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President: Mr. Rüdiger von WECHMAR
(Federal Republic of Germany).

Tribute to the memory of Mr. Hamilton Shirley Amerasinghe, President of the Third United Nations Conference on the Law of the Sea and former President of the General Assembly

1. The PRESIDENT: I am deeply sorry to have to announce that our friend and colleague, Mr. Hamilton Shirley Amerasinghe, President of the Third United Nations Conference on the Law of the Sea and President of the General Assembly in 1976, passed away peacefully this morning at 10.30. He fell gravely ill on 14 November and was immediately hospitalized, but all endeavours to save him were to no avail.

2. It is particularly sad to lose such an able and creative colleague, whose career spanned more than 45 years of selfless service to his country and to the international community.

3. He was born in Colombo, in what was then Ceylon, in 1913, and completed his university studies in his own country and in the United Kingdom in 1934. Having joined the Ceylon Civil Service soon afterwards, he served in the Ministry of Health, where he was actively and successfully involved in a malaria-eradication programme and later became the resident manager of a major statutory authority that administered a multi-purpose river valley development project.

4. He first served overseas as Counsellor of Embassy in Washington, D.C., from 1953 to 1955. Upon his return home he occupied a succession of major posts in Treasury and Finance, which led to his becoming alternate Governor for Ceylon in the World Bank.

5. Thereafter, he was appointed High Commissioner of Ceylon to India, while serving concurrently as Ambassador to Nepal and Afghanistan, until 1967, when he joined the United Nations as the Permanent Representative of Sri Lanka. He had been the President of the Third United Nations Conference on the

Law of the Sea since 1973 and was elected President of the thirty-first session of the General Assembly in 1976.

6. It is, of course, his arduous work in bringing about the nearly complete compromise on the law of the sea for which he will be long remembered.

7. It saddens me that he will not be here with us fully to complete his historic work, but I am confident that his remarkable endeavours to ensure that that vast area of the globe becomes the common heritage of mankind will be crowned with success and be his lasting memorial.

8. Given the length of his tenure, his great expertise and the high esteem in which he was held by his colleagues, his passing represents a great loss to the United Nations.

9. May I now invite the General Assembly to stand and observe a minute of silent prayer or meditation in tribute to the memory of Hamilton Shirley Amerasinghe.

The members of the General Assembly observed a minute of silence.

10. The PRESIDENT: I now call on the Secretary-General of the United Nations.

11. The SECRETARY-GENERAL: The death of Shirley Amerasinghe is a great loss for all of us who were his friends and also to the United Nations as an organization. Shirley Amerasinghe had served in the United Nations since 1957, when he represented his country on the Fifth Committee of the General Assembly. He became Permanent Representative in 1967 and in 1968 was elected Chairman of the *Ad Hoc* Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. From that time on he presided over the various United Nations bodies dealing with the subject and became, in 1973, the President of the Third United Nations Conference on the Law of the Sea. In 1976 he was elected President of the thirty-first session of the General Assembly.

12. Recently most of us have associated Shirley Amerasinghe with his very effective work as the President of the Third United Nations Conference on the Law of the Sea. Here he made a major contribution to one of the most important and successful enterprises of the United Nations. The successful conclusion of that work would certainly be an abiding monument to the friend we have lost.

13. Shirley Amerasinghe's record of service to the United Nations is a remarkable one, and he occupied an important place, both in the work of the Organization and in the hearts of his colleagues. His charming personality, humour and style were an encouraging and positive asset at all times. He was at the same time

forthright and courteous, firm and understanding, which accounted for much of his success in the high offices which he held here at the United Nations.

14. We remember Shirley Amerasinghe with gratitude, respect and affection. He will be greatly missed.

15. The PRESIDENT: I now call on the representative of the Sudan, Chairman of the group of African States.

16. Mr. BIRIDO (Sudan) (*interpretation from Arabic*): It is with a heavy heart and great sorrow that the delegation of the Sudan, on behalf of the African group in the United Nations, wishes to express its most profound condolences on the loss we have just sustained in the passing of Mr. Amerasinghe, President of the Third United Nations Conference on the Law of the Sea.

17. We learn of this sad news at a time when the international community has the greatest need of his experience and his wisdom in the field of international diplomacy.

18. History will recognize with eternal gratitude the efforts made by Mr. Amerasinghe in the service of the international community and in the cause of world peace, as well as in connexion with the law of the sea, on which subject we are on the point of reaching agreement.

19. Mr. Amerasinghe was in the vanguard in bringing together and reconciling different points of view. It was our hope that he would be among us when the time came to sign the important international instrument with regard to the law of the sea. But it was the will of God that death should take Mr. Amerasinghe from us and we cannot but bow to the will of the Almighty.

20. The Sudan and Africa as a whole, as well as the international community, can only extend sincere condolences to the delegation of Sri Lanka, the Government and people of Sri Lanka and Mr. Amerasinghe's family. We ask the Almighty to give them and the international community consolation and the strength to bear this great loss. May the soul of the departed rest in peace.

21. The PRESIDENT: I call now on the Chairman of the group of Western European and other States, the representative of Portugal.

22. Mr. FUTSCHER PEREIRA (Portugal): The untimely passing of Mr. Shirley Amerasinghe has been a shock to us all. We were all familiar with the ebullient and warm personality of that great man and highly skilled diplomat, who was, during his long years in the United Nations, a dear friend and companion to us all.

23. His brilliant career as Permanent Representative of Sri Lanka and as President of the General Assembly, and especially the extraordinary job he did as President of the Third United Nations Conference on the Law of the Sea, won him a well-deserved reputation for dedication and competence matched by few. It is sad to think that we shall not see him again in these corridors. It is a matter for regret that we shall no longer be able to benefit from his experience, his reason and his advice.

24. In the name of the group of Western European and other States, in the name of the Portuguese Government and on my own behalf, I wish to extend to the family of Shirley Amerasinghe, the delegation of Sri Lanka and the Government and people of Sri Lanka our deepest sympathy.

25. The PRESIDENT: I call on the Chairman of the Asian group, the representative of Cyprus.

26. Mr. MAVROMMATIS (Cyprus): The extremely sad tidings of the passing of Mr. Shirley Amerasinghe reached us this morning. Representing as I do the Asian group, to which the late Ambassador and his country belong, I should like, on behalf of all the members of the Asian group, my Government and myself, to express profound grief and to convey to the Government and the delegation of Sri Lanka, as well as to Mr. Amerasinghe's family, our most heartfelt condolences.

27. Those of us who had the privilege of knowing and working with him have a great appreciation of his diplomatic skill, his abilities and his qualities as a representative, as the Permanent Representative of his country, as a human being and, most recently, as a presiding officer, in particular of the Third United Nations Conference on the Law of the Sea.

28. It is no exaggeration to say that the success of the Conference on the Law of the Sea bears testimony to his abilities and that the end product will bear his hallmark. May he rest in peace, for he has served humanity and the Organization well, and he has literally passed away on the ramparts.

29. The PRESIDENT: I now call on the Chairman of the Eastern European group, the representative of the German Democratic Republic.

30. Mr. FLORIN (German Democratic Republic) (*interpretation from Russian*): Permit me, on behalf of the Eastern European Group, to express to the delegation of Sri Lanka our profound condolences on the untimely death of an outstanding diplomat, Shirley Amerasinghe.

31. We knew him very well in his work in the Organization as one devoted to the ideals of the Charter.

32. We saw him in the post of President of the General Assembly. We all know how difficult was the work of the Third United Nations Conference on the Law of the Sea and we realize that the positive results of that Conference are connected with the tireless efforts of its President, Mr. Amerasinghe. We all remember him as a man, as a diplomat and as someone who worked hard in the Organization.

33. I would request the delegation of Sri Lanka to convey to the bereaved family our profound condolences.

34. The PRESIDENT: I now call on the representative of Costa Rica, who will speak on behalf of the Latin American group of States.

35. Mrs. de BARISH (Costa Rica) (*interpretation from Spanish*): As Chairman of the Latin American group of States, the delegation of Costa Rica has the great honour and the sad duty of expressing, on behalf of the Latin American group, on its own behalf and on mine, the most heartfelt and sincere condo-

lences at the passing away of Mr. Hamilton Shirley Amerasinghe, that distinguished statesman and diplomat, who directed much of the most significant work of the last decade as President of the General Assembly and as President of the Third United Nations Conference on the Law of the Sea.

36. Mr. Amerasinghe always demonstrated his great skills and his human qualities as a parliamentarian, in guiding our debates, as a negotiator and as a gentleman. His death is truly a profound loss, at a time when his work was at the point of being completed. When the convention on the law of the sea is signed, that event will be a tribute to the memory of that outstanding citizen of the Republic of Sri Lanka and architect of one of the most significant and historic events in the life of the United Nations.

37. The PRESIDENT: I now call on the representative of Kuwait, who will speak on behalf of the group of Arab States.

38. Mr. BISHARA (Kuwait) (*interpretation from Arabic*): On behalf of the group of Arab States, which I have the honour of presiding over this month, I should like to express our profound sorrow and our most heartfelt condolences at the passing of Mr. Shirley Amerasinghe. His death has robbed the international family of his experience, his wisdom and his ability to offer all that is good and useful in the interests of that family. He served the United Nations and its purposes and principles when he was the Ambassador of his country for 10 years. He served the Organization as President of the General Assembly—he was one of the best Presidents and often demonstrated his great capacities. He was also the President of the Third United Nations Conference on the Law of the Sea.

39. Mr. Amerasinghe was one of my dearest friends. I went to see him just a few days ago; he was not conscious when I was there and I knew it would be our last meeting. Every day I waited for news. Then this morning I learned that he had passed away.

40. He lived for others, not for his own personal interests. He lived for the United Nations, for the principles of the Organization. He lived to serve those who suffered from injustice. The last time we were together he suddenly told me that he would have liked to have crowned his life by the signing of the convention on the law of the sea. He had intended thereafter to write a book on the law of the sea. He turned to me that day and said: "Abdalla, I do not fear death but I do fear suffering".

41. On behalf of the group of Arab States, I should like to convey my heartfelt condolences to the international community that he served. I should also like to convey those condolences to his country, to the delegation of Sri Lanka, to the group of Asian States and to all his friends, who were so numerous.

42. In conclusion, I should like to say that the best thing we can do to pay a tribute to the memory of Mr. Amerasinghe would be to see to it that his efforts bear fruit, because we know that he devoted his life to the United Nations and to ensuring the triumph of justice. What he bequeathed to us is a precious heritage. Let us try to follow in his footsteps.

43. The PRESIDENT: I now call on the representative of Sri Lanka.

44. Mr. BALASUBRAMANIAM (Sri Lanka): The delegation of Sri Lanka is deeply touched by the manifestation of sorrow expressed by the General Assembly today, on the occasion of the passing away of Mr. Shirley Amerasinghe, a distinguished son of Sri Lanka.

45. Mr. Amerasinghe, after a long and distinguished career in the public service of Sri Lanka, devoted his energies and talents to the service of the international community. It is particularly unfortunate that he did not live to see the fruition of his efforts in a cause that was close and dear to his heart; I refer to the Third United Nations Conference on the Law of the Sea.

46. The delegation of Sri Lanka takes note of the sentiments expressed today here and will convey them to the members of the family of Mr. Amerasinghe.

AGENDA ITEM 30

Question of equitable representation on and increase in the membership of the Security Council (*continued*)

47. The PRESIDENT: I would remind representatives that the list of speakers in the debate was closed at 3 p.m. today in accordance with the decision of the Assembly this morning. I should like to announce once again that the decision on draft resolution A/35/L.34/Rev.1 will be taken at a later date.

48. Mr. KALINA (Czechoslovakia): We had the opportunity last year to explain the position of the Czechoslovak delegation concerning the question of equitable representation on and increase in the membership of the Security Council.¹ That position of principle remains unchanged. In our view, it is not merely the representation on or the membership of the Security Council that is questioned. First, and above all, it implies a revision of the Charter of the United Nations. The position of the Czechoslovak Socialist Republic, which is one of the founding Members of the United Nations, with regard to this question is consistent. We consider the provisions of the Charter to be as fully adequate for the fulfilment of the principal task of the United Nations, which is the maintenance and strengthening of international peace and security, as they were 35 years ago when they were adopted. If anything should be revised or increased, it should be in the first place the political will of certain States to comply with those provisions.

49. Secondly, Czechoslovakia welcomes the growth of the membership of the United Nations, which ensures that the Organization will move closer and closer to universality. At the same time, we do not believe that this growth should find its mechanical reflection in an increase in the membership of the Security Council. This is quite apparent from Article 23 of the Charter, which clearly stipulates that non-permanent members of the Security Council should be elected, first of all, on the basis of their contribution to the maintenance of international peace and security.

50. In this connexion it is claimed that non-aligned and developing countries are not adequately repre-

¹ Official Records of the General Assembly, Thirty-fourth Session, Plenary Meetings, 104th meeting, paras. 265-272.

sented in the Security Council. Taking into consideration the fact that without the agreement and active contributions of those countries represented in the Council that body is in practice unable to take any decision at all, we do not share that view.

51. Thirdly, we do not find it possible to agree with the view that the proposed revision of the membership of the Security Council or of its representation will automatically bring about the strengthening of the main role of the Council and thus promote the maintenance of international peace and security. In fact we have not witnessed one single case or situation where the provisions of the Charter which determine the membership of the Security Council would hamper the fulfilment of the important tasks assigned to it under the Charter. We, of course, realize that the Security Council has not always been in a position to adopt the necessary effective decisions for the purpose of resolving pressing international problems; but we are convinced that it is hardly possible to hold the numerical membership of the Council as such responsible for this. The crux of the matter lies elsewhere, in strict compliance with the principles and purposes of the Charter and the carrying out of Council decisions by Member States. Only in this way can the effectiveness of the United Nations in regard to the maintenance of international peace and security be effectively ensured.

52. Moreover, the Charter requires the Security Council to carry out rapid and effective action to maintain international peace and security. We continue to hold that inordinate enlargement of the membership of the Council, which is the most important organ of the United Nations, could not but have a negative influence on its ability to do so.

53. Proceeding from these considerations, the Czechoslovak delegation would like to request the sponsors of draft resolution A/35/L.34/Rev.1 not to press for a vote. If it is put to a vote, my delegation will have to oppose it.

54. Sir Anthony PARSONS (United Kingdom): My delegation listened with close attention to the eloquent statement in which the representative of India introduced draft resolution A/35/L.34/Rev.1 [81st meeting]. We were, of course, aware that such a proposal was in the wind and we have been giving the question much thought ever since the idea of enlarging the Security Council was mooted at last year's session of the General Assembly. We have, in particular, asked ourselves what justification there might be for a proposal which, as I shall shortly indicate, we believe to threaten a further reduction in the effectiveness of the most important decision-making body in the Organization and even to threaten the very basis on which the United Nations exists.

55. In recent weeks our perplexity has increased as we have followed with growing bewilderment the arithmetical evolution of the proposal before us. Operative paragraph 3 (f) of the draft resolution now reads "One non-permanent seat shall alternate between Latin American States, on the one hand, and Western European and other States and Eastern European States, on the other, in the following sequence: Latin American States, Western European and other States, Latin American States, Western

European and other States, Latin American States, Eastern European States, and so on." What, we ask ourselves, could explain these arcane gymnastics?

56. The representative of India and the draft resolution before us purport to answer the question we have been asking ourselves. The enlargement of the Council we are told, is desirable because there has been an increase in the membership of the United Nations. My delegation has looked in vain for any provision in the Charter which might support that proposition. No such provision exists. The Charter lays down no arithmetical relationship between the size of the Security Council and the size of the United Nations membership, just as—certainly in my country and, I think, in most others—there is no arithmetical relationship between the size of the Cabinet and the size of the population, and the former does not expand to keep pace with the latter. The sponsors of the text in which the enlargement of the membership is proposed may argue that the existence of an arithmetical relationship was acknowledged by the General Assembly when in 1963 it enlarged the Council from 11 to 15 [resolution 1991 A (XVIII)]. Even if my delegation accepted that argument, which we do not, we would still question Mr. Mishra's arithmetic. Between 1945 and 1963 the membership of the United Nations had more than doubled. This was used by the sponsors of the text adopted as resolution 1991 (XVIII) to justify enlargement of the Security Council by four non-permanent members. Since 1963 the membership as a whole as increased by somewhat less than 50 per cent. Even if it were accepted—and it is not accepted by my delegation—that this justified some further increase in the size of the Council, the logic of 1963 would surely indicate an increase of two at the most, not six as proposed in the text before us.

57. But my delegation would oppose even an increase of two. We would do so because we are, above all, concerned with the efficient operation of the Security Council. The United Kingdom did not welcome the increase from 11 to 15. We were concerned then about the effect that increase would have on the Council's ability to act quickly and effectively when quick and effective action was needed. My delegation does not accept that the Council has in recent years been as ineffective as some of its critics claim. But we believe that it is beyond doubt that a Council of 15 is less able than a Council of 11 to respond with alacrity and precision to crises of international peace and security. A Council of 21 would be even more handicapped.

58. There is another reason why my delegation is opposed to the change proposed by the representative of India and the other sponsors. The Security Council, as envisaged by the founders of the United Nations, was a carefully balanced instrument. This was, and remains, fitting for the most important decision-making organ of the United Nations. With a required majority of seven votes, no political group was in those days able alone to command enough votes to impose its will against the wishes of all the other groups combined. The 1963 enlargement, although damaging to the Council's efficiency, nevertheless left that fundamental balance intact. But if the draft resolution before us were adopted, it would mean that for the first time in the history of the United Nations a single political group would by itself command the

number of votes required for the Security Council to adopt decisions. The balance which has existed since 1945 would be destroyed.

59. For all these reasons my Government is profoundly unhappy about draft resolution A/35/L.34/Rev.1. We believe that, if adopted, it could provoke a constitutional crisis which would not only paralyse the Security Council, with all that that would imply for the maintenance of international peace and security; it could also call into question the very basis of the whole Organization. My delegation will therefore vote against that text. And I entreat all my colleagues in the Assembly to think very carefully before supporting a proposal which could have such damaging and such far-reaching consequences.

60. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet Union has consistently favoured the enhancement of the role and effectiveness of the United Nations as an important instrument for the strengthening of international peace and security, on the basis of strict observance of the Charter of the United Nations. It proceeds from a belief that, acting in accordance with the Charter, the Organization has made and continues to make useful contributions to the strengthening of peace and the resolution of current international problems.

61. The events of recent times have left no doubt that the central task of the United Nations, as laid down in the Charter, is the maintenance of international peace and security, and this remains as timely, relevant and urgent as ever.

62. Addressing the General Assembly at the current session, the head of the Soviet delegation, the Foreign Minister of the USSR, Andrei Gromyko, stressed that

“In view of the specific character of the situation in the world arena today, it is essential for the work of the session to be conducted in a constructive atmosphere. Its participants will have to display to an even greater extent than before a sense of realism, a considered approach to key international issues and a genuine interest in finding solutions to them”. [6th meeting, para. 93.]

63. However, the consideration of the question of an increase in the membership of the Security Council is leading the Organization in the opposite direction. It is giving rise to unnecessary differences among States, it is creating additional complications in the work of the General Assembly and it is contrary to the spirit of co-operation required for the adoption of decisions on vital problems of the day, decisions that would be in keeping with the central task of the United Nations. In the final analysis, this proposal can only be detrimental to the effectiveness of the Organization, weakening and undermining its authority.

64. Claims that an increase in the membership of the Security Council is necessary to enhance the effectiveness of that body are, in our view, unfounded. Indeed, it is obvious that an increase in the membership of the Council would have an adverse effect on the efficient functioning of that important United Nations organ, which is required under the terms of

the Charter to take urgent and agreed decisions on the maintenance of international peace and security in complex and swiftly developing circumstances.

65. Another argument that does not hold water is that the increase in the membership of the Security Council is necessary to ensure a more balanced and more just representation of the various geographical groups of States Members of the United Nations. In the present composition of the Council, the States of Africa, Asia and Latin America hold 70 per cent of the non-permanent seats. In practice, without the consent of this group of non-permanent members of the Security Council, it is impossible to take any decision. All this goes to show that the existing composition of the Council is sufficiently well-balanced and responds to the principle of equitable geographical distribution. Furthermore, it should be borne in mind that under the Charter, the non-permanent membership of the Council is not determined by arithmetical proportions but, as stipulated in Article 23, paragraph 1, of the Charter, relates “... in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security”. It is obvious that a purely arithmetical calculation is inapplicable in the determination of the composition of the Council and this, incidentally, is shown by the wrangling which arose in connexion with attempts to share out the proposed seats in the Council.

66. The Soviet Union is sympathetic to the legitimate desire of developing countries which are States Members of the United Nations to play an active role in the work of the Organization, and the Charter provides the necessary opportunities for this. It is well known that every State Member of the United Nations can participate in the discussion of any item in the Security Council in all cases where the interests of such a State are particularly concerned. As has been shown in practice in the Council's work, the developing countries make wide use of this opportunity.

67. At the same time, it would be wrong to suppose that an increase in the membership of the Security Council would lead to a strengthening of its primary role in matters pertaining to the maintenance of international peace and security. The reasons why the Council has not always been in a position to take the necessary and effective decisions lie not in the provisions of the Charter which stipulate the composition of the Council, but in the specific policies of given States and in the fact that certain Member States do not observe the provisions of the Charter and act contrary to the principles and purposes proclaimed in it.

68. In this regard, the task of strengthening the Charter becomes particularly important, as does that of ensuring that it is fully and universally observed. However, the proposal for increasing the membership of the Council is aimed at a revision of the Charter and the revision of one of its most important provisions. Even now it is clear that the revision of one of the provisions of the Charter which has a direct bearing on the work of the Security Council could set off a chain reaction which would manifest itself in demands for the revision of other Charter provisions. As a result, the Charter, that is, the very basis

of the work of the Organization, would suffer irreversible harm.

69. The position of the Soviet Union in this matter is unchanged: the Soviet Union has consistently and firmly opposed any attempts to revise the Charter. We proceed from the belief that the Charter has stood the test of time and has proved its viability a changing world. Attempts to revise it can only shake the foundations of the work of the United Nations and lead to a lessening of its effectiveness.

70. The delegation of the Soviet Union would like to express the hope that Member States will weigh most carefully the negative consequences for relations among States and for the Organization as a whole that might be brought about by an attempt to impose on the General Assembly a proposal unacceptable to many States for an increase in the membership of the Security Council. Our delegation calls on the sponsors of draft resolution A/35/L.34/Rev.1 not to press their proposal. However, if the draft resolution is put to the vote, the delegation of the Soviet Union, on the basis of its position of principle, will vote against it.

71. Mr. CLARK (Nigeria): It is painfully tragic that we should be discussing this important matter at a time when we are deeply mourning the passing of a great friend and colleague, Mr. Shirley Amerasinghe. Shirley was well known and respected as one of your eminent predecessors, Sir, as President of the Assembly, and as a great pillar of strength in the non-aligned movement. On behalf of my delegation, I wish to convey to his family and to the Permanent Mission of Sri Lanka our heartfelt condolences.

72. At the thirty-fourth session, when the General Assembly was considering the item on the question of equitable representation on and increase in the membership of the Security Council [item 128], the case for it was competently and comprehensively made by Mr. Mishra of India.² Since then, as he explained this morning [81st meeting], a tremendous effort has been made to explain the justification for the item and to allay the fears of those who might believe that an increase in the membership of the Security Council would weaken the effectiveness of that important organ of the United Nations.

73. Arguments against the proposal cannot be found either in the Charter of the United Nations or in the present working of the Security Council itself. I can understand those with a vested interest in the *status quo* striving to safeguard their existing privileges. But they cannot correctly say that their present interests necessarily coincide with those of the international community as a whole.

74. The current proposal to increase the membership of the Security Council from 15 members to 21 was foreseen and, indeed, anticipated by the exercise of 1963 when, in recognition of the triumph of the decolonization process, the General Assembly adopted resolution 1991 A (XVIII) of 17 December 1963, under which the 10 non-permanent members of the Security Council are now elected as follows: five from African and Asian States; one from Eastern European States; two from Latin American States; and two from Western European and other States.

75. It may be helpful to recall that at that time there were only 113 Member States. The 30-odd African States, which were new at the time on the international scene and preoccupied with their colonial problems, reluctantly agreed to accept the three seats allotted to them. Today, the African States are 50 strong; by the grace of God, we will next year, with the independence of Namibia, be 51. We therefore demand a stronger voice at the United Nations, particularly in the Security Council, the more so as the membership of the United Nations has increased to 154.

76. There is a sinister ring to the argument of those who say that there was justification for the Security Council to have 11 members—5 permanent and 6 non-permanent—when the membership was a mere 51, including only three from Africa. How can the present membership of the Council represent or compensate for the emergence of more than 50 African States, which, though poor, are independent, and which, though grateful for developmental assistance that they receive, are fiercely proud and non-aligned?

77. There is another argument in support of the proposal. At San Francisco the international mood was different from what it is today. The meaning of the provisions of the Charter may be clear, but there is a lot of the immediate post-war San Francisco mood in the Charter. The important criterion to be taken into account in the election of members, namely—as set down in Article 23, paragraph 1, of the Charter—“the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution” needs to be addressed soberly, adequately and, I dare add, fairly, given the changing role of the United Nations in the light of evolving international situations—hence the insistent demand by African and other non-aligned countries for the democratization of the decision-making process of the organs of the United Nations system, and the resolution of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana in September 1979.³ In fact, the resolution concerning increasing the membership of the Security Council in conformity with the principle of equitable geographical distribution was among the very first resolutions to be adopted by the Assembly of Heads of State and Government of the Organization of African Unity in May 1963 at Addis Ababa. That position remains valid, as my President, Mr. Alhaji Shehu Shagari, reaffirmed here on 6 October 1980 [24th meeting].

78. It has been argued that Member States which are not members of the Security Council have access to the Council whenever they so wish to add their voices to the consideration of important issues. Participation in decision-making is not the same as being invited to make statements without the right to vote. Those of us from Africa and other non-aligned countries want to be part of the decision-making process; we do not want to be invited to be guests at the master's table.

79. Today it can be said that the African, Latin American and Asian Member States play a major role in the maintenance of international peace and security.

² *Ibid.* 103rd meeting, paras. 135-147.

³ See A/34/542, annex, Sect. VI, resolution No. 7.

If those who oppose the principle of equitable representation on and increase in the membership of the Security Council agree that we make contributions, then it goes without saying that democracy demands that we be represented in the Council, which bears primary responsibility for the maintenance of international peace and security.

80. The efficiency and effectiveness of the Council does not lie solely in numbers, large or small; it lies more in the commitment to the ideals and objectives of the Charter, to full respect for its principles and purposes and to sensitive recognition of the right of all States, large and small, to contribute to the maintenance of international peace and security.

81. Because of our present relative weakness, the principles and purposes of the United Nations, particularly in the area of the maintenance of international peace and security, are very close to our hearts. We do not want the vital decisions of war and peace, which affect us directly, to be made for us. We are now independent and we demand to speak for ourselves.

82. Mr. SIKAULU (Zambia): It was with a deep sense of shock and profound sadness that my delegation learnt of the untimely death of Mr. Amerasinghe, President of the Third United Nations Conference on the Law of the Sea. On behalf of my delegation, I wish to join you, Mr. President, and others in paying a tribute to him. He was internationally known and respected for his brilliance and outstanding diplomatic skill. A truly great man has left us. His contribution to the work of the United Nations, particularly through the Conference on the Law of the Sea, will undoubtedly continue to inspire men of goodwill for generations to come.

83. There is no question that the principal duty of the United Nations—if it is not indeed the very reason for the existence of the Organization—is to promote and maintain international peace and security. The Charter of the United Nations vests this vital responsibility above all in the Security Council.

84. The question of equitable representation on and increase in the membership of the Security Council is an item of great importance which is directly linked to the responsibility of the Organization for the maintenance of international peace and security. All States have a stake in the questions of war and peace; indeed, all States, big or small, weak or strong, have a duty to participate in the search for world peace and security.

85. My Government is convinced that as presently constituted the Security Council lacks equity and balance. In our view, there is an urgent need for the Council to be made more representative, both numerically and in terms of the political outlook States Members of the United Nations.

86. Originally, the United Nations had only 51 Member States. It has since grown by leaps and bounds to its present membership of 154 sovereign and independent States, thanks in particular to the decolonization process. Apart from the increase in the number of sovereign and independent States comprising the membership of the United Nations, we have also witnessed the birth and growth of the non-aligned

movement, which is today a major force in international relations. We no longer live in a bi-polar world.

87. To advocate equitable representation on and increase in the membership of the Security Council is to be realistic. The Security Council, like any other United Nations organ, should reflect the realities of the present order. More Member States should be given the opportunity to serve on the Security Council and, within the framework of the Council, to make their contribution to the promotion of international peace and security. The decisions of the Council should reflect the will of the international community as a whole.

88. Certainly, my Government does not perceive the Security Council as an institution that must be the preserve of a privileged few. We reject the notion that only certain States have the wisdom to know what is good for all the world's countries and peoples. As the organ vested with unique powers to serve and advance the cause of peace and security in the world, the Security Council should be democratized and made more effective.

89. Some have argued that the envisaged enlargement of the Security Council would diminish its ability to respond quickly and effectively to questions brought up for its consideration. Zambia does not accept the argument of those opponents of change. The increase proposed is certainly reasonable and can in no way adversely affect the efficient performance of the Council. There is no suggestion of making the Council unwieldy. The fact of the matter is that, as constituted at present, it seldom responds quickly and effectively to threats to international peace and security which are brought to its attention, although for reasons unrelated to its size. There are several other United Nations bodies, in any case, with a wider membership than the Security Council, whose performance is unquestionably commendable.

90. We have also heard rather surprising assertions that the Security Council is balanced as constituted at present. We have not been told between whom, but it is quite obvious that this is a reference to a balance between the East and the West. We obviously cannot accept such an attitude of mind, which conveniently ignores the preponderant majority of United Nations Member States. Nor can we accept the analogy between a national cabinet and the Council. This is an Organization of sovereign States with equal rights. The majority of Member States cannot be compared to the population of individual States.

91. Those in favour of the *status quo* are in reality afraid of losing the power and prestige they enjoy in the Security Council. They do not want their privileges eroded and they construe the proposal to enlarge the Council as part of a campaign to undercut their much cherished position.

92. Matters of international peace and security are certainly more important than the status and privileged positions of individual States. What is needed on the part of all States is the necessary political will to subordinate parochial national interests to the more important and responsible objective of durable world peace and security envisaged in the Charter. We must have the magnanimity to accept the changed world order, to be willing to part with anachronistic situations

and adapt ourselves to the new realities of the historic and irreversible evolution of the international situation that has taken place since the founding of the United Nations.

93. Of relevance in this regard is the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. The question of the maintenance of international peace and security has clearly emerged as the single most important aspect of the work of the Special Committee. The necessity of maximizing the ability of the Security Council to respond effectively to threats to international peace and security has been established as the central and most urgently desired goal. Increasing the membership of the Council on the lines proposed in draft resolution A/35/L.34/Rev.1, of which my delegation is a sponsor, would be a modest step in the right direction.

94. In the final analysis, as my delegation has repeatedly stated, the unanimity rule will need to be dispensed with. More often than not, the veto has been used to frustrate the wishes and aspirations of the majority. It has been abused, to the detriment of endeavours to promote world peace and security. In any event, the unanimity rule is itself an affront to the principle of the sovereign equality of States.

95. Let me, in conclusion, express the hope that the General Assembly will adopt the draft resolution under this important item by an overwhelming majority.

96. It is also the hope of my delegation that, in accordance with the requirements of the Charter, the amendments proposed in the draft resolution will be urgently ratified, in any event by 1 September 1982, as proposed.

97. Mr. McHENRY (United States of America): The United States joins in expressing its sadness on the occasion of the death of Mr. Amerasinghe. We would only add that our tribute to the work of Mr. Amerasinghe could best be recorded by redoubling our devotion to the principles for which he worked and, in particular, to the successful conclusion of the law of the sea treaty.

98. The General Assembly is considering today a question of great, and perhaps crucial, importance for the future effectiveness of the United Nations: the question of the size and make-up of another principal organ, the Security Council. This is a matter which must be considered with the greatest of care and reflection, for the Council is endowed with a special responsibility, the responsibility for the maintenance of international peace and security. It is therefore essential that the Council be structured in such a way that it can carry out that responsibility efficiently and effectively.

99. It was for that reason that the Security Council was deliberately small at its inception. Article 23, paragraph 1, of the Charter reads in its relevant part:

“The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and

to the other purposes of the Organization, and also to equitable geographical distribution.”

A reading of that provision reveals that the primary criterion for membership of the Security Council was not geographical distribution but especially, and in the first instance, the contribution to the maintenance of international peace and security and to the other purposes of the Charter.

100. The Security Council must remain an efficient body reflecting the political realities of the world and thus able to arrive at decisions with dispatch and with the breadth of support necessary to make those decisions effective. Any suggestion to change the necessary structure of the Council must be considered with those concerns in mind.

101. I think it is instructive to go back and look at the reasoning which was used when the Council was last enlarged. In 1963, when Mr. Alex Quaison-Sackey of Ghana introduced, on behalf of his own delegation and 36 others, the draft resolution in which it was proposed to enlarge the Council's membership to 15—its present size—he said that 15 represented a maximum figure as well as a minimum figure and that adoption of the draft resolution would therefore obviate the need for a further adjustment at some future date.⁴ The sponsors of that draft resolution included several of the sponsors of the text before us today.

102. The United States is opposed to changing the composition of the Security Council. As we stated last year,⁵ the proposal to expand the size of the Council is not justified by the facts and is not in the interests of the United Nations. As those who have served on the Council know very well, 15 is already a large number in terms of rapid decision-making. Any increase in that number is bound to be at the cost of efficiency and decisiveness.

103. As currently composed, the Council represents the balance of interests in today's world relevant to questions of peace and security. Questions which may ultimately require economic and even military action of the gravest nature cannot reasonably be examined in terms of mathematical ratios drawn from the General Assembly, which is a body of a fundamentally different character. The Assembly is the organ in which all members participate on an equal basis and is the body that performs the functions customarily assigned to a plenary body. Its functions are to discuss, to consider, to recommend. The Security Council, on the other hand, is the organ to take action, and under the Charter it has the primary responsibility for dealing with disputes and situations which endanger international peace and security.

104. Moreover, we believe that the Security Council as now composed well reflects the various regions and interest groups within the international community. It can act only where it has the affirmative support of members from Asia, Africa and Latin America and the concurrence of Western and Eastern European countries. Any alteration would be unrealistic if it

⁴ *Official Records of the General Assembly, Eighteenth Session, Special Political Committee*, 427th meeting, paras. 22 and 23.

⁵ *Ibid.*, *Thirty-fourth Session, Plenary Meetings*, 104th meeting, paras. 284-293.

altered the requirement of global support, including the support of those countries whose economic and military support are essential to carry out decisions of the Council. To imagine a situation in which effective decisions could be imposed on those States with special responsibilities is to ignore the economic, political and military realities of the world in which we live. Such a development would severely undermine the ability of the United Nations to act in situations that threaten international peace and security.

105. The changes in membership of the United Nations since 1965, when the Council was expanded, do not affect the realities relating to the Security Council, and, as was foreseen in 1963, no one expected that they would.

106. The proponents of the proposal currently before us have failed to make a convincing case for enlargement of the Council. They have not told us how the Council's important responsibility for the maintenance of international peace and security would be enhanced, and they have ignored earlier assurances that 15 represented the maximum membership of the Council.

107. For all these reasons the United States cannot support the draft resolution before us.

108. Mr. FLORIN (German Democratic Republic) (*interpretation from Russian*): The question of an increase in the membership of the Security Council is directly linked with the revision of the Charter of the United Nations. The German Democratic Republic is against a revision of the Charter. The German Democratic Republic shares the view of those States which proceed from the belief that the Charter is an unlimited legal basis for the work of the Organization; that it is, furthermore, the basis for contemporary international law; that it has stood the test of time; and that, in changed international circumstances, it has preserved its significance as the fundamental law for the peaceful coexistence of States with different social systems.

109. As we have heard here today, there is an intent, having embarked upon a revision of the Charter with an expansion of the Security Council, to go further and to eliminate the so-called right of veto of permanent members of the Council. I must state here with the utmost seriousness that as a small socialist State the German Democratic Republic considers it fortunate that the Union of Soviet Socialist Republics has the ability to avert catastrophic decisions by the Council.

110. The composition of the Security Council is a question of decisive political significance and it requires an extremely careful and conscientious approach. To take a purely arithmetical approach would be an unwarranted simplification of the problem and would be tantamount to underestimating its vital political significance.

111. We have all seen, for example, the problems last year, and this year too, which have hampered the election of one of the non-permanent members of the Security Council, and those were situations in which the actual number of members of the Security Council played no part at all. No matter what our approach, we must take due account of the fact that the Security Council has been entrusted with far-reaching powers, and it would be too dangerous to run any risks. It should also be borne in mind that all social and

economic groups are represented in the Security Council in such a way that it is impossible for any decision to be taken against their will.

112. The fact that certain results of the work of the Security Council seem unsatisfactory to certain States arises not from any numerical insufficiency of the membership but rather from the positions of members of that organ. An increase in membership would not eliminate the problems but rather reduce the Council's effectiveness.

113. For these reasons, the delegation of the German Democratic Republic will vote against draft resolution A/35/L.34/Rev.1, providing for an increase in the membership of the Security Council, if it is put to the vote.

114. In conclusion, I wish to make the point that fruitless discussions here in the plenary meeting of the General Assembly do not help us to solve the fundamental problems of our day, which it is our responsibility to do.

115. Mr. OYONO (United Republic of Cameroon) (*interpretation from French*): It was with the most profound sadness that my delegation learnt the sorrowful news of the death of Hamilton Shirley Amerasinghe, a former President of the General Assembly, who also carried out other very important functions within the Organization. By his competence and devotion, as well as by his qualities as a man and a diplomat, Mr. Amerasinghe commanded the esteem, friendship and respect of all. I ask his family and his country to accept the heartfelt condolences of my delegation.

116. The United Republic of Cameroon is a sponsor of draft resolution A/35/L.34/Rev.1 on the question of equitable representation on and increase in the membership of the Security Council, which is now before the General Assembly. Cameroon is thus acting in accordance with its position on this issue as defined by its head of State, Mr. Ahmadou Ahidjo, before the Assembly on 17 October 1963,⁶ and consistently reaffirmed since then.

117. This problem is not a new one, since it has already been considered at the thirty-fourth session of the Assembly and has always been a central preoccupation of a large number of Member States as the steady admission of new States has confirmed its universality.

118. When the United Nations was created immediately after the Second World War, the composition of its basic structures reflected the political panorama of the international community of the day. Hence the initial composition of the Security Council took full account both the special responsibilities of the allied Powers for the maintenance of international peace and security and the need to ensure the equitable geographical representation of all the Member States of that period.

119. Thus it was that when the Organization comprised 51 States Member, the Security Council, as the principal organ entrusted with the maintenance of international peace and security, was composed of 11 members, five of which were permanent members.

⁶ *Ibid.*, Eighteenth Session, Plenary Meetings, 1244th meeting, paras. 24-102.

That composition did not remain static since, when the Organization's membership increased to 113, the General Assembly, by its resolution 1991 (XVIII), decided to increase the number of members of the Security Council to 15.

120. It is completely logical that in accordance with the expansion of the Organization, which now has 154 Members, the composition of the Council should be altered.

121. Draft resolution A/35/L.34/Rev.1, which proposes an increase in the number of members of the Security Council to 21, is the result of this preoccupation. In my delegation's view, the proposed increase is in no way excessive; indeed, it falls far short of what the composition of the Council might be if the magnitude and impact of the Organization were taken fully into account.

122. As a matter of fact, the Council, which until 1963 functioned with 11 members and after that date with 15, could fulfil the role entrusted to it just as well with the addition of six non-permanent members.

123. The erosion of the authority of the Council and its lack of effectiveness, which we have consistently deplored for several years now, result not from the number of members but from the hegemonic rivalries that lead to the abuse of the right of veto. We have

always deplored the increasing tendency for the great Powers in the Council to base their decisions on the crucial problems facing international society on their own geostrategic interests. The persistence in the world of unstable and explosive situations threatening international peace and security, notably in southern Africa, in the Middle East and in Asia, is particularly revealing in this connection.

124. As a non-aligned country, Cameroon attaches great importance to the democratization of international relations and to the full and effective participation of all States when decisions are taken likely to affect the destiny of mankind. In this connection, the essential issues of international peace and security, which cannot remain the exclusive prerogative of one State or a group of States, must be considered with the equitable participation of the different components of international society.

125. It would not be just to interpret this desire as evidence of some wish for confrontation with the great Powers. This is why we are appealing to them so to act that within the Organization a unanimous political will favouring the concerns of the third world can be given expression.

The meeting rose at 5.15 p.m.