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STRENGTHENING OF DEMOCRATIC PRINCIPLES AS A MEANS OF CONTRIBUTING TO
THE MAINTENANCE OF UNIVERSAL PEACE

Letter dated 29 August 1950 from the Alternate Representative of Chile
to the Secretary-General

New York, 29 August 1950

With reference to the item entitled "Strengthening of democratic principles as a means of contributing to the maintenance of universal peace", the inclusion of which in the supplementary list of items for the agenda of the fifth session of the General Assembly has been requested by the delegation of Chile^{1/}, I have the honour to send you herewith the explanatory memorandum referred to in rule 20 of the rules of procedure of the General Assembly.

In this connexion I may say that my delegation will in due course submit for the Assembly's consideration a draft resolution on the subject.

I have the honour etc.

(signed) Ana FIGUEROA,
Alternate Representative
of Chile

^{1/} A/1317.

/EXPLANATORY MEMORANDUM

EXPLANATORY MEMORANDUM ON THE ITEM ENTERED BY CHILE IN THE SUPPLEMENTARY AGENDA FOR THE FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, ENTITLED: "STRENGTHENING OF DEMOCRATIC PRINCIPLES AS A MEANS OF CONTRIBUTING TO THE MAINTENANCE OF UNIVERSAL PEACE"

The present international situation shows convincingly that the spirit of co-operation between the peoples and Governments which signed the Charter of the United Nations has been losing the meaning that was attributed to it by the States assembled at the historic Conference of San Francisco.

The various organs of the United Nations, and in particular the General Assembly, have been engaged in seeking a procedure to make international co-operation and peaceful co-existence possible. The Security Council, which according to the Charter of the United Nations, has "primary responsibility for the maintenance of international peace and security", ^{has} been constantly hindered in its work by the excessive use of the privilege of the veto.

As a result of this situation the General Assembly, which is the most representative and democratic organ of the United Nations, has adopted resolutions based on its essential obligation to preserve peace and good understanding among nations. Outstanding among these agreements are resolution 190 (III), which bears the suggestive title "Appeal to the Great Powers to renew their efforts to compose their differences and establish a lasting peace", and resolution 290 (IV) headed "Essentials of peace".

In the first of those resolutions the General Assembly re-stated some of the purposes and principles of the Charter and reminded the Great Powers of the existence of other international agreements such as the Atlantic Charter and the Moscow Agreements of 1945.

In resolution 290 the States Members of the United Nations reaffirmed their faith in the fundamental principles of the Charter as "necessary for an enduring peace", seeing "that disregard of these principles is primarily responsible for the continuance of international tension; and that it is urgently necessary for all Members to act in accordance with these principles in the spirit of co-operation upon which the United Nations was founded".

Notwithstanding the resolutions approved by the General Assembly, the international tension continued to increase until it culminated in an act of aggression in Korea which put the very existence of the United Nations to the

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proof and clearly endangered the sovereignty of the States Members and respect for the human rights enshrined in the Charter.

Before the Korean crisis arose, the Secretary-General of the United Nations had, in exercise of the powers conferred upon him by the Charter, put forward principles upon which an understanding between the Great Powers might be based. The points of this potential agreement have been submitted by the Secretary-General as part of the agenda for the fifth session of the General Assembly; but the Korean crisis intervened between the announcement of these points and the approaches which the Secretary-General was to have made to the Governments of the Great Powers. This would apparently indicate that the bases proposed by the Secretary-General either do not have the support of all the Great Powers or are insufficient in themselves to create an atmosphere of mutual understanding such as would guarantee international peace and security.

Concerned at the gravity of the present international crisis, the President of Chile, in a public speech made during his official visit to the United States, suggested eight main points that might serve as a basis of understanding. Some of those points, which were announced last April, were identical with those expressed later by the Secretary-General of the United Nations and included in the agenda for the fifth session of the General Assembly. On that occasion the President of Chile added that, in view of the experience of recent years, he must express his doubts whether those bases would be accepted by a certain Great Power; and he said that if they were not accepted no other course would be left but to unite the forces really devoted to peace in accordance with the purposes and principles expressed in the Charter of the United Nations.

Within the United Nations practices and attitudes have been adopted which impede the operation of the machinery created by the Charter to make collaboration between nations real and effective and to seek solutions for problems that might endanger the independence and sovereignty of States. Such attitudes and practices are not confined to the Security Council or to the excessive use of the veto, but are also to be found in other organs the deliberations and agreement of which have suffered from the obstruction or abstention of certain members.

In view of these events, which constantly recur in international affairs, each time with greater significance, and which seriously endanger the prestige and

/capacity for effective action

capacity for effective action of the highest international organization and help to weaken the system of collective security for which the Charter of the United Nations was established, the Government of Chile is of the opinion that the time has come when it is absolutely necessary to unite the efforts of all countries that practise respect for human rights and are naturally peace-loving, to the extent that, within the powers and means authorized by the Charter of the United Nations, they may:

1. watch over the fulfilment of the principles, aims and purposes of the United Nations; and
2. establish efficient machinery enabling its Members to act jointly and rapidly in any emergency.

The Government of Chile is convinced that the Charter of the United Nations would permit the adoption of measures enabling countries to live peacefully together with ample scope for international collaboration. It is indispensable that these measures should be adopted and applied practically in international relations and in the conduct of each one of the Members of the United Nations.

By their own internal organization, by their judicial forms and by the permanent contact with public opinion from which their powers are derived, the democratic countries are eminently peace-loving.

Only the totalitarian countries, which do not require to submit their actions to the verdict of the people, are in a position to practise armed aggression.

There is therefore an evidently inseparable connexion between democracy and peace, and a dangerous affinity between totalitarianism and war.

The Charter of the United Nations is imbued with the spirit of respect for human rights and fundamental freedoms, which are the basis of all democratic organization.

Conscious of this mandate implicit in the Charter, the General Assembly adopted the "Universal Declaration of Human Rights" in 1948 and is now about to bring the "Covenant on Human Rights" into being.

Both the Declaration and the Covenant are cornerstones on which the democratic life of the peoples and their international relations must rest.

It is therefore indispensable that all peace-loving countries should act together for the purpose of solemnizing by means of a Pact, and within the limits

/laid down by the Charter

laid down by the Charter, their firm resolve to fulfil and to secure the fulfilment of these fundamental rights and freedoms.

In these times it is not enough to ensure regard for individual rights and freedoms: it is indispensable also to guarantee the rights and freedoms of nations in their sovereignty and independence as such.

The Pact should also include such guarantees.

Such an International Democratic Pact is that which the Government of Chile proposes for the consideration of the Members of the General Assembly.

This would meet the requirements of the first item of which we made mention, when we noted the need to "watch over the fulfilment of the principles, aims and purposes of the United Nations".

It is clear, however, that the solemn undertaking to be assumed by the democratically-minded countries would require the existence of appropriate legal machinery to enable the United Nations to act in any emergency that might endanger the sovereignty and independence of nations. The States Members are aware that in present conditions it is extremely difficult to localize situations that endanger peace and to restrict the scope of a disturbance of the peace.

Any threat against any country, any disturbance of the peace, should be countered by immediate United Nations support and assistance to the nation in danger or by effective action on the part of the international organization to restrict the scope of an act of war.

Without prejudice to or derogation from the "primary responsibility for the maintenance of international peace and security" which the Members of the United Nations have conferred upon the Security Council, it is within the powers of the General Assembly also to "discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations . . . and . . . make recommendations with regard to any such questions to the State or States concerned or to the Security Council or to both".
(Article 11, paragraph 2).

In addition, Article 10 establishes the General Assembly's ample powers to "discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and . . . make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters".

/Article 14 adds that

Article 14 adds that "the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin . . . including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations".

It is now clearly established that, with the sole reservation expressed in Article 12 to the effect that recommendations should not be made with regard to disputes or situations before the Security Council, the General Assembly is empowered to discuss and make recommendations on all matters or questions which fall within the scope of the Charter.

It has been shown that the General Assembly may meet to study and make recommendations with regard to any such matters, and that they may be dealt with at regular or special sessions and submitted by any of the Members, by the Secretary-General or by non-member countries.

Grave emergencies may, however, occur at a time when the General Assembly is not in session. It is therefore necessary to facilitate procedure for enabling the Interim Committee of the General Assembly to fill this gap.

This subsidiary organ was established in 1947 by the General Assembly and purposes explicitly include the "effective performance of the duties specifically conferred upon the General Assembly by the Charter in relation to matters concerning the maintenance of international peace and security (Articles 11 and 13) and the promotion of international co-operation in the political field (Article 13) and the peaceful adjustment of any situation likely to impair the general welfare or friendly relations among nations (Article 14)".

Unfortunately, the duties since then assigned to the Interim Committee do not fulfil the above-mentioned purposes and are confined on the whole to the making of studies and the submission of reports on them to the General Assembly. It is therefore necessary to enable the Interim Committee to fulfil these purposes, by widening its powers and reforming its methods of procedure so that it may act rapidly and effectively in any emergency and make independent decisions until the time as the General Assembly meets.

To enable these purposes to be carried out, the Delegation of Chile will submit a resolution modifying the relevant parts both of the rules of procedure of the General Assembly and of resolution 295 (IV) establishing the powers of the Interim Committee.

/This draft and the

This draft and the International Democratic Pact are complementary and will constitute the proposal to be submitted by Chile for the consideration of the fifth session of the General Assembly.

Santiago, 18 August 1950.