



Friday, 6 December 1974,
at 10.30 a.m.

CONTENTS

Agenda item 20:

Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States: report of the Secretary-General 1231

President: Mr. Abdelaziz BOUTEFLIKA (Algeria).

In the absence of the President, Mr. Upadhyay (Nepal), Vice-President, took the Chair.

AGENDA ITEM 20

Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States: report of the Secretary-General

1. The PRESIDENT: I call on the representative of Romania, who will introduce the draft resolution in document A/L.748 and Add.1 and 2.

2. Mr. DATCU (Romania) (*interpretation from French*): Two years ago Romania brought to the attention of the General Assembly the problem of the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States.¹

3. Many delegations joined in that action from the outset, determined to work together in that direction.

4. In taking that initiative we worked from the premise that, in the contemporary world, conditions prevail which at once require and make possible a substantial increase in the contribution of our Organization to the solving of major problems of common interest, and also to the development of broad co-operation among all nations.

5. The need to strengthen the role of the United Nations in international relations, as many delegations have emphasized in this session's debates, is accentuated by new, increasingly complex problems, which by their nature affect the interests of all States. These are problems which can be solved fairly and permanently only by use of the framework and means offered by the United Nations—in other words, with the participation of all countries involved.

6. Economic phenomena today are so complex and interdependent that multilateral co-operation among States is essential for the continued progress of mankind. Hence it is the United Nations, with its nearly universal structure, that offers the framework for such co-operation. This world forum offers each country, large or small, the opportunity to make its own contribution to the examination and solution of problems of common interest affecting the peace, security and well-being of all nations.

7. Reaffirming the paramount importance Romania attaches to the United Nations, President Nicolae Ceaușescu recently emphasized Romania's determination to continue to make its full contribution to the improvement and democratization of United Nations activities and to the strengthening of its role in the solving of the great problems of international life.

8. Romania is convinced that the United Nations is called upon to play an important role in achieving the objectives set so that a new international economic and political order may be established.

9. It is gratifying to note that the United Nations has in recent years played a more active role in the examination of the great problems confronting mankind. It is encouraging to see that the machinery, means and authority of the world Organization have been used increasingly and with beneficial effects on the situations involved and the process of settling them.

10. The Organization has been positively associated with the efforts to restore and strengthen peace in the Middle East, and to resolve the problem of Cyprus. In this context, I should like to emphasize the particularly important efforts of the Secretary-General, Mr. Kurt Waldheim.

11. The efforts and actions to establish a new international economic order, and the co-ordination of policies with regard to raw materials and development, have converged within the United Nations. Under the auspices of the Organization, three important international Conferences—the Third United Nations Conference on the Law of the Sea, the World Population Conference and the World Food Conference—have been held this year.

12. As I said two years ago in putting forward this initiative to the General Assembly, the final objective to be achieved through the joint efforts of Member States is to make the United Nations a strong body, truly effective in achieving the ideals of peace, security, co-operation and progress of all peoples.²

13. From the very outset, we have emphasized that efforts to strengthen the United Nations and to enhance its role in present-day international relations should be guided solely by the purposes and principles of the Charter. In our view, the United Nations Charter has offered and continues to offer opportunities to devise measures that will make our Organization's

activities more effective. Indeed, important provisions of the Charter have not been fully utilized or implemented.

14. In proposing this new course, we are certainly aware of the complexity of the task before us and realize that it cannot be achieved immediately or at one go. Actually, what is necessary is an entire process, which will require persistent, constant effort. We envisage this process as a gradual approach to the problem, by stages, depending on whether, and to what extent, conditions are suitable for adopting generally accepted measures.

15. As a result of the debate on this agenda item in plenary meeting during the last two sessions, the General Assembly unanimously adopted resolutions 2925 (XXVII) and 3073 (XXVIII), in which it recognized that it was imperative that the United Nations should become a more effective instrument in safeguarding and strengthening the independence and sovereignty of all States, as well as the inalienable right of every people to decide its own fate without any outside interference. Those resolutions demonstrated the duty of this Organization to take firm action, in accordance with the Charter, to oppose foreign domination and to prevent and suppress acts of aggression or any other acts which, in violating the Charter, might jeopardize international peace and security.

16. The General Assembly has also expressed the confidence of Member States in the Organization's ability to bring an increased contribution to the strengthening of general peace and security by taking actions aimed at establishing the relations between all States on the basis of the principles of the Charter.

17. The General Assembly has recommended that Member States use more actively the machinery and possibilities provided by the Charter with a view to preventing conflicts and encouraging the peaceful settlement of disputes between States.

18. Besides formulating these observations and recommendations of general, universal value, the Assembly has come to the conclusion that the strengthening of the role of the United Nations requires continuous improvement of the functioning and effectiveness of its principal organs in the exercise of their responsibilities under the Charter. In this connexion, the General Assembly felt it necessary and important to study and agree upon ways and means of enhancing, in accordance with the Charter, the effectiveness of its own resolutions and those of other organs of the United Nations. It indicated that the main way to enhance the effectiveness of its resolutions was by actively promoting the method of consultation among all Member States interested in the elaboration and adoption of resolutions, and by evaluating, as appropriate, their practical effects.

19. After defining the main directions our action should take, the Assembly took the measures necessary for the preparation of the future work under this agenda item, inviting States to communicate their views, suggestions and proposals on the strengthening of the role of the United Nations.

20. The report [A/9695] which the Secretary-General has prepared and submitted for consideration at this session sets forth in a systematized way the views,

suggestions and proposals made during the twenty-seventh and twenty-eighth sessions of the General Assembly, as well as those contained in the communications received from Member States.

21. That is the present stage of the work on this agenda item.

22. At this session, the General Assembly is called upon to take the decisions necessary to prepare a new stage in the process, by defining the framework for the study of the suggestions and proposals made during the preparatory work.

23. The Secretary-General's report contains a wide range of ideas, suggestions and proposals, a large number of which could, we are convinced, help us to adopt specific recommendations and measures to strengthen the Organization's ability to take action in accordance with the responsibilities entrusted to it by the Charter. To that end, all these suggestions and proposals must be carefully and thoroughly studied in order to determine which measures have the widest support of the Member States.

24. It is obvious that there is not enough time remaining before the end of this session to carry out such a thorough study. Moreover, last year, in resolution 3073 (XXVIII), the Assembly made it clear that the suggestions and proposals should be considered by the appropriate existing organs—that is, the main organs of the United Nations whose activity is envisaged by each of the respective proposals.

25. The General Assembly must of course devote constant attention to this problem and periodically, whenever necessary, must evaluate the progress achieved.

26. On the basis of the considerations I have just set forth, 42 delegations have prepared and submitted to the Assembly for its consideration the draft resolution in document A/L 748 and Add.1 and 2, which I have the honour to introduce on their behalf.

27. The sponsors of the draft resolution are proposing, essentially, that the General Assembly should consider at its thirtieth session the suggestions and proposals contained in the report of the Secretary-General and any that may be formulated by Member States during the course of next year with regard to improving the functioning and effectiveness of the General Assembly as one of the principal organs of the United Nations. A provision to that effect is found in operative paragraph 3 of the draft resolution.

28. In view of the need for the active participation of all Member States in this very significant work, we believe that it will be useful and important for States that have not yet communicated their views and proposals to have the possibility of doing so until the next session of the Assembly. Operative paragraph 5 of the draft resolution meets that objective.

29. With regard to the suggestions and proposals relating to the activities of the other principal organs of the United Nations, it is proposed in the draft resolution that those suggestions and proposals be considered by the bodies concerned in the process of effectively improving their activities and their functioning. The General Assembly should be kept informed of what those other principal organs do in connexion with the proposals they consider. To that end, operative

paragraph 4 of the draft resolution provides that the General Assembly should be informed by those bodies in such manner as they may consider appropriate. In that way the General Assembly will be able, at the appropriate time, to make an evaluation of all the measures taken by the Organization on the basis of this draft resolution.

30. The draft resolution that I have just introduced is the result of consultations among many delegations. From the very outset the sponsors chose and used the path of consultations because that method of work has already proved its value on many occasions, when there has been a true desire for the adoption of recommendations and measures by consensus.

31. In preparing this draft resolution we have taken into account the various ideas and suggestions put forward by the delegations interested in seeing this action succeed.

32. In warmly thanking the delegations that contributed to the preparation of this draft resolution I should like, on behalf of its sponsors, to express the hope that it will be adopted by consensus. By using that procedure the Assembly will be following a well-established tradition—a tradition that has now become a method—for the adoption of resolutions under this agenda item. Indeed, from the very beginning, consideration of this agenda item in the General Assembly has been marked by consultations, mutual concessions and the patient search for solid ground for general agreement.

33. We are sure that the constructive spirit of sincere co-operation that has so far characterized the discussion on this item will be maintained in the future consideration of this problem and in all the collective efforts to strengthen the role of the Organization and increase its effectiveness.

34. The PRESIDENT: I now call on the representative of Australia, who wishes to introduce the draft resolution in document A/L.749.

35. Sir Laurence McINTYRE (Australia): When the Australian Prime Minister, Mr. Whitlam, addressed the General Assembly on 30 September this year, he spoke in general terms about the role of the United Nations in the peaceful settlement of international disputes. He said that

“Australia . . . believes that the importance of preventive diplomacy must come to be more widely recognized and accepted, and that the ample provisions offered by this Organization for peace-keeping and good offices should be reinvigorated, explored more thoroughly and exploited more thoroughly.” [2249th meeting, para. 22.]

36. My Prime Minister suggested that it was time, therefore, to look again at the hitherto untapped provisions of the United Nations Charter to make all the use that we could of its capacity to contribute to the peaceful settlement of disputes by means such as fact-finding, conciliation, mediation and negotiation [*ibid.*].

37. Subsequently, when the Australian Minister for Foreign Affairs, Mr. Willesee, addressed the General Assembly on 7 October [2259th meeting], he announced that the Australian delegation would, together with others, put forward to the General Assembly

some specific proposals to that end. My delegation is accordingly pleased to be a sponsor of draft resolution A/L.749 under the item originally inscribed at the initiative of the delegation of Romania, which over recent years has taken a keen interest in the question of strengthening the role of the United Nations.

38. It is precisely with a similar interest in mind that the Australian Government has taken this initiative at this session of the General Assembly. We have noted that there has been a significant movement towards *détente* in relations between the major Powers, and we have already seen in some conflicts the benefits that can flow from this *détente* both within this Organization and outside it. It is a truism that in past decades, indeed in past centuries, mankind has devoted almost as much time to the making of peace as it has to the making of war. It would be comforting to draw the conclusion that, having learnt from the tragedies of the past, we have come to the realization that international disputes must be settled by peaceful means and that we might happily look forward to a new era of uninterrupted peace and prosperity.

39. History has shown, nevertheless, that, despite our best efforts to solve international disputes peacefully, the at times conflicting pattern of national and regional interests for strategic, military, economic and other reasons has left the performance of mankind short of its intentions. Whatever the difficulties, however, we as Member States of the United Nations have a duty under the Charter, beginning indeed from the first two Articles, to settle international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

40. I should at the outset make it clear that the discussion of this subject on the agenda of the General Assembly is in complete conformity with the United Nations Charter, which provides under Article 14 that, subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations. The important qualification provided under Article 12 relates, of course, to the functions of the Security Council in respect of the maintenance of international peace and security. It is clear that the Security Council, under Article 24 of the Charter, has the primary responsibility for the maintenance of international peace and security, and it is certainly not the intention of the Australian delegation to detract from that responsibility in the discussion under this item or in the draft resolution that we have sponsored.

41. Chapter VI of the United Nations Charter refers in general to the pacific settlement of disputes, and Article 33 in particular offers a potential which has not, in our view, been developed as fully or used as widely as the drafters of the Charter envisaged. We believe that it is timely that the Assembly should reflect upon the potential “preventive” provisions specifically referred to in Article 33, the text of which reads:

“The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort

to regional agencies or arrangements, or other peaceful means of their own choice.”

Article 33, therefore, provides a broad framework within which the settlement of disputes can be pursued by peaceful means before disputes reach crisis proportions.

42. There are many obvious ways in which Article 33 can be put into effect. States are of course perfectly free to seek the good offices of third countries or of eminent individuals or international tribunals to assist in resolving disputes. Regional organizations, such as the Organization of African Unity [OAU] and the Organization of American States [OAS], have developed their own means for resolving differences between members, and these are completely in accordance with the relevant provisions of Articles 33 and 52 of the Charter. Moreover, although there are differences of opinion on the extent to which the Secretary-General can act under Article 99 of the Charter, there would be few of us who would deny that the Secretary-General of the United Nations can play an important role through the exercise of his good offices in certain situations. The mere fact that the executive head of our Organization can have discussions with world leaders on important international questions is itself an encouragement to States to adhere to the purposes and principles of the Charter, and not least those parts of it relating to peaceful settlement of disputes.

43. The Australian Government believes that the rule of law in international relations cannot fail in the final instance to be assisted by the possibility of resort to formal legal proceedings for the settlement of disputes. My delegation is aware of the reservations held by some Governments concerning resort to the International Court of Justice, but we would wish to recall that the Court is in fact established under the Charter of the United Nations as its principal judicial organ. We should like to think, whatever the difficulties lying in the way of a more widespread agreement to make use of the Court, that Governments will see their way clear to re-examining where necessary its potential utility in the interests of international relations generally. We should also like to draw attention to the possibility of using the Permanent Court of Arbitration at The Hague in the same context.

44. It is not the intention of my delegation at this stage in the General Assembly's proceedings to engage in a detailed study of past or current disputes with specific indications of how they might have been or how they might still be resolved. Least of all is it the intention that this initiative be directed in any way at any State or group of States. The draft resolution merely reflects the view of the sponsors that insufficient attention has been paid in the past to existing machinery within the United Nations for peaceful settlement. We have engaged in wide consultations over a period of some weeks, with delegations from among all regional groups, in an attempt to produce a draft resolution which we hope will on the one hand represent a modest encouragement to Member States, and yet on the other hand will not be so benign as to be without some real practical usefulness. We are aware from our consultations that some aspects of the draft text, on which I shall now comment, may cause some delegations a little difficulty, but the sponsors hope that in

explaining the background to the draft resolution it will commend itself widely to members of this Assembly. I have pleasure in introducing it on their behalf. The indications of support we have already received have been encouraging.

45. Draft resolution A/L.749 in its preambular paragraphs would recall the obligations imposed by the Charter on Member States to settle their disputes peacefully. We have also thought it important to refer at an early stage in the draft resolution to the primary responsibility with which the Security Council is charged under Article 24 for the maintenance of international peace and security. We have noted that disputes may be brought to the attention of the Security Council under the provisions of Chapter VI of the Charter, which devotes a great deal of attention to the role of the Security Council in the peaceful settlement of disputes. It remains our considered view that there is considerable scope for further use of these provisions before disputes reach the stage of armed conflict. We believe it is equally important also, in the context of Chapter VI, to bear in mind the general injunction contained in Article 33, paragraph 1, under which States are bound to seek a solution to problems likely to endanger the maintenance of international peace and security through negotiation, mediation, conciliation and similar procedures.

46. We believe it is timely to recall that, as the principal judicial organ of the United Nations, the International Court of Justice is available to Members for the settlement of legal disputes and to note that the rules of the Court have recently been amended with a view to simplifying procedures to avoid delays and simplify hearings. We would all agree, I am sure, that in the past the Court, in giving due deliberation to cases that have come before it, has not always brought down its judgements within a time-scale acceptable to parties to the Statute. It is to be hoped that the new procedures may encourage greater use of the Court where States believe it can be useful. The draft resolution also refers in a preambular paragraph to the possibility of other forms of arbitration through the Permanent Court of Arbitration and the established regional agencies or arrangements to which I have referred.

47. Although it is a self-evident proposition, it has also seemed appropriate to recall that attempts to settle disputes between States on a peaceful basis can in no way be construed as an unfriendly act. We believe that States can hardly regard it as an unfriendly act for another State to propose peaceful as opposed to non-peaceful settlement of any disputes between them, and we believe that this proposition is widely understood and accepted.

48. In the final preambular paragraph of the draft resolution, the sponsors have recalled the continuing threat to international peace and security posed by serious disputes of various kinds, including boundary and other territorial disputes, and the need for early action to resolve them, in the first instance by resort to the means recommended in Article 33 of the Charter. We wish to emphasize at this stage, however, that, despite the fact that many border and other disputes are part of the legacy of colonial eras of the past, it is not the intention of the sponsors to call into question any specific boundaries or territorial delimitations. We do not, for example, wish to cast doubts on any regionally

or bilaterally accepted views that established boundaries, particularly those inherited from former colonial administrations, are to be retained. All that we are saying is that where border problems occur, as they unhappily continue to do, parties to them, and the international community, should be far happier to see them resolved peacefully.

49. Referring now to the operative part of the draft resolution, delegations will note that operative paragraph 1 simply draws the attention of States to established machinery for the peaceful settlement of international disputes, particularly those facilities set out in subsequent paragraphs.

50. Operative paragraph 2 urges Member States not already parties to instruments establishing the various facilities and machinery for peaceful settlement to consider becoming parties to such instruments. In the case of the International Court of Justice, the Assembly is asked to recognize the desirability that States study the possibility of accepting, with as few reservations as possible, the compulsory jurisdiction of the Court in accordance with Article 36 of the Statute. I might point out on behalf of the sponsors that this wording is precisely that adopted by the Assembly this year in its resolution 3232 (XXIX) on the recommendation, by consensus, of the Sixth Committee. Although it might be argued that the Assembly, having already adopted this language during the current session, need not refer to it again in this context, the sponsors believe that it should be accorded an appropriate place in the draft resolution alongside other relevant provisions of the Charter, including those specified in Articles 24 and 33.

51. Operative paragraph 3 of the draft resolution recalls, *inter alia*, the provisions of Article 33, paragraph 1, of the Charter, which are spelled out in detail, and also refers to the possibility of various good offices in the peaceful settlement of disputes, including those of the Secretary-General.

52. Operative paragraph 4 of the draft resolution requests the Secretary-General to prepare an up-to-date report on the use made of the provisions of the Charter relating to the peaceful settlement of international disputes. Although the request to the Secretary-General is of a broad character, his attention is invited, for purposes of illustration, to a number of resolutions which appear to the sponsors to be relevant to a deeper current appreciation of the possibility of a more extensive use of the United Nations and the Charter by its Members. There may well be other resolutions which could also be appropriately examined.

53. Resolution 377 A (V) of 3 November 1950, referred to in operative paragraph 4, contains five sections. Section B, establishing a Peace Observation Commission, is, however, the only section pertinent to our initiative.

54. The sponsors believe, lastly, that it would be appropriate to invite the attention of the Security Council, the Special Committee on Peace-keeping Operations, the International Court of Justice and the Secretary-General to this draft resolution.

55. It might also be of appropriate interest to UNITAR, which during the past four or five years has been actively engaged in the study and analysis of questions concerning the role of the United Nations

in the peaceful settlement of disputes. UNITAR has published a number of monographs relating, *inter alia*, to the consultative mechanisms of the Security Council, the good-offices functions of the Secretary-General, the mediatory role of special representatives and the possibility of regional solutions within such organizations as OAS and OAU. The Secretary-General might find it useful to draw on this background in preparing the up-to-date report called for under the draft resolution, which we expect will be undertaken before the next session of the General Assembly.

56. I hope that I shall be excused for having gone to some length in explaining the nature of the initiative we are sponsoring to enable delegations to reflect upon its modest but important nature. I should say again that we have been encouraged to proceed with it by the support given to us by delegations from many regions. We have engaged also in consultations with the delegation of Romania, which, as we know, has introduced under the item a draft resolution along the lines of those adopted in previous years. We have agreed with the delegation of Romania that there is no competition between the two draft resolutions on this item, and my delegation is convinced that it would be wholly appropriate for the Assembly to adopt them both.

57. Mr. DE GUIRINGAUD (France) (*interpretation from French*): The strengthening of the role of the United Nations is a subject that our Assembly has been dealing with every year since 1971, something for which we have the delegation of Romania to thank. I take this opportunity to reflect on the present and future stages of an Organization to which France is deeply dedicated not only because it was among its founders 29 years ago but also because, as France sees it, the development of a more and more interdependent world makes multilateral diplomacy more and more important.

58. To strengthen the role of the United Nations seems to me to mean three things. First, we must respect our ideal; secondly, we must understand the limits of our action; and lastly, we must create a favourable climate for debate.

59. Our ideal is clearly stipulated by the Charter, which calls upon us "to practice tolerance and live together in peace with one another as good neighbours" and "to be a centre for harmonizing the actions of nations". This is obviously the only way in which we can strengthen the authority and the prestige of the United Nations.

60. It is true that our Organization does encounter a limit, that limit being the sovereignty of States. We are not elected members of a single community but, rather, the representatives of sovereign States which alone are empowered to give effect to the results of our deliberations. Mutual consent is the *sine qua non* of the effective action that we all want, since contempt or disregard for reality leads nowhere.

61. There remains the fact that—and this is the third comment which I wish to make—in a practice provided for and codified in our basic texts, votes are what sanction our action. In our Assembly and in our councils, just as in certain of our national parliaments, there are majorities and minorities, groups and even blocs. Thus there is a contradiction be-

tween the need for unanimity and the formation of a majority. Or, if you will, between the fact that we behave like a parliament although we are not a parliament. This contradiction can be made fruitful only if we make sure that we create the most constructive possible atmosphere among the 138 sovereign nations we represent.

62. The United Nations has come a long way in the past 29 years, having almost tripled its membership, having equipped itself with more and more officials and organs and having greatly extended the length of its agenda. The question arises whether its authority and its effectiveness have likewise increased. Some would doubt this; not that the United Nations neglects the tasks arising from the development of our societies and the interdependence of our States; not that it is unaware of the vastness of the problems whose solution determines the relations between our Governments and the well-being of our nations, if not the actual survival of our peoples. Many of the new prospects opening before us are agonizing. The sometimes difficult atmosphere in which we work perhaps reflects these agonies. It is not, it seems to me, always the most propitious for the effort to reach agreement to which we are all called by the Charter.

63. Speaking here on behalf of a liberal country, concerned for progress, I shall raise some questions on the conditions in which we work. I shall make a distinction between three main areas: that of words; that of political jousting; and that of true negotiations.

64. The area of words is all too highly developed. I would, however, pay a tribute to certain fundamental texts whose value is incontestable. The Universal Declaration of Human Rights and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [*resolution 2625 (XXV)*] are examples. Nevertheless, we cannot overlook the fact that these declarations have lent themselves to widely differing interpretations, or the drawbacks of adopting so many short-lived resolutions—each longer than the last, and one a repetition of the other—dealing with identical subjects in almost similar terms, virtually unreadable and sometimes not read, even by their sponsors. The approval given to these over-general texts deceives no one, which is confirmed by the fact that no newspaper in the world reproduces them. The United Nations thus runs the risk of living in a closed world, in an atmosphere of appearances and verbosity.

65. In contrast to the area of words, whose excessive growth I have just deplored, the area of political action has undergone a more real and genuine extension. I said earlier that we are here as if in a parliament, yet without being a parliament. The General Assembly, in particular, can only adopt recommendations. It cannot legislate; nevertheless it does take decisions within its own purview. It is not without prestige, and some feel that its debates are not devoid of sense or importance. I would not here criticize the heat with which we sometimes discuss the problems having to do with the filling of a vacancy, the recognition of a political fact, the financing of this or that operation or the holding of important conferences. I shall confine myself to two comments.

66. One is that the activities of the Assembly are part of the over-all system within which another body, the Security Council, exercises essential responsibilities and prerogatives. Our Charter reserves to the Council the primary role in regard to the admission of States and the expulsion or suspension of Members of the United Nations. The Assembly must take care not to ignore these rules in exercising, on the basis of a competence that in fact is limited, the rights and privileges that the Charter gives to each of the Members of our Organization. The Assembly would be doing itself an injustice if it were to betray the letter and the spirit of our basic laws in these regards.

67. My second comment concerns the play of majorities. In the atmosphere peculiar to the United Nations the rule of the majority is the reflection of the democratic customs which prevail here. It is, incidentally, not impossible, indeed it is healthy, that the majority, which naturally carries great weight, should serve as the nucleus for unanimity. The rules of procedure of the General Assembly, which we adopted, after seeking the counsel of the most highly qualified experts, must, however, be used with moderation. That is particularly true where a majority has to be constructed, and those concerned resort to procedural means to obtain it. Moderation is even more important when groups that can be sure of a large number of votes have the power to limit or to rule out statements or drafts put forward by minorities. The use of points of order to stifle the voice of sovereign States, or to rule out, without any substantive vote, proposals or amendments that are put forward in good faith by Members of our Organization, then becomes an abuse.

68. The expression of heated ideas, the repetition of partisan views, the intrusion of a partisan spirit in the technical sphere are all detrimental to our authority. One thinks of the warning uttered in 1971 by the late U Thant, when he said:

“... The Assembly thus offers the smaller and the medium Powers ... a way of influencing the course of events far in excess of what was previously available to them. To really exercise this influence, however, the majority must make it plain that they will listen to both sides of a case and not only to the larger faction. The majority must prove that they will seek a realistic way out of difficulties rather than resort to condemnations or threats.”³

69. I have here analysed two aspects of the life of our Organization. One, over-inflated, is the symptom of a deplorable disease; the other concerns the conduct of our debates. I recognize that our Assembly is a political forum. In our eyes it is a useful forum and a necessary forum for the expression of the diversity of our world, but only so long as it does not overstep its own bounds and does not take refuge in verbosity.

70. I now turn to a third sphere of activity, that of real negotiations. We shall never be equal to what the world expects of us and to the tasks entrusted to us by the Charter if we cannot organize our interdependence by reconciling our interests. Since no decision can be applied in this sphere if it is not backed by those that have State power, the clash of sovereignties that I mentioned earlier thus emerges into the full light of day. There are only two possibilities: either we adopt texts in which a majority will find political comfort

but which remain inoperable; or we try to reach real agreements which will be binding on all the parties concerned and which will subsequently be reflected in the policies and decisions of Member States. The latter course is possible only if the groups mainly concerned negotiate patiently in appropriate conditions of equality and after sufficient preparation. Unfortunately, that is not the case because, I must say frankly, of certain wanderings we have noted off the true course of the inter-State relations with which we are and shall remain concerned. Such aberrations are more and more manifest in the manner in which the majority, wittingly or unwittingly, conducts our negotiations on a number of essential issues. Quoting U Thant again, I would ask whether the present majority is really making it plain that it will listen to both sides of a case and not only to the larger faction.³

71. The procedures employed in certain committees—particularly the Second Committee—make that doubtful. A private club seems to be emerging which monopolizes the scene, deciding what contacts are to be made, what methods used, raising insoluble problems, rounding up unconvinced sponsors in the hope of wresting from the various minorities ambiguous concessions which are inevitably meaningless when it comes to implementing the recommendations, because they are found unacceptable to the States asked to give them effect. We are thus always on the edge of clashes likely to lead to dangerous confrontations. Thus we are likely to provoke indifference, incomprehension or the actual hostility of countries without whose support nothing important can be done here.

72. I should like now to be more specific. My Government, and the Governments of a number of countries belonging to the European Economic Community [EEC], which, as you are aware, is one of the parties mainly concerned in the debates of the Second Committee and of the sixth and seventh special sessions of the General Assembly, cannot but be concerned at the trend we are now witnessing. They had hoped that a stricter code of professional ethics might obtain in the preparation of the necessary agreements. Having participated in a constructive spirit in the consensus which made it possible to conclude the sixth special session, they noted with regret that, in another forum to which the matter was subsequently referred, a majority was found to declare null and void the reservations expressed both by EEC and by several of its members. Furthermore, they cannot but deplore the bargaining technique that seems to be emerging in certain of our discussions, which consists of producing two texts, one of which is plainly unacceptable to the minority and is used up to the last minute as a means of pressure. Such a technique is contrary to the normal process of negotiations, which is to proceed from a maximum position to a position of compromise, and not in the other direction.

73. We should like to address an urgent appeal to all Members of our Organization to establish a method of frank and objective discussion, without arbitrary action, so that the concessions that are essential to the progressive and concerted institution of a new economic order may be envisaged by our partners in the realistic spirit of international co-operation without which the most weighty documents of the United Nations can never be given effect.

74. I have dwelt at length on the life of our Assembly. I was inevitably led to do so by the unusual level of activity this year and by the scope of the problems that naturally find their way not only to the Assembly but also to the important conferences of the present period.

75. The strengthening of the United Nations concerns its other institutions too, particularly the Security Council, whose prerogatives I have stressed. I will add only one comment on that subject, and say how closely the prestige of the United Nations throughout the world is identified with its capacity to help in maintaining peace.

76. The United Nations forces stationed in Cyprus and the Middle East, the discreet activity of our Secretary-General in the work of conciliation and the efforts of the Security Council to ease the threat of armed conflict and to stop conflict when it breaks out are the key elements of our activity.

77. The Blue Berets are only the most popular and visible sign of that, but, if world opinion does not always give our Organization due credit, those who are involved are aware that it has been able to limit, if not ease, certain crises which, in other times, might well have erupted into a world conflict. When, next year, it celebrates its thirtieth anniversary, our Organization will, I hope, be able to congratulate itself on having contributed to world peace for at least the span of a generation.

78. There are still gaps in the prevailing system. We remain far short of the arrangements provided for in the Charter. I can only hope that the work of the Special Committee on Peace-keeping Operations will be accelerated and that it will finally come to some conclusion.

79. This last reference to one of the fundamental and classic tasks of our Organization provides me with the opportunity to conclude by saying what we are and what we are not. Since we are not elected by them, we are neither the revolutionaries nor the reformers of mankind. Representatives of sovereign States, we cannot alienate the sovereignty symbolized by our right to vote. Were we to do so, we should align ourselves with one or another of the Powers or dominant groups, which none of us wants. We are equals, and as such we delegate nothing; we discuss, and we engage in dialogue. We do not embody what Rousseau called "the general will"; at best, all we represent is the will of all. We are neither legislators nor judges; we are essentially and merely diplomats—diplomats of a very special kind, it is true. We are here engaged in a *sui generis* kind of diplomacy, and the ministers and permanent representatives have something of a parliamentary life in this regard, since they vote, but they are also plenipotentiaries, as envoys of States. Hence the importance of protocol and the observance of form, and hence, above all, the nature of ongoing negotiations, which informs all of our proceedings. Patience is our virtue, confrontation our agony. Any abuse dooms us; agreement rewards us.

80. Summing up the comments I felt it necessary to make, I would say that the strengthening of the United Nations depends first and foremost on respect for certain modest conditions, among which objectivity,

respect for others, a sense of realism and a sincere will to succeed play the essential roles.

81. Turning, in conclusion, to draft resolution A/L.748 and Add.1 and 2, I should like to say that it is a prudent initiative in keeping with our objective. My delegation, which will support this text, hopes that the Assembly will accept it unanimously. We hope that, in accordance with operative paragraph 5 of this text, Member States will let the Secretary-General have their views, suggestions and proposals on the basis of a global view of the future of our Organization.

82. Mr. MERTES (Federal Republic of Germany) (*interpretation from French*): The delegation of the Federal Republic of Germany attaches particular importance to the subject under discussion. We attach special importance to it now because the question of strengthening the role of the United Nations is indissolubly linked with the question, which has become urgent, of strengthening the moral authority and universal character of the world Organization. We spoke in this connexion at the twenty-eighth session of the General Assembly.⁴

83. We responded willingly to the Secretary-General's request for the views of the Federal Republic of Germany. They can be found in the interesting report prepared by the Secretary-General [A/9695], at the request of the General Assembly, at its twenty-eighth session.

84. That document gives an index of the statements and proposals of 46 Member States on that subject [*ibid.*, *annex*]. We attach value to this agenda item, introduced on the initiative of the Romanian delegation, because it gives us an opportunity to discuss the bases of our co-operation, the task, structure and possibilities for action by the United Nations, and it should show us a way to promote co-operation between States with respect for their dignity, sovereignty and national interests, within the framework of a United Nations system with enhanced credibility and effectiveness.

85. We know that, because of the present interdependence of our world, problems and conflicts have an impact that goes far beyond the local and regional sphere and increasingly can be resolved only through joint action by all. It thus seems quite normal to us that States should make it possible for the world Organization and the United Nations system as a whole to respond more adequately to needs. I have in mind, *inter alia*, the measures to safeguard peace, to which my country has been contributing since 1964, through the United Nations peace-keeping force in Cyprus.

86. Like many other States, we believe the United Nations Charter provides a framework that responds to concrete needs. That does not mean that some provisions that have been outdated by political developments may not disappear or be replaced by others. But it is in the interests of all to see the structures and substance of the United Nations safeguarded and strengthened. Such strengthening of the role of the United Nations would require of Member States a sincere will to respect the commitments they entered into by signing the Charter.

87. An organization that is called upon to safeguard peace and to promote international co-operation cannot implement its decisions unless it also takes account of

the interests of the numerical minority. That requirement would be fulfilled if in draft resolutions the majority renounced the use of intransigent and immoderate language, which only aggravates existing conflicts. I should also like to stress that co-operation and trust and the effectiveness of the United Nations are considerably reduced when rules of procedure are abused for political purposes.

88. My delegation is pleased that Australia and other countries, under agenda item 20, dealt with the question of the peaceful settlement of disputes. History has shown us that readiness to accept voluntarily procedures for conciliation is an essential condition for more harmony among States and peoples. The principle of the peaceful settlement of disputes is a necessary result of the renunciation of the threats or use of force to resolve disputes. The Charter of the United Nations commits all Member States to assume that obligation. It is one of the binding imperatives in the Charter, which allows for no exception, whatever the reasons invoked. The renunciation of the use of force is and has always been one of the bases of the foreign policy of the Federal Republic of Germany.

89. Our fundamental law allows for certain restrictions of sovereignty in favour of more stable peace. It is obvious that sovereignty is not an abstract concept; rather, it is a political value shaped by history. It implies the end of domestic quarrels and of foreign domination. In the present world, sovereignty—if it is to serve progress—is also manifested in the ability voluntarily to renounce the exercise of sovereign rights in order to provide better enjoyment of human rights and thus the conditions necessary for lasting peace.

90. In the view of my delegation, peaceful settlement of disputes is the most important expression of the desire for compromise and international peace. This principle is solidly grounded in Chapter VI of the United Nations Charter. In case of a dispute, it provides a number of possibilities for conciliation which should be more extensively used. Within this context, the role of the International Court of Justice is of particular importance. As the principal judicial organ of the United Nations, it is open to all Member States. Recently, it simplified its procedures to respond better and more quickly to the ever-increasing needs of a fast-changing world.

91. We believe that it is in the interest of the international community for as many States as possible to use this body so that we can settle disputes objectively. In the interest of safeguarding law, we should also accept the decisions handed down by the International Court of Justice.

92. We are pleased that, at the 2280th meeting, the General Assembly, on the recommendation of the Sixth Committee [A/9846, *para.* 8], adopted resolution 3232 (XXIX) by consensus; it paid tribute to the role of the International Court of Justice. The resolution particularly requests States to study the possibility of accepting, with as few reservations as possible, the compulsory jurisdiction of the International Court of Justice. Moreover, it emphasizes the advantage, when possible and appropriate, of inserting in international treaties clauses providing for the submission to the International Court of Justice of disputes which might arise from interpretation or application. Recommendations of this type demonstrate how it is possible

to ensure organized and just co-operation among States.

93. Of course, each State is free to decide what means it feels are most appropriate to reach a peaceful settlement of disputes. But we should like to emphasize the fact that the principle of compulsory settlement of disputes is in the interests of the weaker and not of the stronger. The stronger might more easily be led to abuse the power available to them.

94. History shows us that right is always the weapon of the weak vis-à-vis the strong. The process of decolonization over the past 20 years, in which the United Nations has played such an important part, is a shining example of this. To strengthen the force of law is the paramount task of our Organization, whatever majorities may exist within it.

95. As I belong to the German people, divided against its will, representatives will certainly understand that I also insist, in this Assembly and in the context of the subject before us today, on the right of all peoples to self-determination and on the essential priority to be granted to human rights, whether they be individual or collective. That priority should be achieved throughout the entire world and therefore throughout all of Europe.

96. All the political forces represented in the Federal Parliament pursue the goal mentioned recently here by the Minister for Foreign Affairs of my country, Mr. Genscher [2239th meeting]. That goal is to seek a peaceful situation in Europe, enabling the entire German people to recover unity by freely exercising its right to self-determination. That goal corresponds to purposes and principles of the United Nations Charter. That goal is also the subject of a treaty concluded between my country, the United States, the United Kingdom and France in 1952. Treaties with the Soviet Union, Poland and Czechoslovakia, as well as the treaty with the other State in Germany, the German Democratic Republic, are not in opposition at all. The central element of those very recent treaties is the renunciation of the threat or use of force to resolve contentious questions. It therefore responds to a fundamental principle in the Charter of the United Nations, the meticulous respect of which by all Member States would strengthen the role of the United Nations decisively.

97. The Federal Republic of Germany advocates the full use, initially, of institutional instruments already existing within the United Nations before the establishment of new institutions is envisaged. Therefore, we have certain reservations when we look at some proposals submitted over recent months and recent years with the intent of establishing supplementary institutions for the peaceful settlement of disputes. However, the Australian initiative, supported by a certain number of States, basically responds to our ideas. It draws the attention of States particularly to the existing instruments for the peaceful settlement of disputes.

98. We believe that the search proposed by Romania for means to strengthen the role of the United Nations has been appropriately specified in the Australian draft. A broader use of existing possibilities would strengthen the United Nations as an authority of the

international community, designed to aid in the just and proper settlement of conflicts.

99. If the United Nations wishes to accomplish this task in a worthy fashion, it is essential that all peoples trust it. A primary condition for this confidence is, however, the respect of this Organization for its own settlements, not only in words but also in deeds. The growing difficulty of international problems dealt with here demonstrates an increasing need for this very respect. As long as the United Nations fails to respond to that need, it runs the risk of losing its moral authority, so indispensable if the Organization is to fulfil its functions of conciliation and order. In seeking means to enhance the role of the United Nations, the Organization must first strengthen its own credibility. Confidence is easily lost and difficult to regain.

100. Let us have no illusions. In many countries which morally and materially are contributing decisively to the activities of the United Nations, public opinion today refers to the decline of our Organization. An author of the literary and moral stature of Alexander Solzhenitsyn said when receiving the Nobel Prize for literature:

“A quarter of a century ago the United Nations was born. In it reposed the hopes of mankind. Alas, it has become immoral.”

However Members of the United Nations may view this scepticism, we should nevertheless see in it too the expression of a positive interest in an organization of United Nations which ought to be worthy of the name. We should all strengthen its peace-making role.

101. Mr. SCALI (United States of America): Last year the United States delegation sought to call attention to a trend which we believed threatened the United Nations potential as an instrument for international co-operation. We were deeply concerned then over the growing tendency of this Organization to adopt one-sided, unrealistic resolutions that cannot be implemented.

102. Today, more than a year later, my delegation feels that we must return to this subject because this trend has not only continued, but accelerated. Added to this, there is now a new threat—an arbitrary disregard of United Nations rules, even of its Charter. What my delegation spoke of 12 months ago as a potential threat to this Organization unhappily has become today a clear and present danger.

103. The United States Government has already made clear from this rostrum its concern over a number of Assembly decisions taken during the sixth special session last spring, and during the current session. Those decisions have dealt with some of the most important, the most controversial and the most vexing issues of our day: the global economic crisis, the turmoil in the Middle East and the injustice in southern Africa. I will not today discuss again our main concerns with each of those decisions. Rather, I wish to take this opportunity to discuss the more general question of how self-centred actions endanger the future of this Organization.

104. The United Nations, and this Assembly in particular, can walk one of two paths. The Assembly can seek to represent the views of a numerical majority of the day, or it can try to act as a spokesman of a more

general global opinion. To do the first is easy. To do the second is infinitely more difficult, but, if we look ahead, infinitely more useful.

105. There is certainly nothing wrong with like-minded groups of nations giving voice to the views they hold in common. However, organizations other than the United Nations exist for that purpose. Thus there are organizations of African States, of Asian States, of Arab States, of European States and of American States. There are groups of industrialized nations, of developing nations, of Western and Eastern nations and of non-aligned nations. Each of these organizations exists to promote the views of its membership.

106. The United Nations, however, exists not to serve one or more of these special interest groups while remaining insensitive to the others. The challenge of the United Nations is to meld and reflect the views of all of them. The only victories with meaning are those which are victories for us all.

107. The General Assembly fulfils its true function when it reconciles opposing views and seeks to bridge the differences among its Member States. The most meaningful test of whether the Assembly has succeeded in this task is not whether a majority can be mobilized behind any single draft resolution, but whether those States whose co-operation is vital to implement a decision will support it in fact. A better world can be constructed only on negotiation and compromise, not on confrontation, which inevitably sows the seeds of new conflicts. In the words of our Charter, the United Nations is "to be a centre for harmonizing the actions of nations in the attainment of these common ends".

108. No observer should be misled by the coincidental similarities between the General Assembly and a legislature. A legislature passes laws. The General Assembly passes resolutions, which are in most cases advisory in nature. These resolutions are sometimes adopted by Assembly majorities which represent only a small fraction of the people of the world, its wealth or its territory. Sometimes they brutally disregard the sensitivity of the minority.

109. Because the General Assembly is an advisory body on matters of world policy, the pursuit of mathematical majorities can be a particularly sterile form of international activity. Sovereign nations, and other international organs which the Assembly advises through its resolutions, sometimes accept and sometimes reject that advice. Often they do not ask how many nations voted for a resolution, but who those nations were, what they represented, and what they advocated.

110. Members of the United Nations are endowed with sovereign equality. That is, they are equally entitled to their independence and to their rights under the Charter. They are not equal in size, in population or in wealth. They have different capabilities and, therefore, different responsibilities, as the Charter makes clear.

111. Similarly, because the majority can directly affect only the internal administration of this Organization, it is the United Nations itself which suffers most when a majority, in pursuit of an objective it believes

overriding, forgets that responsibility must bear a reasonable relationship to capability and to authority.

112. Each time this Assembly adopts a resolution which it knows will not be implemented, it damages the credibility of the United Nations. Each time this Assembly makes a decision which a significant minority of members regard as unfair or one-sided, it further erodes vital support for the United Nations among the minority. But the minority which is so offended may in fact be a practical majority, in terms of capacity to support this Organization and implement its decisions.

113. Unenforceable, one-sided resolutions destroy the authority of the United Nations. Far more serious, however, they encourage disrespect for the Charter and for the traditions of our Organization.

114. No organization can function without an agreed-upon framework of rules and regulations. The framework for this Organization was built in the light of painful lessons learned from the disastrous failure of its predecessor, the League of Nations. Thus, the United Nations Charter was designed to ensure that the important decisions of this Organization reflected real power relationships and that decisions, once adopted, could be enforced.

115. One of the principal aims of the United Nations, expressed in the Preamble to its Charter, is "to practice tolerance and live together in peace with one another as good neighbours". The promise the American people and the peoples of the other founding nations made to each other—not as a matter of law, but as a matter of solemn moral and political obligation—was to live up to the Charter and the duly made rules unless or until they were modified in an orderly, constitutional manner.

116. The function of all parliaments is to provide expression to the majority will. Yet, when the rule of the majority becomes the tyranny of the majority, the minority will cease to respect or obey it, and the parliament will cease to function. Every majority must recognize that its authority does not extend beyond the point where the minority becomes so outraged that it is no longer willing to maintain the covenant which binds them.

117. My countrymen have made a great investment in this world Organization over the years—as host country, as the leading financial contributor and as a conscientious participant in its debates and negotiations and operational programmes. Americans have loyally continued these efforts in a spirit of good faith and tolerance, knowing that there would be words spoken which we did not always like and resolutions adopted which we could not always support. As the twenty-ninth session of the General Assembly draws to a close, however, many Americans are questioning their belief in the United Nations. They are deeply disturbed.

118. During this twenty-ninth session of the General Assembly, resolutions have been adopted which uncritically endorse the most far-reaching claims of one side in dangerous international disputes. With this has come a sharply increased tendency in this Assembly to disregard its normal procedures to benefit the side which enjoys the favour of the majority and to silence, and even exclude, the representatives of Member States whose policies the majority condemns.

In the wake of some of the examples of this Assembly, the General Conference of UNESCO has strayed down the same path, with the predictable consequences of adverse reaction against the United Nations. Innocent bystanders such as UNICEF already have been affected.

119. We are all aware that true compromise is difficult and time-consuming, while bloc-voting is fast and easy. But real progress on contentious issues must be earned. Paper triumphs are in the end expensive even for the victors. The cost is borne first of all by the United Nations as an institution, and in the end by all of us. Our achievements cannot be measured in paper.

120. A strong and vital United Nations is important to every Member State, and actions which weaken it weaken us all, particularly the smaller and the developing nations. Their security is particularly dependent on a collective response to aggression. Their prosperity particularly depends on access to an open and expanding international economy. Their ability to project their influence in the world is particularly enhanced by membership in international bodies such as the United Nations.

121. In calling attention to the dangerous trends, I wish to call attention also to the successes of the United Nations during the past year.

122. United Nations Members overcame many differences at the World Population Conference and the World Food Conference. There was progress also at the Third United Nations Conference on the Law of the Sea. There was agreement on programmes encouraging States to maintain a population which they can feed, and feed the population which they maintain. As a result of these United Nations conferences, the world community has at last begun to grapple with the two fundamental issues which are central to any meaningful attempt to provide a better life for most of mankind.

123. In the Middle East, a unique combination of multilateral and bilateral diplomacy has succeeded in halting last year's war and in separating the combatants. With goodwill and co-operation, the Security Council has renewed the mandate for the peace-keeping forces, allowing time for a step-by-step negotiating process to bear fruit. My Government believes that this negotiating process continues to hold the best hope in more than a quarter of a century for a just and lasting peace in that area.

124. On the question of Cyprus, the Security Council, the Assembly and our Secretary-General have all contributed to progress towards peace and reconciliation. Much remains to be done, but movement towards peace has been encouraged.

125. Perhaps the most overlooked success of the United Nations in the past year resulted from the mission of the Secretary-General's Special Representative Mr. Weckmann-Muñoz. This effort, which was undertaken at the request of the Security Council, succeeded in mediating a particularly dangerous border dispute between Iran and Iraq. This example of how to prevent a small conflict from blowing up into a much bigger war must rank among the finest, if least heralded, achievements of the United Nations.

126. Thus, despite the disturbing trend towards the sterile pursuit of empty majorities, recent United Nations achievements demonstrate that this Organization can still operate in the real world in the interests of all its Members. Unfortunately, failure and controversy are threatening to overshadow the record of successes. Lapses by the United Nations, on the other hand, are long remembered and remain a source of lasting grievance for those who feel wronged.

127. Before concluding my remarks, I should like to say a few words not as the United States representative to this Organization, but as an American who has believed deeply in the United Nations since 1945, when, as a young reporter just returned from the war, I observed the birth of this Organization.

128. I must tell you that recent decisions of this Assembly, and of other United Nations bodies, have deeply affected public opinion in my country. The American people are deeply disturbed by decisions to exclude Member States, and to restrict their participation in discussions of matters of vital concern to them. They are concerned by moves to convert humanitarian and cultural programmes into tools of political reprisal. Neither the American public nor the American Congress believes that such actions can be reconciled with the spirit or letter of the United Nations Charter. They do not believe that these decisions are in accord with the purposes for which this Organization was founded. They believe that the United Nations, in its forums, must show the same understanding, fair play and responsibility which its resolutions ask of individual Members.

129. My country cannot participate effectively in the United Nations without the support of the American people and of the American Congress. For years they have provided that support generously. But I must tell you honestly that this support is eroding—in our Congress and among our people. Some of the foremost American champions of this Organization are deeply distressed at the trend of recent events.

130. A majority of our Congress and our people are still committed to a strong United Nations. They are still committed also to achieving peaceful solutions to the issues which confront this Organization, in the Middle East, in southern Africa, and elsewhere. They are still committed to building a more just world economic order. But the trends and decisions of the past few months are causing many to reflect and reassess what our role should be.

131. I have not come to the General Assembly today to suggest that the American people are going to turn away from the United Nations. I believe that the Second World War taught Americans the tragic cost of standing aside from an organized international effort to bring international law and justice to bear on world problems. But, like every nation, we must from time to time reassess our priorities, review our commitments and redirect our energies. In the months ahead, I will do all in my power to persuade my countrymen that the United Nations can return to the path the Charter has laid, so that the United Nations can continue to serve the interests of all of its Members.

132. If the United Nations ceases to work for the benefit of all of its Members, it will become increasingly irrelevant. It will fade into the shadow world of rhet-

oric, abandoning its important role in the real world of negotiation and compromise.

133. We must join to prevent this. The reasons for which this Organization was founded remain as valid and as compelling today as they were in 1945. If anything, there is added reason: the spectres of nuclear holocaust, world depression, mass famine, over-population and a permanently ravaged environment.

134. If we are to succeed, we must now renew our commitment to the central principles of tolerance and harmony upon which the United Nations Charter was built. We must redouble our efforts to use this Organization as the world's ultimate instrument for compromise and negotiation.

135. I pledge my nation to these efforts.

136. Mr. MIGLIUOLO (Italy): Mr. President, I asked your permission to come to this rostrum today mainly in order to outline the rationale lying behind Italy's decision to sponsor both draft resolutions submitted to the plenary Assembly on the item concerning the strengthening of the role of the United Nations.

137. The fundamental position of the Italian delegation in regard to the subject matter presently under our consideration hardly needs to be explained. Since its presentation in 1972, Italy has supported the proposal of Romania to ponder how the authority and the effectiveness of the world Organization could be best enhanced. That initiative appeared to us timely and politically sound, the more so because in its essence, it rested on the reaffirmation of basic principles of international law concerning relations among States: respect for national sovereignty and territorial integrity, non-interference in domestic jurisdiction, settlement of disputes through peaceful means, refraining from the threat or the use of force.

138. The Romanian proposal sparked useful and constructive discussions from which two main lines of thought have emerged: one aimed mainly at stressing the possibility of attaining the proposed goal through a stricter adherence to the Charter's provisions and through a wider recourse to potentialities hidden in the Charter itself; a second one which, while subscribing to the necessity of ensuring the most scrupulous implementation of the Charter, has taken a broader view of the issue by asserting that it would be expedient to explore all possible ways and means to strengthen the world Organization, including, if necessary, the adoption of any useful adjustment in its machinery and functioning.

139. It is our contention that both the aforesaid lines of thought are essentially reconcilable. As for the first, may I begin by restating the Italian Government's full dedication to the ideals of the United Nations and voice its unswerving support for the purposes and principles of the Charter, which we consider as valid today as they were when drafted by the founding fathers. One of them, the distinguished Minister for Foreign Affairs of the Philippines, Mr. Romulo, once stated that the purposes and principles were written for the ages. We do agree with his assessment. And we concur, too, with those who maintain that a number of provisions of the Charter, directly inspired by its principles, deserve to be put to a better use in the attainment of the basic aims of our Organization.

140. It is in this spirit that Italy has decided to sponsor draft resolution A/L.749, the fundamental objective of which is to encourage Member States to live up to their obligation to seek the solution of international conflicts and crises exclusively through peaceful means. To this effect, all States are urged to make more extensive and systematic use of existing machinery, including negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, good offices, including those of the Secretary-General, or other peaceful means of their own choice.

141. Echoing the eloquent statement of Sir Laurence McIntyre, the Permanent Representative of Australia, I should like to voice the hope that the appeal conveyed to the general membership by draft resolution A/L.749, in particular for the implementation of a score of resolutions adopted by this Assembly and left so far in abeyance, will meet universal support and compliance.

142. As for the second line of thought I mentioned before, I should like to state that, when the United Nations is approaching the fourth decade of its existence, the time appears to be propitious for meditation over the past and for taking stock. Any balance sheet of the activities of the world Organization results in a contrasted picture of achievements and shortcomings. A certainly impressive score of important accomplishments has not sufficed so far to stem a rising wave of discontent over what the Organization has failed to do.

143. Many feel that some lofty ideals enshrined in the Charter are far from becoming a reality. Crises and conflicts continue to plague mankind; certain practices of power politics have not yet disappeared; the arms race continues to absorb staggering amounts of resources which are badly needed for the betterment of the human condition in all continents; the United Nations peace-keeping machinery, whose need has been proved beyond any doubt by the events in the Middle East and in Cyprus, still lacks a comprehensive system of rules and guidelines; inadmissible violations or repressions of fundamental human rights, particularly *apartheid*, as well as some remnants of colonialism, still survive; increasing strains in the relations between producers and consumers of oil, agricultural products and raw materials, as well as a widening economic, technological and social gap between developed and developing countries, threaten to undermine the very stability of the international community.

144. In the presence of such realities, which require much more effective involvement of the United Nations, it is indeed not surprising that, on the one hand, objectives considered important by Member States are pursued through practices that, judging from some statements made today, appear objectionable; and that, on the other, an increasing number of Governments claim that the United Nations, being a political forum and not a legislative body, should more closely reflect the contemporary international situation. And since this situation has changed dramatically since the time when the Charter was drafted, reality itself entails the need to ascertain how the United Nations could cope more efficiently with the many new responsibilities connected with the additional tasks entrusted to it since the San Francisco Conference, as well as

the need to verify whether each and every provision of the Charter is consistent with today's structure and expectations of the world community.

145. This was, in our view, the meaning and the aim of some deliberations of this Assembly in the past. May I recall resolution 2499 A (XXIV), which asserted the necessity for

“considering proposals and suggestions . . . for increasing the effectiveness of the United Nations”,

as well as the Declaration on the Strengthening of International Security [*resolution 2734 (XXV)*], which invited Member States

“to enhance by all possible means the authority and effectiveness of the Security Council and of its decisions.”

146. And this is also the essence of the position taken by many Governments as reflected in the excellent report prepared by the Secretary-General pursuant to resolution 3073 (XXVIII) [A/9695]. Draft resolution A/L.748 and Add.1 and 2 proposes that the General Assembly at its thirtieth session should consider the views, suggestions and proposals of Member States summarized in the above-mentioned report and any other communications that may be submitted by Member States in the future.

147. The Italian delegation was glad to give its sponsorship to that draft resolution, which should lead to a thorough examination of the problem of how to make the world Organization more responsive to the challenges of the contemporary world. We are convinced that on the eve of the fourth decade of the existence of the United Nations such a soul-searching exercise is essential. Failure to adjust the United Nations to an international reality in continuous and even swifter evolution would entail the danger of our Organization's being doomed to irrelevance, a danger which certain trends, including the tendency of some great Powers to bypass it, seem already to foretell.

148. In this spirit, I should like to support strongly the Permanent Representative of Romania, Mr. Datcu, in his convincing plea for the adoption by consensus of draft resolution A/L.748 and Add.1 and 2.

149. Mr. RYDBECK (Sweden): In the past few years the world community has been confronted with a new order of problems of dimensions hitherto unknown. They are also of such a nature as to call for urgent solutions.

150. There is the threat of an economic crisis reflected in the ever-widening gap between the rich and the poor. There is the new development in the area of decolonization after the liquidation of the Portuguese colonial empire. Now that the Palestinian question is again being dealt with in the United Nations, the complex problem of the Middle East has entered a new phase. In the light of the vastly increased risks of the proliferation of nuclear weapons, disarmament questions assume increased importance and urgency. These problems have one common denominator: they are structural. Lasting solutions to problems of these dimensions cannot be found through isolated actions by individual States. Such problems can only be solved within the framework of a strong world body. Bilateral diplomacy cannot be a substitute for multi-lateral diplomacy. The consequences of crises and

problems are felt by practically everybody. Their solution can only be achieved through co-operation. The complexity and range of the problems have increased the interdependence of all nations. This interdependence encompasses all elements vital to the efforts to create a reasonable future. Common problems call for common solutions. A universal United Nations, with its shortcomings and its advantages, is the only organization which is able to satisfy those demands.

151. Without an international system which gives equitable possibilities to all nations to maintain their interests, in co-operation or separately, international anarchy would be created—anarchy in which only the strong, the rich and the ruthless would be able to fend for themselves. Therefore, particularly for the small nations, there is no alternative to the United Nations. Within the United Nations framework the small States, by co-ordination and solidarity, are able to attain collective strength, which contributes to counterbalancing the weaknesses of the individual nations.

152. Sweden has actively supported efforts in earlier years to make the United Nations a truly universal organization. Important success has been achieved in this work. We have done this because we firmly believe that the solution of world problems and the work for peace require the participation of all States irrespective of their particular policies. It also appears eminently sensible to us that if and when the international community wants to exert pressure on a Government it should be able to do so within the world Organization. We have deemed it unwise and counter-productive, therefore, to exclude any Government from the United Nations or to prevent it from taking part in the Organization's work. And when proposals to this effect have been submitted to bodies which, under the United Nations Charter, are not entitled to make such decisions, we have reacted very strongly.

153. It is by becoming a nearly universal organization that the United Nations during recent years has achieved an increasingly undisputed and central position as far as international co-operation, peace and security are concerned.

154. A tendency which has become increasingly obvious in the United Nations, particularly during the last few years, is the increased and broadening co-operation within groups of countries with common fundamental interests. Sweden welcomes this development. These various groupings have considerable practical advantages in an organization with as many members as the United Nations. They also contribute to clarifying quickly what are the most important problems within each separate block of negotiations. In addition to this, these groupings can constitute a framework for working out common stands and how these positions can best be strengthened.

155. However, there is also a risk that controversies may be deepened and accentuated for no real reasons. A stand which has been taken becomes difficult to give up or change, even if political and practical reasons make it advisable. It is our opinion that, in order to counteract such negative effects, Members and groups of Members should to a larger extent than at present make use of the possibilities that exist to consult with each other and with other Members or groups of Members.

156. It would be particularly valuable if informal consultations were started at an early stage and before positions had hardened too far. If this were done, many unnecessary confrontations would be eliminated and various conflicts of interests toned down. The Swedish delegation feels that frustration and disenchantment have sometimes been the result of decisions which might very well, through adjustments, have become more generally acceptable. We believe that if the Members have their long-term goals clear in their minds, minor concessions to other interest groups would seldom amount to any loss of essential interests. Decisions made by the United Nations on the basis of broad understandings would naturally obtain a greater authority and importance than if considerable minorities come to regard them with bitterness. We also believe that, if consultations and information in advance are made use of to a larger extent, a better psychological climate within the Organization would be created. This would meet the need for finding solutions which are based on the realization of the interdependence between nations with which today's and tomorrow's international problems will confront us.

157. Developments during the past three years have demonstrated that Member States wish to give the United Nations an increased responsibility. If the United Nations is to be able to meet this responsibility, the machinery of the Organization must function reliably. The United Nations Charter is, in our opinion, the central element in the entire United Nations system. The possibilities of the Charter have by no means been exhausted. We believe that it is not by changes in the Charter but by a better application of it that the many small nations most effectively maintain their interests. We have in the course of years seen a number of attempts to apply and interpret the Charter in a way which Sweden has found difficult to associate with the spirit and the letter of the Charter. Sometimes this has been done with a view to using temporarily available majorities. But this has not convinced us that it is correct to abandon the Charter. Sweden believes that, as Member States, we should instead do our utmost to maintain the status of the Charter. It is the Charter and its prescribed form for how decisions should be arrived at which in the long-term perspective give the best guarantees for the possibilities of the small States to defend their interests.

158. The Charter gives the many small States a chance jointly to exert considerable influence in important international matters. This would not have been possible if decisions had been taken solely on the basis of power. The small nations, and not the great Powers, are the ones with most to gain from a strict application of the Charter. At this juncture, Sweden believes that it is the most important task of all the Member States to defend the Charter and its principles by applying it as correctly as possible in accordance with its spirit and letter. Such a strengthened support of the Charter would contribute to increasing respect for the United Nations internationally, and at the same time strengthen the role of the United Nations as far as international peace and security are concerned.

159. The risk of conflicts as a result of fundamental differences between the East and the West is about to be reduced through the policy of *détente*. But other conflicts remain and may even be deepened through

the competition for the ever scarcer resources of the earth and the oceans. The risk of disputes of a most serious nature increases rather than decreases. The Charter has given the Security Council the decisive responsibility in the handling of such crises. But even before a dispute has developed into a crisis, it should be possible to put into function the machinery of the Charter in order to stop conflicts and encourage peaceful solutions.

160. In our opinion, it may now be valuable to pay more attention to these questions, partly in order to have the methods discussed and scrutinized anew in the light of recent developments, and partly in order to increase the awareness among the Member nations of their existence. Sweden has therefore welcomed the initiative of Australia during the present session of the General Assembly, and has also the pleasure of sponsoring a draft resolution concerning peaceful solutions to disputes which, if it is adopted, can contribute to vitalizing the peace-building activities of the United Nations.

161. Finally, my delegation would like to point out the importance of utilizing all possibilities of rationalizing the working procedures of our Organization in order to achieve maximum efficiency in our work. Some years ago, the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly,¹ under the able chairmanship of Mr. Otto Borch of Denmark, devoted a lot of energy and ingenuity to these problems. We would do well to keep the recommendations that the Committee arrived at very much in mind in our daily work. There may perhaps be additional ways and means of speeding up our deliberations and our work in this General Assembly. It might be useful, for example, to take up for consideration the possibilities of an early election of the main officers of each session of the General Assembly in order to facilitate the undertaking of informal consultations and other preparatory work on agenda items, if possible even well in advance of the official opening of each session. We could thereby perhaps hope to be able to avoid the backlog of resolutions that we are experiencing at present in the work of the sessions of the General Assembly, particularly in its final phases. Only if we continuously subject our working methods and procedures to critical scrutiny can we hope to improve them and adapt them to changing conditions and thereby make it possible for the world Organization to face its ever more important task.

The meeting rose at 1.20 p.m.

NOTES

¹ *Official Records of the General Assembly, Twenty-seventh Session, Annexes*, agenda item 24, document A/8792.

² *Ibid.*, *Plenary Meetings*, 2086th meeting, para. 5.

³ *Ibid.*, *Twenty-sixth Session, Supplement No. 1A* (A/8401/Add.1), para. 95.

⁴ *Ibid.*, *Twenty-eighth Session, Plenary Meetings*, 2184th meeting, paras. 76-82.

⁵ For the report of the Special Committee, see *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 26* (A/8426).