

## 10. UNITED NATIONS FOR A BETTER WORLD AND THE RESPONSIBILITY OF THE SECURITY COUNCIL IN MAINTAINING INTERNATIONAL PEACE AND SECURITY

### Decision: Statement by the President

On 29 August 1985, after informal consultations, the President of the Security Council issued the following statement on behalf of the members of the Security Council:<sup>1</sup>

*The members of the Security Council agreed to hold a commemorative meeting of the Council at the level of Foreign Ministers to celebrate the fortieth anniversary of the United Nations with the following agenda: "United Nations for a better world and the responsibility of the Security Council in maintaining international peace and security".*

It was further agreed that the meeting should be held on 26 September 1985.

Taking into account practical considerations, it was also agreed that the meeting would be open for statements by the members of the Council.

At its 2608th meeting, on 26 September 1985, the Council included the proposed item in its agenda without objection.

The Secretary-General recalled the statement by the first President of the Security Council, at the inaugural meeting, that it would perform a unique function, namely, the direction of collective action for maintenance of peace, justice and the rule of law, and that this concept of a representative, multilateral body was in keeping with the conviction and hope of the founding Members. The Security Council, which had remained in permanent session for almost 40 years, with its members always on call, had taken effective measures on numerous occasions to prove its capacity; Governments had consistently sent representatives of high calibre. The Secretary-General stated that, over those 40 years, the world of which the Security Council was an irreplaceable part had achieved extraordinary progress in meeting, through technological and social advances, basic human needs, although enormous needs still remained to be met. The political divisions had not yet been eliminated; some had grown in depth and intensity. They had their roots in conflicting ideologies, in competing national ambitions, in territorial disputes and in structural changes in the global society. The symptoms of those divisions were fear and suspicion, terrorism, irrational amounts of arms and outbreaks of conflicts. Nevertheless, 15 nations, representing all regions and very divergent political orientations, remained in continuing contact, which was a further confirmation of the unique character of the Security Council. Although seemingly unable to cure political divisions, the Council could still limit and reduce the dangerous fever they produced.

The Secretary-General went on to say that since 1983 the Council had been engaged in consultations on means of enhancing its effectiveness, of which, in course, much could be learned from both its past achievements and inadequacies. He expressed hope that the constructive resolution by a unanimous Council of the problems where the views of all members converged would reassure the Members of the United Nations of its effectiveness. The Secretary-General indicated that as crises had frequently been brought before the Council too late for preventive action, it might be prudent to consider establishing a procedure for an ongoing survey aimed at detecting possible causes of

tension; substantial benefits might be derived from an agreed procedure of fact-finding in instances of potential conflicts. Concerning peacekeeping forces, he indicated that they had proved to be highly useful in preventing the recurrence of conflict and added that in the future they might be used to discourage recourse to arms.

In conclusion, he reiterated that no one doubted the objective or the importance of the Council. He hoped, however, that the ability of its members to work together more effectively would be improved, thus enhancing its corporate capacity to take necessary decisions. Profound political differences between Council members had not always prevented effective action in the past; a fully effective Council would serve the interests of all. He called upon Governments to consider the collective endeavours of the Council individually, bilaterally and multilaterally, and to include this question in the agenda of meetings between national leaders during the commemorative session of the General Assembly. He expressed hope that this event would serve to consolidate and renew the authority and prestige of the Security Council and would mark the beginning of a new spirit and renewed dedication.<sup>2</sup>

The Minister for Foreign Affairs of the Union of Soviet Socialist Republics said that the urgency of the task of enhancing the role of the United Nations and augmenting the effectiveness of the Security Council was due to the complexity of the international situation, the blame for which rested with those who were unwilling to reckon with the realities of our time, counted on obtaining military superiority and sought to dictate their will to others. The world could either continue to develop along the path fraught with catastrophic consequences or could join the effort to avert the threat of war, to put an end to the arms race and release funds for solving economic and social problems. The principles of cooperation and peaceful coexistence attested to by the experience of the anti-Hitler coalition and by the establishment of the United Nations were the only rational alternative to a nuclear tragedy. He considered that on the occasions where the Members of the United Nations had been able to rise above their ideological, political and other differences for the sake of common interests, the Organization had lived up to its role. He maintained that while a better world was a world free of weapons, their accumulation and qualitative build-up continued, including the plans for acquiring space arms. The Foreign Minister confirmed that his country would not be the first to step into outer space with arms, although it was able to take necessary countermeasures.

The Minister stated further that the Soviet Union had submitted for the consideration of the General Assembly a proposal on developing international cooperation in the peaceful uses of outer space. He called upon all nuclear Powers, in particular since all of them were permanent members of the Security Council, to contribute to the achievement of disarmament, and announced that his country had unilaterally ceased nuclear explosions. He added that verification problems might prove to be an obstacle to a nuclear-test ban and proposed to reach an agreement on the

<sup>1</sup>S/17424.

<sup>2</sup>S/PV.2608, pp. 3-11.

entire complex of issues concerning removal of the nuclear threat.

The Foreign Minister called for a world free from hotbeds of aggression and conflicts, such as the interference in the internal affairs of Nicaragua, the undeclared war against Afghanistan, the illegal occupation of Namibia and others, for which it was essential to observe the principle of the non-use of force, the peaceful settlement of disputes and respect for sovereignty. The Soviet Union was pursuing the objective of dependable security in its bilateral relations as well as at the regional level when it continued to develop the process of the Conference on Security and Cooperation in Europe (CSCE) and put forward the idea of a comprehensive approach to security in Asia. It sought the same objective on a global scale, in particular, in the United Nations.

He also considered that the world should be free from oppression and exploitation of man by man and that complete equality of nations and nationalities and genuine democracy should be achieved. He called for the elimination of discrimination in international economic relations and for expanding mutually beneficial trade and scientific and technological ties, elimination of hunger and backwardness, and the protection of the environment.

Referring to enhancing the effectiveness of the Security Council, the Minister pointed out that when joining the United Nations, all States undertook to abide by the decisions of the Council. The least that was required of Member States was to act in conformity with the Council's decisions. It was inadmissible that resolutions should remain on paper only. In that context, he noted with satisfaction the efforts of the Secretary-General to promote the implementation of decisions adopted by the Security Council and by other United Nations bodies.

In conclusion the Minister underlined that a better world could not be built by taking into account the interests of one State only nor could it be built for a limited group of States. A better world meant peace for all, achieved through the efforts of all. He stressed the importance of the principle of unanimity of the permanent members of the Security Council as well as of the role of the other Council members and all other Member States of the United Nations and expressed hope that whatever their differences they would not overshadow their common responsibility for safeguarding peace.<sup>3</sup>

The Minister for Foreign Affairs of the Ukrainian Soviet Socialist Republic said that the triumph of the world order over the forces of reaction and war was an example of fruitful cooperation among countries with different social and political systems united against a common threat. His country was proud that the Preamble to the Charter and Chapter I, "Purposes and principles" had been drafted in a committee chaired by the Foreign Minister of the Ukrainian SSR. He recognized the achievements of the Organization and put the blame for its inadequate effectiveness on those States which, in spite of the obligations they had assumed, were unwilling or refused to comply with them. He condemned the policy of threats and blackmail with regard to the United Nations specialized agencies and insisted that the Organization could not be the tool of any State or group of States.

<sup>3</sup>Ibid., pp. 12-21.

He believed that the Charter possessed a great reserve of creative energy for the purpose of building a greater world and cited as testimony to this the fact that for 40 years it had been possible to prevent the outbreak of a new world war. On the credit side of the United Nations record was the Declaration on the Granting of Independence to Colonial Countries and Peoples, which had been of invaluable assistance to the national liberation struggle of all peoples and had promoted the attainment of independence by dozens of former colonies and hundreds of millions of human beings.

He underlined the important role of the Security Council in overcoming a number of international crises and the fact that the success of its work depended on the political will of Member States. The Council had broad powers in performing its functions, including the right to take effective preventive measures and to impose mandatory comprehensive sanctions. Referring to the Charter, the Minister observed that it had lost none of its significance in the nuclear space age, which had opened up for mankind boundless possibilities and prospects, but at the same time constituted a real threat of global annihilation. He called for elimination of the threat of nuclear war, the cessation of the arms race and prevention of its spreading to space, the political settlement of conflicts and the normalization of international economic relations. In his view, the fortieth anniversary should serve as an additional incentive for Member States to achieve the lofty goals and principles enshrined in the Charter.<sup>4</sup>

The Minister for External Affairs of Trinidad and Tobago recalled that, in 1945, 51 States, reaffirming their faith in human dignity and in the equality of all men and of all nations, had agreed to establish the United Nations in order to achieve a more sober and stable international order. The concerns of the founding fathers remained valid in the contemporary world. The experience of the Security Council showed that it could and had to contribute in creating a climate where a spiralling arms race would not be a guarantee of safety and security. The Minister expressed the conviction that every State desired freedom to survive in a peaceful environment in which it could improve the living conditions of its citizens and be secure from the risk of attack by others. Recognizing the right of every nation to defend itself, one should acknowledge that the intense arms race, both nuclear and conventional, had far exceeded legitimate needs for self-defence and was posing a threat to international peace and security. A mere fraction of the billions of dollars spent yearly on weapons of mass destruction would suffice to eradicate the aggravated famine afflicting the world.

The Minister stated that the fundamental problem of man's inhumanity to man needed to be addressed, such as the system of apartheid, which had been first brought to the attention of the Security Council 30 years ago. He indicated with regret that measures that would hasten the demise of apartheid had not been fully observed by those States which were in the best position to make such measures effective.

The Minister added that among a growing number of conflicts in various parts of the world, such as southern Africa, the Middle East, South-East Asia and Central

<sup>4</sup>Ibid., pp. 21-26.

America, some required solutions at the international level, but certain others could be resolved at the regional level.

The Minister stated further that many conflicts were caused by socio-economic problems and the lack of global economic security. He called upon the financial institutions to change their policies and prescriptions and thus avoid social and political disruptions in a world where democratic collaboration between the developed and developing countries had become indispensable. He considered that the United Nations and the Security Council had been constrained by numerous obstacles such as the non-implementation of resolutions and decisions, the unilateral use of force to serve narrow self-interests and the unwillingness of individual States with differing ideologies to allow collective action to be undertaken. Nevertheless, the United Nations and the Security Council had proved their dynamic capability to meet, to some extent, the demands of an era and of their membership. He supported the recommendations pertaining to the Security Council contained in the Secretary-General's reports on the work of the Organization, especially those of 1982 and 1985.

The Foreign Minister believed that confidence-building measures, at both the regional and the international levels, should be promoted by the Council. He spoke in favour of preventive action, as well as of the need to address conflicts at their roots. He hoped that the ability of the Council to resolve at least minor conflicts would transfer into ever-growing confidence and that the super-Powers would regard themselves maybe as rivals but not as adversaries. He also observed that the right of veto should not be used contrary to the principles of the Charter. He believed that non-procedural issues should be identified on which the veto could be suspended or limited. His Government was of the view that the Secretary-General should be allowed certain flexibility in carrying out his preventive diplomacy role. He praised the United Nations peacekeeping operations. He concluded by calling upon Member States to rededicate themselves to the principles of the Charter.<sup>5</sup>

The Minister for Foreign Affairs of Thailand, in appraising the effectiveness of the United Nations, and in particular of the Security Council, to maintain peace and security, observed that there were wars and threats of war everywhere on the globe and that in some areas wars had not yet broken out because the military alliances had served to uphold a precarious state of no war, no peace. He suggested that the Security Council could take the following steps to fulfil its role, as mandated in the Charter. Firstly, to call upon parties to seek for various means of peaceful settlement of their disputes before bringing matters to the Security Council, in accordance with Article 33, paragraph 1. He added that the Security Council should not rush to sit in judgement on a particular issue until it was satisfied that other peaceful avenues had been tried unsuccessfully by the parties concerned. Secondly, although envisaged in Article 34 of the Charter, the Council had no instrument to investigate any dispute or any situation that might lead to international friction. He felt that the Secretariat staff servicing the Security Council could be increased to meet those needs. Also, the Secretary-General should be encouraged and authorized to gather information by all means, which would better enable him to exercise his authority under Article 99 of the Charter. The Secretary-General should make

this information regularly available to the Security Council. Thirdly, the Security Council should encourage genuine negotiations between the conflicting parties once the matter had been brought before it. He felt that the Council should not be a theatre for "public diplomacy" and that the time spent in listening to prepared speeches by countries not directly involved in the dispute was not helping efforts to make the Council a forum of serious negotiations. Such negotiations could be conducted under the auspices of the President of the Security Council with the assistance of the Secretary-General, or of a "conciliation committee", of selected Security Council members, which could be created under Article 29 of the Charter.

The Minister emphasized that the focus should be on the peaceful settlement of disputes and not merely the adoption of yet another resolution that would remain unimplemented thereby undermining the prestige and authority of the Security Council. He appealed to fellow members to contribute to the realization of the purposes of the Charter and added that his Government viewed the United Nations as the last defender of the rights of small countries.<sup>6</sup>

The Minister for External Relations of Peru stated that idealistic and pragmatic motivations, not always clear and readily compatible, had led to the establishment of the United Nations after the Second World War. The main reasons for the collapse of the original concept of international cooperation were, on the one hand, the ideological exacerbation of the debate between the Powers and, on the other, the lack of parallel progress in disarmament and in the institutionalization of collective security. He added that it was imperative to devise machinery that would make possible the establishment of collective security within permanent terms of reference. The principal organs of the United Nations were gravely bogged down, as illustrated by the rhetorical inflation of the General Assembly and the compulsive inhibition with which the Security Council treated international political problems. He noted with concern the gradual removal of major political and economic problems from the sphere of action of the United Nations. This situation proved the anachronistic nature of the international structure created by the generation of the Great War. He added that the system of collective security envisaged in the Charter had been defective from the start, because of the inequality created by the veto and the privileged position given to the permanent members to the detriment of small and medium-sized countries. He reminded Member States that the commitment of the great Powers was to promote peace and security in the interest of the international community. He called for a new political role of the United Nations that would recognize the sovereign and constructive participation of the developing world and for steps to be taken to ensure that the Security Council could focus effectively on seeking agreement and negotiation and discarding any notion of patronage. He also pointed out that the Council's basic peacekeeping functions required a consensus; that the problems of backwardness were a decisive cause of disturbances; and that underdevelopment, the product of injustice, was the reason for instability. The Council should deal with fundamental political problems, not just with trouble spots, and the countries that had been left outside so far should be given a central role. The Secretary-General should be allowed to

<sup>5</sup>Ibid., pp. 26-37.

<sup>6</sup>Ibid., pp. 37-46.

act in the areas or the cases that did not concern matters of global strategy. Referring to non-implementation of the Council's resolutions, he called for replacing lamentations with the action required by the Charter, including measured under Chapter VII. He said that the current paralysis in international cooperation, especially the breach between the countries of the North and the South, endangered not only the survival of the United Nations, but the very concept of multilateralism. In concluding, the Minister stated that his country believed and had committed itself to act in order to secure a genuinely democratic international order, in which peace would be the consequence of a quest for agreement and the development of all countries would be the result of genuine justice. He hoped that the Security Council would rise above its role of merely containing existing disputes and become a framework for resolving grave conflicts.<sup>7</sup>

The Permanent Representative of Madagascar to the United Nations stated that international peace and security should be seen in a global context that included the prevention of war, safeguarding the fundamental rights of man and people's equality in law of nations, maintenance of justice, respect for international obligations and promotion of the economic and social progress of all peoples. The notion of security was, in his view, inseparable from that of economic security and could not be realized unless all States committed their collective responsibility and unless the permanent members of the Security Council agreed to seek among themselves as much common ground as possible. The spirit of consensus should always prevail among Member States and the principles of the Charter should be the pillar of all United Nations actions and decisions. He expressed gratitude to the Secretary-General for reminding the Member States of such important points as the Council's role in the regulation of armaments; the essence of a collective security system; prevention and reduction of conflicts; the need for unanimity and the spirit of cooperation; and the readiness of Member States to turn to the Council for action and to respect and implement its decisions. The international community identified the Council's shortcomings and expected that the Members of the Council would, by their more cooperative attitude, strengthen its capacity and ability to take decisions and to act. He added that the major obstacle paralysing the Council appeared to be the inability of Member States to find, at the right time, a broad consensus on the most important problems. He added that the prevalence of divergent interests among Member States over their obligations to the international community had led to unfortunate consequences for the authority and the integrity of the Council. He called for considering ways to strengthen the respective preventive roles of the Council and of the Secretary-General, which would entail the setting up of a rapid alert system; the making available on a systematic basis of data concerning existing and potential crises; entrusting the Council and the Secretary-General with the power to take initiatives even in the absence of formal notification of a matter; the linking of the Council's efforts with those of regional and subregional organs; and the search for new conciliation procedures. He urged that resort be made to all the resources offered by the Charter, including those in

<sup>7</sup>Ibid., pp. 46-56.

Chapters VI, VII and VIII. He stressed that those countries which did not possess a deterrent force and adequate military potential could only rely upon the role of the Council in the peaceful and negotiated settlement of disputes. In the end, he concluded, international security meant the security of all with the support of all, in particular, the permanent members of the Council.<sup>8</sup>

The Minister of State for Commerce of India, recognizing the importance of the subject under discussion, stated that in a world characterized by mistrust, inequality, tension and conflict, the United Nations had been a beacon of hope. Among the Organization's achievements he listed the process of decolonization, the contribution to socio-economic progress, the creation of universal consciousness of the rights of human beings and the United Nations contribution to the progressive development and codification of international law. He added that the United Nations had proved to be the most appropriate forum for seeking solutions to pressing international problems. He conveyed the firm faith of his country and of the Movement of Non-Aligned Countries in the United Nations and in the purposes and principles enshrined in the Charter. He expressed deep gratitude to the Secretary-General for his thought-provoking report on the work of the Organization and his pragmatic recommendations.

With regard to the Security Council he noted that although it had played a useful role as a safety net in averting the outbreak of war, the Council's weaknesses and shortcomings, especially the lack of a collegial spirit among its members, had prevented it from becoming the effective instrument envisaged in the Charter. In his view the more powerful and wealthy countries lacked the political will to act as trustees of the interests of the weaker and poorer countries and thus the Council was unable to move towards achieving its basic objectives. He underlined that the special position enjoyed by the permanent members of the Council had placed upon them added responsibilities, which should transcend narrow national interests.

The Minister indicated that in the minds of the founding fathers, the primary purpose of the United Nations to maintain international peace and security had been closely linked with the progress of disarmament. He urged Council members to take a leading role, as envisaged in Article 26 of the Charter, in the establishment of a system for the regulation of armaments. In that context he recalled a declaration issued by a meeting of the six Heads of State or Government convened at the initiative of the Prime Minister of India, which urged the nuclear-weapon States to halt all testing, production and deployment of nuclear weapons and their delivery systems. This first step was to be followed by a continuing programme of arms reduction leading to general and complete disarmament, accompanied by measures to strengthen the United Nations system and to ensure an urgently needed transfer of substantial resources into social and economic development.

He commended the valuable ideas presented by the Secretary-General in his report, such as emphasizing the Security Council's role in preventive diplomacy through informal efforts to control crisis situations and the dispatch of fact-finding missions. He was of the view that the responsibility given to the Secretary-General under Article

<sup>8</sup>Ibid., pp. 56-62.

99 of the Charter should be fully explored in order to enable the Secretary-General to pursue quiet diplomacy and to exercise his role of good offices in cooperation with the Security Council. He welcomed the peacekeeping activities of the Council and recommended further use of measures under Chapters VI and VII of the Charter whenever conditions so warranted. He stressed the importance of periodic high-level meetings of the Security Council under Article 28, paragraph 2, and singled out three suggestions made by the Secretary-General, namely, that members of the Security Council, especially the permanent members, should give matters of international peace and security priority over bilateral differences; that Council members should concentrate their efforts to solve one or two major problems such as the elimination of the system of apartheid and the situation in the Middle East, including the question of Palestine; and that the fortieth anniversary should be used by the Member States to reaffirm their obligations under the Charter, in particular those relating to the non-use of force and the peaceful settlement of disputes.

The Minister stated further that the increase in the membership of the Security Council on the basis of equitable representation was long overdue. He also observed that whereas the Security Council had a special responsibility and powers, the General Assembly had both the moral and legislative authority to pronounce and make recommendations on all matters under the Charter and that there was no place or room for any conflict of interest or for confrontation between them.<sup>9</sup>

The Minister for External Relations of France observed that while quiet diplomacy had its virtues, and it was often useful and necessary, the natural role of the Security Council was to take public positions. Forty years after the adoption of the Charter of the United Nations and taking into account the impact of the means of communication, the link between international public opinion and the persons and organs responsible for diplomatic actions was essential. He recognized, however, that this link had actually weakened and that there was a real gulf between the Council and international political opinion. As a result the prestige of the Security Council and of the Organization had been harmed. The strength of the Organization depended to a large extent on a balance between an action-oriented Security Council and the deliberative General Assembly, dominated by the principles of universality and equal voting rights. Any weakening of the Council would endanger that balance and would be prejudicial to the effectiveness and credibility of the Organization. The commemorative meeting of the Security Council gave the opportunity to all members to exchange views on what the Council could and should do better to carry out its responsibilities. Reinvigorating the Council would be the best way of celebrating the fortieth anniversary.

The Minister stated further that the United Nations was not a super-State, or a sort of world Government. It was an Organization of sovereign States that came close to achieving the goal of universality that was implicit in the Charter. While it experienced difficulty and even failure, it was essential for it to remain a centre for harmonizing the actions of nations in the attainment of common ends. Noting that certain matters were either not dealt with at the United Nations or gave rise to resolutions that remained

dead letters, the Minister affirmed that disagreement among certain of its most important members was not the only reason for that phenomenon. He was concerned by the blurring of the distinction between the respective functions of the Security Council and of the General Assembly and by the growing tendency to transform the debates in the Council into a substitute for an Assembly debate.

He considered that any institutional reform would weaken the potential effectiveness of the Organization and introduce divisive subjects. The Charter had entrusted to the Security Council the primary responsibility for the maintenance of peace; the Secretary-General undeniably had a role to play under Articles 98 and 99 of the Charter; the General Assembly could likewise make its contribution, but in a different way, in keeping with the functions assigned to it by the Charter. He was convinced that what was lacking was the political will and determination to make full use of the resources of the Organization.

He underlined the special responsibilities of the permanent members of the Security Council and added that France, for its part, was fully aware of them. He considered it important to extricate the Council from the logic of the East-West confrontation and felt that the members of the Council who pursued a genuine policy of non-alignment could make a vital contribution. He called upon the Security Council not to allow itself to become bogged down in prolonged consultations behind closed doors, to take a public stand on major world problems and to look for ways and means to resolve them. The Minister expressed his support of the Secretary-General's role in facilitating the solution of international disputes and conflicts.

In conclusion, he called for a more realistic role on the part of all Member States and stressed that, in the final analysis, the success or failure of the Organization depended on the collective will of Member States.<sup>10</sup>

The Deputy Prime Minister and Minister for Foreign Affairs of Egypt recalled his country's role in the drafting of the Charter of the United Nations, which it had signed as a founding Member. He was proud of Egypt's affiliation with Africa and the Arab world, which enabled the country to play a distinctive role in the activities of the Organization. He considered that 40 years was too short a period for a sound scientific analysis of the experience of the United Nations. He observed that, notwithstanding the great material achievements during that period, the Organization had failed to fulfil the aspirations of peoples for liberation and the exercise of rights endorsed by the Charter.

He referred to the failure of the Security Council to promote just solutions to the question of Palestine, apartheid and the problems of southern Africa, or to eradicate the vast economic disparities between the peoples of the world.

He suggested that the ideas and proposals offered by Member States from the rostrum of the General Assembly and during the meetings of the Security Council should be carefully studied.

The Minister referred to an earlier proposal of the President of the Arab Republic of Egypt to undertake a review and appraisal of the international situation in all its aspects within the framework of the United Nations with a view to establishing a new international order in which justice,

<sup>9</sup>Ibid., pp. 62-70.

<sup>10</sup>Ibid., pp. 71-77.

peace and prosperity would reign. He further referred to his country's proposal for the convening of a special session of the General Assembly to discuss the activities and purposes of the United Nations as well as its responsibilities in maintaining international peace and security. He also recalled the opening statement by the President of the current session of the General Assembly, regarding the need to convene a conference to review the Charter of the United Nations in order to eliminate the contradiction between its letter and its spirit. He noted what the President of the General Assembly had said in connection with Article 27 of the Charter, which gave the permanent members a double veto never intended by the authors of the Charter.

The Minister reiterated his country's support for the enhancement of the effectiveness of the United Nations and stated that the principles and provisions of the Charter would remain for Egypt and many developing countries the guarantee for safeguarding their independence and sovereignty. Referring to the methods used by the United Nations in dealing with many international political and economic developments, he observed that the Organization had gradually deviated from the philosophy advocated by the Charter, in particular as regards the system of collective security. He stressed the need for a thorough analysis and a scientific and realistic diagnosis of the current international situation in order to invigorate the concept of interdependence and solidarity. He added that any careful study would confirm the negative impact of the rivalry of the two super-Powers, which resulted in the loss of the ability of the Security Council to adopt decisive resolutions to halt aggression and settle international disputes or to ensure the implementation of the adopted resolutions. He went on to state that the absence of political will had reduced the Council's role to one of merely voicing condemnations. In addition, the right of veto had frequently been abused and that had led to international conflicts getting into the vicious circle of rivalry between the two conflicting blocs. In order to restore the Council's ability to act effectively, the collective will and the availability of means was important. According to the speaker, cooperation among members of the Council and coordination between the Council and the General Assembly was essential. The Council had at its disposal a vast spectrum of mechanisms for tackling situations and conflicts. He made reference to peacekeeping forces, the good offices of the Secretary-General, the holding of periodic meetings of the Council to review the international situation and monitor "grave incidents" within the framework of preventive diplomacy. There was also a possibility for the Secretary-General to bring any matter threatening international peace and security to the attention of the Council as well as to conduct consultations and assemble information on areas of potential conflicts.

The Minister advocated updating and rationalizing the provisional rules of procedure of the Security Council, in order to make them final but at the same time flexible enough to meet the requirements of the international community. He stated further that Egypt intended to introduce a specific initiative aimed at improving the functioning of the Organization.

He referred to particular examples, such as the resolutions of the Council on the Middle East and the Palestinian question and lamented the fact that those resolutions still awaited effective mechanisms for their implementation.

He concluded by stressing the responsibilities vested by the Charter upon the permanent members of the Council, and expressing the hope that new ways to restore confidence in the Security Council would be found. He hoped that the United Nations would soon become a place where cultures mingled and thrived as well as the promoter of international relations based on peace, justice and prosperity for all.<sup>11</sup>

The Minister for Foreign Affairs of Denmark stated that membership in the United Nations was a cornerstone of Danish foreign policy. His country had demonstrated its strong and consistent support by participating in the Organization's peacekeeping operations and by its active support of United Nations efforts in the economic, social and technological fields. He also referred to Danish efforts in the Security Council, upon which the Charter had conferred the responsibility for the maintenance of international peace and security. He noted that, for reasons known to everyone, the Council was, to a large extent, deprived of its ability to fulfil its mandated responsibility. However, he agreed with the Secretary-General that in the real conditions of international life the Council had played an important role in providing stability and limiting conflicts.

The Minister stated further that his delegation was striving to have the Council function as a forum for negotiation rather than debate. It should be clearly distinguished from the General Assembly, as both organs were important, but in separate ways. The Council needed to speak with one voice in order to send an unequivocal signal to the conflicting parties and to ensure the implementation of its decisions. He added that the Council should approach regional conflicts within their regional context and refrain from interpreting any problem as a consequence of a worldwide competition between East and West.

It was his Government's view that the situation in South Africa was a threat to international peace and security and that the international community should increase pressure on South Africa by adopting appropriate measures, including those under Chapter VII of the Charter, in order to bring about the eradication of the apartheid system.

Concerning the situation in southern Lebanon and the war between the Islamic Republic of Iran and Iraq, he expressed disappointment with the actions of the Security Council. Nonetheless, he noted that with the support of the Council the Secretary-General had been able to achieve some results towards restraint in the Iran-Iraq war.

He reiterated the strong support of the members of the Council for the mission of the Secretary-General on the Cyprus question. As a country contributing military forces to UNFICYP for over 20 years, Denmark hoped that the latest effort of the Secretary-General would lead to an early agreement on the framework for a just and lasting settlement of the Cyprus question and urged the parties to cooperate with the Secretary-General.

He also recalled the report of the five Nordic Governments on the strengthening of the United Nations, which had been forwarded to the Secretary-General in June 1983. In that paper the Nordic Governments supported the strengthening of peacekeeping forces, the need for periodic meetings of the Security Council as part of an early warning system and a more frequent use of the powers of

<sup>11</sup>Ibid., pp. 77-89.



the Secretary-General under Article 99 of the Charter. He voiced support for the suggestion made in the annual report of the Secretary-General that the Council should concentrate on solving one or two of the major problems before it. He felt that the Council should concentrate on the problems of southern Africa in the immediate future. He concluded by emphasizing the need to strengthen the role of the Security Council in maintaining peace and security, through the full implementation of provisions already in the Charter, and, above all, sufficient political will on the part of conflicting parties to avail themselves of the Council's machinery and to heed the Council's decisions.<sup>12</sup>

The State Councillor and Foreign Minister of China stressed the importance of the Security Council meeting at the foreign minister level on such a solemn occasion. During the 40 years of existence of the United Nations, in spite of the absence of a world war, peace had been subjected to constant threats by the arms race and regional conflicts, making the responsibilities of the Security Council not lighter, but heavier. The Council played a positive role in preventing and defusing conflicts and easing international tensions. The Minister noted, however, that it had adopted wrong decisions on certain questions, which went against the will of the world's people and harmed their interests. He added that, measured against the provisions of the Charter, the performance of the Council left much to be desired.

He was of the view that the emergence of a large number of newly independent States that had changed the composition of the United Nations and played an increasingly important and constructive role in its activities was an encouraging sign. The past experience of the Council demonstrated that it achieved success whenever it acted in accordance with the purposes and principles of the Charter of the United Nations and reflected on the just demands of the majority of the Member States, in particular small and medium-sized countries. At the same time, it suffered setbacks whenever the principles of the Charter were contravened and the will of the big Powers was imposed.

Referring to possible ways for strengthening the role of the Security Council, the Minister stated that in all its activities, including its peacekeeping operations, the Council should abide by the provisions of the Charter and all Members should observe and uphold the principles of respect for the territorial integrity and sovereignty of other countries, non-interference in their internal affairs and the settlement of international disputes by peaceful means. Furthermore, in carrying out its duties the Council should earnestly reflect the sound views of the Members of the United Nations, support their reasonable demands and give expression to their legitimate aspirations. The Council should act as stipulated in the Charter "on behalf of" the Members of the United Nations. He went on to add that the permanent members of the Council should fulfil in good faith the special responsibilities conferred upon them by the Charter and should take the lead in complying with its principles, honour the common will of Member States and consult with the other members of the Security Council on an equal footing. He stressed that the veto power should not be used as a tool to shield acts of aggression and injustice.

The Minister praised some ideas put forward in the annual report of the Secretary-General, as well as certain ideas put forward by many members of the Organization, in particular, the need to strengthen coordination and co-operation between the Security Council, the General Assembly and the Secretary-General; the necessity to ensure the implementation of Security Council resolutions and the proposal to support the Secretary-General in his efforts authorized by the Charter or mandated by the Security Council. He expressed the hope that the Council would continue its efforts to enhance its efficiency and that it would prove possible to achieve concrete results in the nearest future.

Concerning the United Nations as a whole, the Minister believed that, apart from the functions of the Security Council, it was imperative to enhance the functions of the General Assembly, which had a wider representation than the Security Council. He observed that in recent years the Assembly had adopted a number of important resolutions on maintaining peace and security, opposing aggression and upholding justice, thanks to the efforts of the third world and small and medium-sized countries.

He concluded by stating that as a founding member of the United Nations and a permanent member of the Security Council, China had always abided by the purposes and principles of the Charter of the United Nations, and had developed its relations with other countries in line with principles of peaceful coexistence.<sup>13</sup>

The Minister for Foreign Affairs and Cooperation of Burkina Faso said that, 40 years ago, having learned the lessons of two world wars, the peoples of the world had expressed their determination to save future generations from the scourge of war and proclaimed their faith in fundamental human rights, in equality for all human beings and nations. The establishment of the United Nations was the practical expression of that common determination. Discussing the role of the United Nations and the Security Council in creating "a better world for all" the speaker wondered what was meant by "a better world for all" and what role the Security Council had played and should play to achieve that goal. For his country—one of the poorest in the world—it meant a world without racial and cultural prejudice, without exploitation, oppression and domination, without ignorance, hunger, thirst and disease.

The Minister believed that the purposes of the United Nations had been intended to transform the world precisely that way and that it was time to evaluate, individually and collectively, its successes and failures, as well as to open new perspectives for an Organization that would be better aligned to the new situations of its members. That had been especially true of the Security Council, which, as assigned by the Charter, determined through its positive or negative actions whether or not the purposes of the Organization had been achieved. He commended the constructive action taken by the United Nations, especially the task of decolonization, which had not been completed, as well as a certain measure of international cooperation, which had helped prevent a third world war. During the same 40 years the Charter of the United Nations had been frequently flouted. The hope that the feeling of racial superiority, which had been the basis of colonialism, would disappear

<sup>12</sup>ibid., pp. 89-93.

<sup>13</sup>ibid., pp. 94-100.

had not come true. The refusal to accept others as they were and the aggressive determination to impose on them alien economic, social, cultural and political values created tension and confrontations, which could be seen in Africa, Asia, Latin America and elsewhere. That polarization was, consciously or unconsciously, encouraged by the acknowledgement of the division of the world into the super-Powers and the others.

In metaphorical form, the speaker warned of the dangers for the destruction of the world and lamented the counter-productive use of the veto by permanent members of the Security Council. He considered that the Charter of the United Nations had been drawn up as a "forward-looking" document to ensure the Organization's dynamism and effectiveness. It would be in the interests of all nations to transform the Organization so as to enable it to deal better with the developing concerns of Member States. The Minister stated further that the Security Council had been only marginally effective, and proposed that it be enlarged and that the right of veto be reviewed and rectified, if not simply annulled.

The Minister also proposed to hold a high-level Security Council meeting in 1986 to discuss the question of disarmament, which should be viewed in association with the economic and social development of mankind as a whole. In his opinion, it was not normal that such an important issue, which represented a permanent threat to international peace and security, was not included on the agenda of the Security Council.

In conclusion the Minister called for unifying efforts to put an end to aggression, eradicate hunger and ignorance and to ensure the triumph of the legitimate struggle of peoples against the injustice of the present order.<sup>14</sup>

The Minister for Foreign Affairs of Australia recalled that his country was one of the 51 nations that had taken part in the creation of the United Nations. While clearly understanding the determinant effect on international relations of the great Powers and the existence of spheres of influence, his country tried to emphasize important points for smaller nations and make them accepted as a factor in the decision-making process, especially on matters affecting their well-being. One of those matters was arms control and disarmament and the impact on it of the relations between the United States and the Union of Soviet Socialist Republics. Proud to be a member of the Western association of nations, Australia was concerned about the mistrust between the super-Powers. He urged the super-Powers to reach an understanding on the need to contain the danger of conflict and to seek effective arms control and disarmament, especially through a comprehensive ban on nuclear testing. He went on to say that the great Powers should understand the common concerns among smaller nations and that it was now impossible to ignore the consequences of even regional unrest, let alone the consequences of nuclear war.

Regarding the situation in South Africa, the Minister expressed deep concern at the threat of the activities of the Government of South Africa, such as the obstruction of the independence of Namibia and its aggression against its neighbours, activities that were stemming from the evil system of apartheid. Australia was in favour of the appli-

cation of sanctions against South Africa and had the intention of submitting specific proposals at the forthcoming meeting of the Commonwealth Heads of Government. If South Africa did not respond to the selective sanctions, his Government would support the consideration by the Security Council of mandatory economic sanctions under Chapter VII of the Charter.

The Minister commended the efforts of the Secretary-General in dealing with major disputes using powers assigned to him by Article 99 of the Charter, such as sending a mission to investigate allegations about the use of chemical weapons in the war between the Islamic Republic of Iran and Iraq and undertaking an initiative to end the hostilities over the Falklands. His Government would welcome a more intensive involvement of the Secretary-General as mediator, arbitrator, negotiator or catalyst in seeking solutions to international problems.

He favoured improving the capacity of the Security Council for quiet diplomacy. He did not favour transforming the Council into a deliberative body. His Government had suggested the holding of periodic meetings to review the state of international security. He was in favour of the Secretary-General's approach that the Council should make a concerted effort to deal with one or two of the major problems before it. He regretted that the idea of having a private, informal session of the Council to exchange views freely had not found support, and concluded by expressing the hope that the Council, as the world's peacekeeper, would be improved for the benefit of the following generations.<sup>15</sup>

The Secretary of State of the United States of America said that the United Nations and its Charter had embodied mankind's most cherished hopes for a better world. He emphasized expectations for a world where international disputes could be settled peacefully, where self-determination would be advanced, where economic cooperation would promote prosperity and where human rights would be honoured. He added that each Member State, especially members of the Security Council, had a duty to their own people and to posterity to keep that vision alive. He observed that the global landscape was marred by international conflicts, aggression and violence. The United Nations was, he said, a troubled Organization reflecting the realities of a troubled world. He added that hunger and disease claimed many victims and that basic freedoms and human rights were trampled upon in many parts of the world. However, he did not consider that the United Nations had failed and that its founders were little more than utopian idealists. In his view the founders of the United Nations knew that pressing the ideas of the Charter in a world of sovereign States would be an endless, often disappointing task; yet by setting standards towards which all nations should aspire, the drafters of the Charter had hoped to help Member States move forward to greater prosperity, freedom and peace. He stated that over the past 40 years the United Nations had many successes. He mentioned the peacekeeping and peacemaking efforts in Korea, in the Congo, in Cyprus and on the Golan Heights, as well as the activities of various specialized agencies for the eradication of diseases, relief to refugees and services in the areas of communication and transportation. Unfortunately, the United Nations had often failed to remain true to its own principles. It had been

<sup>14</sup>*ibid.*, pp. 101-108.

<sup>15</sup>*ibid.*, pp. 108-113.



abused in the service of selfish national or bloc interests. It had been used as a platform for voices of hatred and bigotry, as in the case of the resolution equating Zionism with racism. Too often disputes among peoples had been magnified instead of being resolved through reasoned debate and discussion. The United States recognized that it had an important role to play and it was committed to protecting the United Nations against harmful and abusive practices.

He stated further that the Security Council was entrusted by the Charter with formidable powers to help resolve disputes, but those powers should be used wisely and courageously in the service of peace. He observed that creative Council actions could provide a basis for realistic, balanced and constructive resolutions thus facilitating the solution of some of the most difficult issues. In that connection, he mentioned resolution 242 (1967), which provided the essential political and legal framework for Middle East peacemaking. One-sided actions could not accomplish anything and that Security Council resolutions could have an impact only if they were realistic, balanced and constructive. Selective condemnation often exacerbated situations. He called for making the Council's work as effective as possible through greater and more systematic involvement of the Council at the early stages of developing conflicts; wider use of fact-finding, observation and good offices; more extensive and regular informal consultations among its members and greater use of the Secretary-General's powers under Article 99. He noted that similar ideas had been expressed by other delegations and that was perhaps suggestive of an emerging consensus. He agreed with the Secretary-General that the members of the Council were "the guardians of peace" and emphasized the need for a greater commitment to fulfilling that role.

In conclusion, the Secretary of State stated that the failure of the United Nations to meet all its lofty aims was no cause for despair. Cautioning against unrealistic expectations, he emphasized that it was necessary to ensure that the United Nations would guide the world on a straight course in a common journey and that Member States should continue to set high goals that inspired hard work and perseverance.<sup>16</sup>

The President of the Security Council, speaking in his capacity as Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, extended his thanks to the previous speakers for their thoughtful presentations and joined them in paying tribute to the Secretary-General. He recalled that the United Kingdom had been a co-architect of the Charter and a host to the first meeting of the Security Council. His Government was well aware of its special responsibilities as a permanent member of the Security Council and it was actively involved in the whole range of activities of the United Nations. In appraising the work of the Organization and of the Security Council, in particular, the Foreign Secretary associated himself with most of the points made by the speakers who preceded him. He echoed, in particular, the points made in the debate on the need for the members of the Security Council to search for common ground and the spirit of cooperative consultation as well as the desirability for the Council to speak with one voice. He observed that over the years the Council had seen its role,

style and methods of work evolve but the objective of the Council, defined in Article 24 of the Charter as the supreme mechanism for the maintenance of international peace and security, had remained the same and so it should remain. He viewed the Council as an agent more of persuasion than of coercion and pointed to the fact that when the Council performed well in its functions it tended to move away from open and public meetings to discussions in confidence. Quoting from the statement of the Danish Foreign Minister that "achievements do not have to be complete to be real", he referred to one of those accomplishments of the Council which had earlier been mentioned by the United States Secretary of State, namely, the defining of the terms of settlement in the Middle East by resolutions 242 (1967) and 338 (1973). He also made reference to the importance of resolution 435 (1978) as a basis for progress on Namibia and the successful use of peacekeeping forces in Lebanon and in Cyprus. However, the question remained whether the Council was effective enough. He agreed with previous speakers who had cautioned against the temptation to adopt a rhetorical approach and recalled that the responsibility for making the Council more effective rested with the members of the Council and depended on their political will.

He referred to the suggestions made on the need to improve the Council's methods, as well as to the objectives to which those methods should be applied. He supported the engagement of the Council in more preventive diplomacy. He was also supportive of instituting regular meetings of the Council to consider potential disputes. He also felt that the Secretary-General should bring matters to the attention of the Council at an early stage and that there should be a critical examination of the Council's procedures. He acknowledged that not every dispute was capable of resolution and supported the idea that certain long-standing disputes, not dominated by the East-West divide, deserved a fresh approach. Among those were the Iran-Iraq dispute, where there was a universal will for settlement; the Arab-Israeli dispute, where there was a striking need for a balanced settlement—based on Security Council resolution 242 (1967)—providing for the secure existence of Israel and self-determination for the Palestinian people; the situation in Cyprus, where the United Nations role was essential because both sides had confidence in it; and the situation in southern Africa and South Africa, where the common objective was the eradication of apartheid.

The Foreign Secretary stated further that the Council could focus attention, elaborate frameworks for settlement and promote negotiation, but ultimately its success depended on the willingness of Member States to recognize its authority and to use its resources.

He concluded by reiterating the importance for all Member States to examine the Security Council practices, recommit themselves to the ideas of the Charter and search for practical ways to pursue its objectives.<sup>17</sup>

He resumed his functions as the President of the Security Council and made the following statement on behalf of the members of the Council:<sup>18</sup>

The Security Council met in public at Headquarters of the United Nations in New York on Thursday, 26 September 1985, at the level

<sup>16</sup>*Ibid.*, pp. 113-118.

<sup>17</sup>*Ibid.*, pp. 118-126.

<sup>18</sup>S/17501.

of foreign ministers, to celebrate the fortieth anniversary of the Organization.

The meeting was chaired by the Foreign Minister of the United Kingdom of Great Britain and Northern Ireland as President of the Security Council for September. Statements were made by the Foreign Ministers of the Union of Soviet Socialist Republics, the Ukrainian Soviet Socialist Republic, Trinidad and Tobago, Thailand and Peru; by the Permanent Representative of Madagascar to the United Nations; by the Minister of State for Commerce of India; and by the Foreign Ministers of France, Egypt, Denmark, China, Burkina Faso, Australia, the United States of America and the United Kingdom of Great Britain and Northern Ireland, as well as by the Secretary-General.

The agenda for the commemorative meeting was: 'United Nations for a better world and the responsibility of the Security Council in maintaining international peace and security'.

The members of the Council welcomed the opportunity provided by the fortieth anniversary of the United Nations to reaffirm at a high level their obligations under the Charter and their continued commitment to its purposes and principles. They conducted a wide-ranging review of the international situation. They expressed their deep concern at the existence of various threats to peace, including the nuclear threat. While acknowledging that it has not always proved possible for the Organization to eradicate these threats, they underlined the continuing relevance of the United Nations as a positive force for peace and human advancement. They welcomed the continuing growth of the membership of the Organization to a point where the objective of universality of membership, which they endorsed, has almost been achieved.

The members of the Council were cognizant of the primary responsibility for the maintenance of international peace and security conferred by the Charter on the Security Council and of the special rights

and responsibilities of its permanent members. They stressed that a collegial approach within the Council was desirable to facilitate considered and concerted action by the Council as the main instrument for international peace. They acknowledged that the high hopes placed in the Organization by the international community had not been fully met and undertook to fulfil their individual and collective responsibility for the prevention and removal of threats to the peace with renewed dedication and determination. They agreed to employ appropriate measures available under the Charter when considering international disputes, threats to the peace, breaches of the peace and acts of aggression. They recognized the valuable contribution made on many occasions by United Nations peacekeeping forces. They called again upon the entire membership of the United Nations to abide by their obligations under the Charter to accept and carry out decisions of the Security Council.

They agreed that there was an urgent need to enhance the effectiveness of the Security Council in discharging its principal role of maintaining international peace and security. Accordingly, they resolved to continue the examination of the possibilities for further improvement of the functioning of the Security Council in carrying out its work in accordance with the Charter. In this context they paid special attention to the suggestions addressed to the members of the Security Council in the Secretary-General's annual reports on the work of the Organization. They thanked the Secretary-General for these reports and encouraged him to play an active role within the scope of his functions under the Charter.<sup>19</sup>

The Security Council thus concluded its business for the commemorative meeting.

<sup>19</sup>A/41/2, chap. 7, pp. 87 and 88.

## 11. LETTER DATED 26 SEPTEMBER 1985 FROM THE PERMANENT REPRESENTATIVE OF BOTSWANA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On 11 September 1985, the Secretary-General submitted a report<sup>1</sup> pursuant to Security Council resolution 568 (1985),<sup>2</sup> concerning the work of the mission dispatched by the Secretary-General to visit Botswana from 27 July 1985 to 2 August 1985. The report outlined projects that had been emphasized by the Government of Botswana to have been strictly related to the needs of refugees and, in particular, to the additional requirements consequent to the South African attack on Gaborone on 14 June 1985. The report stressed that, despite a deep sense of insecurity on the part of the population as a result of the 14 June attack, Botswana remained determined to keep its doors open to South African refugees and that the international community should enhance its assistance to Botswana in ensuring the safety, protection and welfare of refugees. At stake, the report concluded, was the right of refugee asylum countries to be secure from attack or coercion by refugee-producing countries, a fundamental principle of international treaties and conventions dealing with refugees.

By a letter dated 26 September 1985 addressed to the President of the Security Council,<sup>3</sup> the representative of Botswana requested that a meeting of the Council be convened to consider and adopt the report of the Secretary-General pursuant to Security Council resolution 568 (1985).

At its 2609th meeting, on 30 September 1985, the Council included in its agenda the item entitled "Letter dated 26 September 1985 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council", included in its agenda, and considered the item, together with the report of the Secretary-General pursuant to Security Council resolution 568 (1985), at the same meeting.<sup>4</sup>

The Council invited, at his request, the representative of Botswana to participate, without the right to vote, in the Council's discussion of the item.<sup>5</sup>

### Decision of 30 September 1985 (2609th meeting): resolution 572 (1985)

At the 2609th meeting, on 30 September 1985, the President, at the outset of the discussion, drew the attention of the members of the Council to a draft resolution submitted by Botswana, Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago.<sup>6</sup>

The representative of Botswana said that Gaborone had been unjustly attacked by South African commandos on 14 June 1985 and that it was his Government's right to demand compensation for the damage caused to life and property and for the violation of his country's territorial

<sup>1</sup>S/17453.

<sup>2</sup>For the consideration and adoption of Security Council resolution 568 (1985), see sect. 9.

<sup>3</sup>S/17497.

<sup>4</sup>For the adoption of the agenda, see S/PV.2609, p. 2.

<sup>5</sup>For details, see chap. III of the present Supplement.

<sup>6</sup>S/17503, subsequently adopted as resolution 572 (1985).