

The United Nations and International Law

Summary

The theme of this course is the place of the United Nations in public international law. We aim to understand how the United Nations was created under international law, how it legally exists and effectively operates in international relations, and how it is held accountable for its activities.

These questions are of current significance, which is illustrated by two recent judgments rendered by Dutch and Belgian courts in 2017 and 2018. These two cases have a lot in common. They originated from the UN peacekeepers' failure to protect civilians in Srebrenica and Rwanda from genocide in the mid-1990s. In both cases, the plaintiffs sought to hold the Netherlands and Belgium, as troop-contributing nations, legally responsible for the tragic events. However, while The Hague Court of Appeal found the Netherlands responsible, the Court of Appeal of Brussels concluded that the responsibility lay with the UN rather than Belgium.

As this apparent discrepancy reveals, we need to address some difficult legal questions in order to settle the disputes. This lecture will tackle the multifaceted challenges confronting the international community in regulating the existence and activities of the UN.

Literature References

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