



SUMMARY RECORD OF THE 28th MEETING

Chairman: Mr. BOLINTINEANU (Romania)

CONTENTS

AGENDA ITEM 117: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS
AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 117: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)
(A/33/33, A/33/65, A/33/206 and Corr.1 (French only))

1. Mr. EL ARABY (Egypt) said the efforts to render the Organization more effective should be aimed at making it a centre for harmonizing the various aspects of the actions of Member States, as provided in Article 1 of the Charter. There was no doubt that certain concepts and mechanisms needed reshaping, but a balance had to be maintained between the desire for renovation and the need to preserve the continuity of the Organization. Above all, it was necessary as a first step to find a way of ensuring that the decisions taken by the competent United Nations organs were implemented. It was common knowledge that the Organization's prestige had been dealt a serious blow in recent years by the scorn with which certain countries treated its resolutions and by the failure to respect some of the principles embodied in the Charter. His delegation, like others, felt that the Special Committee should give priority to the question of the implementation of the Organization's resolutions - particularly those of the Security Council - in order that the Organization might have the authority it needed to work for the establishment of peace and security throughout the world. To that end, the States concerned, and especially the big Powers which were permanent members of the Security Council, must demonstrate the necessary political will.

2. General Assembly resolutions were certainly not binding, but they derived from the combined will of the members of the international community and could be considered one of the sources of international law. In practice, those resolutions spontaneously acquired a customary character, as in the case of the famous General Assembly resolution 1514 (XV), better known as the Declaration on the Granting of Independence to Colonial Countries and Peoples. The provisions of that resolution, which had been reproduced year after year in subsequent General Assembly resolutions, had led in practice to the condemnation of colonialism, the prohibition of the acquisition of territories by force, the recognition of the right of peoples to liberate their countries and the legitimization of national liberation movements as the representatives of peoples still subject to colonial domination, racism or military occupation. In the more than 30 years which had elapsed since the establishment of the United Nations, major scientific and technological developments had occurred in the world which had naturally affected the activities of the Organization, whose methods of work must be reviewed. A special committee established for that purpose had prepared a long report which had, unfortunately, had little impact. His delegation believed that in order to make progress it was necessary to begin by tackling the question from a practical angle: it hoped that the technical services of the Secretariat would submit specific proposals in that regard, taking into account the views expressed in the Sixth Committee, so that the latter could study the question in a more thorough and detailed manner.

(Mr. El Araby, Egypt)

3. His delegation attached considerable importance to the principle of the peaceful settlement of disputes, as embodied in Articles 1, 2 and 33 of the Charter, which must be applied equitably as provided by international law and as desired by all peoples dedicated to peace and justice. Egypt had made that principle one of the bases of its foreign policy and was seeking by every means in its power to implement and strengthen it.
4. Egypt considered that the Special Committee should continue its work - in which it played an active part - with a view to attaining all its objectives. In the immediate future, however, the Special Committee should redouble its efforts to complete at least part of its mandate and formulate recommendations on certain non-controversial subjects on which a consensus was emerging, with a view to submitting them to the General Assembly at its next session.
5. Mr. GNAHOUI-DAVID (Benin) said the question of the revision of the Charter of the United Nations and the strengthening of the role of the Organization, especially with regard to the maintenance of international peace and security, was one of the most important items to be considered by the Sixth Committee.
6. At the time of its establishment in 1945, the United Nations had had about 50 Members; after 33 years of existence, it currently had 150. Far-reaching changes had taken place in the international political scene and the Charter no longer reflected current reality or responded properly to the many concerns of the Organization. The structure of United Nations organs, particularly the Security Council, had remained virtually unchanged, and furthermore those organs were manipulated by the imperialist Powers which opposed the will of the progressive countries of the world. The veto was abused to the detriment of the interests of the progressive forces of Africa, Asia and Latin America, thus jeopardizing international peace and security. Yet the maintenance of peace was precisely one of the primary purposes of the United Nations. In order to avoid abusive recourse to the veto, Security Council decisions were watered down and as a result the Council refrained from pronouncing condemnations which were nevertheless justified. The Security Council thus became completely ineffective as soon as its decisions served only the selfish interests of certain permanent members; his delegation denounced that reactionary and fundamentally conservative policy.
7. The imperialist Powers were using many delaying tactics in the Special Committee in order to prevent it from fulfilling its mandate properly. But it was essential that the Special Committee should be able to submit for the consideration of the Sixth Committee concrete proposals which constituted a genuine response to the concerns of the international community. The revision of the Charter and the elimination of the veto would be in harmony with historical trends. Such a revision was necessary if the role of the Organization was to be strengthened so that it might more efficiently maintain international peace and security, which were prerequisites for the development of co-operation among all nations and for the elaboration of rules of international law which facilitated relations between States.

8. Mr. KHLESTOV (Union of Soviet Socialist Republics) said that, in order to fulfil the mandate given it by the General Assembly, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization had begun by defining the topics to which the proposals submitted to it related, namely the peaceful settlement of disputes, the rationalization of the existing procedures of the Organization and the maintenance of peace and security. It had drawn up, on a strictly preliminary basis, a list of proposals relating to the first topic; it had considered a number of proposals relating to the second topic, but had not drawn up a list of them; and it had thus far received only two proposals relating to the third topic, and had not had time to discuss them.

9. All States, his own among them, agreed that the task of the Special Committee was primarily to make the United Nations more effective so that it would be better able to apply the principles embodied in the Charter, but not all States were in agreement on the means to be used to attain that end. A few delegations considered that the Charter should be amended, but many others, particularly his own, felt that the failure of the United Nations to solve certain problems effectively resulted, not from the Charter or from the structure of its organs, but rather from the lack of political will on the part of certain States or groups of States which prevented the Organization from taking effective measures. The importance of the political will of States became clear in the light of the role which it played in other international organizations, such as the Organization of African Unity; despite its Charter and structure, which seemed perfectly appropriate, OAU was unable to settle a great many controversial questions.

10. Amending the Charter would simply weaken the United Nations rather than making it more effective. His delegation considered that the Charter was an adaptable and flexible instrument which guaranteed the implementation of all the measures necessary for the maintenance of peace and the development of co-operation among States. Moreover, the Charter was one of the bases of contemporary international law; it had promoted its progressive development and had contributed to the refinement of its rules. The potential of the Charter should be used to the full. His delegation, like many others, considered that it was both necessary and possible to improve certain aspects of the Organization's activities and in particular to rationalize its procedures so that the agenda of the General Assembly was not overloaded with questions of secondary importance and its decisions were respected, to avoid the establishment of useless bodies entailing additional expenditure and to increase the effectiveness of peaceful means of settling disputes. However, it must be remembered that the Charter could not be held responsible for the Organization's failure to solve certain problems, such as the elimination of the racist régimes in southern Africa.

11. The Committee had only just started its work and had not yet begun detailed consideration of the proposals made concerning the identification of priority topics. Some held the view that the Committee's mandate should not be extended; because of the complexity of the task before it, the practical results achieved might not justify the expenditure of resources and energies. However, if a majority of delegations was in favour of renewing the Committee's mandate as defined in resolution 32/45, his delegation would be willing to agree to it, in spite of certain misgivings it entertained.

12. With regard to the organization of the Committee's work, he noted from the report that the Committee, at the proposal of the representative of Mexico, had decided to consider topics in the following order: the question of the peaceful settlement of disputes, on which 11 countries had submitted working papers; the rationalization of existing procedures, on which 7 countries had submitted working papers, and the maintenance of international peace and security, on which only 2 countries had submitted working papers. There was no good reason for changing that order, established by the Special Committee under its terms of reference, which his delegation did not wish to see modified.
13. His delegation shared the view of many members of the Committee that the latter should try to draw up proposals that would make the functioning of the United Nations more efficient, without any necessity for amending the Charter. Moreover, since the members of the Special Committee represented entire regions, the Committee must try as far as possible to reach a general understanding on the proposals submitted. Besides, the nature of the questions considered meant that the Special Committee, and also the Sixth Committee, should work on the basis of a consensus.
14. Mr. ROMULO (Philippines) considered that the Special Committee had made real progress in its work during the past year. He was also pleased to note that there had been constructive and imaginative participation by nearly all the major Powers. The report on the reform and restructuring of the United Nations system submitted to the United States Congress by President Carter contained many interesting views, some of which had already found their way into the Sixth Committee. That document demonstrated the interest taken by major Powers in the United Nations.
15. His delegation particularly welcomed the Special Committee's choice of the topic of peaceful settlement of disputes for priority consideration. It was important to improve the capacity of the world Organization to achieve just solutions in the interests of all. Global interdependence was growing, and brought frictions in its wake, and therefore the stake in the commitment to the resolution of disputes by peaceful means was all the higher. It was his delegation's conviction that that was a major task of the United Nations, whose responsibilities in that respect, were clearly stated in the Charter, as were those of Member States.
16. The Organization, however, had not yet succeeded in developing modalities to assist Members in that area and Members also had not taken as seriously as they should their binding obligations to utilize means as outlined in the Charter to settle their differences. There was thus a need for some standing United Nations instrumentality to assist Members, and also a need to provide incentives for Members voluntarily to pursue appropriate means of settling disputes. States should be required to accept obligatory modes of settlement if they fail to resolve their differences by negotiation or other bilateral means. The list of 51 proposals appearing in the Special Committee's report (A/33/33) contained suggestions of definite value. It would be useful, for instance, to study why States did not make greater use of machinery for peaceful settlement of disputes.

(Mr. Romulo, Philippines)

The idea of elaborating guidelines or a declaration, and preparing a manual describing procedures and available facilities, was also useful. There was no reason why the means for settlement of disputes which were regularly applied domestically should not be applied at the international level. His delegation was quite ready to support, among the 51 proposals, those suggestions to the effect that Member States not directly involved in a dispute should take the initiative to encourage the parties to utilize the methods indicated in Article 33 of the Charter or, more important still, should themselves bring the matter to the attention of the Security Council. Greater use by the Security Council of informal consultations should be considered, and there should also be more frequent recourse to the International Court of Justice. However his delegation did not generally believe that it would be helpful to include a new item on the General Assembly's agenda concerning the peaceful settlement of disputes.

17. In his opinion the Security Council should ensure that Article 33 of the Charter was more frequently applied and the Secretary-General should make more effective use of Article 99 in taking the initiative to alert the Security Council to situations which threatened international peace and security. More frequent use should be made of observers and fact-finding missions. The institution of regional machinery was another important concept, especially as disputes frequently had a uniquely regional character.

18. Lastly, a number of suggestions implied new levels of commitment by States to the settlement of disputes by peaceful means and to acceptance of assistance when needed. Although there was still considerable reluctance, Member States would understand that that was the course which the world community must follow, particularly in view of the nuclear threat hanging over it. His delegation therefore would give favourable consideration to the promulgation of a treaty on the peaceful settlement of disputes which would elaborate on the generalized principles already contained in the Charter. Similarly, consideration should be given, as already recommended earlier (A/9739, p. 15), to the establishment of new standing machinery, such as a standing conciliation and arbitration commission to which intractable disputes would be referred after a reasonable period of time, and to which parties to a dispute would have access at any time. It was true that the Security Council could establish ad hoc bodies for those purposes, but in practice it had rarely done so. The existence of a permanent body would encourage countries to take advantage of the assistance thus made available to them for the settlement of difficult disputes. His delegation believed that such a standing body would fall under the Charter responsibilities of the Security Council and should be related to it.

19. Among the suggestions put forward his delegation also noted the proposal for recourse to the "good offices" procedure. It had already been mentioned in document A/9739 that development of orderly procedures for moving sequentially from two-party negotiations to the level of third-party involvement in disputes was essential. That was the only course open to the world community. That principle which was a normal process in national societies should also be applied internationally for the benefit of the community as a whole. Initially, States

(Mr. Romulo, Philippines)

might wish to designate certain types of disputes in which they were willing to be bound by decisions reached through third-party assistance. That new approach would only be achieved by degrees but a beginning must be made because the peaceful settlement of disputes was a least developed aspect of the United Nations and was too important to neglect.

20. It was clear that the Committee, which was at the preliminary stage of its work, would need a considerable period of time to study the item. However, the Committee need not accord such high priority to the question of rationalization of the procedures of the General Assembly since the Assembly, at its twenty-sixth session, had completed a very exhaustive examination of that very question, on which a number of recommendations had been made - as could be seen from the report of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly (A/8426) for 1971 - which had yet to be implemented. On the other hand the Committee, as soon as it had identified proposals of general interest in the field of peaceful settlement of disputes, should immediately turn its attention to the question of the maintenance of international peace and security.

21. As for the question of reviewing the Charter, concerning which some tension still existed in the Sixth Committee, he thought that the question had been wrongly phrased. The question was not "Does the Charter need amending?", but what needed to be done in a topic area in order to bring the United Nations up to the required level of effective functioning. Then it would be necessary to determine whether the Charter needed amending. In most cases no changes in the Charter would be required but it would be irrational to rule out any possibility of revision automatically. Amendments to the Charter had already been accepted by all the permanent members of the Security Council, who had not found any insurmountable obstacles to amendment. The spurious question regarding the amendment of the Charter should be laid to rest and not allowed to obstruct the effective work proceeding in the Special Committee, which was also gaining recognition in other United Nations committees and fora. The results of the Committee's deliberations might be of great historic importance, because there was seldom an opportunity to design more effective and suitable global institutions. The opportunity was now to hand, and the Special Committee had been given the task.

22. In conclusion, he emphasized that the Charter could not be regarded as obsolete. It was a living organ which must develop. Inertia was just as dangerous as disruption. He was therefore in favour of reviewing it, provided that every effort was made to ensure that only necessary changes were made.

23. Mr. MANYANG D'AWOL (Sudan) said his delegation attached great importance to the work of the Special Committee. He stressed that the main task for which it had been established was the revision of the Charter of the United Nations. The necessity for such a revision had been considered when the Organization was founded in 1945, because the founders had foreseen the progressive evolution of the world and the continuing increase in membership which would inevitably add a new spirit to the Organization. Since then opinions on that point had remained divided.

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(Mr. Manyang D'Awol, Sudan)

24. The oft-repeated argument that the Charter had stood the test of time was unacceptable, given that the necessity of reviewing it had been considered a mere eight years after it came into existence. During the 33 years of its existence the Charter had undeniably contributed to the realization of major achievements, but it was inconceivable that it should therefore be left unchanged. In 1953, when the issue had been raised before the General Assembly, the British Foreign Secretary had stated that he failed to understand the extreme nervousness shown by some delegations at any revision. He himself was therefore surprised at certain changes of position. On the other hand, he agreed with the representative of the United States that that country had been one of the first advocates of revision. In 1953 the United States Secretary of State had declared that it was a matter of good faith towards the smaller States to convene a reviewing conference. As one of the smaller States, the Sudan was grateful for those words, but felt that the time had come for positive action. It was time for the "smaller States" and the first advocates of Charter revision to unify their efforts to that end, in order to infuse a new spirit into the United Nations so that it would be capable of coping effectively with the realities of the modern world.

25. With reference to the report of the Special Committee and its future work, his delegation was aware that it would take time to complete the task, but would have preferred the Committee to start on the right track. It should have begun with the issues which were of major importance and directly related to Charter revision. In particular, it should have dealt with the question of the maintenance of international peace and security on a priority basis. Although the matter of the peaceful settlement of disputes was also extremely important, it should not have taken priority in the work of the Special Committee, since it could be dealt with in other forums or committees.

26. His delegation would support any suggestion aimed at making the International Court of Justice function more effectively and therefore supported the idea of expanding the Court's jurisdiction in the hope that countries would refer more of their disputes to it. Lastly, his delegation would like to see the Special Committee's mandate extended.

27. Mr. KOSTOV (Bulgaria) expressed his delegation's appreciation to Mr. Broms for the very able way in which he had chaired the complicated work of the Special Committee and for his lucid introductory statement. The fact that the report reflected a broad range of views was not surprising, since there was a fundamental difference of opinion on many of the subjects which fell within the Special Committee's mandate. Although it was difficult to say that the Special Committee had made real progress, it had managed to restore the spirit of co-operation which was vital for the continuation of its work. It was the common desire of opponents and proponents of Charter revision to make the Organization function better, to make its activity more effective and to protect the interests of all States.

28. His Government, along with many others, had never accepted the thesis of Charter revision as a means of strengthening the role of the United Nations in international relations. The practice of the past three decades had unambiguously confirmed that the Charter was the most significant international legal instrument

(Mr. Kostov, Bulgaria)

adopted since the Second World War and was recognized by practically all States as the foundation for the contemporary legal order.

29. The short-comings of the Organization's activities were not due to the Charter but derived from the unwillingness of certain States to live up to its principles and purposes and to display the necessary political determination to fulfil the international obligations they had assumed under the provisions of that unique instrument. For that reason suggestions such as those to change the balance of powers between the Security Council and the General Assembly, to alter the division of their functions, and to abolish the principle of unanimity of the permanent members of the Security Council, would alter the political and juridical nature, and the very essence, of the United Nations. It was illusory to expect members of the Special Committee to find common ground on the basis of such suggestions.

30. The lesson to be drawn from the deep crisis the Organization had confronted was that whenever it was placed at the service of any particular group of States, to the detriment of the interests of other groups, it became impossible to achieve the noble aims to which Member States had pledged themselves in good faith. It should not be forgotten that the Charter was currently the main source of positive international law, and that its basic principles were imperative legal rules as interpreted by the Vienna Convention on the Law of Treaties.

31. However, the changes that had taken place throughout the world, such as the disintegration of the colonial system and the struggle of the peoples for just and equitable economic relations, against racial discrimination, in favour of strengthening peace and security in the world, and for détente, could not be denied and called for a progressive development and perfecting of international law. It was well known that those successes had been made possible by a dynamic interpretation of the Charter which had led to the adoption of the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Declaration on Friendly Relations and Co-operation among States, the Declaration on Strengthening International Security, the Charter of Economic Rights and Duties of States and the Definition of Aggression. His Government attached great importance to the conclusion, in the same spirit, of a world treaty on the non-use of force.

32. The report of the Special Committee showed that it was studying those issues which would really help to enhance the role of the Organization. In that regard, it should explore all avenues leading to the strengthening of détente, the maintenance of international peace and security, disarmament, decolonization, the elimination of apartheid and racial discrimination, and the promotion of economic and social development. It was his delegation's submission that the potential offered by the United Nations was far from having been exhausted and the Special Committee should find ways to use it fully.

33. The work of the Special Committee should therefore be continued on the basis of its mandate, as formulated in General Assembly resolution 32/45, strictly observing the principle of consensus not only on questions of substance, but also in important procedural matters. His delegation expressed the hope that the draft

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(Mr. Kostov, Bulgaria)

resolution on the item under consideration could be adopted by consensus and that it would take into account the considerations of all groups of States.

34. Mrs. MUTUKWA (Zambia) said that, in considering the issue of the Charter and the strengthening of the role of the Organization, her delegation took as its point of departure the purposes and principles contained in Chapter I of that instrument, in particular the first of those purposes, which was the maintenance of international peace and security. Her country viewed the United Nations as the only possible guarantor of global peace and stability. All nations, without exception, had a vested interest in an effective and viable United Nations.

35. It was for that reason that her delegation was increasingly disappointed at the failure of the Special Committee to deal with the question for which it had been established. The successes of the United Nations in respect of, inter alia, the creation and maintenance of a world order, decolonization and the emergence of many new nations, the observance of human rights, the solution of various socio-economic problems, the fostering of greater international co-operation, and the development and consolidation of international law did not blind her delegation to the Organization's failures in some vital fields, particularly that of peace and security. Apartheid, the situation in Namibia, Southern Rhodesia and the Middle East, and the widening gap between the rich and poor were problems still crying for solutions.

36. Her delegation believed that some of the failures of the United Nations resulted from the fact that the legal order set up in 1945 had been eroded by the complex problems of the modern world. The instrument creating that legal order should therefore be changed and adapted to the needs of the contemporary world.

37. Her delegation would not discuss the contents of the report of the Special Committee (A/33/33) in detail, as it was a member of that Committee; it felt, however, that the lack of progress made by the Special Committee in carrying out its mandate was due to the fact that the original idea for setting up the Special Committee, namely to review the Charter, had been lost. The original mandate contained in resolution 3499 (XXX) had two complementary and distinct aspects: the review of the Charter and the strengthening of the role of the Organization. The first aspect was related to the second, but was important enough to require separate treatment. Apparently, the Special Committee had combined the two to the detriment of the first aspect.

38. Her delegation had no doctrinal approach to Charter review. It felt, however, that although in some cases the effectiveness of the United Nations could be increased without any amendments to the Charter, in some areas, revisions were indispensable. Member States should not render the United Nations ineffective by catering to the demands of a few who were opposed to the democratization of the United Nations and its institutions. Too often it was said that what the United Nations needed was political will on the part of Member States. It was paradoxical that the same States which constantly talked about political will flagrantly refused to implement the resolutions of the General Assembly and the Security Council in the field of peace and security.

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(Mrs. Mutukwa, Zambia)

39. Her delegation suggested that in renewing the mandate of the Special Committee, the General Assembly should instruct it to deal with the review of the Charter and to study the question of international peace and security at its next session on a priority basis.

40. Mr. CORDOVA (Ecuador) said the work of the Special Committee had not been as far-reaching as its members, including his delegation, would have liked. Ecuador supported the idea of a General Assembly declaration on the peaceful settlement of disputes that could later lead to the preparation of a treaty on that subject. As the Mexican delegation had stated, such a declaration should lay special emphasis on the obligation to submit all disputes to peaceful settlement procedures, in the light of an international instrument setting forth specific procedures and concrete measures for that purpose. Ecuador would also favour the establishment of a judicial organ to which a party to a dispute could unilaterally address itself, without the consent of all interested parties being necessary. It was unrealistic to believe that a State which was taking advantage of a situation resulting from an unsettled dispute would be prepared to give its consent. He could not see why the procedures which governed the relationships between individuals in every single country of the world would not be accepted at the international level and why an injured State could not resort to judicial action; a State could not invoke the principle of sovereignty in the event of injury to another State.

41. In order to strengthen the role of the Security Council in respect of the settlement of disputes, the General Assembly, which represented the conscience of mankind, should request the five permanent members of the Council to undertake not to use the veto - while that illegitimate privilege continued to exist - to thwart Council measures for the peaceful settlement of disputes. The question of the peaceful settlement of disputes should therefore be included in the agenda of the thirty-fourth session of the General Assembly, not only because of its intrinsic importance, but also because of its connexion, at the political level, with disarmament and the new international economic order. In theory and even less in practice, it was inconceivable that the prohibition of the use or threat of force in international relations and progressive disarmament should not be immediately and automatically reinforced by law. The unjust economic relationships among States were a source of permanent tension which, as the gap between developed and developing countries widened, encouraged the arms race and the supply of arms by Powers contending for markets for purposes of profit.

42. Such considerations had led Ecuador and the other Latin American signatories to the Ayacucho Declaration to reaffirm on 22 June 1978 that the persisting international problems were one of the major causes of the arms race and to express their willingness to support the settlement of all disputes by peaceful means with a view to eliminating tension and strengthening peace.

43. While it was true that experience had shown the Charter to be a framework treaty whose elements had some degree of flexibility, the fact remained that no text, however perfect, could remain unaffected by the passage of time and the changes in the historical circumstances under which it had been produced. One of the weaknesses of the Charter was the inadequacy of its economic provisions, which

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(Mr. Cordova, Ecuador)

had made it impossible to bridge the gap between rich and poor nations. The difficulties of reviewing the Charter should not lead to a renunciation of efforts to adapt it to contemporary needs and the new dimensions of international relations

44. In some areas, however, the strengthening of the role of the Organization did not absolutely require amendments to the Charter. In that respect, his delegation had already stressed the need not only to strengthen United Nations operational activities, but also to enhance the Organization's image in the outside world. In particular, it was essential to improve the educational resources available to Member States in creating a better understanding, especially among the younger generation, of the principles, purposes and activities of the United Nations. Insufficient emphasis was placed in the class-room on the United Nations and there were not enough information programmes on the Charter, the principal organs and subsidiary organs of the United Nations, the codification and progressive development of international law and the opportunities offered by an organization which, despite its defects, had become a centre for activities promoting development and coexistence. Efforts should therefore be made to disseminate information about the United Nations at all levels, from primary schools to institutions of higher learning, and the support of public and private institutions should be enlisted to that end. As UNESCO advocated, there was a need to lay emphasis on orienting education towards international co-ordination and understanding.

45. Strenuous efforts should also be made in respect of global public information concerning the United Nations. Information should be provided on its activities aimed at promoting economic and social development in all countries and on its work in the fields of science, communications and statistics. In that connexion, the strengthening of the role of the Organization would go hand in hand with the enhancement of its image in the outside world, where its successes and failures would be better appreciated. The United Nations should be critically appraised not only in official circles, but also by ordinary people, which would enable it to draw strength from world public opinion.

46. In that respect, the Office of Public Information should be given greater resources to enable it to feed the world-wide information agencies. It was also imperative to strengthen the language services, especially Spanish language services, as well as radio and television activities and those relating to all modern information media in general.

47. His delegation felt that the mandate of the Special Committee should be renewed and that that body should be expressly requested to make concrete proposals with reference to the major aspects of its mandate.

48. Mr. SIMANI (Kenya) welcomed the very useful report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. He agreed with the Chairman of the Special Committee that a discernible change had occurred in the attitude of its members, although he believed that the change mainly reflected their desire to enhance the effectiveness of the Organization through changes in its machinery. He hoped to see more of

(Mr. Simani, Kenya)

that change of attitude when the Committee came to consider the proposals calling for a review of the United Nations Charter, in which the majority of Member States were primarily interested.

49. His delegation had not been able to follow the work of the Special Committee through to the end of its 1978 session and had thus been prevented from raising the objections which it would otherwise have made regarding the method of work followed by the Special Committee. Whereas, for example, the Special Committee had in the previous year been assisted by précis-writers, the Chairman of the Working Group had been obliged to write his report solely on the basis of his own notes and those taken by one or two young secretaries, even though the report to be submitted by the Special Committee to the General Assembly might suffer thereby. Despite its merits, the report was not satisfactory in all respects.

50. His delegation had been surprised to learn that, although in the previous year the annexing to the Special Committee's report of a compilation of proposals which had awakened particular interest had been put to the vote, at the 1978 session a compilation of similar proposals had been made and reproduced in the report without a vote on the matter. The Committee had been told that that had been done because of paragraph 3 of General Assembly resolution 32/45, whereby the Assembly requested the Special Committee to be mindful of the importance of reaching general agreement whenever it had significance for the outcome of its work. His delegation was not convinced as to the usefulness of that definition of the Special Committee's method of work and considered that such a provision might be invoked by persons seeking to paralyse its work. Consensus was a useful method of work and was desirable for ensuring that the interests of all members were taken into consideration but it should not be used to stifle the wishes of the majority. Moreover, before the introduction of that provision into the Special Committee's mandate, the latter had always sought to reach its decisions by consensus. However, if it was necessary for its method of work to be defined in a resolution his delegation suggested a slight amendment to the effect that, while it was essential for the Committee to endeavour to work on the basis of consensus, its right to resort to the rules of procedure, both on procedural matters and in cases of total inability to reach a consensus, should be preserved.

51. His delegation believed that the Special Committee's mandate should be renewed. It already had before it several proposals, set forth in documents A/AC.182/L.12/Rev.1 and A/AC.182/L.15, which had been submitted at the 1977 session and which should form the basis for the preparation of the list of proposals which had awakened special interest. There should be no need to repeat the same process, as had been the case at the 1978 session. It was desirable that the next report should contain recommendations on those proposals so that they might be given further consideration. It was also desirable that at its next session the Special Committee should give priority to drawing up a list of proposals relating to the maintenance of international peace and security and that it should complete its work on the settlement of disputes and on the rationalization of procedures.

52. With regard to substantive issues, his delegation wished briefly to restate its position. Although the Charter of the United Nations was a very carefully

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(Mr. Simani, Kenya)

drafted document and had on the whole worked well, the changes that had taken place in the world since the establishment of the Organization made a review of the Charter not only desirable but necessary. The provisions relating to the power of veto, in particular, should be reviewed; that power should be distributed more equitably, so as to reflect the changed situation in the world, and Africa too should be given veto power. The role played by the Security Council in the maintenance of peace should also be strengthened.

53. Mr. RAJU (India) said that the Charter, just like any other instrument intended to regulate conduct within and between nations, was only an expression of the aspirations of the peoples. To remain a living and dynamic instrument it must therefore be adjusted to changing situations, perspectives and requirements.

54. The United Nations had a number of achievements to its credit since its establishment. It had succeeded in defusing a number of tensions and warlike situations. It had come to the succour of nations at war and had prevented their conflicts from spreading. It had been instrumental in setting in motion the process of decolonization and had acquired an ever-expanding role in the sphere of international co-operation for development. Finally, it had played a major role in bringing about current economic and political changes and had awakened new aspirations.

55. Nevertheless, some of the fundamental objectives enshrined in the Charter remained unfulfilled. In spite of the Charter objective "to save succeeding generations from the scourge of war", between 1945 and 1975 there had been 119 civil and international wars involving the armed forces of 81 nations. The victims of those wars, which had killed more people and inflicted more damage than had the Second World War, had been mostly the third world countries. The arms race, which posed by far the most potent threat to peace, continued. From 1970 to 1978 world military expenditure had increased from \$200 to \$400 billion, and, in the same period exports of weapons to third world countries had almost tripled, while, despite the stated purpose of the United Nations "to promote social progress and better standards of life", more than 800 million people continued to live below the poverty line.

56. While the Charter could not be blamed for the international community's short-comings, frustrations and derogations from the ideals of the Charter, it was none the less the duty of that community to analyse the changes that had taken place in the world since the adoption of the Charter and to see how far it was necessary to adapt it. It had become clear in the post-Charter period that, contrary to the initial assumption, the international community could not rely on the permanent members of the Security Council for the maintenance of peace. Many conflicts had broken out because of big-Power rivalry over spheres of influence. Yet there was no denying the fact that co-operation between the big Powers themselves and between them and the rest of the world community was essential for maintaining peace and friendly relations among peoples. In the context of the Charter review, it would be necessary to see how the dependence of the United Nations system on the major Powers could be reduced without forgoing their indispensable co-operation. One solution might be to rely increasingly on

(Mr. Raju, India)

regional arrangements and bodies for maintaining peace and promoting co-operation. In that connexion, it was regrettable that, in spite of numerous General Assembly resolutions on the decentralization of United Nations activities, little progress had been made in that direction.

57. The system's excessive dependence on the major Powers derived also from the fact that the bulk of its financial resources was provided by those Powers. Recent experience had shown that withdrawal of financial support by a major Power had threatened even the survival of the organization concerned. It would therefore be worth-while to examine seriously how the financing of the activities of the system could be modified so as to reduce to a minimum the possible adverse effects of the withdrawal of financial support by any of the major Powers. It might perhaps be desirable to depend more and more on autonomous self-generating multilateral sources of financing and less on assessed contributions of Member States.

58. The perception of the world order which the Charter had sought to preserve and promote had also changed fundamentally since 1945. It had not been possible at that time to envisage remedies for structural anomalies and deficiencies in the world order which had only become evident in recent years. It was therefore necessary to examine how the Charter principles and provisions could be adjusted to the new reality. The question of an eventual revision of the Charter had been widely discussed at the San Francisco Conference, and the text of the Charter itself contained provisions for its amendment. In fact, some of the provisions of the Charter had already been amended, in particular in respect of the membership of the Security Council and the Economic and Social Council. No one, therefore, could oppose the Charter review as such, since that would run counter to both the letter and the spirit of the Charter; it would not, however, be correct to say that the Charter had remained entirely unresponsive to the changes in the world, since it had been supplemented by other instruments such as covenants, declarations and definitions. Some of the recent activities of the United Nations system had an important bearing on the question of broadening the horizons of the Charter, in particular the activities relating to the establishment of a new international economic order, decolonization, the struggle against racism and apartheid, safeguarding the environment, disarmament and the development of international law.

59. During the course of the debate, it had been pointed out that certain provisions in the Charter had become obsolete. For example, many delegations wished to see the provision relating to the admission of new Members liberalized or the purposes and principles of the United Nations amended to incorporate the idea of bringing about structural changes in the system of international relations. Moreover, it was felt that the provisions relating to economic co-operation should be strengthened. The democratization of the United Nations system with a view to ensuring its universal character should also be kept in view. Amendments to the Charter should be approached realistically, and it was vitally important that the Special Committee should conduct its work in a spirit of compromise and on the basis of consensus.

(Mr. Raju, India)

60. Turning to the question of the peaceful settlement of disputes, his delegation supported the principle of a declaration being adopted by the General Assembly as an initial step towards the possible preparation of a world treaty. The provisions of Chapter VI of the Charter played an important role in maintaining peace. Article 33 provided Member States with many options of procedures guaranteeing the peaceful settlement of disputes. It seemed that the best option was that of direct negotiation between the parties concerned. In that connexion, the Security Council should intervene much earlier than was presently the case and should make use more often of regional arrangements for study, consultations and good offices as the case might be. His delegation favoured France's idea for a manual describing all means by which disputes could be settled peacefully. He hoped that at its next session the Special Committee would be able to make specific recommendations on that important matter.

61. The Special Committee had also made a number of interesting suggestions on the question of the rationalization of procedures. It was to be hoped that it would concentrate on those proposals that appeared to be generally acceptable and that it would make new concrete suggestions in the near future. The proposal to shorten the agenda of the General Assembly and to rationalize the allocation of its various items deserved particular attention. The growing practice of arbitrarily selecting certain items for discussion in the plenary meetings should be avoided. It would also be desirable to review the format and content of United Nations documentation. Regarding recruitment of staff, the principles set forth in Article 101, paragraph 3, of the Charter should be adhered to, bearing in mind, however, that the principle of equitable geographical distribution did not conflict with those principles.

62. His delegation was in favour of renewing the Special Committee's mandate.

63. Mr. FARES (Democratic Yemen) said that his delegation had carefully studied the 51 proposals in the Special Committee's report and had found certain of them useful and objective. The Special Committee should concentrate on the proposals that had awakened the greatest interest and upon which, therefore, a consensus could most easily be reached. The Committee would then be better able to fulfil its mandate, namely, to strengthen the role of the United Nations and enhance its effectiveness. That objective could be attained only through strict respect for the principles and provisions of the Charter and through the optimal utilization of the available means, in particular concerning the fundamental objective of the United Nations - the maintenance of peace and security. The Charter had withstood the test of time; in its present form, it should facilitate the achievement of that objective and was not to be blamed for the imperfections of the United Nations. That situation came about because Member States respected neither its purposes, its principles nor its resolutions. The effective implementation of those resolutions was a crucial issue that deserved particular attention. But, although the Charter had proved that it was still valid in a world of rapid evolution, that did not mean that it could not be amended in any way. The Charter should be developed in order to better serve the interests of the international community; but it was just as important in that regard that Member States should all show a sincere political will and strictly respect its principles and provisions.

64. Mr. DUCHENE (Belgium) said that the views of his country, which was a member of the Special Committee, were well known. They had been expressed on several occasions by his delegation during previous sessions of the Special Committee, as well as in the written comments submitted by Belgium on the substance of the question whose consideration had been allocated to that body.

65. His delegation nevertheless wished to take the floor for three reasons. First, the failure of a member of the Special Committee to make a statement might be interpreted as a hidden desire to remain aloof from that body's work, or even to disassociate himself from it. His delegation believed that there were aspects of the Committee's mandate that merited thorough consideration. There were means of enhancing the United Nations effectiveness, and delegations should concentrate on them.

66. Secondly, the Special Committee's report prompted several comments. First, Mr. Broms was to be congratulated for having successfully carried out what had proved to be a difficult task. Regarding the results of the work done in the informal consultations, his delegation concurred with the criticisms already voiced by other delegations. The list of 51 propositions seemed of little value, and his delegation welcomed the United States working paper (A/AC.182/WG/21), which had the merit of being more systematically formulated and of taking account of the links between the subjects dealt with.

67. Finally, concerning the comments that had been directed at certain members of the Special Committee - comments that had sometimes gone so far as to cast doubt upon the good faith of the so-called "big four" - it should be recalled that those four countries were far from being the only ones, since the Committee's inception, to voice doubts regarding the appropriateness of certain aspects of its mandate. Although his delegation had often expressed reservations in the Special Committee, it had never ceased to affirm its desire to continue working in it. It therefore supported the renewal of the Special Committee's mandate and intended to continue its efforts to arrive at solutions based on consensus in a calm and candid atmosphere.

The meeting rose at 6.15 p.m.