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NEED TO CONSIDER SUGGESTIONS REGARDING THE REVIEW
OF THE CHARTER OF THE UNITED NATIONS

Report of the Secretary-General

Addendum

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FINLAND

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As a State Member of the United Nations Finland has a strong interest in strengthening the United Nations as the centre for harmonizing the actions of nations in the attainment of the purposes and principles set forth in the United Nations Charter. In its efforts to contribute to this end the Government of Finland has consistently been guided by the belief that the United Nations Charter in its present form remains a sound and workable international instrument through which Member nations can hope to strengthen international peace and security, and promote economic and social advancement and respect of human rights and fundamental freedoms.

The United Nations has shown a clear ability to adapt itself to changing conditions and requirements. This has, however, happened mainly through evolution of practice rather than through formal constitutional reform. The Finnish Government believes that the effectiveness of the Charter is primarily not dependent upon constitutional deficiencies but on the degree of willingness on the part of Member nations to abide by the decisions the United Nations is taking under the Charter.

With regard to the provisions of an institutional character of the Charter, adjustments to meet new requirements have, on the other hand, been made. Amendments of Charter provisions concerning the enlargement of the membership of the Security Council and the Economic and Social Council could be mentioned in this regard.

The Finnish Government believes that there is further room for increasing the effective use of the Charter in general, and thus make it correspond more fully to the requirements of present times. This could be achieved, however, primarily through a better utilization of the working methods of the principal organs of the Organization and through a greater willingness by Member States to meet their obligations under the Charter.

The Finnish Government believes that a general review of the Charter at the present time could not meet with sufficiently broad support among its Member States. The initiation of a process of a constitutional review would therefore be unlikely to lead to a strengthening of the United Nations.

The Finnish Government remains, however, willing to co-operate with a view to reviewing provisions of the Charter of an institutional character if such amendments can be considered to strengthen the United Nations and would receive a broad support among its membership.

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NIGERIA

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20 September 1972

While, on the whole, the Charter has stood the test of time and many of the principles embodied in it are still valid today as they were 27 years ago, it is nevertheless necessary to look at specific articles which may need updating. It is, therefore, not the intention of the Nigerian Government to suggest a blanket review of the Charter but to undertake an exercise akin to that undertaken by the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly. It would be recalled that that Committee was able successfully to discharge its functions through a realization that its job was not to radically revise the rules of procedure of the General Assembly but, bearing in mind the realities, to suggest such modifications as would make the practices of the Assembly more efficient. In the case of the Charter, what is intended is to amend such articles as are either out of date or require modifications to take account of present-day realities.

Bearing in mind that the chief purpose of the United Nations is to maintain international peace and security, it is necessary to ensure that the organ entrusted with the primary responsibilities for achieving this purpose is constituted in a way to enable it to function effectively. Paragraph 1 of Article 23 established the system of permanent membership of the Security Council reserved for five Member States. Arguments have been adduced whether it is wise in present-day circumstances to continue to maintain a privileged position for these countries, particularly since permanent membership of the Council also carries with it the veto power, as indicated in Article 27, paragraph 3. Basically, the Nigerian Government believes that the conditions prevalent at the time of the designation of the five permanent members of the Security Council can no longer be held to be the same at the present time, and that, ideally, democratization of the Organization should apply to a democratization of the Security Council. This would mean that no Member State would enjoy any special privilege and that membership of the Security Council would be for all States on a non-permanent basis. On the other hand, if it is thought that there is need to continue to maintain the system of permanent membership, then there is need for the expansion of such privilege to include more members, bearing in mind the changes in the centres of power that have occurred since the creation of the United Nations. The Government of Nigeria believes that the climate of opinion among the present permanent members of the Security Council is such that their agreement to abolish their privilege will be impossible to obtain. Article 108 ensures that without such agreement, no amendment, however widely supported by the Members of the United Nations, can be sustained. Therefore, the next best thing is to expand the membership so as to ensure representation of all regions among the permanent Members.

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Certainly there is need to consider amending Article 27, paragraph 3 so as to remove the veto power which has proved a major hindrance to Council action and effectiveness.

Finally, the Government of Nigeria believes that there is need for a modest increase in the over-all membership of the Security Council to provide a fairer representation of the geographical regions.
