



An Epistemological Analysis Of The Role Of The United Nations Security Council Subsidiary Organs

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Abstract: This paper analyses selected United Nations Security Council (UNSC) subsidiary organs contributions in maintaining international peace and security through a re-interpretation of relevant texts from Afrocentric perspective. It is noted that much of the literature on this research theme is underpinned by state-centric theories which are rooted within the Westernised standpoint. Under those circumstances, there has been a lot of concerns on the 1267 Sanctions Committee and its questionable listing and de-listing practices. The major argument of this paper is that the UNSC adopted a more legislative role in combatting international terrorism. China and Russia also maintain close economic and security ties with regimes that support the illegal proliferation of weapons of mass destruction. Article 29 of the United Nations (UN) Charter authorises the UNSC to establish subsidiary organs to carry out its functions. With this in mind, the close association with the UNSC renders the United Nations Peacebuilding Commission (UNPBC) vulnerable to the critiques related to the centralisation of power in the hands of the UNSC permanent members. Generally speaking, the UNSC acknowledged that some conflict prevention tools had not been fully utilised. This paper calls the UNSC to ensure its subsidiary organs contribute effectively in maintaining international peace and security.

Keywords : afrocentricity, counter-terrorism, peacebuilding, sanctions, united nations, united nations security council.

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1. INTRODUCTION

This paper analyses the UNSC subsidiary organs contributions in maintaining international peace and security. In particular, the authors focus on Counter-Terrorism Committee (CTC), Resolution 1540 Committee, Sanctions Committee, the United Nations Peacebuilding Commission (UNPBC), and the United Nations Department of Political Affairs and Peacebuilding Affairs (UNDPPA). Article 29 of the UN Charter authorises the UNSC to establish subsidiary organs to carry out its functions (Papa, Bustamante & De la Paz, 2017). Explicitly, the UNSC has the authority to establish its own procedural rules (Fernbach, 1946:125). This includes the formation of any subsidiary organs deemed necessary by the UNSC to carry out its functions (Fernbach, 1946). Moreover, the UNSC subsidiary organs work as committees (Papa et al., 2017). In fact, the UNSC subsidiary bodies deserve distinction between plenary and small committees (Bejan, 2014). The committees determine concepts that guide the possible resolutions that the UNSC determines at the plenary (Papa et al., 2017). Similarly, under Article 29 of the UN Charter, the UNSC has established both standing and ad hoc committees (Elliott, 2002). To clarify further, UNSC established two ad hoc international criminal tribunals in the 1990s. Under those circumstances, the UNSC established a system of

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criminal justice tribunals, which aided in overcoming jurisdictional shortcomings (Schott, 2007). However, the framers of the UN Charter did not appear to have considered using Article 29 of the UN Charter in an independent tribunal capacity (Kirgis, 1995). Certainly, the UN Secretary-General, Boutros Boutros-Ghali was sensitive to the codification point when he recommended the establishment of the Yugoslav War Crimes Tribunal (Kirgis, 1995). On the contrary, in accordance with Article 98 of the UN Charter, the UNSC requested that the panels be established by the UN Secretary-General (Aitken, 2019). In reality, the panels' formation would have been within the UNSC's powers under Article 29 of the UN Charter (Aitken, 2019).

Besides, the UN is an organisation with legal personality under international law, which extends to subsidiary organs (Gill, 2012). As an illustration, the UNPBC was established by the UNSC in accordance with UN Charter Article 29 (Cavalcante, 2019). Rodiles (2013) also explains that the Informal Working Group on Documentation and Other Procedural Questions (IWG) is another subsidiary organ that is extremely important for the rule of law. This was established in 1993 in response to criticisms about the UNSC's working methods being opaque (Rodiles, 2013). Correspondingly, the UN Secretary General suggested that the UNSC's role in preventive diplomacy may necessitate the creation of new mechanisms, which could include the IWG (Elliott, 2002). Although this may be true, collective security system, in which the UNSC Military Staff Committee would have played a key role, was held up (Sofia, 2013). With this in mind, the central idea behind the use of force committee is that it would serve a dual purpose (Wilson, 2017). Surely, the restricted rule committees were created in order to reach a compromise between two or more meetings and decisions of the UNSC in the plenary committees (Bejan, 2014). This could include monitoring use of force actions and rendering binding adjudicative findings on states (Wilson, 2017). Another key point is that the UN Department of Peacekeeping Operations (UNDPKO) is one of the UNSC's subsidiary bodies (The Office of Rule of Law & Security Institutions, 2013). Against this background, this paper analyses selected UNSC subsidiary organs contributions in maintaining international peace and security through a re-interpretation of relevant texts from Afrocentric perspective.

2. LITERATURE REVIEW

Counter-Terrorism Committee in context

The resolution 1373 adopted on 28 September 2001 established the CTC to monitor the resolution's implementation (Khoury, 2019). For this reason, the CTC was established in response to UNSC resolution 1373, which addressed threats to international peace and security (Andemicael, 2015). Markedly, the resolution 1373 was adopted unanimously and without veto by any of the UNSC's five permanent members (Rabbat, 2010). Consequently, in resolution 1373, the UNSC, acting under Chapter VII of the UN Charter, obligated all states to prevent and combat terrorist financing (Johnstone, 2008). This includes not providing any other form of assistance to terrorist organisations (Johnstone, 2008). Given these points, the resolution requires the UNSC's committee on terrorism to monitor its implementation (Elliott, 2002). In effect, to assist the CTC, the UNSC passed resolution 1535 on 26 March 2004, which established the Counter-Terrorism Executive Directorate (CTED) (Rabbat, 2010). This includes a requirement that member states submit reports on their efforts to implement resolution 1373 (Elliott, 2002). However, the UNSC adopted a more legislative role in combatting international terrorism (Margariti, 2017). This was done by introducing wide-ranging counter-terrorism measures (Margariti, 2017). Accordingly, the UNSC's legislative acts have not gone unnoticed (Schott, 2007). This is because there is evidence that paragraph 6 of resolution 1373 required all states to report to the CTC (Talmon, 2005). This required states to demonstrate the steps they had taken to implement resolution 1373 no later than ninety days after its adoption (Talmon, 2005). As can be seen, the CTC has been chastised for advising

countries to change their laws in ways that go against common norms in order to legitimise repressive legislation (Schott, 2007). Generally speaking, the CTC's responsibilities are primarily legal rather than political in nature (Rabbat, 2010). But this is debatable because legal questions are political questions; and political issues are essentially legal issues. This point underscores the fact that politics and law are inseparable. However, the argument that the CTC's responsibilities are primarily legal rather than political is heavily based on a legal analysis of national legislation (Rabbat, 2010). In essence, resolution 1373, which is being challenged, provides the necessary clarity of legislation (Schott, 2007). As a result, the UNSC went far beyond its traditional crisis management role in establishing the regimes established by resolution 1373 (Johnstone, 2008).

As shown above, CTC relies on domestic terrorism laws (Margariti, 2017). First thing to remember is that after the adoption of resolution 1373, there has been an argument about the legal definition of terrorist acts (Andreopoulos, 2018). Notably, the resolution 1373 does not define terrorism (Johnstone, 2008). This is due to the fact that “its sponsors did not want to become entangled in a debate that would stymie negotiations” (Johnstone, 2008). For one thing, the provisions dealing with terrorism financing are based on the International Convention for the Suppression of Terrorist Financing (Abi-Saab, 2008). It had been clear that the United States of America (USA) was not going to subject its military response to the rules and procedures of the UNSC by the time resolution 1373 was adopted (Margariti, 2017). All things considered, the language of resolution 1373 is focusing on the inherent right to self-defence (Margariti, 2017). This is because the resolution 1373 appeared to give an almost unlimited competence to USA to use force (Margariti, 2017).

Overall, the CTC's formal task is quite limited (Krisch, 2004). This is due to the fact that the CTC is tasked with overseeing the implementation of resolution 1373 (Krisch, 2004). In fact, the CTC's formal task is to receive and assess reports of member states on their implementation (Krisch, 2004). Ordinarily, resolution 1373 included the Convention's enforcement provisions, but omitted key constraining provisions relating to the rights of people accused of terrorism-related crimes. This is because some of the members of the CTC are the worst violators of human rights when it comes to counter-terrorism operations (Kearney, 2015). For this reason, China has been critical to avoid equating terrorism with any particular religion and to avoid applying double standards (Johnstone, 2008:284). In this case, the limitations in the implementation of resolution 1373 highlight the need for caution in using the UNSC as a means of bypassing the process of achieving international consensus (Talmon, 2005). Similarly, in order to prevent attacks on critical infrastructure, the UNSC unanimously adopted resolution 2341 on 13 February 2017 on critical infrastructure protection and state capacity enhancement (The United Nations Security Council Counter-Terrorist Committee Executive Directorate and the United Nations Office of Counter-Terrorism, 2018). With this in mind, resolution 1267 adopted on 15 October 1999 mandated the formation of the Al-Qaida and Taliban Committee (Andemicael, 2015). Chiefly, resolutions 1977 adopted on 20 April 2011 and 1810 adopted on 25 April 2008 both emphasise the importance of increasing cooperation between the Al-Qaida and Taliban Committee and the CTC (Andemicael, 2015 & Chesterman, 2006). Equally important, resolution 1368 encourages the international community to step up efforts to prevent and combat terrorist acts (Rabbat, 2010).

Contextualising Resolution 1540 Committee

The resolution 1540 adopted on 28 April 2004 established a UNSC subsidiary committee, colloquially referred to as the 1540 Committee (Hess & Marcus, 2019). That is to say, the resolution 1540 was adopted under Chapter VII of the UN Charter, requiring all states to refrain from assisting non-state actors in acquiring weapons of mass destruction and related

materials (Johnstone, 2008). In fact, resolution 1540 was adopted to strengthen the international non-proliferation architecture (Muhi, 2015). Obviously, the Hague Convention of 1907, the Geneva Protocol of 1925, the 1972 Biological Weapons Convention, and the Chemical Weapons Convention of 1993 are the primary sources of international law on weapons of mass destruction (Bell, 2014). However, because these regimes were not legally binding, they could not keep up with the rapid pace of globalisation since the year 1990s (Bell, 2014). In this regard, these regimes also failed to recognise non-state actors' growing role in the proliferation of weapons of mass destruction and international relations as a whole (Arnold & Salisbury, 2019). Specifically, there was discussion of non-state actors gaining access to weapons of mass destruction and related materials (Muhi, 2015). This also included the spread of dual-use goods and technologies (Arnold & Salisbury, 2019). Under those circumstances, the Syrian Arab Republic's use of chemical weapons was a violation of its treaty obligations as well as customary international law (O'Donnell, 2014). Ultimately, China and Russia maintain close economic and security ties with regimes that support the illegal proliferation of weapons of mass destruction (Benard & Leaf, 2010). The argument could be made that China and Russia care less about other countries' weapons development programme, as long as such does pose an immediate threat to their national security. History shows that the two countries have a sound respect for the principles of sovereignty and self-determination in relation to other countries. Thus, they can much about issues that have a real economic or strategic importance for the growth of their economies. Instantly, China's actions clearly violated resolution 1874 adopted on 12 June 2009 by providing the Democratic People's Republic of Korea (DPRK) with the means to maintain its nuclear arsenal in the face of intense international pressure (Benard & Leaf, 2010). It is very possible that both the 1540 Committee and its expert group have undertaken activities to assist countries in fulfilling their commitments to the provisions of resolution 1540 (Cerini, 2015).

Without delay, the universal and full implementation of resolution 1540 is crucial for preventing development and use of weapons of mass destruction (Hess & Marcus, 2019). After all, resolutions 1673 adopted on 27 April 2006, 1810 adopted on 25 April 2008, 1977 adopted on 20 April 2011, and 2055 adopted on 29 June 2012 all reaffirmed the 1540 Committee's efforts to promote full implementation of resolution 1540 by all states (Howlett, 2015). On the contrary, resolutions 1977, 1810, and 1673 give the 1540 Committee little direction on how to approach its tasks (Cupitt, 2015). Some claim that concerns have been raised about the resolution 1540, which was written in broad strokes and contains many requirements that are ambiguous and open to interpretation (Steyn, 2005). Social science literature has long demonstrated that the deadline for fulfilling the obligations was not specified in Resolution 1540 (Asada, 2017). Existing research also has established that concerns were raised when the DPRK announced its withdrawal from the Nuclear Non-Proliferation Treaty (NPT) (Carisch, Rickard-Martin & Meister, 2017). It is important to clarify here that it should come as no surprise that the DPRK insists on the right to develop nuclear weapons (Carisch et al., 2017:412). This is due to its centuries of humiliation suffered during the 35 years it was under Imperial Japan's protectorate prior to and during World War II (Carisch et al., 2017). In light of the above, it is quite obvious that Pakistan supplied sensitive technology to the DPRK, the Islamic Republic of Iran, and Libya (Arnold & Salisbury, 2019). Eventually, the adequacy of UNSC permanent members' performance under the treaty's good faith obligation has remained highly contentious. By and large, the UN Conference on Disarmament in Geneva never established a mechanism to negotiate small arms and light weapons (Alley, 2019). It is noteworthy that the current body of international law also is concerned with the regulation of the development and use of chemical and biological weapons (Bell, 2014). This viewpoint expands on the UN Secretary General's remarks that the UNSC should develop criteria for the early

authorisation of coercive measures to address specific types of threats (Gray, 2007). On the negative side, chemical, biological, radiological, and nuclear materials are manufactured, transported, and handled under a wide range of conditions, all of which pose a risk to international peace, stability and security (Muhi, 2015). All in all, the International Atomic Energy Agency (IAEA) defines nuclear security as "the collection of characteristics, attitudes, and behaviour of individuals, organisations, and institutions that serve as a means to support and enhance nuclear security" (Muhi, 2015).

Reconsidering the Sanctions Committee

The UNSC established the first sanctions committee to oversee the arms and oil embargo against Southern Rhodesia in 1968 (Aitken, 2019). In particular, resolution 1267 adopted on 15 October 1999 established the 1267 Committee to oversee the implementation of the obligations imposed by the resolution (Rabbat, 2010). In fact, the 1718 Sanctions Committee was established by resolution 1718 adopted on 14 October 2006 to oversee the implementation and management of the sanctions and to designate individuals and entities to be sanctioned (Carisch et al., 2017). However, the resolution 1267 Committee's listing process has been the most contentious practice implemented as part of the UN's efforts to combat international terrorism (Rabbat, 2010). On the whole, there has been a lot of concerns on the 1267 Sanctions Committee and its questionable listing and de-listing practices (Andreopoulos, 2018). At the same time, there is a lack of political will to carry out the sanctions measures outlined in resolution 1718 (Carisch et al., 2017). After all, resolution 1718 indicates a failure to adequately meet due process standards (Andreopoulos, 2018). This is given the opacity of the procedure (Rabbat, 2010). For instance, the Kadi jurisprudence concerns judicial review within the EU legal order, not a direct annulment of the UNSC resolutions. As a result, the 2005 World Summit Outcome called for all sanctions committees (there are so many committees of sanctions each dealing with particular sanction resolution) to follow fair and transparent procedures when listing and delisting individuals (Johnstone, 2008). There is little doubt that "the UN sanctions regime generates a complex framework of legal relationships between different bodies of international law and domestic-and different legal subjects-international organisations, states, and non-state actors" (Aitken, 2019). As one analyst has pointed out, sanctions are not punishment, but rather an attempt to sway a state's behaviour in the desired direction (Eitel, 2000). In this context, the primary task of the UNSC, as well as the primary goal of the sanctions, would remain the maintenance of international peace and security (Roskam, 2016).

Above all, the UNSC resolution imposing an arms embargo on Bosnia was interpreted as a violation of the peremptory norms of *jus cogens* (Latin phrase meaning "compelling law" that refers to fundamental, mandatory norms of international law which bind all nations and from which no exceptions or derogations are allowed (Mekonnen, 2014). Notwithstanding, the European Court of Justice ruled that European Council regulations implementing UNSC resolutions on individual sanctions were unconstitutional (Etinski & Tubic, 2016 & Klabbers, 2007). As clarified by Klabbers (2007:301), the very circumstances involving sanctions might not be all that suit for formal justice. Indeed, "the conflict between human rights obligations and UN sanctions obligations was not irreconcilable, as it had been in the case of targeted sanctions imposed by the UN" (Kanetake, 2016). For the most part, the case of targeted sanctions exemplifies the difficulty in determining the optimal level of participation by member states (Kanetake, 2016).

In any event, the no-fly zone in Iraq was not authorised by resolutions 678 United Nations Security Council Resolution 678 adopted on 29 November 1990 or 949 adopted on 15 October 1994 (Roque, 2001). Altogether, the current sanctions framework makes no provision for compensating individuals who have suffered negative consequences as a result of their

incorrect inclusion on the sanction list (Rabbat, 2010). Johnstone (2008) also stresses that sanctions targeted at individuals have aroused more controversy. As a result, the majority of UN and UNSC members do not want a repeat of the Iraqi situation, in which the USA refused to lift sanctions during the period between 1990–2003 (Eitel, 2000). Hence, the sanction is generally viewed as a failure that caused immense suffering to the Iraqi people. By all means, regulatory action had its roots in the sanctions' regimes for Angola and Sierra Leone (Krisch, 2004). This is with the sanction imposition of rules on diamond trade (Krisch, 2004). Along similar lines, financial sanctions and travel bans were imposed on Haitian military and police officers, as well as their immediate families (Mekonnen, 2014). As is known, the UNSC turned to smart sanctions (Krisch, 2004). This is aimed at UNSC measures directed specifically at individuals deemed to be specifically responsible for a threat to peace (Krisch, 2004). To clarify, smart sanctions regimes transferred competence from member states to the UNSC (Kanetake, 2016). However, it is regretted that the UNSC is criticised for imposing sanctions against armed groups that recruited children in the DRC (Roskam, 2016). This is because of the UNSC failure to imposing sanctions against the Congolese army that was listed by the UN Secretary-General, António Guterres committing grave violations against children every year since 2005 (Roskam, 2016). Significantly, sanctions are still legal under international law, but the methods have proven to be completely ineffective (Eitel, 2000). For instance, the Austrian leadership of the Al-Qaida and Taliban sanctions regime is committed to improving the rule of law while remaining pragmatic (Rodiles, 2013).

Rethinking the United Nations Peacebuilding Commission

The UNPBC was established as an intergovernmental advisory body by the UNSC resolution 1645 adopted on 20 December 2005 and UN General Assembly resolution 60/180 adopted on 20 December 2005 (Cavalcante, 2019). In general, the UN Peacebuilding Architecture (UNPBA) was established in 2005 (Stamnes & Osland, 2016). Likewise, the UNPBC, the UN Peacebuilding Fund (UNPBF), and the UN Peacebuilding Support Office (UNPSO) make up the UNPBA (Stamnes & Osland, 2016). Uniquely, the UNPBC was established to fill a capacity gap within the UN system for providing assistance to countries in the immediate post-conflict transitional phase (Tryggestad, 2014). By the same token, the UNSC has emphasized the significance of social reconstruction in post-conflict peacebuilding (Elliott, 2002). Identically, the UNPBC, which operates on the basis of consensus, includes all permanent members of the UNSC (Jubilut, 2011). However, the close association with the UNSC renders the UNPBC vulnerable to the critiques related to the centralisation of power in the hands of the UNSC permanent members (Shepherd, 2015). In that case, the concern expressed mostly by developing countries are wary about the UNSC's considerable power (Rosenthal, 2017). This line of argument suggests shifting the focus from peacebuilding relegated to the side-line in the UNSC's expanding agenda (de Carvalho & Abdenur, 2017). This means that in order for a UNPBC recommendation to be adopted, it must be approved by the UNSC permanent members (Jubilut, 2011). As has been noted, the UNPBC was created specifically to aid in the planning of transitions between conflict and post-conflict peacebuilding (Connolly, 2015). In brief, the establishment of the UNPBC was entirely consistent with the UNSC's emphasis on post-conflict peacebuilding (Romita, 2011).

Besides, the adoption of the World Summit Outcome document did not resolve all controversies concerning the UNPBC (Cavalcante, 2019). Under those circumstances, the crises in Central African Republic (CAR) and South Sudan expose more gaps in the UNPBA's authority and mandate (Connolly, 2015). For this reason, the UNPBC fragmentation is an obstacle in spite of the adoption of resolutions 2282 adopted on 27 April 2016 (Rosenthal, 2017). Usually, there is growing agreement that reactive mechanisms are insufficient for addressing the root causes of conflicts and sustaining long-term peace (de Carvalho &

Abdenur, 2017). Again, several missions are confronted with difficulties in developing and implementing peacebuilding strategies that will allow for responsible transition and exit (Le Roy & Malcorra, 2009). Hearn, Bujones and Kugel (2014) also find limited evidence that trust and close working relations between the UNPBC and the UNSC has improved. The challenge here stems from the fact that the UNPBC which was created in 2005 was crippled at birth by its founding mandate (Paterson & Virk, 2013). This excluded a wider definition of peacebuilding to prevent conflicts from arising (Paterson & Virk, 2013). Furthermore, the UN has been slow to adapt to the changing nature of conflict (Stamnes & Osland, 2016). This is largely due to the way the UN system is set up (Stamnes & Osland, 2016). Equally, the international community is still in a trial-and-error period of finding successful peacebuilding mechanisms (Yeini, 2020). To put it differently, the UNSC passed resolution 2086 reaffirming the importance of multidimensional peacekeeping (Hearn et al., 2014). It also highlighted the contribution that peacekeeping missions make to early peacebuilding (Hearn et al., 2014). On the contrary, the UN peacekeeping mission is ill-equipped to deal with the social and economic dimensions of peacebuilding (Le Roy & Malcorra, 2009). Definitely, the challenge of sustaining peace requires the involvement of international financial institutions (Stamnes & Osland, 2016). In short, establishing an intergovernmental body with membership from across the UN system support the requirements through which to tackle challenges of low political will (Connolly, 2015).

Deconstructing the United Nations Department of Political Affairs and Peacebuilding Affairs

The UNDPPA's goal is to strengthen international peace and security (Feltman, 2015). It is also important to realise that the UNDPPA is in charge of coordinating UN electoral assistance efforts (The UN Department of Political Affairs, 2016). This also include providing staff support to the UNSC (The UN Department of Political Affairs, 2016). Thus, in resolution 1625 adopted on 14 September 2005, the UNSC took a preventative approach, emphasising the importance of developing effective and comprehensive conflict prevention strategies (Cousins, 2013). Henceforth, the UN Secretary General, António Guterres did challenge the UNSC to consider how prevention can be made a more tangible component of the UNSC's day-to-day work (Elliott, 2002). On balance, resolution 2171 adopted on 21 August 2014 recognised some of the existing conflict prevention tools (de Carvalho & Abdenur, 2017). However, the UNSC acknowledged that some conflict prevention tools had not been fully utilised (White, 2019). This is despite the fact that mediation and preventive diplomacy are important components of the UNSC's mandates (de Carvalho & Abdenur, 2017). Explicitly, "capacity building in mediation, elections, conflict resolution, early warning, peacekeeping planning and operations, rule of law, and security sector reform are among them" (Van Nieuwkerk, 2012). In reality, the UNSC has become increasingly concerned with the deployment of peacekeeping missions (de Carvalho & Abdenur, 2017). On the other hand, parties with the capacity to intervene in conflict prevention lack operational capacity (Birdsall, 2015). Given these points, as a partner in peacekeeping operations such as mediation and elections, the UNDPPA works with the UNDPKO (The Department of Peacekeeping Operations, 2012). As can be seen, the key to effective crisis management is selecting the right tools and combining them in ways that maximise their individual strengths (Le Roy & Malcorra, 2009).

It is very well documented that the UNSC has a role to play in conflict prevention (Harrington, 2017). In either case, in resolution 1366 adopted on 30 August 2001, the UNSC pledged to work towards the goal of preventing armed conflict (Elliott, 2002). By all means, the UNSC is given primary responsibility for maintaining international peace and security (Harrington, 2017). However, China and Russia regularly oppose the DPPA role whenever

briefings or mandates touch upon what they consider internal affairs or overreach of the UNSC's competence (Harrington, 2017). This is in terms of identifying country-specific situations of emerging concern (Harrington, 2017). This is because some states are concerned that mentioning them in a briefing will result in their inclusion on the UNSC agenda (Harrington, 2017). Thereupon, some UN member states' governments continue to oppose the UN's participation in conflict prevention (Toufayan, 2002). Forthwith, the intervention in Libya during the year 2011 is a case in point (Birdsall, 2015). This is where the conflict prevention turned to regime change (Birdsall, 2015). As an illustration, the concept of conflict prevention is an essential component of the UN Charter (de Carvalho & Abdenur, 2017). This is intertwined with the UN's primary goal of safeguarding future generations against the scourge of war (de Carvalho & Abdenur, 2017). The term "conflict prevention" refers to strategies for anticipating and avoiding conflict (The Department of International Relations and Cooperation, 2020). All things considered, the primacy of politics should be a defining feature of the UN's approach to conflict prevention resolutions (Ramos-Horta & Haq, 2015). This is why the UNDPPA, UNDPKO, and the UN Department of Field Support (UNDFS) have launched a number of conflict prevention initiatives (Van Nieuwkerk, 2012). It is in any case evident that the UNDPPA has been conducting horizon scanning briefings in the UNSC every month (Romita, 2011). That strengthens the view that the UNSC has taken steps to prevent the illegal exploitation of natural resources (Daase, 2011). However, improving record of conflict prevention requires political will (Chesterman, 2006). This is also evident from the fact that the UN's greatest failures in dealing with civil violence have been in failing to put an end to ethnic cleansing and genocide (Chesterman, 2006). It is possible that the time between detecting a potential conflict and its eventual outbreak is short (Neubert, 2012). Hence, the difficulty in predicting an unprecedented genocide (Toufayan, 2002). As a matter of fact, officials from the UN Secretariat failed to notify the UNSC of extremist plans in Rwanda to slaughter thousands of Tutsis and moderate Hutus (Chesterman, 2006). Although this may be true, resolution 2378 adopted on 20 September 2017 preamble emphasises that conflict prevention remains a primary responsibility of states (Henderson, 2018). In the light of that fact, general economic conditions such as poverty and a lack of economic opportunity are insufficient to justify UNSC jurisdiction (Boon, 2008). This is due to the fact that poverty and a lack of economic opportunity are too far away to pose a direct threat to peace and security (Boon, 2008). As has been noted, scarcity of resources is the most common cause of violent conflict worldwide (Heleta, 2016). Generally speaking, the international community's political will is required for conflict prevention measures (Neubert, 2012).

3. METHODOLOGY

This paper adopts the theory of Afrocentricity to serve as a contextual lens for this study. Afrocentricity as a research method is guided primarily by the African experience guides and informs the inquiry (Thatelo, 2022:68). Afrocentricity theory also as 'epistemological centredness' involves placing Africans as self-willed agents instead of objects of investigations (Matlakala, Nyahunda & Makhubele, 2021:180). As a matter of fact, Asante's contribution to Afrocentricity from a philosophical point of view suggests that Afrocentricity is a way of answering all cultural, economic, political and social questions related to African people (Modupi, 2025:86). While the Afrocentricity in the knowledge space is highly contested, it is embraced in this paper by borrowing from the conception of Asante (2003) and other pioneers of this epistemic cause. The choice of Afrocentricity as a contextual lens for the research of this paper was informed by its cognitive and functional elements. This is a welcome development because the existing body of knowledge on the UNSC and international politics as a whole mainly suffers from the deficit of Afrocentric perspective- potentially relevant lens

for capturing the essence of reality on the basis of the experiences and value systems of the Africans. This point does not in any way suggest that Afrocentricity has a monopoly of intelligence in making sense of the activities of the individual subsidiaries of the UNSC and the UNSC in totality. The point being made here is that the current state of literature in International Relations and its sister disciplines, is not sufficiently inclusive of knowledges that are not rooted in Western episteme. The authors make use of the theory of Afrocentricity in contextualising the ongoing UNSC subsidiary organs contributions in maintaining international peace and security, especially at a time when traditional theories that are from the West seem to dominate the discourse. Afrocentricity does not seek to replace Eurocentric domination with another form and character of domination. In line with the African value systems including but not limited to cooperation, oneness, togetherness and interdependence (Mazama, 2003). Afrocentricity is about an accommodative and tolerant approach to scholarship. It calls for mutual existence, in a manner that enriches each society's theoretical tools. The key elements of Afrocentricity, namely, grounding, orientation, and perspectives are used as analytical categories of this study. In order to make a humble contribution towards epistemic justice, this paper has opted for Afrocentricity which is rooted in Afrocentricism – the very ideology that its authors subscribe to in the quest to liberate Africans from the bondages of poverty to development (Asante, 2003). The theory of Afrocentricity, as utilised in this study, enhances the ongoing discourse on UNSC subsidiary organs contributions in maintaining international peace and security (Mazama, 2003).

Regardless of the above, it is worth noting that the choice of a theory in research is a critical decision with spillover effects to the questions of methodological construction. It then follows that the adoption of Afrocentricity in this paper has elevated the quality of its document selection and analysis. The foregoing observation should be understood within the context of the equal treatment of empirical and non-empirical data sources by the Afrocentric scholars, who deem them as equally important and not competitive (Maserumule, 2011). Besides, Afrocentricity also asserted the quality criteria for what is considered scientific knowledge in this paper, hence the absence of absolute truth in Social Sciences. Emerging from this, what the Afrocentric angle does in this paper is to add an additional layer of alternative perspective to enrich the already existing leads about the role of UNSC subsidiary organs. This is important because Eurocentric perspectives are not universal perspectives. If they are considered in evolving discourse, Afrocentric perspectives equally matter and their generation in studies of this nature is a right step towards epistemic rebellion.

4. RESULTS

This paper analyses selected UNSC subsidiary organs contributions in maintaining international peace and security through a re-interpretation of relevant texts from Afrocentric perspective. Findings revealed that collective security system, in which the UNSC Military Staff Committee would have played a key role was stalled. The resolution 1373 does not define terrorism. Results point out that The Hague Convention of 1907, the Geneva Protocol of 1925, the 1972 Biological Weapons Convention, and the Chemical Weapons Convention of 1993 regimes also failed to recognise non-state actors' growing role in the proliferation of weapons of mass destruction and international relations. Resolutions 1977, 1810, and 1673 give the 1540 Committee little direction on how to approach its tasks. Results reveal that the resolution 1540, which was written in broad strokes and contains many requirements that are ambiguous and open to interpretation. The deadline for fulfilling the obligations was not specified in Resolution 1540. The analysis shows that resolution 1267 Committee's listing process has been the most contentious practice implemented as part of the UN's efforts to combat international terrorism. Sanctions framework also makes no provision for compensating individuals who

have suffered negative consequences as a result of their incorrect inclusion on the sanction list. The evidence from this study shows that the majority of UN and UNSC members do not want a repeat of the Iraqi situation, in which the USA refused to lift sanctions during the period between 1990–2003. The UNSC resolution also imposing an arms embargo on Bosnia was interpreted as a violation of the peremptory norms of *jus cogens*. The research established that the close association with the UNSC renders the UNPBC vulnerable to the critiques related to the centralisation of power in the hands of the UNSC permanent members. The crises in CAR and South Sudan expose more gaps in the UNPBA's authority and mandate. The UNPBC fragmentation also is an obstacle in spite of the adoption of resolutions 2282. The research found that the UNDPPA has been conducting horizon scanning briefings in the UNSC every month. However, the UN Secretary General, António Guterres did challenge the UNSC to consider how prevention can be made a more tangible component of the UNSC's day-to-day work.

5. DISCUSSION

This paper discussions on selected UNSC subsidiary organs contributions in maintaining international peace and security are through a re-interpretation of relevant texts from Afrocentric perspective. The UNSC went far beyond its traditional crisis management role in establishing the regimes established by resolution 1373. Comparatively, China has been critical to avoid equating terrorism with any particular religion and to avoid applying double standards. Moreover, because the Hague Convention of 1907, the Geneva Protocol of 1925, the 1972 Biological Weapons Convention, and the Chemical Weapons Convention of 1993 regimes were not legally binding, they could not keep up with the rapid pace of globalisation since the year 1990s. As a matter of fact, the Syrian Arab Republic's use of chemical weapons was a violation of its treaty obligations as well as customary international law. For this reason China and Russia care less about other countries' weapons development programme, as long as such does pose an immediate threat to their national security. China's actions clearly violated resolution 1874 by providing the DPRK with the means to maintain its nuclear arsenal in the face of intense international pressure. As an illustration, the sanction is generally viewed as a failure that caused immense suffering to the Iraqi people. sanctions are still legal under international law, but the methods have proven to be completely ineffective. For example, the European Court of Justice ruled that European Council regulations implementing UNSC resolutions on individual sanctions were unconstitutional. The no-fly zone in Iraq also was not authorised by the UNSC resolutions 678 or 949. Further, the UNSC failed to imposing sanctions against the Congolese army that was listed by the UN Secretary-General, António Guterres committing grave violations against children every year since 2005. The UNPBC which was created in 2005 was crippled at birth by its founding mandate. For instance, in order for a UNPBC recommendation to be adopted, it must be approved by the UNSC permanent members. The international community also is still in a trial-and-error period of finding successful peacebuilding mechanisms. To put it another way, officials from the UN Secretariat failed to notify the UNSC of extremist plans in Rwanda to slaughter thousands of Tutsis and moderate Hutus. As can be seen, the UN's greatest failures in dealing with civil violence have been in failing to put an end to ethnic cleansing and genocide.

6. CONCLUSION

Flowing from the above, it is safe to conclude that the UNSC adopted a more legislative role in combating international terrorism. This was done by introducing wide-ranging counter-terrorism measures. Again, the CTC has been chastised for advising countries to change their

laws in ways that go against common norms in order to legitimise repressive legislation. After all, China and Russia maintain close economic and security ties with regimes that support the illegal proliferation of weapons of mass destruction. Another key point is that the resolution 1540, which was written in broad strokes and contains many requirements that are ambiguous and open to interpretation. The resolution 1267 Committee's listing process also has been the most contentious practice implemented as part of the UN's efforts to combat international terrorism. Under those circumstances, there has been a lot of concerns on the 1267 Sanctions Committee and its questionable listing and de-listing practices. Ordinarily, there is a lack of political will to carry out the sanctions measures outlined in resolution 1718. This includes a failure to meet adequate due process standards in its operations. Ultimately, the case of targeted sanctions exemplifies the difficulty in determining the optimal level of participation by member states. With this in mind, the close association with the UNSC renders the UNPBC vulnerable to the critiques related to the centralisation of power in the hands of the UNSC permanent members. Generally speaking, the UNSC acknowledged that some conflict prevention tools had not been fully utilised. This is despite the fact that mediation and preventive diplomacy are important components of the UNSC's mandates. Other UNSC members also oppose the UNDP's role. This is in terms of identifying country-specific situations of emerging concern. This is because some states are concerned that mentioning them in a briefing will result in their inclusion on the UNSC agenda. Given these points, this paper calls the UNSC to ensure its subsidiary organs contribute effectively in maintaining international peace and security.

Author Contribution

Conceptualization and research design, D.K.M.K & K.B.S.; data collection, D.K.M.K; initial draft writing and editing, D.K.M.K; literature management, D.K.M.K; supervision, K.B.S. All authors have read and approved the published version of the manuscript.

Data Availability Statement

Data access requests may be submitted to the corresponding author via official institutional email.

Conflict of Interest Declaration

The authors declare that there is no conflict of interest with any party in this study.

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