WORLD ORDER – ESSAY PLANS

THEMES AND CHALLENGES

The role of law in encouraging cooperation and resolving conflict in regard to world order
Issues of compliance and non-compliance (**In class essay** AND Reword)
Examine the role of sovereignty in assisting and impeding the resolution of world order issues
Explain the role of nation states in achieving world order.

Introduction/ Thesis	
Para 1 UNSC - peacekeeping	o The United Nations (UN) is largely effective as it aims to promote peace and maintain security by intervening in global threats through the actions of the Security Council (UNSC). ▪ The *UN Charter* provides the UNSC with the jurisdiction "*to dispatch peacekeepers into conflict zones in order to provide support*". ▪ UNSC resolutions intend to impartially resolve conflict and enhance the compliance of nation-states by encouraging them to adhere to international standards. In particular, peacekeeping relies on the willingness of nation states to comply with mandates by allowing peacekeepers into the region. o **EFFECTIVE CASE: East Timor (1999)** ▪ INTERFET peacekeeping force under Australian command. ▪ Indonesia's willingness to comply → resulting in peacekeeping forces ▪ INTERFET able to intervene and assist in the resolution of conflict ▪ **Article: (The Australia 2009) "A tough job done in Timor":** ⇒ This was achieved by providing the UN with necessary resources, resulting in a "*near perfect mission*". ▪ Case where state sovereignty assisted the achievement of world order → *UN Charter*. ▪ Responsiveness of the international community → ensuring compliance is maintained o **INEFFECTIVE CASE: Darfur (2003-present).** ▪ Following tensions between Sudanese rebel groups and the government, president Omar al-Bashir carried out a series of attacks with the intention of 'ethnic cleansing' Darfur's non-Arab region, resulting in a wide-scale genocide. ▪ *Resolution 1769* in 2007 → (UNAMID) to implement peace agreements and protect civilians ▪ **Article: (2012 Deutch Welle '*Has the UN mission in Darfur failed?*':** ⇒ "*experts criticise the Sudanese government for sabotaging the peace building process*," ⇒ UNAMID delayed for several years due to the governments refusal to comply by obstructing the entry of peacekeepers. ▪ UNSC mandates demonstrate responsiveness, ▪ Ineffective at resolving conflict as they rely on the willingness of nation states to comply and accommodate peacekeeping forces.
Para 2 Courts and Tribunals	o International courts and tribunals are also moderately effective at resolving conflict and promoting peace. • Effectiveness → varies from court to court + relies willingness to comply. • ICC is (UN) "*principal judicial organ of the United Nations*"

	• ICJ is largely effective at resolving conflicts and promoting peace when countries agree to "*abide by its decision*" • E.g. ***Benin v Niger (2005)*** ⇒ ICJ ended a 4 border dispute between the two countries over 25 islands by awarding each nation a specific number of disputed islands ⇒ Article: (IRIN 2005) '*International Court rules that main disputed island belongs to Niger not Benin*'": The West African nations proclaimed their state sovereignty and attended the ICJ in 2002, promising to "*comply by its decision*" ⇒ Role of the ICJ in serving as a forum for discussion and negotiation between hostile states who are willing to comply
Para 3 NGO's – ICRC, ICG	o ICRC – Aid during War • ICRC assists in the enactment of the GCs • Treats the sick and wounded in war regardless of which 'side' they are on • Australian Aid 2010 → treatment to 5.2 million people and provided economic assistance to 4.9 million people. • Australian Aid claims that the ICRC's "unparalleled access in some of the most fragile countries" make it an effective organisation in the promotion of humanitarian law o ICG - East Timor ▪ The ICG assists the Timor-Leste Government and the UN administration there by producing reports on issues that are of vital importance to Timor-Leste's future peace and security. ▪ *No Time For Complacency (Feb 2009 report)* ⇒ Noted that the security situation had dramatically improved since 2008 but that there were still problems with security, the justice system was weak and corruption was still a concern. ⇒ Assistance was still needed from the UN, Australia and the international community. ▪ *Handing Back Responsibility (December 2009 Report)* ⇒ To Timor-Leste's Polices ⇒ Very critical of the way in which the UN administration came in and took control of the Timor-Leste police. o Amnesty ***– Arms Trade Treaty (2013)*** • Put an enormous pressure on governments to sign the Arms Trade Treaty 2013 • Has been on the agenda since 1995 • E.g. Conflict in Yemen
Para 4 The Media – East Timor, China's Secret War Darfur	o **Alias Ruby Blade – East Timor** • Highlighted the important role that the media played in East Timor • Footage of the massacre recorded by Australia journalists • Brought international attention and was the beginning of international efforts to bring peace to the region • E.g. deployment of UNAMET forces o **China's Secret War – Darfur** • Revealed that China was ignoring the arms embargo against Sudan by supplying the government with weapons • They were able to do so, as the media is more flexible in dealing with countries and is not subject to the same niceties as the UN • Other media eventually followed, increasing awareness • Publicity from this lead to a change in Chinas response, in order to comply with the 2005 arms embargo

	countries" make it an effective organisation in the promotion of humanitarian law o ICG - East Timor ▪ The ICG assists the Timor-Leste Government and the UN administration there by producing reports on issues that are of vital importance to Timor-Leste's future peace and security. ▪ *No Time For Complacency (Feb 2009 report)* ⇒ Noted that the security situation had dramatically improved since 2008 but that there were still problems with security, the justice system was weak and corruption was still a concern. ⇒ Assistance was still needed from the UN, Australia and the international community. ▪ *Handing Back Responsibility (December 2009 Report)* ⇒ To Timor-Leste's Polices ⇒ Very critical of the way in which the UN administration came in and took control of the Timor-Leste police. o Amnesty **– Arms Trade Treaty** • Put an enormous pressure on governments to sign the Arms Trade Treaty 2013 • Has been on the agenda since 1995 • E.g. Conflict in Yemen
Para 4 Media	o **Alias Ruby Blade – East Timor** • Highlighted the important role that the media played in East Timor • Footage of the massacre recorded by Australia journalists • Brought international attention and was the beginning of international efforts to bring peace to the region • E.g. deployment of UNAMET forces o **China's Secret War – Darfur** • Revealed that China was ignoring the arms embargo against Sudan by supplying the government with weapons • They were able to do so, as the media is more flexible in dealing with countries and is not subject to the same niceties as the UN • Other media eventually followed, increasing awareness • Publicity from this lead to a change in Chinas response, in order to comply with the 2005 arms embargo o **The New Killing Fields Panorama- BBC 2004** • Made the international community aware of the genocide in Sudan • This made the international community aware of the government's breach of international law • Pressured international legal responses by UN and US ⇒ In 2008, a hybrid UN-AU peacekeeping mission arrived in Darfur, after being authorised by Security Council Resolution 1769 in 2007 ⇒ UN declared the conflict a genocide in 2005 ⇒ Referred President AL-Bashir to the International Criminal Court o **Nuclear Proliferation** • Due to a lack of progress regarding the NPT, many experts expressed the need for legal change through the media • **ARTICLE: Tilman Ruff (The Conversation)**: Examples of law reform concerning chemical and biological weapons, were much more rapid in establishing change in international law, when compared to nuclear weapons • Media discussion could raise awareness of the flaws surrounding the lack of legal responses in relation to the NPT • **ARTICLE: "Fatal flaws" - Geoffrey Robertson (SMH)** ⇒ Regarding its lack of enforceability ⇒ Despite this media discussion, there were no legal responses to these issues

	• Other media eventually followed, increasing awareness • Publicity from this lead to a change in Chinas response, in order to comply with the 2005 arms embargo o **The New Killing Fields Panorama- BBC 2004** • Made the international community aware of the genocide in Sudan • This made the international community aware of the government's breach of international law • Pressured international legal responses by UN and US ⇒ In 2008, a hybrid UN-AU peacekeeping mission arrived in Darfur, after being authorised by Security Council Resolution 1769 in 2007 ⇒ UN declared the conflict a genocide in 2005 ⇒ Referred President AL-Bashir to the International Criminal Court
Para 2 Articles/Reports about Nuclear Weapons and East Timor	o **Nuclear Proliferation** • Due to a lack of progress regarding the NPT, many experts expressed the need for legal change through the media • **ARTICLE: Tilman Ruff (The Conversation)**: Examples of law reform concerning chemical and biological weapons, were much more rapid in establishing change in international law, when compared to nuclear weapons • Media discussion could raise awareness of the flaws surrounding the lack of legal responses in relation to the NPT • **ARTICLE: "Fatal flaws" - Geoffrey Robertson (SMH)** ⇒ Regarding its lack of enforceability ⇒ Despite this media discussion, there were no legal responses to these issues ⇒ Reflects the media's ability to promote world issues, but highlights how it relies heavily on legal responses to implement recommendations made o **Alias Ruby Blade – East Timor** • Highlighted the important role that the media played in East Timor • Footage of the massacre recorded by Australia journalists • Brought international attention and was the beginning of international efforts to bring peace to the region • E.g. deployment of UNAMET forces
Para 4 ICRC, ICC and Human Rights watch	o ICRC – Aid during War • ICRC assists in the enactment of the GCs • Treats the sick and wounded in war regardless of which 'side' they are on • Australian Aid 2010 → treatment to 5.2 million people and provided economic assistance to 4.9 million people. • Australian Aid claims that the ICRC's "unparalleled access in some of the most fragile countries" make it an effective organisation in the promotion of humanitarian law o ICG - East Timor ▪ The ICG assists the Timor-Leste Government and the UN administration there by producing reports on issues that are of vital importance to Timor-Leste's future peace and security. ▪ *No Time For Complacency (Feb 2009 report)* ⇒ Noted that the security situation had dramatically improved since 2008 but that there were still problems with security, the justice system was weak and corruption was still a concern. ⇒ Assistance was still needed from the UN, Australia and the international community. ▪ *Handing Back Responsibility (December 2009 Report)* ⇒ To Timor-Leste's Polices ⇒ Very critical of the way in which the UN administration came in and took