

UNITED NATIONS V. WORLD WAR III

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Waking up nowadays is accompanied by the news of the ever-rising tensions between the United States of America, North Korea, and China. Speculations and mystical predictions about an imminent Third World War are in the limelight. While the International Community, with the aid of International organizations and treaties, have been trying to prohibit the proliferation of nuclear weapons and their use as weapons of destruction, the situation with the rogue state of North Korea is edging these peaceful efforts towards a precarious edge. In view of these circumstances, this paper tries to critically analyse whether the United Nations, a beacon of hope and peace after World War II, is equipped to prevent or in the worst case scenario, competent to deal with an outbreak of a Third War of the Worlds. This paper will, further, attempt to draw similarities between this period and the period that prevailed between the end of World War I and the start of World War II with respect to the then International organization, The League of Nations as compared to the United Nations as we know it.

Keywords- *World War III, United Nations, League of Nations, Cold War, Nuclear Threat, Prevention, North Korea.*

Introduction

“An insincere peace is better than a sincere war” – Jewish Proverb

Article 2 of The Charter of The United Nations, in Chapter I, urges, “all Members shall refrain ... from the threat or use of force against ... any state, or in any other manner inconsistent with the Purposes of the United Nations.”¹ There exist a few exceptions to this rule under the charter itself, for instance, in the form of Article 51 that gives a member state a right to use of force in self-defence.² However, when it comes to the use of Nuclear Weapons, majority of the states agree, as per the ‘No First Use Policy, that they shall not be the first one to use a nuclear weapon.’³ The advisory opinion by the International Court of Justice, on the ‘Legality of the Threat or Use of Nuclear Weapons’, in 1996, had also

¹ The Charter of The United Nations 1945, art 2

² The Charter of The United Nations 1945, art 51

³ *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion*, I.C.J. Reports (1996), International Court of Justice, 226

recognized the fact that, the use of nuclear weapons is not prohibited in International Law but is regulated by International Humanitarian Law.⁴

The term "cold war" first appeared in a 1945 in an essay by the English writer George Orwell called "You and the Atomic Bomb".⁵ The cold war, however, that tried holding back the use of nuclear weapons and mutual suspicions, never really ended and still affects the world polity and international relations.⁶ This made the leading states to take an initiative in the form of 'The Treaty on the Non-proliferation of Nuclear Weapons' that entered into force in 1970, and since then, 190 states have subscribed to it. This treaty seeks to cover three mutually reinforcing goals—Disarmament, Non-proliferation, and Peaceful uses of nuclear energy—and is the backbone for international cooperation and peaceful international relations with the objective to stop the spread of nuclear weapons.⁷ The basic bargain offered at its roots, by this treaty is reasonable— The States in possession of nuclear weapons shall move towards disarmament; States without any nuclear weapons shall not acquire them; and all States shall have an access to peaceful nuclear technology.⁸

In the end, the emergence of the United Nations during the last hours of World War II, triggered the drive to achieve, not only a Zero Sum Game in the International scenario, but rather, a peaceful co-existence of fellow states with a will and obligation to help the other, in need, at all costs, so as prevent any active acts of war.⁹

Founding of the United Nations

The formation of the United Nations wasn't an original idea, but was a new, improved model of a previously failed effort at international cooperation – The League of Nations. The League of Nations was an organization, founded by the victorious powers post World War I that came together with the objective of international cooperation.¹⁰ They headquartered this organization in Geneva, Switzerland, a neutral state that had not participated in the first conflict of the worlds.¹¹ Influential states rallied together for its creation during World War I. The then U.S. President, Woodrow Wilson, was a strong

⁴ *ibid.*

⁵ George Orwell, *You and the Atomic Bomb*, 'The Collected Essays, Journalism and Letters of George Orwell' (1968)

⁶ History.com Staff, 'Cold War History' (2009) <<http://www.history.com/topics/cold-war/cold-war-history> > accessed 28 April 2017

⁷ Bureau of International Security and Non-proliferation (ISN), 'Nuclear Non-proliferation Treaty' (2015) <<https://www.state.gov/t/isn/npt/> > accessed 28 April 2017

⁸ *ibid.*

⁹ Bureau of Public Affairs United States Department of State, 'The Formation of the United Nations, 1945', Office of The Historian, <<https://history.state.gov/milestones/1937-1945/un>> accessed 28 April 2017

¹⁰ Roland Matthews, 'League of Nations' (2017) <<https://www.britannica.com/topic/League-of-Nations>> accessed 28 April 2017

¹¹ *ibid.*

supporter of this drive to create an international body with the idealistic goal of preventing the outbreak of another destructive world conflict.¹²

Following these suggestions, a League Covenant, that embodied the principles of collective security – roughly translating into, a united action by the League members against any aggressor, International Arbitration, decrease in the armaments of states, and an open diplomacy, was then formulated and subscribed to, by its Allies at the Paris Peace Conference in 1919.¹³ The League, during the 1920s, made major progress, and subsumed new members, even the neutral and enemy States that initially had been excluded, helped settle minor and major international disputes, without experiencing any serious challenges to its authority.¹⁴

However, the League hit its limit soon enough when France invaded the Ruhr and Italy occupied Corfu in 1923.¹⁵ The reason for this powerless to actually intervene, was the lack of a military force backed by the League, that could be utilized to impose sanctions for breach of the Covenant.¹⁶ Another major blow came to the League's integrity in the form of a nonchalant lack of adherence by U.S. when U.S. Congress failed to ratify the Treaty of Versailles that had contained the Covenant, threatening the very existence of the League.¹⁷ It was especially embarrassing for the League because it was U.S.A that was one of the most powerful nations, with the League being the brainchild of the U.S. President Wilson.¹⁸

These weaknesses became glaringly obvious in the 1930s when one of the League's main purposes – the prevention of aggression so as to preserve the status quo as established by the post-World War I peace treaties, shattered to pieces when major powers declined to enforce it, and dissatisfied nations, like Italy, Japan and Germany, took onto themselves to upset this delicate arrangement.¹⁹ In the end, disreputed by its chains of failures since its formation, followed by its helpless to prevent the Italian conquest of Ethiopia, Japan's expansion in Manchuria and China, and Hitler's renouncement of the Versailles treaty, the League of Nations, finally ceased its activities with the onset of the Second World War.²⁰

¹² *ibid.*

¹³ The Covenant of the League of Nations (1919)
<http://avalon.law.yale.edu/20th_century/leagcov.asp>

¹⁴ Roland Matthews, 'League of Nations' (2017) <<https://www.britannica.com/topic/League-of-Nations>> accessed 28 April 2017

¹⁵ H. James Burgwyn, *Italian Foreign Policy in the Interwar Period, 1918-1940*, (1st edn, Greenwood Publishing Group Inc., 1997)

¹⁶ Roland Matthews, 'League of Nations' (2017) <<https://www.britannica.com/topic/League-of-Nations>> accessed 28 April 2017

¹⁷ C. G. Fenwick, 'The "Failure" of the League of Nations', *American Society of International Law*, 1936 <<http://www.jstor.org/stable/pdf/2191024.pdf>> accessed 28 April 2017

¹⁸ *ibid.*

¹⁹ Dell G. Hitchner, 'The Failure of the League: Lesson in Public Relations', Oxford University Press on behalf of the American Association for Public Opinion Research, 1944 <<http://www.jstor.org/stable/pdf/2745688.pdf>> accessed 29 April 2017

²⁰ *ibid.*

In 1945, the United Nations became the successor of the League of Nations, and inherited many of its characteristics, objectives and methods, among other things.

The United Nations, established on October 24 1945, by representatives of fifty nations in San Francisco, became the second multipurpose international organization established in the 20th century after the League of Nations.²¹ Other than its objective of maintaining the peace and security in the world, it stressed on the importance of the development of friendly relations among States founded on mutual respect for principles of equal rights and self-determination of people; the achievement of worldwide cooperation in order to solve international economic, social, cultural, and humanitarian problems; respect and promotion of human rights; and acting as a platform on which States could coordinate their policies and actions for the fulfilment of these goals.²²

However, the tensions in the Cold War and the hostility between U.S. and Soviet Union, deeply affected the Soviet Union deeply affected the first 45 years of the United Nations Security Council and its decisions and functions. As time progressed, the changes in the international picture of political relations affected and eventually, expanded the responsibilities of the United Nations and how it made its decisions.²³ Post- World War II, extensive decolonization of Asia, Africa and the Middle East became the paramount variable shaping the growth of the United Nations, as it faced new challenges in the form of Non- Western ideology with respect to the States' political, economic, and social spheres.²⁴ In 1991, as the Cold War came to eventual end, the attention of the United Nations was needed amid an increasingly volatile geopolitical climate, where new challenges waited for it, to establish practices and functions, especially in the areas of conflict resolution and humanitarian assistance.²⁵ Thus, began a new era for the United Nations, in the 21st Century as its programs and related branches, struggled with the on-going humanitarian crises, international terrorism, civil wars, unprecedented refugee flows, global financial disruptions, the devastating spread of AIDS, and the extensive disparities of wealth between the world's richest and world's poorest.²⁶

²¹ Karen Mingst, 'United Nations' (2017) <<https://www.britannica.com/topic/United-Nations>> accessed 29 April 2017

²² Bureau of Public Affairs United States Department of State, 'The Formation of the United Nations, 1945', Office of The Historian, <<https://history.state.gov/milestones/1937-1945/un>> accessed 29 April 2017

²³ Karen Mingst, 'United Nations' (2017) <<https://www.britannica.com/topic/United-Nations>> accessed 29 April 2017

²⁴ Nic Maclellan, *The New Pacific Diplomacy*, (ANU Press, 2015), 263-281

²⁵ *ibid.*

²⁶ Karen Mingst, 'United Nations' (2017) <<https://www.britannica.com/topic/United-Nations>> accessed 29 April 2017

Third War at The Horizon

On the 15th of this April, North Korea's military parade, to mark the 'Day of the Sun', not only rallied its citizens but also intended to send a political message to the rest of the world – more than rallying its citizens, appeared intended to send a message to the rest of us: North Korea aims to achieve a nuclear program that is sophisticated enough to be able to fire a guaranteed to be successful nuclear weapon in the way of retaliation against an aggression and acts of any war, including being able to take the offensive against the United States, one day not too far from today.²⁷ However, the hopes of the North Korean leader, Kim Jong-Un, of a successful launch of a as display of power at the end of the parade, came shattering down to Earth when the missile blew up almost immediately after its launch, giving to the observers, a few hints, as to what the goal of the regime is, beyond a simple show of force.²⁸

Currently, North Korea possesses an arsenal of short and Medium range nuclear missiles that put its neighbours at a risk of a nuclear threat.²⁹ However, currently, North Korea does not possess a functioning Inter Continental Ballistic Missile (ICBM), the Taepodong-2, which has a range of roughly, 15 thousand kilometres, putting the United States at a nuclear threat from the North Korean continent.³⁰ As compared to North Korea, the United States and the Soviet Union have thousands of these ICBMs at their disposal as they had used this technology against each other in the Cold War era.³¹ However, threatened, by these superpowers' arsenal of the long-range nuclear missiles, the Kim Dynasty, as a way to protect its sovereignty, has sought to acquire one such missile for itself for a long time. Theoretically, North Korea is currently in the possession of two ICBMs, the KN-08 and KN-14 that can reach the West Coast of the United States, however, they have not been tested successfully yet.³² Thus, while there is good news, that North Korea cannot land a successful nuclear hit on the United States as of now, but on the other hand, the bad news is, that North Korea has been trying to build a functional Taepodong-2 for a decade now and might become successful in doing so by 2027 as they have achieved in making the nuclear payload light enough to be carried by an ICBM.³³

North Korea was introduced to nuclear energy on the 1950s by its then ally, the Soviet Union, which helped north Korea build nuclear power plants for nuclear energy while being

²⁷ Max Fisher, 'The Hidden Messages in North Korea's Military Parade' *New York Times* (18 April 2017)

²⁸ David Schmerler, 'North Korea's military parade: What we didn't see' *CNN* (17 April 2017)

²⁹ CSIS Missile Defense Project, 'Missiles of North Korea' (2017)
<<https://missilethreat.csis.org/country/dprk/>> accessed 29 April 2017

³⁰ *ibid.*

³¹ Kyung-Ae Park, 'North Korea's Defensive Power and U.S.-North Korea Relations' (2001) *Pacific Affairs* <<https://www.jstor.org/stable/pdf/2672443.pdf>> accessed 29 April 2017

³² CSIS Missile Defense Project, 'Missiles of North Korea' (2017)
<<https://missilethreat.csis.org/country/dprk/>> accessed 29 April 2017

³³ Defense Intelligence Agency, USA, April 2013

backed and protected by the huge nuclear arsenal of the Soviet Union.³⁴ However, with the Soviet Union's collapse in 1991, the then leader of North Korea, Kim Jong-Il, used the nuclear reactors with the objective of making and possessing nuclear weapons.³⁵ Following this, in order to prevent a rogue nation like North Korea from becoming a nuclear power, the United States tried various methods ranging from negotiations by Bill Clinton, issuing threats against by George Bush, strategic patience by Barack Obama, to an active display of aggression by Donald Trump.

The reason why North Korea is so adamant at becoming a nuclear power is due to the Kim dynasty's belief that nuclear weapons are a failsafe way to ensure the protection of the North Korean sovereignty. After witnessing the fall of Saddam Hussien in Iraq, at the hands of the United States at the possibility of him possessing nuclear weapons and the assassination of Gaddafi in Libya by United States, backed rebels after he had negotiated with the United States and surrendered its nuclear weapons program, the paranoia of the Kim dynasty only grew.

In the current political scenario, North Korea possess the Nodang and the SCUDS, that put South Korea, Japan, and the United States troops stationed there, in a clear range of a nuclear hit.³⁶ North Korea also keeps conducting weapon tests in order to send a political message to its enemies while securing itself from South Korea and Japan. However, North Korea can't yet attack, South Korea and Japan, which are protected by the U.S. This, in turn, gives the United States an advantage over North Korea and is able to impose sanctions on it for its misgivings.

However, North Korea is desperate to acquire an ICBM, as its possession will, in turn, tip the scales in its favour against its enemies. Once, the U.S.A. is potentially a target for a nuclear attack from North Korea, it will no longer come to the aid of South Korea and Japan, in case of a discord. This, in turn, will suddenly leave South Korea and Japan, in charge of their own defence and security, which will then push them to acquire nuclear weapons of their own, giving rise to Nuclear Proliferation in the Eastern continent, which might then boost the Morales of other states, which had been till now, prohibited from nuclear proliferation by the way of the Nuclear Non-proliferation Treaty. The United States along with the United Nations had been trying to put a stop to exactly this situation since the end of the Cold War.

Thus, recently, Donald Trump, the President of U.S.A., has been seeking out China for its assistance by cutting off its trade and diplomatic relations with North Korea. This will effectively bottleneck the resources that North Korea needs to build a functional ICBM, hence putting a halt to the risk of Nuclear Proliferation in the world. However, for now,

³⁴ Alex Ward, 'The North Korean military threat to America and its allies, explained' (2017)
<<http://www.vox.com/world/2017/4/19/15355494/north-korea-nuclear-threat-missiles-weapons>>
accessed 30 April 2017

³⁵ *ibid.*

³⁶ CSIS Missile Defense Project, 'Missiles of North Korea' (2017)
<<https://missilethreat.csis.org/country/dprk/>> accessed 29 April 2017

the world is still at risk at large, due to this nuclear race, as it will affect, not only the United States but also the delicate balance the world peace is resting upon with respect to Nuclear Threat.³⁷

The Road till now

Five major resolutions have been imposed on North Korea since 2006 by the United Nations Security Council, which impose and strengthen existing sanctions, for their continued efforts at the development of its own Nuclear Weapons, and also call on Pyongyang to disassemble its nuclear program "in a complete, verifiable, and irreversible manner" and refrain from any further ballistic missile tests.³⁸ Two of the resolutions were passed in 2006 and 2009, following shortly after the North Korean nuclear tests. The third one was imposed a month after North Korea had succeeded in launching a satellite in December 2012, which sought to prohibit North Korea from similar launches, as per the previous UN Security Council Resolutions owing to the assumption that a satellite launch technology can be potentially used in applications of ballistic missile development. The UN Security Council passed the fourth resolution after North Korea's nuclear test in February 2013.³⁹ The most recent resolution was adopted in March 2016, following a nuclear test as well as a satellite launch early in the year, by North Korea. Since 2009, the resolutions adopted, enabled United Nations member states to have an interdiction authority, which could call upon states to inspect North Korean cargo, within the territory of their state, and subsequently seize and dispose of any such goods that were prohibited by the UNSC Resolutions. The Security Council, under Chapter VII, Article 41 of the United Nations Charter, had passed all of these resolutions unanimously.⁴⁰

However, while these were legally binding, the resolutions prohibited any state from the use of force in order to carry out the obligations under the resolutions. These resolutions had also called upon North Korea to re-join the nuclear Non-Proliferation Treaty (NPT), which it had acceded to in 1985 but subsequently, withdrew from, in 2003, after the United States had alleged that North Korea was in pursuit of an illegal uranium enrichment program.⁴¹ In addition to all of this, the Security Council also wished for North Korea's return to the negotiations of the Six-Party Talks, which included South Korea, North

³⁷ Alex Ward, 'The North Korean military threat to America and its allies, explained' (2017) <<http://www.vox.com/world/2017/4/19/15355494/north-korea-nuclear-threat-missiles-weapons>> accessed 30 April 2017

³⁸ Arms Control Association, 'UN Security Council Resolutions on North Korea' (2016) <<https://www.armscontrol.org/factsheets/UN-Security-Council-Resolutions-on-North-Korea>> accessed 30 April 2017

³⁹ Schrijver, Nico, *The Ban on the Use of Force in the UN Charter*, Oxford Handbook of the Use of Force in International Law (1st edn, 2015)

⁴⁰ Arms Control Association, 'UN Security Council Resolutions on North Korea' (2016) <<https://www.armscontrol.org/factsheets/UN-Security-Council-Resolutions-on-North-Korea>> accessed 30 April 2017

⁴¹ *ibid.*

Korea, China, Japan, Russia, and the United States, which had begun in 2003 and aimed to peacefully dismantle North Korea's nuclear weapons program.

In the end, little progress was made by the September of 2005, where the Six-Party Talks has succeeded in achieving a breakthrough and subsequently, had issued a joint statement on the steps agreed to, in pursuance of the denuclearization of the Korean peninsula. Following this, the negotiators finally reached an agreement with North Korea, in February 2007, that sought to shut down its nuclear weapons program in exchange for humanitarian aid. However, sadly, all the progress that was done, dismantled, when in 2009, North Korea completely withdrew from the Six-Part Talks as a retaliation to the international condemnation that it faced for its attempt to launch a satellite in April 2009.⁴²

Conclusion

The current situation with North Korea seems diplomatically unsalvageable after the failure of the six-party talks and other bilateral talks in their attempt to denuclearize North Korea. The sanctions imposed by the UNSC don't seem to make a dent either, except for the collateral damage in the form of the devastation of the already impoverished and oppressed 25 million people of North Korea. Depending on China alone to make use of its influence over the Kim regime hasn't yielded any solid results till now, which has brought us to the situation at hand that hints towards a plausible third World War, as one tries to draw similarities between it and the one that existed after the end of World War I. Not unlike that period, the current situation is worsening with the increasing numbers of failed foreign diplomatic instrument such as, contracts, and negotiations. The tensions, not unlike the period after the First World War, are at an all-time high while the rogue states try their best to do whatever benefits them, throwing all humanitarian caution to the wind. The diplomatic assumption that North Korea would be willing to reason as opposed to securing its own nuclear dream seems to be getting bleaker by the day.

With respect to the humanitarian aspect of such conflicts, the North Koreans are suffering in huge numbers as South Korea barely tolerated the 27,000 North Korean defectors at its borders while China didn't hesitate to send back North Korean defectors who had crossed its borders, even though it implied a certain execution for them back in North Korea and Japan has still not granted citizenship to the Zainichi.⁴³

Thus, what are the options available to subdue North Korea, that not only poses a nuclear threat but also is also practically holding 25 million people hostage in the name of its Supreme Leader?

⁴² Arms Control Association, 'UN Security Council Resolutions on North Korea' (2016) <<https://www.armscontrol.org/factsheets/UN-Security-Council-Resolutions-on-North-Korea>> accessed 30 April 2017.

⁴³ Suki Kim, 'Is it Time to Intervene in North Korea?' *New Republic* (11 January 2016)

As the Chinese Foreign Minister Wang Yi suggested, all parties need “to stop provoking and threatening each other and not to make the situation irretrievable.”⁴⁴ A powerful state such as the United States, should not take any aggressive stance against an already cornered North Korea, to prevent the imminent loss of human lives, especially when a person such as Donald Trump, sits at the head of command.

As of now, Donald Trump has installed anti-missile defences against the North inside South Korea, and is acting similar to how President Kennedy in the 1962 Cuban missile crisis, President Reagan during the Cold War in the 1980s, acted, portraying practice of brinkmanship and a demonstration of strength and resolve. Things might just spin out of control as North Korea, if feeling threatened and exposed, loses a few missiles of its own, perhaps, towards Japan, a plausible target. And similar to the acts in Syria and Afghanistan (the MOAB job), President Trump might just retaliate with a “surgical” and “proportionate” strike on a North Korean facility.⁴⁵

The gruesome scene that might follow after a single miscommunication, as tensions rise high, is not as impossible as we might want to think, and with countries like UK releasing a map of their underground Nuclear bunkers, the best options for all states is to practice extreme caution and strategic patience as in this situation, the diplomacy offered by the United Nations, might just not cut it.

⁴⁴ Bloomberg, ‘World War III? China says it’s possible as standoff between Donald Trump and North Korea rises’ *The Economic Times* (15 April 2017)

⁴⁵ Sean O’Grady, ‘This is how Kim Jong-un and Donald Trump could start World War III’ *Independent* (30 April 2017)