



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/10108
4 June 1975
ENGLISH
ORIGINAL: RUSSIAN

Thirtieth session
Item 115 of the preliminary list*

REPORT OF THE AD HOC COMMITTEE ON THE CHARTER OF THE UNITED NATIONS

Letter dated 3 June 1975 from the Permanent Representative of the
Byelorussian Soviet Socialist Republic to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you the text of a letter from the Government of the Byelorussian SSR addressed to the Secretary-General of the United Nations on the question of the Charter of the United Nations.

I should be grateful if you would circulate the text of the letter annexed hereto as an official document of the General Assembly in connexion with item 115 of the preliminary list of items to be included in the provisional agenda of the thirtieth session of the General Assembly.

(Signed) G. TCHERNOUCHTENKO
Permanent Representative of
the Byelorussian SSR
to the United Nations

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ANNEX

Letter from the Government of the Byelorussian SSR addressed
to the Secretary-General on the question of the Charter of
the United Nations

The Byelorussian Soviet Socialist Republic, as one of the original Members of the United Nations and a participant in the drafting of its Charter, which is the political and legal basis for all the activities of the United Nations, is most strongly opposed to a review of the Charter since it is deeply convinced that a review of the Charter of the United Nations would be fraught with a serious threat to the very existence of the United Nations.

The defeat of fascism in the Second World War, in which the peoples of the Soviet Union played a decisive role, gave rise to a powerful wave of social and political changes which quickly spread throughout the planet and led to the strengthening of the forces of peace throughout the world.

That not only made practicable the establishment of the United Nations, which was an important milestone in the struggle of the peace-loving forces against war and for the development of friendly relations between peoples, but, what is particularly important, it led to the practical implementation of the most progressive democratic principles of international relations and international law.

The determination of the peoples who themselves suffered all the horrors of the most bloody and destructive war in the history of mankind, the Second World War, to create reliable guarantees that the tragedy of a world war would never be repeated, that each country would be ensured the sovereign right to build its own life as it wished, and that the efforts of all States would be directed towards the achievement of widespread co-operation in solving international economic, social, cultural and humanitarian problems, was embodied in the Charter of the United Nations.

In the drafting of the Charter, which took place in lengthy and extremely complex negotiations, the peace-loving forces managed to secure the inclusion of a fundamentally new statement of the questions of the maintenance of international peace and the equality of all States, large and small. The Charter of the United Nations incorporated progressive principles of international law which still today retain their force. These principles include, above all: the principle of the recognition of the equality of two social systems, which is specifically embodied in the rule of unanimity of the permanent members of the Security Council; the principle of peaceful coexistence between States having different social systems; the principle of non-interference in the internal affairs of States; the principle of equality and sovereignty; the principle of self-determination; the principle of the obligation to settle international disputes by peaceful means; and the principle of widespread international co-operation on an equal basis in all fields - political, economic, social and cultural.

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The Charter of the United Nations provided for the creation of a universal system of collective security, and for joint action by States to combat the threat of war and acts of aggression and to safeguard the peace and security of peoples.

Thirty years have elapsed since the creation of the United Nations. For three decades the States Members of the United Nations have been developing multilateral co-operation on the basis of the Charter of peaceful coexistence, as the Charter of the United Nations is often called. During these years, the Charter of the United Nations, which embodies the universally recognized rules of international law, has fully stood the test of time, and its application has made an outstanding contribution to the cause of strengthening peace and has helped to avert and put an end to a number of international conflicts. Striking evidence of the high authority of the present Charter of the United Nations and its great significance and topicality in contemporary international life is provided by such fundamentally important decisions adopted by the United Nations, in accordance with its Charter, as the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Declaration on the Strengthening of International Security, the Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations, the Charter of Economic Rights and Duties of States, the resolution on the non-use of force in international relations and permanent prohibition of the use of nuclear weapons, the resolution approving the definition of aggression, and many others.

Convincing evidence of the tremendous possibilities of the Charter of the United Nations, its great vitality and complete relevance for modern times may be found in the decisions which the United Nations has succeeded in adopting in recent years on a broad range of different problems, such as the limitation of the arms race, decolonization, the peaceful uses of outer space, the protection of the environment, the application of science and technology to development, and many others.

The most important provisions of the Charter of the United Nations are being reflected increasingly in bilateral and multilateral intergovernmental treaties and agreements designed to consolidate in international practice the principles of peaceful coexistence between States having different social systems, the development of the process of détente, and the strengthening of peace and international security.

We must also draw attention to the fact that the States Members of the United Nations, whose number has increased more than two and a half times during the past decades, confirmed their adherence to the Charter by solemnly stating in the Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations, which was adopted unanimously: "In furtherance of the anniversary objectives of peace, justice and progress, we reaffirm our dedication to the Charter of the United Nations and our will to carry out the obligations contained in the Charter."

The Charter of the United Nations contains two very important provisions. One states that the peoples of the United Nations are "determined to save succeeding generations from the scourge of war". The other states that the United Nations must be "a centre for harmonizing the actions of nations in the attainment of these common ends". The deep significance of the Charter of the United Nations and the strength of the voice with which it speaks to our times are determined by the fact that it is concerned with what lies closest and dearest to every man - peace.

For three decades now, mankind has been spared a world war. This is a great victory for peace-loving forces, and peoples are becoming increasingly aware of its significance. The duty of the United Nations, its central political task, is to promote to the maximum extent possible the safeguarding and strengthening of universal peace.

Those who are now trying to revise the Charter of the United Nations and to bring up under various pretexts all kinds of "innovations" and "improvements" are, wittingly or unwittingly, tending to undermine this cardinal activity of the Organization. They completely disregard the indisputable fact that the most important positive advances which the world has seen over the past 30 years have occurred under the existing Charter of the United Nations.

The advocates of a review of the Charter of the United Nations, however much they camouflage their positions, are in fact arguing against its principal provisions and, above all, against the principle of unanimity of the permanent members of the Security Council of the United Nations.

The United Nations was built on the principle of the united efforts of States for the protection of universal peace, and it is precisely this principle of unanimity of the permanent members of the Security Council - the organ which is entitled to use force on behalf of the United Nations in the maintenance of peace - which is the essential guarantee that no State or group of States will be able to use the machinery of the United Nations for its own mercenary purposes. In view of the existence of two different social systems, the activities of the United Nations would be unthinkable without this principle. Without the rule of unanimity of the permanent members of the Security Council, the imperialists and colonialists would be able to use the United Nations without hindrance as a weapon for crushing the national liberation movements and for suppressing the rights of small countries.

In pursuing a peaceful Leninist foreign policy and basing itself on the principle of unanimity embodied in the United Nations Charter, the Soviet Union has repeatedly protected the interests of the peoples struggling for their freedom and national independence, and has defended the lawful rights and interests of small countries. The rule of unanimity has also guaranteed that the membership of the United Nations has increased, as is proper, in accordance with the principle of the universality of the United Nations.

Thus, the principle of unanimity of the permanent members of the Security Council is of vital significance for all States Members of the United Nations.

It cannot be denied that there have been instances of the misuse of the application of the principle of unanimity in the work of the United Nations, when

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this principle has been used contrary to the purposes and principles of the Charter, in particular, in support of colonial and racist régimes. The most recent example of this was the use of the "right of veto" by three permanent members of the Security Council in connexion with the proposal for the expulsion of the South African racists from the United Nations. But such misuses of the principle of unanimity cannot halt the process of the just solution of international problems, nor can it serve as a formal pretext for demolishing the Charter of the United Nations.

The Byelorussian SSR, which is at present a member of the Security Council, is firmly convinced that the principle of unanimity is the best of the available options in the modern world, and it considers that any revision of this principle, or its abolition, as is proposed by certain advocates of a review of the Charter, would undermine the very basis of the United Nations existence.

What we have said above demonstrates yet again the firmness of the position of the Byelorussian SSR on this question, a position which was set out in the reply to the Secretary-General's inquiry in 1972, when we stated that:

"From the very beginning of the activities of the United Nations the Byelorussian SSR has actively favoured enhancing its authority and effectiveness on the basis of strict and full compliance with the United Nations Charter, and it accordingly considers that there is no need for a review of that instrument."

In present circumstances, when the trend towards détente has become the dominating feature of contemporary developments and the principles of peaceful coexistence between States having different social systems are becoming more firmly consolidated in international relations, when more favourable conditions are being created for the just and peaceful settlement of international disputes and for the development of equal and mutually advantageous international co-operation, and when the United Nations has begun to perform more effectively the tasks laid down in its Charter - in these circumstances the only correct procedure would be to terminate the discussion of the question of a review of the Charter of the United Nations and to concentrate all the Organization's efforts on solving the problems which confront it.

Confirmation by all States Members of the United Nations of their adherence to the Charter, as the fundamental document of the United Nations, and of their determination strictly to carry out its provisions, as well as the resolutions of the Security Council and the basic decisions of the General Assembly adopted in accordance with the Charter - that is what is needed if States wish to make a practical contribution towards increasing the role and effectiveness of the United Nations in realizing the lofty and noble purposes and principles embodied in its Charter, and thereby to mark in a worthy manner the thirtieth anniversary of the founding of the United Nations.

31 May 1975