

The Role of The UN in the Maintenance of International Peace and Security Case Study: The 2003 War in Iraq

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Abstract

The mission of the United Nations is to restore peace around the world, to end wars, and to resolve conflicts between states. Peace is the primary objective of the UN ; however, many conflicts remain unresolved by the UN. For example, the UN had been unable to prevent the Iraq War, the Russian invasion of Ukraine and conflicts in the Middle East. In the 1950's and 1960's, the UN was considered as the leader of the world as it helped countries in Africa and Asia to win their independence. For example, it was the savior of South Africa in its fight against racism, particularly the Apartheid regime. Nowadays, millions of people are killed by unjustified wars, and the world is endangered by the proliferation of these conflicts, all of which the UN was unable to hinder. The American invasion of Iraq without the United Nation's permission was a defeat for this organisation in face of American military aggression, and the UN's decline became clear in its incapacity to stop the Iraq War. This research will clarify the notion of peace and security within the United Nations, focusing on the UN's role in providing international peace and security.

Keywords: *United Nations, Peace, Iraq War, Defeat, American Military Aggression.*

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Introduction

Humanitarian intervention became an important issue especially after the Holocaust, when the world became conscious of the horrors of genocide, putting into effect, new rules forbidding the massacre of civilians, and recognising basic human rights for civilians. At first, states had the responsibility to protect their own populations from tyranny, genocide, and crimes against humanity ; in contrast, if they do not succeed to protect their populations, it will be the role of the United Nations to assume any military or humanitarian intervention.

The United Nations is an international organisation constituted in 1945 to make the world a better place for humanity. From its foundation, its main strategy was to keep peace through the world, to set up friendly relations between countries, and to improve people's lives by getting rid of poverty, disease, illiteracy, environmental destruction, and finally to foster respect for each others' rights and freedoms.

In other words, the UN stresses the importance of negotiation when there are disagreements between countries. It supports the rights of minorities and will only allow military intervention if its Security Council agrees that it is justified.

The United Nations is a group of international institutions, among them the World Health Organisation (WHO), the International Labour Organisation (ILO), the United Nation's Children Fund (UNICEF), and the United Nations Development Programme (UNDP). The United Nation's function is to protect refugees, encourage dialogue on global issues, and interfere in climate change negotiations.²

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In March 2003, Iraq was invaded by the US, believing that Iraqi President Saddam Hussein detained weapons of mass destruction. A coalition of many countries (UK, US, and others) attacked Iraq, leading to its collapse, and resulting in a bloody civil war between Sunnis, Shiites, and Kurds. Moreover, the capital city was looted by people demolishing a long-lasting civilization.³

The Bush administration thought it would be easy to end Saddam's dictatorship and to restore order in Iraq. However, the consequences of this unjustified war proved that the US mismanaged the Iraqi occupation from the beginning. The US chose an unexperienced administrator to govern Iraq, L. Paul Bremer, who decided to give himself the authority to run this country instead of letting it to its people.⁴

This mismanagement in the US invasion of Iraq, the Bush's administration arrogance and ignorance, transformed this invasion into an act of occupation instead of an act of liberation. Insecurity, violence, hatred, and terror became the rules of the game. The US and Britain gave themselves the right to liberate Iraq from a tyrannical dictator ; however, they destroyed a big civilization, and this constituted an important menace to the Arab people.

This war whose real goal was the devastation of the most powerful Arab country, had arisen a series of questions, that seem to be concentrated on US main interest. As a matter of fact, today, no Arab state can control its resources as it wishes or take decisions that threaten US policies.

Today, it seems that each Arab country fears to damage its relationship with America, as many of them rely on US aid, or US military protection. We can say that the invasion of Iraq had resulted in a demoralised nation, forced to obey the American government, whose goals are to serve its own interests.

A Brief History of the UN

The establishment of the United Nations goes back to the end of the Second World War, when representatives of 50 countries held a meeting at the UN conference in San Francisco, California (from 25 April to June 1945), that helped create a new international organisation, with the goal of preventing another world war.⁵

The UN officially began on 24th October 1945, four months after the end of the conference, and its charter had been signed by many countries among them China, France, the Soviet Union, the UK, and the US.⁶ President Roosevelt is considered as the founder of the United Nations, an intergovernmental organisation that aims to maintain international peace and security, develop friendly relations among states, promote international cooperation, and serve as a centre for coordinating global action, and protect human rights.

The United Nation's main goal is to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character. It is also concerned with respect for human rights, and to preserve fundamental freedoms for all, alluding to race, sex, language, and religion.

The UN was created to avoid the drawbacks of its predecessors, the League of Nations that had been founded after the First World War, and was intended to prevent future wars. Its decline was due to the lack of responsibility between the main executive committee (The League Council), and the League Assembly which included all member states.

² John Baylis, Steve Smith, and Patricia Owens, *The Globalization of World Politics*, Oxford University Press, 2014, p. 305.

³ Foreign Affairs, November/December 2017, *Mission Still Not Accomplished in Iraq*, Emma Sky, p. 9.

⁴ Peter W. Galbraith, *The End of Iraq*, Copyright, 2007, p. 9.

⁵ John Baylis, Op.Cit, p.305.

⁶ Ibid.

The lack of coordination in economic and military actions was the main cause of the League's defect. Indeed, the League had not succeeded to deal with many acts of aggression by the Second World War. As a result, the United Nations was created to prevent the difficulties caused by the League of Nations.⁷

Now, more than 75 years later, the UN is still working to maintain international peace and security, give humanitarian assistance to those in need, protect human rights and uphold international law. Its supreme body is the UN General Assembly, including one representative of each of the 192 member states, with one vote for each member.

The United Nation's power resides in its Security Council, which has the real power to make decisions, and may be called into session at any time. The United Nations is considered as an important forum for international discussions and an instrument for multilateral action.

The United Nations System

The Security Council

The United Nations had attributed the main responsibility for assuring peace and security to the Security Council. It was constituted of 11 states, then of 15 states after 1965. The USA, Britain, France, Russia, and China were the permanent members of the Security Council, as well as other non-permanent members. Decisions were taken by permanent members, and the role of the Security Council was to search the best ways to settle conflicts in a peaceful manner under the UN's charter.⁸

There may be either mediation, settlement, or a ceasefire in the case of fighting. In addition, the UN can send a peacekeeping mission to maintain international peace and security. The Security Council can also establish economic sanctions or suggest an embargo. Finally, the Security Council can appoint a new Secretary General, and the nomination of new members to the UN.

The General Assembly

The General Assembly can be considered as a parliament of nations, meeting to solve conflicts around the world, with one vote given to each member state. The role of the General Assembly is to gather two-thirds majority for important decisions such as international peace and security, and the UN budget. It can also promote international drug control, and the rights of indigenous people. The decisions of the General Assembly represent the moral authority of the community of nations.

The Economic and Social Council

The Economic and Social Council (ECOSOC) brings together the economic and social work of the United Nations, with other organisations. In trying to maintain a coordination between the UN and civil society, the ECOSOC works with non-governmental organisations (NGOS) on the status of women, the Economic Commission for Africa, and other funds such as the World Health Organisation (WHO), and the International Labour Organisation (ILO).⁹

Since the founding of the United Nations in 1945, the rights of women, climate change, terrorism, and population growth have become new sources of interest in the United Nations' international agenda. New funds were developed, as the United Nations' Children Fund (UNICEF), and United Nations Development Program (UNDP), to deal with economic and social questions.

⁷ Ibid, p.306.

⁸ Ibid.

⁹ Ibid, p.309.

The International Court of Justice

The international Court of Justice is the main judicial organ of the United Nations. The Court has the power to decide disputes between countries, as it consists of fifteen judges elected both by the General Assembly and the Security Council. The Court’s competencies are judicial and advisory. First, the Court works to resolve international legal conflicts ; moreover, it has the power to express a legal opinion on any legal issue. One can say that it significantly limits the possibility of conflicts that threaten international peace and security.

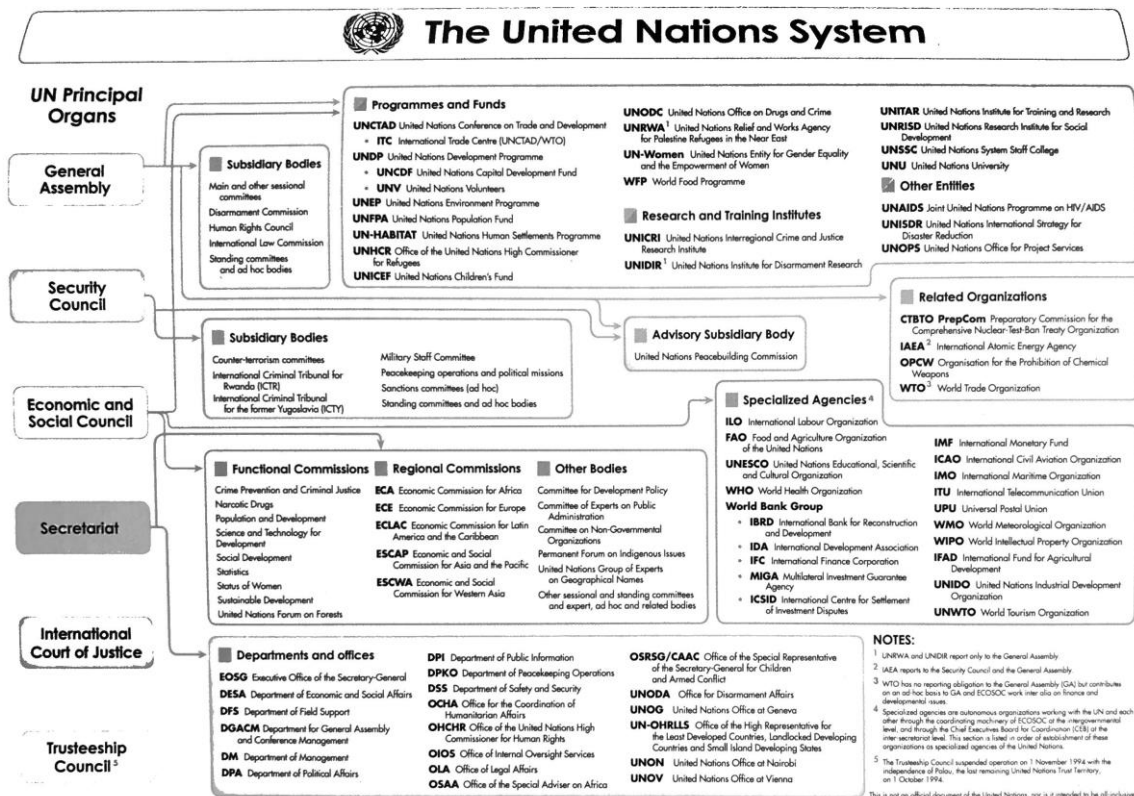


Figure 01 The Structure of the United Nations System

Source : United Nations Department of Public Information

The American Invasion of Iraq

Iraq had been known as the world’s first great civilisation. It was called Mesopotamia, or « Land between the rivers », the Tigris and the Euphrates, and took the name of Iraq in the seventh century. It was considered as the intellectual center of the Arab world. It was part of the Turkish Ottoman Empire, divided into three parts : Mosul in the north being mainly Kurdish, Bagdad in the center, predominantly Sunni Arab, and Basra in the south, mostly Shiite Arab.

The United States invaded Iraq in March 2003, as a result of Iraqi President Saddam Hussein, detaining and developing weapons of mass destruction. Even if this proved incorrect, the American military forces dissolved the Iraqi security forces creating a civil war within the country. This highly controversial war culminated with the removal of President Saddam Hussein from power. However, the failure to find weapons of mass destruction in Iraq and a huge violation of human rights have brought a series of critics with regard to this unjustified war.

2.1 The Reasons of the Invasion of Iraq

The Iraq invasion in March 2003 was due to the Bush Administration's War on Terror, launched on the aftermath of the September 11, 2001 attacks of the World Trade Center in New York, and the Pentagon in Washington. In late 2001, President George W. Bush started his plan for military intervention in Iraq after a joint resolution of the United States Congress known as the Iraq Resolution. The United States' aim was to end Saddam Hussein's tyranny and dictatorship, to disarm Iraq of weapons of mass destruction, to give freedom to the Iraqi people, and finally to dominate Iraq in order to grab its vast oil wealth.

After the false declarations that Saddam Hussein was developing weapons of mass destruction, and due to Iraq's support of Al Qaeda and its terrorist networks, the US considered that Iraq was a threat to the world community. From late 2001 to early 2003, the US decided to invade Iraq, and finally, Secretary of State Colin Powell gave address to the Security Council in order to authorize this war.

President Bush asserted that weapons of mass destruction were manufactured in Iraq, and that this country constituted an international axis of evil, along with Iran and North Korea. In October 2002, the American Congress allowed the use of military force against Iraq. In February 2003, Colin Powell asked the UN Security Council for a possible invasion of Iraq. However, the Council wanted to make more research to find evidence of weapons of mass destruction (WMD).¹⁰

Both the US and UK administrations wanted to democratise Iraq and free its population. Countries all over the world opposed this war, and even UN Secretary of State Kofi Annan considered the war as illegal. An unjustified war began on 20 March 2003, when President Saddam Hussein refused to leave Iraq, and within weeks, a series of air strikes directed against military installations had destroyed a whole country.

The Consequences of the Iraq War

The military action in Iraq was the direct consequence of an aggravated humanitarian crisis, and also economic, legal and military effects. The spread of poverty, the destruction of Iraq's economy, pushing unemployment to its highest level, and the destruction of Iraq's cultural heritage had been the most important effects of this war.

Before invading Iraq, the US forces were unaware about the division among Iraqis, Sunnis and Shiites, two religious sects. They imagined that Iraq was a blank soil on which they could apply their democratic principles. Consequently, the overthrow of Saddam's regime had a major effect of a sectarian civil war between Iraq's Shia majority and Sunni minority.

The Bush Administration claimed that it wanted to spread freedom in Iraq having the strongest support of the UN in the use of force in Iraq. As a result of this invasion, there had been a huge flooding of Sunni fundamentalist terrorists into the country. This had given power to Al Qaeda, that helped in engaging new recruits. In 2003, Al Qaeda killed Sergio Vieira de Mello, the UN representative in Iraq.¹¹

The US invasion of Iraq had engendered serious consequences among them sectarian conflict, the rise of ISIS (Islamic State), the decline of Bush's popularity, and the loss of American credibility. Kofi Annan, who was then Secretary General of the UN, had declared the invasion illegal, as it violated the UN charter. The war had resulted in over a million deaths, including the loss of thousands of soldiers in this unjustified war.

Civil war, insurgency, and the independence of Kurdistan represented the most important consequences of the American invasion of Iraq. However, the US had not predicted all these effects. Indeed, the Bush Administration thought that it would be the liberator of the Iraqi people. After many weeks following the

¹⁰ Ibid, p.314.

¹¹ Peter W. Galbraith, *The End of Iraq*, OP.Cit, p.80.

fall of Saddam, the American authority was unable to maintain order in the country as many looters had destroyed the capital city's most important institutions including the archeological museum.¹²

The Iraqi population had suffered a lot from poverty and malnutrition as a result of an embargo imposed on Iraq by the US government. A country with a five thousand year history was suddenly weakened and besieged by a nonsense war. Moreover, a rich country with the largest oil reserves on earth, the most fertile land, and the most important cultural center of the Arab world had been dehumanized and completely destroyed by coalition forces.¹³

The Illegality of the Iraq War

The United Nation's most significant goal is the maintenance of international peace and security ; moreover, its role is to prevent and remove any threat to peace. This confirms that the UN has the duty to address the causes of tensions and conflicts and resolve them peacefully before any violent confrontations.

The 2003 Iraq War was considered legally questionable under international law because it wasn't approved by the UN Security Council authorization, making of this war an illegal conflict. However, there were many debates over its legitimacy.

First of all, the United States and the United Kingdom argued that the UN Security Council Resolution offered implied authority, but most states and international lawyers proved that the war was illegal. Second, the US justified this war as a preemptive self defense against weapons of mass destruction (WMD). Finally, the invasion was seen as a violation of the UN charter's prohibition on the use of force, defining it as a war of aggression. Therefore, there had been a divided approach on the legitimacy of this war.

Supporters of the war argued that the war was legitimate as Saddam Hussein went against UN resolutions, detaining weapons of mass destruction, whereas critics supported the idea that the war was illegitimate, resulting in huge civilian casualties, and the region's destabilisation. To sum up, even if supporters gave this war a legal basis, the lack of UN approval made the 2003 Iraq War totally illegal under international law.

By invading Iraq, the US had ignored that its management would lead to a precipitated Iraq's collapse, and a big tragedy for the country; however, the US was not aware of the partitions of the Iraqi state, making of this war one of the most dangerous the world had ever known.

The Failure of the United Nations in Preventing the Iraq War

The UN was created with the main objective of preventing wars by taking collective measures to remove threats to international peace and security. Its charter contains references to both the rights of states and the rights of people. The Preamble of the UN Charter asserts that :

« We the peoples of the United Nations are determined to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small ».¹⁴

The UN Charter, chapter 1, Article 1, states that the purposes of the UN are as follows :

« To maintain international peace and security, and to that end : to take effective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of

¹² Ibid, p.7.

¹³ Edward Said, *From Oslo to Iraq and the Roadmap*, Copyright, UK, 2004, p. 216.

¹⁴ John Baylis, *OP.Cit*, p. 306.

justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace. »¹⁵

Terrorism and the proliferation of weapons of mass destruction became the most important issues of the UN security agenda. Secretary General Kofi Annan at the time, had examined the major menaces and challenges to international peace. In September 2004, he stated :

« I have indicated that it is not in accordance with the UN Charter. From our point of view, and the UN Charter point of view, the war was illegal ».¹⁶

It became clear that inadequate preparations for the aftermath of military intervention in Iraq, the failure to prevent looting, widespread detentions, and a great disregard for civilian murders, were all proofs that the United Nations had failed in avoiding a humanitarian catastrophe in Iraq.

International rules regarding human rights and torture were not respected by the Bush Administration, as for example the torture at Guantanamo and Abu Ghraib prison detention camps constituted a violation to the basic human rights of the Iraqi population. Indeed, the US army committed a series of physical abuses and war crimes against detainees in Abu Ghraib prison in Iraq, including sexual humiliation, rape, and physical and psychological torture.

Images of naked and abused prisoners have been televised scenes, damaging the image of the most powerful country on earth : the United States of America. This abuse was denounced by elites in the US, and even American people were horrified by the images of abused prisoners at Abu Ghraib prison in Iraq. President Bush himself had declared in 2004 :

« These acts were wrong. They were inconsistent with our policies and our values as a nation ».¹⁷

The failure to find weapons of mass destruction in Iraq, and the civil war that followed the invasion have confirmed that the war was unjustified. The UN Security Council did not authorise military action in Iraq. However, the decision of the US and British administrations, with the coalition of a number of allies succeeded in the use of force against Iraq without clear UN authorization.

Conclusion

The events of the 9/11 had created a series of various terrorist activities that were threatening the US and its interests. Donald Rumsfeld, the US Secretary of Defense at the time, and the British Prime Minister Tony Blair accused Iraq of developing weapons of mass destruction (WMD), that constituted security threats that could not be ignored. Although the CIA proved unable to find weapons of mass destruction in Iraq, the US government was determined to invade Iraq at any cost.

Similarly, President George W. Bush accused Saddam Hussein of attempting to procure dangerous chemicals to produce nuclear weapons of mass destruction. Thus, the post 9/11 US international security policy considered rogue states such as Iraq, Afghanistan, Iran, Syria, Yemen, Sudan, and Lybia as terrorist states. The US believed that Iraq posed more threats due to its military strength.

In their use of military intervention, the US and UK forces have tried to violate the boundaries of legitimacy and destroying the values of democracy, national security, and most importantly human rights. They sought the support of the United Nation's Security Council to authorise a war on terror that proved to be illegal.

¹⁵ Ibid.

¹⁶ Ibid, p. 312.

¹⁷ Joseph Marguiles, *What Changed when Everything Changed, 9/11 and the Making of National Identity*, Yale University Press, USA, 2013, p.209.

The Iraq War was an experience of non-respect for the international law, with concepts that have been largely violated.

One of the priorities of the United Nations is to maintain peace and security around the world, as it is emphasized in its charter. It is clear that the UN was able to resolve several crises. However, the credibility of the UN was damaged by the firm decision of the US and the British armies to use military intervention in Iraq without the UN consent.

The United Nation's work has greatly expanded since the 1990's. However, the predominance of US military power in the use of force in Iraq, and the spread of inequality and justice across the world might mean that the UN needs further changes in its operating system. Moreover, the demolition of a great civilisation, like the one in Iraq, and the use of torture should be opposed, wherever they occur.

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