

## **Ethics and Social Justice Issues in the United Nations Whistle Blowing**

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### **Abstract**

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The United Nations as an intergovernmental Organization purposely has been established with main concern and mission; to address human rights main issues as well as the justice concerns. The United Nations mission seeks to provide citizens of its member states freedom and liberties. The Security Council is the organ within the organization which should enforce and compel the strict adherence to the ethical norms and norms of international treaties, and values of the human rights, equality and social justice. As inequality existing on many levels, within the organizational body of the United Nations, and within the membership, as many member states are demanding equality in the mechanism of decision making, regarding the voting right of the member states, and the veto right of the permanent members of the Security Council. One of the biggest major challenges facing the United Nations as an intergovernmental organization is the achievement of the most important mandate of providing all nations and people's equal opportunity has been seriously challenged with discouraging international concerns and issues. Another major challenge facing the United Nations is the issue of conflict of interests in how to achieve to peace. The United Nations have Ethics Office, as well as ethical framework, which guide the UN public administrators within the ethical concerns. But still many allegations of the peacekeeping forces and administrators' involvement in misconduct, including abuse and sexual exploitation. My recommendations are; to reform the UN through implementation more transparency policy, such implementing the policy of checks and balances, also the United Nations should review the agreement signed between the Security Council and the International Criminal Court, and to develop the relationship agreement to stronger pact, between the two organizations. Also more adherence to the ethical norms of the organization.

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### **About the United Nations - Introduction-Background, and Setting**

International organizations play significant roles in the world today, taking over elective, redistributive and stabilizing functions.

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Intergovernmental organization (IGO) as the term refers to a body or entity which formed based on a treaty, where two or more nations involved in, with aim of good faith, and issuing common interests. That is the reason why the existence of (IGO) as nonprofit organization depend on the treaty (Harvard, 2012). The main objective mission and purpose of establishing international organizations, is the creation of the working mechanism for more successful cooperation in peace security, economic and social issues. Though there are critics towards the mechanism and functionality of the international organizations in general, such as John Mearsheimer's arguments, around what he named as "the false promise of international institution" (Meierhenrich, 2012) Mainly to the United Nations (UN) mission is about human rights, equality, and justice, addressed through several organs. The creation of the United Nations (UN), became reality as a result of the long history of nations' promote in the field of international cooperation, before the idea accomplished on the ground. Theoretically, we can find many scholars and philosopher disclosed their ideas of formation, such foundation, such as European philosophy of nineteen century, Immanuel Kant, when proposed an idea of a federation of nations, with dedication of protection the countries, who are the members of the federation.

The main function of Kant's proposed federation was to secure collective defense doctrine against aggressor countries, and the idea found the way to the decision makers and victorious of the World War I, and realized Kant's idea in establishing the League of Nations after the World War I, in 1919 as the result of the Paris Peace Conference (PbS, 2014). As the League of Nations created with the aim of promoting peace and international security, the United Nations also established with the same mission, to prevent any other world war to take place, and to maintain peace and international security. To make the new born organization succeeded, the founders, who were the most powerful countries collectively supported the organization. Delegations representing fifty countries met in San Francisco at the United Nations Conference on International Organization, with aim of drawing up the Charter of the United Nations, in the aftermath the Second World War in 1945. October 24, 1945 was the birthday of the organization, as a universal organization in both meaning as in term of the membership or the mission, to maintain peace and security, and achieve the international cooperation in solving the international conflicts (Buergethal & Murphy, 2002). The number of the members went up to 193 (UN, n.d.). Where each member state at the same time is the member of the General Assembly, Which legally considering as the main organ of the organization.

The only organ, where all members have the right to be represented and vote as well, the General Assembly has many other sub-organs, such as The Human Rights Council, which created in 2006, to promote universal protection and respect for the human rights, and not to be violated (UN, n.d.). The second important organ is the Security General (SG) of the United Nations, which represent the symbolism of the poor and ideal spokesman in term of representing the interests of the nations united in the organization. According to the UN Charter, the Security Council has primary responsibility for the maintenance of international peace and security (UN, n.d.). The Security Council consists of fifteen member, which five of them are the permanent, where the major big powers USA, Russia, China, United Kingdom, and France, and they possess the veto, and the remaining ten members are elected for two years, according to geographic representation in an equal way. Also, there is the Economic and Social Council. Then the secretariat, the dynamo of the organization and the connection between the offices, departments and other specialized agencies, funds and programs. The UN charter is the legal foundation for the organization, and guiding the mission and work of the organization. The Secretariat led by the Secretary General, who is elected for five years, by the General Assembly after the recommendation of the Security Council (UN, n.d.).

### **Ethical and Social Justice Issues**

Social justice issues, as well as equity and other ethical concerns, have become an international challenge, that international community to deal with. Dealing first of all with organizational culture, the organizational culture reflects the appropriateness for the occurrence and encouragement of ethical conduct, in case if the culture managed in an effective manner, where we can see that the leaders' conduct or behavior is the powerful influence and impact on the organizational culture (Schein, 1985). The United Nations agreed with the description of the Organizational culture as definer of the social norms and rules of "An ethical organizational culture is based on a shared understanding of those ethical values that make our organization what it is today" (UN, n.d.). Within the UN they believe that every staff or employee of the organization is aware of the ethical culture and norms, to extend that anyone is able to resolve issues or conflicts within that recognized ethical culture, and for that particular purpose the United Nations founded the Ethics Office to support the organizational culture (UN, n.d.).

In that context, it's obvious that, organization's culture can affect the process of creating ethical or even unethical policies, and the role of the leader is a pioneer. The United Nations as an intergovernmental Organization purposely has been established with main concern and mission; to address human rights main issues as well as the justice concerns. The United Nations mission seeks to provide citizens of its member states freedom and liberties. The Security Council is the organ within the organization which should enforce and compel the strict adherence to the ethical norms and norms of international treaties, and values of the human rights, equality and social justice. But concerns that within the United Nations that many issues of social justice and equality raised inside the UN operations. Many concerns in the past and even at the present time have been raised about the UN staff, especially in Africa, in regards of the remuneration packages and the biases, where mostly deployed the UN staff, as provision of the humanitarian services, or peace keeping staff. The allegations are about the business or discrimination around the local people from the staff of the host nation, who do the major jobs, but getting less salaries, if compared with what the international staff receive. Also, there are concerns about the allowances of the international staff that there are so huge (Towah, 2013). These kind of concerns could be considered as inequality as could be a strong reason for dissatisfaction within the staff and even nations. Other accusations are taking place like atrocities, abuse, inequality within the UN system have been reported as criminal and corrupted behavior of some UN staff in some areas of conflicts, where the UN deployed the forces and its staff operated (Newman, 2013). Another example of justice concern within the UN, is the issue of the indigenous minorities in all parts of the world and their rights. As they are still suffering the discrimination. Many countries signed agreements and ratified treaties with those indigenous people (like the United States with the Native Americans), but many of those agreements not fulfilled in good manner, and steal their rights denied. The United Nations as an intergovernmental organization has failed to oppose and resist on governments to respect the rights of the indigenous people, by honoring the agreements (Towah, 2013).

### **Ethical Issues Related to the Philosophical Theories**

#### **Equality vs. Equity**

The theory which holds the most promise application to the notion of social equity, as well as public administration, is that which explain and demonstrate the subject and clarify the complexity of the notion guide and idea of equality.

This theory is paired with the methodological tool of policy analysis. To standardize social equity for policy judgment, as well as public, dynamic, the analysis must be moved from singular to plural, from equality to equalities, and from equity to equities (Frederickson, 1990). The notion of equality as all people are equal before God and before the law as well, it established a very basic understanding and expectation that all citizens are equal and deserve equal opportunity within the democratic system. But the threat occurs when the society divided into advantage and disadvantage. The fair access means equal access and opportunity as well. All people should have a fair level of access (Kranich, 2001). According to that philosophy, we can say that the United Nations is achieving the mandate to provide all peoples and nations in an equal way and equal opportunity, but that Mandate is facing a big challenge. As inequality- as mentioned earlier is still existing on many levels, within the organizational body of the United Nations, and within the membership, as many member states are demanding equality in the mechanism of decision making, regarding the voting right of the member states, and the veto right of the permanent members of the Security Council. The argument is to promote an equality and fairness to all members in voting mechanism. At the same time the underdeveloped nations or a group of people, as the indigenous people they should have a fair tool to overcome the obstacles to the access so as to ensure the fairness, and obtain the equity as a right. With the aim of redressing the historic injustice. The full fairness is to have the equal rights and social justice as equity. The main question remains open; if the United Nations could be able to achieve its main and core ethical principle of equal rights for all people or not.

### Moral and Whistle Blowing

Ethics and morality define differently by different scholars, but Gibson Winter gave a unique definition that Ethics is a "science of human intentionality" (Winter, 1966) tint why on I think, he started earlier with that definition at the introduction. But Cooper explained that that ethics could accept or understood in the context of studying of moral conduct as well as moral status (Cooper G. , 2012). The administrative responsibility according to this point of view, as a significant element in the administration process, we can see that Cooper agreed to the Mosher's division, into two aspects of responsibilities: subjective and objective responsibilities (p. 71). The referral of the administrative responsibility occurs to the formal rules within the obligation's complex, and informal norms too.

In my opinion, these formal and informal norms are indicating to the professionalism, as well as the accountability itself, and the contract which signed between the public administrator and the organization is the criterion in the relationship and the regulator of the relationship between the two parties. The guiding role of the ethics here is essential for the public administrator within the process of the achievement and completion of his agreed obligations. But the public administrator not always just have to adhere and imply the commands coming form up in a passive way of acceptance, then pass the command down, but the public administrator responsible also in filtering the coming to him information systemically for more accurate representation (Cooper, 2012).

we can observe that within an organization with a very strong external control such as the United Nations, could be a perfect environment for whistle blowing to have a place, in this case where the whistle blower could be very loyal to the ethical norms , rules and ethical culture of the organization. When corruption take place like in the case of the organization we are analyzing, so it is a violation of those ethical norms, and within the strong restrictions and control, the right way for the expressing of the loyalty to the ethical culture as well as the adhering to the personal ethics is to blow the whistle (Drygurgh, 2009). That's the embody of dilemma, in case of Dr. Aish Basri, the former UN spokesperson for the UN in Darfur, Sudan, when she found that the official UN reports are not reflecting the reality on the ground, since she started working as a spokesperson in 2012. When she joined the UN mission in Darfur, she was thinking that it would be a great to become spokesperson for peace, but the realty what she discovered there in Darfur is totally differed than what she thought. She found that the war never stopped, but the crime against humanity are getting more, even mass rape have been reported recently (Kelemen, 2014). El Basri clearly pointed the finger at Russian diplomat, who is the chief of staff of the UN mission in Darfur, and she accused him that he put Russia's interests above, the mission of the mission, as Russia have good diplomatic relationship with Sudanese government who is fighting his own people in Darfur, and Russia as well as China both are using their power in the UN in general, and their veto within the Security Council to support the Sudanese government. She called him a gatekeeper, who is covering- up and manipulating the information, and she stated that she possesses the documents proving the huge difference between what going on at the front line and on the ground, and what goes to the public through the media or to the headquarter. Then El Basri quit the job soon after eight months, leaving the United Nations disappointed.

But the UN – African Union peacekeeping mission in Darfur- western Sudan still doing the same job. Since the time El Basri blew the whistle, though the case is human right and allegations around corruption in international organization, within conflict area where war crimes are taking place, but quite little has changed, and the Russian diplomat still on job, the only thing UN did, is just working to move him to other job, after eight years in Sudan (Kelemen, 2014).

### Darfur case and weakness in Rome Statute

The International Criminal Court's jurisdiction in Darfur's case, came under Article (13) (b), as Article 12, is concerned parties States to the Statute, and Sudan is non- State Party, so Article (13) (b) giving the International Criminal Court the power to exercise jurisdiction over those crimes referred to in Article 5, which is fitted in Darfur's situation<sup>2</sup>. Some regional countries, as well as other internationally, reacted very negatively with the issued arrest warrant against Sudanese president Omer Albashir, mostly the African Union Countries, and most Arab League states China, and Russia by supporting Sudanese government's passion, with an argument that the arrest warrant couldn't cooperate with the peace process<sup>3</sup>, and peace agreements<sup>4</sup>. The African Union assumed to be believed in Sudanese Regime and Sudanese legal system as well, and on July 21st, 2008 the African union and its Security Council, called the United Nations' Security Council for prosecution's deferral<sup>5</sup>, according to Article 16 of the ICC Rome Statute, but fortunately the UN Security Council wasn't positively responded<sup>6</sup>.

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<sup>2</sup> Article (13) (b) of ICC Statute says: The Court may exercise its jurisdiction with respect to a crime referred to in article 5 in accordance with the provisions of this Statute if: (b) A situation in which one or more of such crimes appears to have been committed is referred to the Prosecutor by the Security Council acting under Chapter VII of the Charter of the United Nations;

<sup>3</sup> Gwen P. Barnes in his article; The International Criminal Court's Ineffective Enforcement Mechanisms: The Indictment of President Omar Al Bashir, published in Fordham International Law Journal. Volume 34, Issue 6 2011 Article 4, page 1606. at : <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=2313&context=ilj>

<sup>4</sup> Sudanese government signed tens of agreements with different rebel groups, and political parties and movements, but the government never respect their agreements.

<sup>5</sup> Gwen P. Barnes in his article; The International Criminal Court's Ineffective Enforcement Mechanisms: The Indictment of President Omar Al Bashir, published in Fordham International Law Journal. Volume 34, Issue 6 2011 Article 4, page 1607. at : <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=2313&context=ilj>

<sup>6</sup> Article 16 of ICC Rome Statute about; deferral of investigation or prosecution, says that investigation or prosecution could be pended for 12 months, and could be renewed.

The possession of African Union Organization escalated negatively, In July 3 2009 at the Heads of the States' summit, the African Union passed a resolution, supporting Omer Al Bashir, and prohibiting the AU members to cooperate with the International Criminal Court to arrest Omer Albashir<sup>7</sup>. It is very ironic that the African opponent of the ICC always arguing that the International Criminal Court created just for Africa, and to judge only African leaders, but as Kofi Anan<sup>8</sup> asked before "why African leaders shouldn't celebrate this focus on African victims, Do these leaders really want to side with the alleged perpetrators of mass atrocities rather than their victims?". It is also ironic that three out of the four African cases (Republic Congo, Uganda, and Central African Republic) within ICC jurisdiction, the governments themselves called for ICC intervention<sup>9</sup>. Despite the very active requests of ICC prosecutor Moreno-Ocampo, to UN Security Council to take actions towards Al Bashir, as he was visiting States Party, when he visited in 2011 Djibouti and Chad, both for presidents' inauguration ceremonies, but those two States parties took no actions, and responded very negatively. Article 98 of Rome Statute says that no immunity for head of state, and at the same time says" with respect to the State or diplomatic immunity", So the confusion around Article 98 is very problematic, and amendments should be attached to clarify the confusion, as member states, who don't want to cooperate in Al Bashir's arrest warrant by using this confusion that president Omer ALbasheir has immunity according to that Article<sup>10</sup>.

Darfur case at a standstill since 2010, and nothing on the horizon, the best solution is to refer the file back to the UN security Council, according to the Relationship Agreement between the UN and ICC, since the situation originally referred by the UN Security Council, and since the referral resolution 1593 has been under Chapter 7, so action should be taken, as the situation in Sudan is getting worse, and it is differently threat to the peace international Security existed.

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<sup>7</sup>Katherine Iliopoulos in her article; The African Union and the ICC, published at crimes of wars website :<http://www.crimesofwar.org/commentary/the-african-union-and-the-icc/>

<sup>8</sup> Kofi Anan published this article in New York Times June 29<sup>th</sup> 2009, just four days before the African Summit in Sirte-Libya in July 3<sup>rd</sup> 2009, when AU issued the resolution prohibiting the AU members to cooperate with the ICC.

<sup>9</sup> Former UN Secretary General Kofi Anan in is article : Africa and the International Court; [http://www.nytimes.com/2009/06/30/opinion/30iht-edannan.html?\\_r=0](http://www.nytimes.com/2009/06/30/opinion/30iht-edannan.html?_r=0)

<sup>10</sup> Ibid.



Though the States party of the International Criminal Court committed to the cooperation with the prosecutor in his investigations, and with the Court in general, and this is conventional obligation, but it is very obvious that the lack of appropriated enforcement within the ICC system, is the motive and ground for all these negative and reckless irresponsible conduct of AU leaders.

### Major Ethical Challenges and Conflicts of Responsibility

One of the biggest major challenges facing the United Nations as an intergovernmental organization is the achievement of the most important mandate of providing all nations and people's equal opportunity has been seriously challenged with discouraging international concerns and issues. As mentioned earlier the inequality still existing. To achieve that main mandate should be more equality within the process of decision making, but still the veto power is a discouraging matter, and the veto still did not guarantee the peace and security of the international community. The United Nations also need more transparency in the administration dynamics and procedures, and to point out the corruption and the corrupted public administrators. And listen to the whistle blowers, as they adhere to the ethical norms of the organization. Another major challenge facing the United Nations is the issue of conflict of interests in how to achieve to peace. In many countries and conflict areas among the world, we can observe governments violating the human rights. Even committing international crimes, under the watchful eyes of the United Nations and existence of the deployed forces and personnel. But corruptions in some situations. Just like the situation in Darfur, when the Russian diplomat as a high rank UN official worked during his stay in the mission in Sudan as a gatekeeper. Covering-up and manipulating the files and the reports as well as the whole information, and provide the headquarter office with different information than what's occurring on the ground, then no accountability aftermath (Towah, 2013).

The resolution of the conflicts of responsibilities occurs in the public, organizations, should not be in an individual manner. The general course of public administrators' conduct during the process of serving the public interests, should be guided by established policies which are enforced and reinforcing the values of the public service. In general the limit to the loyalty of the organizational hierarchies should be there, but it is expectable also to find some public administrators who act according to the citizenry values (Cooper, 2012).

The conflicted relationship between an administrator and his organization, is obvious that the conflict is not just between two personalities –in a legal context, but it is more about the conflict between formal and informal norms of the ethics, where we find a public administrator as an individual conflicted with the organization. According to the personal ethical guidance the public administrator could think that things are directed in the wrong direction, and this direction could drive to the destruction of the organization, the matter that should have the impact to the surrounding environment, as well as people's life (O'Leary, 2014).

### Strategies that the Organization uses to Maintain Responsible Conduct

Some scholars emphasize that the separation of politics from administration could not be a good idea, as the involvement of the public administrator in the policymaking obviously is a reality, and Cooper recommended strategy, which said the public administrator should client oriented, and consider the people who deal with as clients not citizens. Also, it is not an easy task to manage the balance between the internal and the external controls, but should be enough control from outside the public administrator to discourage the tendency to leniency from self- control, as well as enough internal control for encouraging the progress. It is very important to consider the exclusiveness of the dilemma environment (Cooper, 2012). The United Nations have Ethics Office, as well as ethical framework, which guide the UN public administrators within the ethical concerns. The ethical framework consist of: Charter of the United Nations, Staff Regulations and Staff Rules of the United Nations, Standards of Conduct for the International Civil Service (UN, Putting Ethics to Work, 2012). Though the biggest challenge facing the United Nation in term of maintaining responsible conduct is within the mission, especially the peacekeeping missions, that's why the ethic office in their strategy is focusing on the awareness and adhere of the peacekeeping personnel to the highest standards of ethical conduct, by respecting the local ethical norms and customs, and treat the local people respectfully, as well as acting with impartiality. But still many allegations of the peacekeeping forces and administrators' involvement in misconduct, including abuse and sexual exploitation. The reason why the United Nations worked out three prolonged strategy for addressing misconduct acts. The strategy is acting through following mechanism:

- Training for the mission's personnel, including the peacekeeping.
- Campaign for raising the awareness in the hosting states.
- Strict and clear conduct standards.

- Use the measures such as investigation and disciplinary.
- Provide assistance to the abuse and sexual exploitation's victims (UN, Conduct and discipline).

### **Recommendations for Addressing the Issues**

My first recommendation is to implement more transparency policy, such as implementing the policy of checks and balances, with involvement of all members as shareholders in the process, so as to promote equality. And the head of the missions should be independent personnel, just like the heads of the special missions, and they should be with a very certain mandate. The accountability is must, for all ranks of the public administration, and while the internal checks and balances system works, the state members should have the say in the checks and balances process. By activating more control and observation responsibilities to the states through the General Assembly, otherwise the Security Council will remain the most powerful organ within the United Nations, then it is obvious that it could abuse that mandated power on behalf of the international community, and on the name of the agreed mission, maintaining international peace and security. The United Nations should review the agreement signed between the Security Council and the International Criminal Court, and to develop the relationship agreement to stronger pact, between the two organizations. Not just a weak agreement between the Security Council as an organ and the International Criminal Court.

This kind of comprehensive agreement could make the International Criminal Court a part of the United Nations, then could have an enforcement of those human rights violations, international crimes and crimes against humanity. The Rome statute still not signed or ratified by many countries and some permanent members of the Security Council, as China and United States, to ensure the effectiveness of the ICC resolutions and guarantee the efficiency otherwise, we could not see a solemn organization and equality, justice and equity could not realize. The Security Council should be expanded to include more geopolitical representation, from Africa, Asia, and Europe, to ensure the equity and equality, and for more control of peace justice, and human rights issues.

Though the whistle blowing did not come out with desired results, but what Elbasri did, open the door widely to other guerrilla governments to speak out, and use external control in a very positive way, as well as the internal control, by adhering to the personal ethical behavior, as well as the organizational mission and ethical norms. The whistle blower could attract more guerrilla governments to join, but some could consider joining the guerrilla activities is a form of behavior expression, or a way to carry out public policy issues.

### **Factors Affecting the Implementation of the Recommendations**

First paragraph of Article 2 of the UN Charter stating that "The Organization is based on the principle of the sovereign equality of all its Members" (UN, The Charter of the United Nations) but the lack of equality inside the United Nations could be the reason to undermine the mandate of promoting equity and equality. The existing voting mechanism inside the Security Council also is a strong reason to prevent the implementation of the recommendations. The superiority of the five permanent members of the Security Council is an obvious defect and imperfection in the United Nations' system of justice and equality. Since the superiority and inequality still exist, it is very hard to implement the checks and balances within the UN organs, in particular inside the Security Council, if the General Assembly did not get back its real power, as a primary organ mandating the Security Council and not the opposite. The second recommendation also needed more strong intention, dedication and determination to change, but so far it is obvious that the five permanent members of the Security Council are powerful with the veto right than the other 188 UN members. The relationship agreement between the Security Council and International Criminal Court, could be reviewed and even the ICC could become a part of the UN, if the intention is there. But today the superpowers such United States, Russia or China did not join or ratify the Rome Statute, so the intention and desire is very low to move forward and sign more strong and bound agreement. The whistle blowing could take place any time whenever the conditions for guerrilla government occur. If the corruption still taking place within the organization, and there are public administrators who are very loyal to the ethical norms of the organization, The role of the ethical norms here is essential as it is the main guide for the public administrator in the process of the completion and achievement of his contracted duties, as well as the strict adherence to the personal ethical guidance.

## **The Outcomes Expected if the Recommendations Implemented**

The nations will have more trust in the international organization which is representing them, and acting on their behalf, if the relationship between The United Nations and the International Criminal Court develop to comprehensive pact to join the United Nations. Then the trust in the international justice and equality will implement and embodied. The state sovereignty's issue is bounded to the international crimes prosecution issue. With the existing international situation, many obstacles facing the steps to find an exclusive jurisdiction of the International Criminal Court (Graefrath, 1990). The development of international standards is needed and the international community should work for that and the cooperation between states members of the organization is crucial for further development, to ensure the justice and equality, which could come through strong establishment and strong mandate. The case against Sudanese president Omer Al Bashir, considered a precedent in the history of the International Criminal Court, as he is a first sitting president issued arrest warrant against him. The ICC prosecutor issued arrest warrant for Sudanese president Omer Al Bashir in 2008, for crimes of genocide, crimes against humanity, and war crimes in Darfur, but he is still free, as the ICC has no enforcement power, and the agreement with the United Nations is not that bounced. In case of integration or joining the United Nations, the international criminal like Al Bashir of Sudan could face the justice. The Whistleblower - Al Basri- acted according to the organizational ethic norm and personal ethical conduct, and her action impacted the United Nations in some ways, if more whistle blower who can deal with violations within the organization, the atmosphere in the organization will change positively.

## **Issues Relating to Equality and Justice**

The voting mechanism in the Security Council is unfair as unequal, and it is conflicting with the Charter, as the whole Article 2 is about the principle of the sovereign equality of all its Members. But the Veto is not reflecting this principle. The other issue is related to the status of the International Criminal Court and the relationship with the United Nations, and it is obvious if the relationship is based on solid and strong agreement, the enforcement could be guaranteed as other Ad hoc tribunal within the jurisdiction of the United Nations guaranteed the enforcement, so this is a real case of lack of justice.

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