iraq is remarkable.[1] Since mounting the invasion in March 2003, Washington has assiduously kept the UN at arms length, only promising that the organization would play a vaguely-defined "substantial" role in Iraq at some time in the future. This ostracism from the United States and consequently from the leadership of the Coalitional Provisional Authority, combined with the bombing of the UN compound in Baghdad in August 2003, and the subsequent withdrawal of all in-country UN personnel, seemed to conclusively rule out the UN as a significant factor in the Iraqi equation.

Yet, with continuing hostility against U.S. troops and a desire to form an interim Iraqi government by June 30, 2004, Washington was quick to return to the UN and ask the organization to intervene with various Iraqi factions such that an interim government would be possible.

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This change in Washington's attitude towards the UN between spring 2003 and spring 2004—from abject disapproval to welcoming—may seem both jarring and unexpected. However, this essay posits that neither such a stark transformation nor the continuing strength of the UN following its marginalization, is particularly surprising. Historically, organizations that have been spurned by the United States (and other large powers) have often managed not only to survive but thrive, either with the absence of U.S. involvement or with the eventual resumption of U.S. participation. Though the present case is extreme, the current request for the UN to become involved in Iraq is another example of an international organization being resurrected, poised to play a potentially more decisive role than it might have had it not been rejected in the first instance.

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THE DEPTH OF DESPAIR

The failure of the Security Council to prevent the Iraqi invasion was cause for distress and confusion among UN staff. So great was the despondency that it resulted in an unprecedented letter from the secretary-general to all UN staff addressing their concerns:

> Many of you will have heard the dire predictions about the future of our Organization. On one side, we hear that the UN has failed, because it could not prevent the war. On the other, we are told that it is doomed to irrelevance, because the Security Council did not agree on military action...[2]

In the days following the U.S. decision to end the diplomatic phase of its confrontation with Iraq, and the consequent lead up to conflict, the secretary-general's note to UN staff reflected the largely unspoken fear of the organization's employees: the war in Iraq would be the beginning of the end for the institution. Amidst the increasing desires of President Bush's foreign policy team to frame international issues unilaterally, and the growing number of states eager to act outside UN authority and join the United States' "coalition of the willing," it seemed that the world had decreasing patience and less need for the UN. The future of international politics would rest not on measured discussion between equal, sovereign states, but rather on the selective vigilantism of a few.

The staff's anxieties were exacerbated by the sudden reversal of the organization's fortunes. Prior to the U.S. announcement that it had ceased diplomatic efforts to disarm Hussein, the UN was the center of global activity on the Iraq

issue. U.S. Secretary of State Powell, and his counterparts from each of the 15 Security Council states, made several visits to UN headquarters. The normally staid and sparsely populated UN press corps was augmented overnight by fleets of satellite broadcast vehicles and journalists from around the world. Powell's impassioned performance included veiled threats that the Security Council would condemn itself to impotence if military force were not authorized. The intensity of the world's attention to the diplomatic process and the hopes of many that the Security Council would succeed in halting the march toward war, raised the stakes for the UN and, in the eyes of many, made the outcome of the council debate a proxy referendum on the future of the entire organization.

However, as quickly as the UN rose to the apex of Iraq activity, it was swept aside and exiled into a purgatory of nebulous purpose. International interest switched to Washington and then very quickly to the reporters embedded with forces mounting on the Iraqi border. Even once it was clear that the United States would attack without Security Council sanction, the UN maintained a modicum of involvement, with the secretary-general regularly imploring all sides for peace. However, at least in official circles in the United States and Britain, Secretary-General Annan's appeals were drowned out by the ever-louder *casus belli* that Washington and London believed they had found.

Though evidently sidelined in the lead up to war, once conflict commenced and rapidly concluded, it appeared as though there was an opening for the UN to play a critical part in Iraq's nation-building. Not only was the organization an experienced and successful administrator in such missions—active in Afghanistan and recently triumphant in East Timor—but the Bush administration had expressed voluble distaste for U.S.-led nation-building. Despite this, for almost two months following the end of combat operations, the UN was provided no official role in the country. During that time the U.S. administrators only taciturnly acknowledged that at some unspecified time in the future, the UN would play a "significant"—although ill-defined—part in the rebuilding of the country.[3]

The relationship between the UN and the occupying powers became somewhat clearer with the passage of Security Council Resolution 1483 in late May 2003.[4] The resolution established a special representative of the secretary-general tasked to coordinate with the U.S. and British forces. Though the resolution provided the international community with a role, the vague mission of the special representative had the effect of keeping full power in the hands of the occupiers, and again relegated UN efforts to an exclusively supportive function.

Against this backdrop of "a woolly, underfunded mandate"—as it was characterized in a *Newsweek* article[5]—and a tense relationship with the occupying power, the August 2003 bombing of the UN building in Baghdad could have proven decisive in wresting the UN away from Iraq. Described by some as the

organization's own September 11, the bombing threw the organization into administrative and emotional turmoil, killing 22 staff members, including the secretary-general's personal representative and friend, Sergio Vieira de Mello.[6]

The UN mission to Iraq was immediately scaled down from 700 to 22 personnel. After a second suicide bombing, the secretary-general decided to further remove the staff, basing the rump Iraq team more than 1000 kilometers away in Cyprus. Some officials predict that this more remote UN presence may be the model for how the organization will have to operate in the future. Julian Hartson, the director of Asian peacekeeping at the UN, laments that the tradition of the UN running an "open house" in host countries, getting as close as possible to the people the organization was helping, will probably have to change.[7]

The emotional toll of the attacks is still being felt; pictures of fallen colleagues adorn the lobby of the secretariat building, and the condolence book has long since overflowed. The international staff, the bulk of whom were already disappointed by the UN's failure to avert the war, became embittered, blaming the deaths of their friends on the absence of effective UN authority in the country. These feelings have been exacerbated by continuing revelations from both former UN staff, such as Hans Blix, and U.S. officials, such as David Kay, that the weapons of mass destruction that served as a predicate for the war are not in the country. The staff members who may eventually be called upon to serve in Iraq are, according to a senior UN official, "not far off panic."[8]

The relative emotional fragility of his staff has made the secretary-general's role even more difficult as he tries to push through a massive organization reform prior to his departure in 2006. Annan's efforts are now hampered not just by the organization's member states, but also by the UN's staff, many of whom feel that their lives may depend on the outcome.[9]

The disarray and disappointment within the UN has further aggravated worries that effective multilateralism has deteriorated, and with it the utility of organizations like the UN. Combined with Bush's blistering repudiation of the Kyoto Protocol and the Rome Statute of the International Criminal Court, Washington's continued rebuff of the UN system made it appear that the United States was building the foundations of a new, unipolar world that would have little call for multilateralism. Indeed, this situation led to a growing industry of scholars predicting the demise of the UN and in particular the role of the Security Council.[10]

While such a world may transpire, it is not yet a foregone conclusion. In fact, the history of multinational organizations, including the UN itself, suggests that the end result of U.S. actions may serve to strengthen the UN rather than enfeeble it. The selective use of, and respect for, multilateral bodies did not originate with the current U.S. president; the United States has a long record of similar actions directed at a variety of multilateral organizations. Moreover, the United States is not alone; other major states have similar histories, often choosing to

ignore, contradict, and disparage multilateral institutions. However, what is striking about this history of limited deference for international organizations is that following nearly all significant episodes of belligerence, the impacted institutions have not only recovered and sustained, but they have often done so in a manner more invigorated and more empowered than before they were maligned. Multilateral bodies, such as the International Court of Justice (ICJ) and the North Atlantic Treaty Organisation (NATO), have proven to be both flexible and durable in the wake of major insults—qualities that the UN has displayed in the past and attributes that may ennoble the UN in the future. Indeed, the February 2004 request by the White House for UN involvement in the formation of an Iraqi interim government is both an example of this potential strengthening of the UN's role as well as another illustration of the ability of a maligned multilateral organization to rebound quickly.

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THE INTERNATIONAL COURT OF JUSTICE

Since the end of World War II, the ICJ has been the prime forum for settling interstate disputes. In October 1985, following a ruling that it had infringed on another nation's sovereignty by mining Nicaraguan ports, the United States declared that it would no longer abide by the court's decisions.[11] A resolution was subsequently passed by the UN General Assembly calling for U.S. compliance with the ICJ decision, but to no avail. The United States was unmoved and, by all accounts, continued its activities in Central America.

Once the United States removed itself from ICJ jurisdiction, fears of international judicial irrelevance were voiced. However, while it is evident that aspects of the ICJ have been impacted by the U.S. decision, the court today is a far more vibrant and vital adjudicator than when the U.S. was more formally involved. Its financing has always been tight, and likely would receive some relief if the United States were a stronger supporter. An alarming 2000 study indicated that the court's annual budget of $10 million was not only insufficient, but, despite its expanding caseload, actually represented a lower proportion of total UN funding (less than 1 percent) than it received in 1946.[12] Though striking, it must be noted that the court has minimal overhead—especially compared to other UN agencies—and that every part of the UN System has almost always experienced budget shortfalls.

U.S. membership in, or repudiation of, an organization has only been tangentially relevant to whether a UN body has faced budget hardships.

Even with its limited resources, the court's influence, measured by the number of cases brought to it by states, has increased markedly. From 1946 until the United States opted out in 1985, the court heard an average of just under one-and-a-half cases per year. In the time since, the docket has expanded by 100 percent, and the court has been called to hear approximately three cases per year.[13] Furthermore, many states that once settled disagreements through combat have increasingly come to refer contentious issues to the court; likely conflicts in West Africa, Central America, and Southeast Asia were diffused when parties agreed to remand their disputes to the ICJ.[14] This trend has burnished both the court's status as a final arbiter and its importance as a keeper of peace.

UN EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Though it was a founding member of the organization, the United States decided to withdraw from the UN Educational, Scientific and Cultural Organization (UNESCO) in 1984. The U.S. had long expressed its concerns regarding the body's political agenda and inefficient operations; UNESCO's adoption of the New World Information and Communication Order (NWICO), which the United States believed limited freedom of the press, was the final insult.[15]

The United States' departure from UNESCO could have been a fiscal catastrophe, even more so due to the United Kingdom's withdrawal in the months following the U.S. decision. The pair contributed nearly 30 percent of UNESCO's $180 million annual budget, with the United States providing the majority of this amount. Scientists worried that a significant reduction in the UNESCO budget would critically handicap the organization's widely lauded, and increasingly important, science programs. Further, the educational components of UNESCO, which provided learning material for some of the world's most impoverished nations, faced the specter of having to drastically reduce the scope of provided assistance.

However, these fears did not materialize. Though U.S. dues would certainly have helped, UNESCO post-1984 maintained the integrity of much of its programming, and actually increased its annual funding. After an initial softening in the years following the U.S. exit, UNESCO's total annual financing (consisting of regular and extrabudgetary funds) has continued to increase ever since, rising 50 percent during the 1990s. Increased Japanese and German contributions to the organization have been largely responsible for making up the shortfall.[16]

Not only did funding grow, but UNESCO continued to engage in several high profile projects that have resulted in marked gains for countries around the world. Priority Africa, Education for All, World Solar Program, and the revival of

the Library of Alexandria are some of its better-known endeavors, and all commenced after the U.S. exit. Ironically, even the United States recognized UNESCO's achievements. In 1993, the U.S. Department of State released a favorable review of UNESCO programs, and the Clinton administration publicly praised the body's work, claiming that its "contributions to the free flow of information across boundaries...are integral to the success of global democratization."[17]

The United Kingdom has since returned to UNESCO, and in September 2002 the Bush administration stated its intention to do the same. Though the two states are certainly welcome members of the institution, it is critical to note that UNESCO managed to thrive even in their absence.

NORTH ATLANTIC TREATY ORGANISATION

The U.S. is not the only country to have destructively rejected an international organization. Through the 1966 removal of its armed forces from the integrated military command of NATO, France demonstrated possibly an even greater level of disregard to that institution than President Bush showed to the UN. The French decision was catalyzed by President de Gaulle's anger at U.S. hostility towards his Algeria campaign, and his view that NATO was essentially a vehicle for enhancing U.S. power. De Gaulle tried to contest the United States' expanding influence from inside NATO; however, once it became evident that such a political re-ordering was improbable, France initiated its pullout. However, the French still recognized the importance of NATO, and thus did not wish to entirely abandon the organization. Instead, a compromise was reached that entitled the French to continue sitting on the North Atlantic Council (the alliance's political body), but not on its Military Planning Committee.[18]

Unfortunately, the timing of the French action exacerbated the fallout of Paris' decision. A critical juncture in both the Vietnam and Cold Wars came in 1966, and France's departure was viewed as a direct affront both to the alliance and its member states. France's move even necessitated significant administrative restructuring: NATO's headquarters were relocated from Paris to Brussels shortly after the French withdrawal. Given these difficulties, the French withdrawal was met by the rest of the alliance with consternation concerning the military operational difficulties it created, concern regarding both the continued strength of a NATO without France, and the exposed fragility of the transatlantic partnership. Doubts were even expressed that the consequences of this act put the viability of a peaceful and prosperous Western Europe in jeopardy.[19]

Though de Gaulle's decision was injurious to the organization, post-1966 NATO quickly recovered and strengthened, dispelling the worries of many. Evidently weaker without the French, NATO nonetheless endured. Its containment of Soviet expansionism is widely credited for helping the West win the Cold War.

Even after the fall of the Soviet Union, the sole reason the alliance was initially formed, NATO has managed to alter its focus and retain its importance both as a military alliance—operating recently in Macedonia and Afghanistan—and as a political club that Eastern European states are ever anxious to join. For such countries, NATO membership has become second only to European Union membership as an indispensable marker of conclusively renouncing their Communist legacies.

The French departure not only failed to dissolve NATO, but it is possible that the 1966 move consequently saved the organization. In early 2003, as the world was preparing for military engagement in Iraq, NATO member Turkey requested that the alliance position defensive military equipment in its territory so that it could repel any attack from Baghdad. This request was made in the North Atlantic Council, the body to which the French still belong, and where similar requests had been heard before. The council requires a unanimous vote, which the French denied, citing their continued opposition to the U.S.-backed Iraq war, and their belief that an approval to provide Turkey military assistance would be tantamount to agreeing that war was inevitable. The council was deadlocked. Given Washington's unilateralism, the council could well have been ignored by the United States and Britain, irrevocably damaging the alliance. Instead, NATO Secretary-General Lord Robertson engineered a transfer of Turkey's request to the Military Planning Committee, absent France, where it was quickly approved.[20]

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The tactic of moving the location of Turkey's request from the council to the committee maintained the organization's history of procedural unanimity. However, the animosity between the United States and several European members of the organization could still result in NATO's degradation. Already, Paris-Berlin discussions of forming a joint Franco-German military brigade, manifestly outside the control of NATO, have begun. Yet, if the alliance fails today, it will not be because of France's original withdrawal; NATO grew and prospered throughout the Cold War and into the twenty-first century, unburdened by de Gaulle's rejection of the organization.

THE UN'S OWN HISTORY OF INSULT

Observers of the Iraq debates raised concerns about the future of the UN on two fronts. First, there was concern that the United States' growing aversion to multilateralism would result either in the country's nonpayment of UN dues

or increasingly slow payment. Given the large proportion of total UN funding provided by the United States, this outcome would be deleterious to the organization. Second, given the Bush administration's indifference to the rulings of the Security Council, and indeed any ideas emanating from the UN, there was considerable fear that the Iraq war marked the collapse of UN authority.

On their own, these apprehensions appear merited. However, in the scope of the UN's history, during which the organization has often endured similar wrongs, these worries emerge as far less serious. The UN has long suffered from U.S. financial stinginess, and the Security Council's control of states' actions has, at times, been almost nonexistent. Yet, the UN, like the ICJ, UNESCO, and NATO, has managed to weather these indignities.

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Concerning reduced U.S. funding, it is unclear how increased U.S. parsimony would impact UN operations. Most parts of the UN are perennially underfunded, operating on emergency appeals or trust-fund grants from various countries. This situation would not change no matter how tightfisted the United States might become. Moreover, even if the United States became overtly generous, its contributions would likely not be provided in a timely manner, nor, in the view of the UN, be paid in full. Until 1980, the United States customarily paid its UN obligations on time. To obtain a one-time bookkeeping savings in 1981, however, the United States shifted its dues payments until later in the year. Today the United States regularly pays its dues at least 15 months late. Additionally, the U.S. government has long-standing contested arrears to many organizations within the UN, including an unpaid $66 million for its two-year membership in the UN Industrial Development Organization (UNIDO) and disputed debts accrued during parts of the 1980s and 1990s when the United States ceased almost all UN payments.[21]

It is not clear why recent disagreements might fatally impact the Security Council's powers, when equally grave disputes in the past have failed to do so. Though the U.S. affront to the council and the basic tenets of the UN Charter was serious, its importance was magnified due to the weight of the world's attention on the UN diplomatic process. Indeed, the Iraq debacle was far from the first time that the council has been relegated. The structure of the council, and global geopolitics from the UN's founding until 1990, almost required the council to be disregarded on a regular basis. Each of the permanent members on the council holds veto power and, with the Cold War placing the United States and the Soviet Union on opposite sides of almost all issues that came before it, the council often

became the setting for competing vetoes rather than concerted international action. Despite the large-scale absence of ratified resolutions during the Cold War, states ignored or contravened the council and nevertheless engaged in activities that legally needed the council's approval.

Throughout UN history, each of the five permanent council members has gone to war or invaded another country without council authorization. And in each case, offending countries have claimed the same right of self-defense, as did the Bush administration regarding Iraq, or avoided tabling the issue at the UN altogether, forming "coalitions of the willing" outside the bounds of the organization.

The first time the council was faced with such a situation was in 1950, when Communist North Korea invaded South Korea. The Soviets threatened to veto any resolution sanctioning force to repel the North's advance. As a result, the United States tabled its "Uniting for Peace" resolution, presenting it not to the council, but to the UN General Assembly.[22] The assembly subsequently voted in favor of repelling the Korean invasion, and though its resolutions do not carry any legal weight, the United States—and its assembled coalition—took the assembly's approval as official authorization.[23]

In 1956, the council faced the reverse of what transpired during the Iraq debate. Following Egyptian nationalization of the Suez Canal, a combined Franco-British-Israeli force attacked Egypt. The U.S. Eisenhower administration proffered a resolution condemning the act, which was promptly vetoed by France.[24] Nonetheless, the "unsanctioned" attack on Egypt continued.

Since these early iterations, due in large measure to the necessities of the Cold War, such diplomatic gymnastics—avoiding or ignoring the Security Council—have continued. A host of additional legally questionable acts have occurred, including: the 1979 Soviet invasion of Afghanistan, the 1982 British incursion into the Falklands, various instances of French militarism in Africa, Chinese activity in Tibet, and the 1999 U.S. bombing of Serbia.[25] This history of abuse and neglect by permanent members is both distressing, in that the council has failed so many times to stop conflict, and heartening, in that the council has survived. Indeed, the council has done more than simply survive. As manifested during the Iraq debate, the council's continuing moral authority and increasing global legitimacy—illustrated by the intensity of the world's focus on its actions—should dispel the fear that the recent disagreement signals the collapse of UN authority. If previous iterations of abuse have not only failed to damage the council fatally, but have actually further cemented its place, there is little reason to believe that the Iraq issue will result in the council's demise.

WHAT NEXT FOR THE UN?

The continued viability of the ICJ, UNESCO, and NATO after the with-

drawal of a major member, and the continued functioning of the UN Security Council after grave injuries, suggest that the future of the UN may be more assured than some have argued.

Moreover, these three institutions and the UN have managed to flourish after suffering more serious indignities than those presently being weathered by the organization. While the ICJ, UNESCO, and NATO survived following the withdrawals of major member states, there has been no report of any state contemplating a similar departure from the UN. Additionally, the Security Council's failure to avert the Iraq war was a reflection of U.S. obstinance, not the operational failure of the council itself. During the Cold War, the Security Council was functionally inadequate; so long as a permanent member was always ready to use its veto, the Security Council was a fundamentally flawed institution that could not hope to meet its mandate of "maintaining international peace and security."[26] Yet, since the end of the Cold War and the disappearance of competing vetoes, the council has passed more resolutions, and done more good, than it could during the Cold War. If the council were to be dissolved, or simply to lose irrevocably its authority, it would have taken place during the Cold War when the body had broken down. Since then, the Iraq situation represents an aberration from what has become an extensive record of mutual cooperation on the council.

[A]s the ICJ, UNESCO, and NATO illustrate, the absence of a major state need not mean the failure of multilateralism. In fact, an international organization can prosper even in the absence of what was formerly its prime benefactor.

The multilateral system may yet suffer if the United States decides to go increasingly its own way. The practice of multilateralism, and the grand idea of equality among sovereign states, would plainly be enhanced by the robust participation of an ever-greater number of countries in the system. For great-power states like the United States to assume only a passive role in the system would be a considerable blow. However, as the ICJ, UNESCO, and NATO illustrate, the absence of a major state need not mean the failure of multilateralism. In fact, an international organization can prosper even in the absence of what was formerly its prime benefactor. The accepted unipolarity of the global system, argued by some as inimical to effective multilateralism and the UN's role,[27] need not mean the end of the organization. A combination of bureaucratic inertia and organizational dexterity means that the UN may emerge stronger.

In the wake of the U.S. action in Iraq, the UN appears to be following the

path forged by the ICJ, UNESCO, and NATO, and thus is beginning to experience increased, rather than decreased, vitality. The outraged reaction of the wider world to the U.S. decision to go to war without Security Council sanction and increasing insistence from scores of countries for the UN to play a substantial part in Iraqi rebuilding, suggests that the UN may now be on firmer ground than before the Iraq debacle. As the secretary-general concluded in his March 2003 letter to UN staff:

> The breadth and depth of the disappointment in so many countries at the failure of the Council to find a collective solution shows how much is expected of the UN. It reflects the conviction of people all over the world that the UN is the institution where decisions on matters of collective peace and security should be taken. It is my belief, therefore, that the UN family may come out of this difficult experience more relevant than ever.[28]

Depending upon the outcome in Iraq, the secretary-general's optimism may prove prophetic. History suggests that it may well be. ■

NOTES

1 Steven Weisman, "Bush Urges UN to Help Fix Iraqi Clash on Rule," *New York Times,* February 4, 2004. A1.

2 Kofi Annan, letter to UN staff (received by author), New York, NY, March 27, 2003.

3 Until the June 30 handover, the UN is charged with "advising" the shape of the interim government and planning for elections in 2005. See Fred Barnes, "The U.N. in Iraq," *The Weekly Standard (Online).* <http://www.weeklystandard.com/Content/Public/Articles/000/000/003/893gbfih.asp> (accessed April 20, 2004).

4 *United Nations Security Council,* Resolution 1483 (2003). Adopted by the Security Council at its 4761st meeting, May 22, 2003.

5 Richard Wolfe, "Phoenix from the Ashes," *Newsweek,* October 6, 2003, 32.

6 Though the bombing constituted the single biggest loss of UN personnel, it was not the first time that the UN has fallen victim to being in harm's way. "Since 1992, 213 U.N. civilian staff members have been killed in 45 countries by 'malicious acts,' according to the latest reports of the secretary general. Most were delivering food, medicine, and shelter and helping to reconstruct war-torn countries. Another 270 staff (both civilian and military) have been taken hostage in a total of 27 countries; in addition, 34 staff members are currently in detention." Roberta Cohen, "Safety for Those Who Help," *Washington Post,* November 3, 2003. A19.

7 Graham Cooke, "Bombing Changed UN Forever," *Canberra Times,* October 11, 2003. A13.

8 Wolfe; quoting a senior aide to the secretary-general.

9 Personal observation of the author.

10 Michael Glennon, "Why the Security Council Failed," *Foreign Affairs* (May/June, 2003): 16.

11 Provisional measures and jurisdiction rulings: International Court of Justice, May 10, 1984, *Case Concerning Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. United States of America),* Request for the Indication of Provisional Measures; International Court of Justice Year 1984, November 26, 1984, General List, No. 70, *Case Concerning Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. United States of America),* Jurisdiction of the Court and Admissibility of the Application. The United States' argument for pulling out of the trial: *U.S. Withdrawal from the Proceedings Initiated by Nicaragua In the International Court of Justice,* <http://www.gwu.edu/~jaysmith/nicuswd.html> (accessed April 22, 2004).

12 Statement by Gilbert Guillaume, president of the ICJ. UN Press Release, October 26, 2000. GA/9796.

13 This increase relates to the court's "Contentious Cases," which consist of matters brought to the court's attention by a state party to a particular action. The court's docket of non-binding "Advisory Cases" has maintained its pre-1985 level of activity—these cases are questions posed to the court by a state or organizational entity with standing before the body, but without being a party to the action/question at issue. International Court of Justice, "List of all Decisions and Advisory Opinions brought before the Court since 1946," <http://www.lawschool.cornell.edu/library/cijwww/icjwww/idecisions.htm> (accessed April 22, 2004).

14 See *Review of Management and Administration in the Registry of the International Court of Justice,* UN, 2000. JIU/REP/2000/8, 2.

15 Jim Lobe, "Support Grows for US Return to UNESCO," *TerraViva (Inter Press Services Daily Journal),* September 12, 2002, 5.

16 UNESCO Historical Budget Information, "Contributions by Member States," <http://www.unesco.org/general/eng/about/history/contr.shtml>.

17 Lobe, 5.

18 "Blame, aim, fire," *The Economist,* May 1, 2003, <http://www.economist.com/displaystory.cfm?story_id=1753522> (accessed April 22, 2004).

19 For some analysis of high-level U.S. concerns, see: George Herring (ed.), *The Lyndon B. Johnson Security Files, 1963-1969, Western Europe, First Supplement,* from the White House National Security Files series.

20 "Blame, aim, fire."

21 "Pay Up and Play the Game," *The Economist,* September 16, 1999, <http://www.economist.com/displaystory.cfm?story_id=239543> (accessed April 22, 2004).

22 The "Uniting for Peace" Resolution empowers the General Assembly, in the case of the Security Council being paralyzed by a de facto veto, to recommend 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. In such a case, a special emergency session of the General Assembly could be called within 24 hours, without the Security Council being able to veto the motion. Thomas G. Weiss, "The UN Beyond Iraq," *Washington Quarterly* (Autumn 2003): 147.

23 The "Uniting for Peace" process was approved in: *United Nations General Assembly,* Resolution 377 (v) (1950). Adopted by the General Assembly at its 302nd plenary meeting, November 3, 1950.

24 Barry Rubin, "Nasser in 1956 and Saddam in 2003," *Jerusalem Post,* February 2003, 6.

25 The Soviet Union ignored the General Assembly's passage of the "Uniting for Peace" Resolution (ES/6-2, January 1980), which deplored the armed intervention and called for the immediate, unconditional, and total withdrawal of the foreign troops from Afghanistan. Security Council Resolution 502, which dealt with the Falklands, did not provide for use of force, but Britain assumed the right of force under this resolution. The Security Council has never tabled a resolution regarding the French/Algerian conflict. In 1998, China blocked discussion in the Security Council, barring the United Nation's High Commissioner for Human Rights from even briefing the body for fear that it could lead to a discussion on Tibet; see "World Report 1999," *Human Rights Watch* (New York: 1999).

26 *United Nations Charter,* Chapter 5, Article 26, United Nations, San Francisco, June 26, 1946.

27 As argued by Michael Glennon in "Why the Security Council Failed."

28 Kofi Annan, letter to staff received by author, New York, NY, March 27, 2003.