The United Nations at Seventy-Five: Passing the COVID Test?

Ş. İlgü Özler

The United Nations was founded seventy-five years ago, at the end of World War II, "to save succeeding generations from the scourge of war," "to reaffirm faith in fundamental human rights," and "to promote social progress and better standards of life."[1] In order to achieve these goals, the organization works on the development and maintenance of international law. The UN system is the most comprehensive and ambitious mechanism for global cooperation and coordination among sovereign states in history. The success of the organization is key to ensuring a dignified future for humanity and potentially the survival of human civilization.

The complex issues of the twenty-first century cannot be addressed by disparate actors in the global arena. There is a strong moral and ethical imperative to act multilaterally through the United Nations when responding to global challenges ranging from climate change to the proliferation of arms to risks associated with artificial intelligence. This has become even more apparent in 2020, as we celebrate the seventy-fifth anniversary of the UN and have witnessed the outbreak of the global COVID-19 pandemic. The pandemic has put the UN system to the test, and its impacts go well beyond the direct health crisis to include disastrous social, economic, and political implications globally. These repercussions demand a coordinated international response.

The global response to the COVID-19 pandemic has demonstrated weaknesses in the UN system in regard to the three core mission areas of the organization:

peace and security, sustainable socioeconomic development, and human rights. From the outset of the spread of the new virus, challenges to the UN's core principles were evident. The disease moved beyond China, where it began, turning into a global pandemic infecting 47 million people and killing 1.2 million in just ten months.[2] In the face of a pandemic that knows no borders, the underlying tensions that have plagued efforts to foster global cooperation became more apparent than ever. This can be attributed in part to the tension between the liberalism associated with the UN's human rights and socioeconomic development agendas and the sovereign nationalism of its member states. Liberal values and state sovereignty do not necessarily contradict each other, but they always involve some degree of tension. The recent rise of nationalist strongmen as leaders in many countries has elevated the tensions between liberalism and sovereignty, putting the UN system to the test.

While the UN and its affiliated agencies, such as the World Health Organization (WHO), are still able to foster cooperation, their success is limited by the UN's inability to establish some form of authority and command. This is true in regard to a number of key global issues and has been especially evident during the COVID-19 pandemic. The ability of strong states to thwart collective action in favor of their own perceived national interest weakens the whole system's capacity to respond.

The COVID-19 pandemic provides a lens through which to assess the UN system in its seventy-fifth year. This essay is organized into three sections that explore the pandemic response in relation to the key pillars of the UN mission: peace and security, human rights, and sustainable development. The UN's successes and failures in the face of the pandemic are then linked to the broader challenges in each of these three areas.

A System under Threat: Principle of Peace and Security

The first pillar of the UN's work is to ensure peace and security globally. The biggest success of the UN at seventy-five, according to Secretary-General António Guterres, may be in the prevention of another great war,[3] thus "sav[ing] humanity from hell" in the words of Secretary-General Dag Hammarskjöld.[4] But such a global conflagration is today not inconceivable and international relations scholars have been ringing the alarm bells for some time about grave threats to the global governance system. This threat to the United Nations system has been

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characterized as "a new world disorder" attributed to the increasing power of Russia and China, both of which feel slighted in the post–Cold War global liberal order led by the United States.[5] According to G. John Ikenberry, the decline of the liberal order "might be seen as a 'Polanyi crisis'—growing turmoil and instability resulting from the rapid spread of global capitalism, market society and complex interdependence."[6] Hale and colleagues reference a "gridlock" in global governance resulting from growing multipolarity, institutional inertia, increasingly complex global scale problems, and a fragmentation in global governance that extends beyond the United Nations.[7] While differing slightly in their interpretation of the causes, from the perspective of these scholars, the international system is under threat.

In contrast to those who highlight the UN's recent failures, those who take a long view of history point out that the international order is more peaceful than ever before and that states have largely accepted the international sovereign order relative to the past four hundred years of the nation-state system. But even the optimists offer a cautionary note about whether this seventy-five-year trend of progress in international institutional development cannot be reversed.[8] Despite the efforts to move "beyond gridlock,"[9] the barriers to greater international cooperation are still present and impacting the global pandemic response. Thus, while the UN has been able to prevent a great war for the past seventy-five years, global peace—which must be defined beyond a narrow interpretation of the absence of war—is still dependent on the willingness of states to continue to act through the UN, especially in responding to global crises such as the COVID-19 pandemic.

At the UN, the Security Council (UNSC) is the agency that focuses on the hard questions of peace and security and it is the only global governance organization that has the ability to make binding decisions[10] for the UN's 193 member states. The UNSC has historically shied away from dealing with what are perceived as soft issues related to social or economic affairs. Its work has mainly focused on matters of armed conflict, with few exceptions. Sophie Harman points out the contradiction: "Health concerns have the ability to prevent the trade of goods, shut down airports, exacerbate poverty, engender fear, and destabilize armies. Yet health is often labeled as a soft topic in international politics and a side issue to security and economic concerns."[11]

Nevertheless, in recent years the UN has demonstrated an ability to evolve, as health has come to the attention of the UNSC. In 2000, the Security Council recognized infectious disease—singling out HIV/AIDS—as a potential threat to peace

and security. By 2014, when the Ebola crisis started unfolding in West Africa, the Security Council responded by reinforcing the WHO's guidance and asking states to open their borders to ensure that needed assistance could get to the affected areas. The actions of the UNSC to address the threat posed by Ebola demonstrate the Council's valuable role within the United Nations. Its actions were central to containing the virus[12] and, given the instability in parts of the world affected by the outbreak, they represented some progress in recognizing the interconnections between "soft" issues such as human health and "hard" issues of global peace and security.

This diligence has not been repeated in the face of the most recent global health crisis. The Security Council did not initially issue any resolutions directly addressing the COVID-19 pandemic, despite the emergence of major disruptions with strong implications for social unrest in many countries. The fact that effective action has not been repeated in the face of the COVID-19 pandemic highlights institutional weaknesses at the UNSC. This can largely be attributed to the veto power wielded by the increasingly nationalist leadership among the permanent-five members of the UNSC. Shortly after the pandemic was declared, Secretary-General António Guterres asked the Council to pass a resolution calling for a global ceasefire during the pandemic in order to ensure that humanitarian aid could reach areas of need. The Council, however, was paralyzed by the struggle between China and the United States. In a prime example of how nationalist impulses undermine multilateralism, the Trump administration threatened to veto any resolution that mentioned "specialist health agencies," alluding to the WHO, the UN agency responsible for coordinating the global efforts to combat the virus.[13] The administration also indicated that it would not support any resolution that did not single out China as the source of the virus, a talking point that Trump considered important for domestic political purposes.

Eventually the members of the Security Council were able to negotiate a resolution calling for a ninety-day ceasefire that passed on July 1, but the case highlights how the structural vulnerabilities of the UN—in this case the veto power wielded by select players—are brought to the fore in the context of rising nationalism. Leaders placed their own interpretation of national interest above the need for international cooperation, and the structure of the UN, rooted in the power configuration of another era, makes it vulnerable to such impulses.

Despite such weaknesses, there are many successes that we can point to on matters of peace and security. Over the past seventy-five years, the UNSC has acted collectively to advance the "pacific settlement of disputes" and to help negotiate

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peace between parties in conflict. In many instances, the Council authorized the use of sanctions or force in the face of "threats to the peace, breaches of the peace, and acts of aggression."[14] In addition, it authorized seventy-one peacekeeping operations, of which thirteen are still ongoing.

The UNSC has taken action to deal with some of the most difficult and bitter hostilities in the world—successfully, in most cases.[15] However, this has only been the case when the national interests of the permanent-five members with veto power did not stand in its way.[16] The ability of the P-5 to unilaterally thwart collective action represents a significant structural weakness in the global governance system.[17] This has become more evident in the context of rising multipolarity and nationalism. While the UN has done much to advance global peace, this flaw in the operations of the Security Council stands as an ongoing impediment.

Health as a Human Right

In addition to addressing peace and security, providing coordination during times of global pandemics may be among the most vital roles for the United Nations and its associated international bodies. The World Health Organization was established in recognition of the fundamental universal importance of human health, with the goal of advancing the "highest possible level of health" globally.[18] As a specialized agency of the UN, the WHO has 194 member states and a seven-thousand-person staff across 150 countries working to fight diseases and improve health for all. As the leading global health organization, the WHO has played a crucial role in helping to address the COVID-19 pandemic.

In coordinating global action, the WHO created a supply-chain response system that includes representation from all UN agencies. Through these efforts, the organization has supplied protective equipment to workers; test kits; courses in six languages; and over fifty guidance documents for healthcare workers, schools, and workplaces. There are seventy-four countries that are cooperating with the WHO as a clearinghouse for the latest research. Its role is vital in sifting through the scientific evidence and developing, in association with the world's leading scientists, best practices for dealing with this evolving crisis.

Over previous decades, the WHO laid the groundwork necessary to act in response to a pandemic such as COVID-19. The organization developed the International Health Regulations back in 1969. Its World Health Assembly meets yearly to revise and update these standards and to strategize in response

to the changing nature of global health threats. In 2005, "public health emergencies of international concern" were defined broadly to be inclusive of all potential disease outbreaks, and states were charged with "a number of new obligations with regard not only to surveillance, verification, cooperation, and information sharing but also to strengthen their own domestic capabilities."[19] This regulatory framework is reliant on the best scientific knowledge and evidence-based policy decisions. Thus, the WHO has the framework set up to prevent pandemics by combatting epidemics.

All of these actions and even the creation of the WHO itself are the product of earlier achievements of the United Nations that established the framework for global action on health. Yet, even prior to the creation of such international bodies and coordinating mechanisms, the United Nations achieved something broad and fundamental regarding the way we approach global health: it established common norms and understandings that are an essential precursor for global cooperation on these issues. The highest form of this norm entrepreneurship is manifest in the creation of international law. Among the rights recognized internationally, and included as Article 25 in the Universal Declaration of Human Rights, is the right to health. This right is codified in international law through Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). This article recognizes the "right of everyone to the enjoyment of the highest attainable standard of physical and mental health."[20]

Despite the universal recognition of health as a human right and the establishment of coordinating mechanisms designed to advance this right, weaknesses in these institutions are also evident in ways that are consistent with the argument regarding the declining liberal order and political gridlock. For international regulatory standards to work, states have to trust the system and follow the guidelines. Yet, throughout the COVID-19 pandemic noncompliance has been pervasive, starting with the Chinese government's failure to immediately cooperate with the WHO. China informed the WHO about the outbreak of a viral pneumonia at the end of December 2019, and waited ten days to share the vital detail of the outbreak as a novel coronavirus and forty days before it let WHO officials into Wuhan,[21] the city believed to be ground zero for human spread of the virus.[22] China's reluctance to share vital information and the WHO's inability to secure a faster response are indicative of a more general weakness of the international order. China prioritized national concerns over international cooperation and global health, and international institutions were powerless to demand otherwise.

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China was not the only one to disregard the WHO and abandon international commitments. For example, the WHO does not recommend travel bans as a strategy for addressing a pandemic.[23] Instead, states are encouraged to focus on information sharing, research, testing, contact tracing, and containment at the local level. States largely ignored these recommendations in favor of uncoordinated ad-hoc national and subnational responses. The resulting patchwork of ever-changing state-imposed travel restrictions has undermined some pandemic countermeasures. The disruption to trade and supply chains threatened to cause shortages of equipment, including essential medicine, food, and other humanitarian supplies.[24] The travel restrictions also impacted medical staff, who could no longer easily move back and forth to get where they were needed to be. In response to these disruptions, instead of working through its regular protocols, the WHO had to focus on a consolidated appeal for supply-chain system cooperation.

While international law recognizes health as a human right, Article 12 of ICESCR puts the responsibility on the state parties to the convention to realize the achievement of this goal. There is no enforceable obligation to join with other members to combat a global pandemic or to prioritize universal health domestically. This is reflective of the broader issue of the UN's role in advancing human rights. Arguably, one of the biggest successes of the UN has been its ability to build a global institutional framework based on international law and the recognition of human rights. International human rights law has given protection to people around the world through a combination of monitoring and reporting, technical assistance, international pressure on state violators, and prompting the development of domestic human rights law in many countries.[25]

But ultimately, the enforcement of human rights protections is voluntary, and sovereign states routinely disregard international standards. Civil and political rights such as free speech, assembly, and a free press are routinely violated in many countries. The United States, for example, fails to guarantee economic and social rights to such things as housing and healthcare. The establishment of human rights law represents a major achievement for the international community, and the very existence of this global consensus generates pressure on states to uphold these principles. Public shaming and other informal means of exerting pressure have motivated many states to improve their standards in the past, but the lack of any formal enforcement mechanism still stands as a failure of the UN system.

Sustainable Development Agenda under the COVID-19 Pandemic

Promoting sustainable development is the third pillar of the UN mission, along with promoting peace and security and the advancement of human rights. As with these other two endeavors, successes and failures can be considered in relation to the organization's addressing of the COVID-19 pandemic and in the more general pursuit of the development goals. The principle of health as a human right is well established, if not always honored by all states. While in some cases, such as in the United States, a failure to ensure universal healthcare is a failure of policy and politics, in many other states it is a product of the general lack of resources and economic development, and this is what the UN seeks to address. The Sustainable Development Goals (SDGs) provide the framework from which states aim to ensure fully sustainable societies where people can lead dignified lives, but the pandemic demonstrated the vulnerabilities of these goals. This is especially true among developing countries with weak healthcare systems.

The UN and WHO have not only played an important coordinating role throughout the pandemic but have also made commitments to aid disadvantaged communities and the least-developed countries in resolutions of the UN General Assembly[26] and the World Health Assembly of the WHO, respectively. The WHO resolution, cosponsored by 130 countries, passed by consensus and called for "the universal, timely and equitable access to, and fair distribution of, all quality, safe, efficacious and affordable essential health technologies and products," in the response to the COVID-19 pandemic.[27] In order to fulfill this commitment, United Nations agencies, including the WHO, have provided vital support to countries in need throughout the pandemic to date. Specifically, the UN initiated three funds and appeals. The Global Humanitarian Response Plan coordinated through OCHA (the Office for the Coordination of Humanitarian Affairs) asked states for $10.3 billion—though it has received only 24 percent of this to date—to be spent by UN agencies on those fifty most vulnerable and poor countries. In addition, the COVID-19 Solidarity Response Fund was created to raise money from private sources to address health needs and has raised over $236 million so far, as part of over $1.44 billion that the WHO has raised in total, reaching 82 percent of what it asked for from member states, but remaining at 60 percent of the ask from private sources. A third source is the secretary-general's UN COVID-19 Response and Recovery Trust Fund for low- and middle-income

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countries, which has received commitments for only 5.8 percent of the $1 billion the UN asked from member states for this appeal.[28]

This kind of aid provision is designed to address the economic deprivation experienced by developing countries, and its importance in times of a health crisis cannot be understated. The support provided to states with limited resources during the pandemic represents progress in global cooperation, but given the severe shortfall in funding commitments and the expected needs of the world's most vulnerable populations, this amount of aid will not be sufficient.[29] The fact that many states still lack the capacity to address the pandemic reflects a significant failure in the broader sense. The health systems in many countries are severely lacking. The WHO notes that "at least half of the world's population still do not have full coverage of essential health services."[30] The consequences of this can be seen in the disparate fatality rates across different communities and countries. While reliable comparative data are not available yet to verify the cost in terms of fatalities for COVID-19 sufferers in the least-developed countries, there is little doubt that the lack of healthcare has significant consequences. In the United States, the race and class differentials in terms of deaths resulting from COVID-19 reveal the persistent role of discrimination, poverty, and inequality in all aspects of life.[31]

Lack of access to healthcare is acknowledged in Sustainable Development Goal 3.8, which addresses the achievement of "universal health coverage."[32] This is a goal that links health as a human right to social development. Recognizing economic disparities and setting out goals to aid developing countries in modernizing and expanding their healthcare systems is a first step in realizing the UN's development goals. Socioeconomic development has been on the UN agenda since its founding and some real progress has been made, with the Sustainable Development Goals representing the latest iteration of strategies to advance this agenda. Real, measurable benchmarks have been established for 169 targets related to the seventeen development goals. In the first three years of the SDGs, 142 states have presented voluntary national reviews to the UN, verifying their progress toward these goals.

There has been some improvement over the years in the methods designed to address the development issues, as evidenced by the SDGs. Yet, in a system where the operations of the UN agencies mainly depend on voluntary funds, the financial commitments made by states in addressing these problems have fallen short. The UN agencies are beholden to the willingness of the member states to make good on their commitments. In addition, the ad-hoc fundraising systems of

member states make the need for sustainable socioeconomic development vulnerable to the national interests and funding priorities of the wealthier states. The UN agencies must overcome the challenge of sovereign nationalism to effectively respond to sustainable development challenges of all kinds, including the current pandemic.

Conclusion

The United Nations has developed a strong infrastructure to address global problems in the past seventy-five years and most states today recognize the benefits of cooperating through the multilateral arena to achieve mutual gains.[33] Much progress has been made over the years in all three areas of the UN's focus. World war has been prevented; there is broad agreement on the rights to which all humans are entitled; and sustainable development has been recognized as a global effort that gives responsibility to all states, "leaving no one behind." But the full achievement of any of these goals is far off and flaws within the structure of the international system hinder progress. This is especially true today, as institutional weaknesses are exploited by leaders who have embraced nationalism and pulled back from international cooperation.

This has been made vividly clear during the COVID-19 pandemic, a time when coordinated action is most needed. Commitments were made to halt conflict in order to better address the health crisis, but only after much delay as nationalist rivals jockeyed for advantage in a world characterized by increasing multipolarity. The UN can be given much credit for securing a global commitment to universally recognized human rights. But the lack of formal enforcement mechanisms allows sovereign states to flout these rights. The lack of a true right to health has been evidenced during the COVID-19 crisis in countries such as the United States, which has failed to provide universal health coverage. Other fundamental rights are routinely violated around the world despite a nominal commitment to upholding them, such as freedom of expression, as evidenced by the inability of Chinese medical staff to share vital information about the virus. The failure of the global system to ensure good healthcare has also been on display in numerous countries, not because of a willful violation of rights but because so many of them lack the resources to provide healthcare to their citizens. This is demonstrative of the failure of the international system to better advance economic development, a shortcoming that is evident in all areas of social life from education to employment.

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There is much to celebrate at the seventy-fifth anniversary of the founding of the United Nations. The UN provides our greatest hope for achieving a world that is peaceful, just, prosperous, and healthy. Real advances have been made, but institutional flaws within these international bodies continue to slow progress. An entrenched commitment to state sovereignty and the unequal power wielded by some within the UN's governance stand as barriers to more effective global cooperation. This is especially so in the face of rising nationalism and a destabilization of the liberal order brought on by powerful new actors. When confronted with a global pandemic, the results have been mixed, as with the UN's record generally. Improvements must be made to the international governing system if we are to do better over the next seventy-five years.

NOTES

[1] See preamble, Charter of the United Nations, June 26, 1945, www.un.org/en/sections/un-charter/preamble/index.html.

[2] "Covid-19 Dashboard by the Center for the Systems Science and Engineering (CSSE) at Johns Hopkins University," Coronavirus Resource Center, Johns Hopkins University & Medicine, coronavirus.jhu.edu/map.html (last accessed November 3, 2020).

[3] António Guterres, "Secretary General's Video Message Marking the 75th Anniversary of the Adoption of the Charter of the United Nations" (speech, June 26, 2020), United Nations Secretary-General, New York. www.un.org/sg/en/content/sg/statement/2020-06-26/secretary-generals-video-message-marking-the-75th-anniversary-of-the-adoption-of-the-charter-of-the-united-nations-scroll-down-for-french-version.

[4] Quoted in press release by UN Department of Public Information, SG/382, "Address by Secretary-General Dag Hammarskjöld at University of California Convocation," Berkeley, California, Thursday, May 13, 1954.

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[6] G. John Ikenberry, "The End of International Liberal Order?" *International Affairs* 94, no. 1 (January 2018), pp. 7–23, at p. 10.

[7] Thomas Hale, David Held, and Kevin Young, *Gridlock: Why Global Cooperation Is Failing When We Need It Most* (Cambridge, U.K.: Polity, 2013).

[8] Kalevi Holsti, "Change in International Politics: The View from High Altitude," *International Studies Review* 20, no. 2 (June 2018), pp. 186–94.

[9] See Thomas Hale and David Held, eds., *Beyond Gridlock* (Cambridge, U.K.: Polity, 2017).

[10] See Chapter VII: "Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression," Charter of the United Nations, June 26, 1945, www.un.org/en/charter-united-nations/index.html.

[11] Sophie Harman, "Global Health Governance," in Thomas Weiss and Rorden Wilkinson, eds., *International Organization and Global Governance* (New York: Routledge, 2014), p. 656.

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[14] Chapter VII, Charter of the United Nations.

[15] A. Walter Dorn and Robin Collins, "Peacekeeping Works: The UN Can Help End Civil Wars," *International Journal* 75, no. 1 (March 2020), pp. 95–103.

[16] Lise Morjé Howard, *UN Peacekeeping in Civil Wars* (Cambridge, U.K.: Cambridge University Press, 2008).

[17] The number of vetoes used by the permanent members of the UN have declined over the years. This is associated with the fact that most resolutions are negotiated in the private consultation room of the UNSC where negotiations are deemed confidential. Yet, the threat of veto can still prevent resolutions from even coming to a vote.

[18] "Our Values, Our DNA," World Health Organization, www.who.int/about/who-we-are/our-values.

19 Gian Luca Burci, "Health and Infectious Disease," in Thomas G. Weiss and Sam Daws, eds., *The Oxford Handbook of the United Nations* (New York: Oxford University Press, 2007), p. 586.

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Abstract: The complex issues of the twenty-first century cannot be addressed by disparate actors in the global arena. This has become even more apparent in 2020, as we celebrate the seventy-fifth anniversary of the UN and have witnessed the outbreak of the global COVID-19 pandemic. The pandemic has put the UN system to the test, demonstrating weaknesses in regard to peace and security, sustainable socioeconomic development, and human rights, the three core mission areas of the organization. The underlying tensions between the ideals of *liberalism* associated with the UN's human rights and socioeconomic-development agendas and the institution of *sovereignty,* under nationalist strongman leaders throughout the world, stood in the way of an effective response. This is especially true as powerful states are able to thwart collective action in favor of their own perceived national interests. While the UN and its affiliated agencies, such as the World Health Organization, are still able to foster cooperation, their success is limited by the organization's inability to establish some form of authority and command.

Keywords: United Nations, World Health Organization, COVID-19 pandemic, global governance, liberalism, sovereignty

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