



General Assembly

Distr.
GENERAL

A/39/759
12 December 1984
ENGLISH
ORIGINAL: FRENCH

Thirty-ninth session
Agenda item 69

IMPLEMENTATION OF THE COLLECTIVE SECURITY PROVISIONS OF
THE CHARTER OF THE UNITED NATIONS FOR THE MAINTENANCE
OF INTERNATIONAL PEACE AND SECURITY

Report of the First Committee

Rapporteur: Mr. Ngaré KESSELY (Chad)

I. INTRODUCTION

1. The item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security: report of the Ad Hoc Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations" was included in the provisional agenda of the thirty-ninth session of the General Assembly in accordance with Assembly resolution 38/191 of 20 December 1983.
2. At its 3rd plenary meeting, on 21 September 1984, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. The general debate and consideration of agenda item 69 took place at the 56th, 57th and 59th to 62nd meetings, held from 3 to 7 December (see A/C.1/39/PV.56, 57 and 59-62).
4. In connection with item 69, the First Committee had before it the following documents:
 - (a) Note by the Secretary-General (A/39/144 and Add.1);
 - (b) Letter dated 20 December 1983 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/59-S/16241);

- (c) Letter dated 28 December 1983 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/60-S/16242 and Corr.1);
- (d) Letter dated 28 March 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/158-S/16445);
- (e) Letter dated 2 April 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/163-S/16460);
- (f) Letter dated 19 April 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/203-S/16496);
- (g) Letter dated 20 June 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/318-S/16637);
- (h) Letter dated 10 August 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/396-S/16697);
- (i) Letter dated 17 August 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/413-S/16707);
- (j) Letter dated 6 September 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/473-S/16734);
- (k) Letter dated 27 September 1984 from the Chargé d'Affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General (A/39/529);
- (l) Letter dated 4 October 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/552-S/16769);
- (m) Letter dated 8 October 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/561-S/16774);
- (n) Letter dated 15 October 1984 from the Permanent Representative of Nicaragua to the United Nations addressed to the Secretary-General (A/39/581-S/16782 and Corr.1);
- (o) Letter dated 26 October 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/611-S/16802);

(p) Letter dated 29 October 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/616-S/16805);

(q) Letter dated 5 November 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/632-S/16816);

(r) Letter dated 19 November 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/671-S/16833);

(s) Letter dated 19 November 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/672-S/16834);

(t) Letter dated 26 November 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/691-S/16840);

(u) Letter dated 28 November 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/721-S/16848);

(v) Letter dated 6 December 1984 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/39/794-S/16853).

II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.1/39/L.86 AND Rev.1

5. On 4 December, Ghana and Sierra Leone submitted a draft resolution entitled "Implementation of the collective provisions of the Charter of the United Nations for the maintenance of international peace and security" (A/C.1/39/L.86). The draft resolution was introduced by the representative of Sierra Leone at the 61st meeting, on 6 December, and read as follows:

"The General Assembly,

"Recalling its resolutions 37/119 of 16 December 1982 and 38/191 of 20 December 1983 on the implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security,

"Reaffirming that the primary function of the United Nations, in particular through the Security Council, is the maintenance of international peace and security,

"Stressing that the purposes of the United Nations can be achieved only under conditions in which States comply fully with their obligations assumed under the Charter,

"Alarmed over the growing tendency of States to resort to the use of force, interference and intervention in international relations, thus ignoring the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

"Concerned that the Security Council has not always been able to take decisive action for the maintenance of international peace and for resolving international problems,

"Recognizing that fundamental approaches to genuine security include, inter alia, the strengthening of the Charter system of collective security,

"Conscious of the important role with which the Security Council is entrusted in enhancing the collective security provisions of the Charter for the promotion and maintenance of international peace and security, in accordance with the Charter,

"Regretting that the provisions of the Charter relating to collective security measures have not been fully implemented,

"Taking into account in this connection the reports of the Secretary-General on the work of the Organization to the General Assembly at its thirty-seventh, thirty-eighth and thirty-ninth sessions,

"Also taking into account the note by the President of the Security Council of 12 September 1983,

"Recalling the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,

"Also recalling the views of the Governments of the five Nordic countries on the strengthening of the United Nations,

"Taking note of the report of the Secretary-General on the implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security,

"Having considered the item entitled 'Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security',

"1. Regrets that the Ad Hoc Committee which the General Assembly, by its resolution 38/191, decided to establish for the purpose of exploring ways and means of implementing the said provisions has not been constituted;

"2. Requests the President of the General Assembly, as a matter of urgency, to undertake consultations with the regional groups to appoint 54 Member States to constitute the membership of the Ad Hoc Committee on the basis of equitable geographical representation and including the permanent members of the Security Council;

"3. Requests the Secretary-General urgently to invite those Member States that have not yet done so, to communicate to him not later than 30 April 1985 their views and comments on the matter and to transmit those views and comments to the Ad Hoc Committee as soon as possible;

"4. Requests the Ad Hoc Committee, in considering the matter, to take due account of the views and comments of Member States, including their recommendations, and to submit a progress report to the Security Council for its consideration and comments and to the General Assembly at its fortieth session, and a final report to the Assembly at its forty-first session;

"5. Decides to include in the provisional agenda of its fortieth session the item entitled 'Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security'."

6. At the 61st meeting, on 6 December, the representative of Sierra Leone, also on behalf of Algeria, Cameroon, Ghana, Mali, Uruguay and Zambia, subsequently joined by Jamaica, Indonesia and Trinidad and Tobago, made the following revisions to the draft resolution (A/C.1/39/L.86/Rev.1):

(a) In the fourth preambular paragraph, the words "interference and intervention in international relations" were replaced by the words "intervention and interference in the internal affairs of States";

(b) In the seventh preambular paragraph, the words "for the promotion and maintenance of international peace and security" were replaced by the words "for the promotion of peace and security in the world".

7. At the same meeting, a statement by the Secretary-General on the programme budget implications of the draft resolution (A/C.1/39/L.86/Rev.1) was circulated in document A/C.1/39/L.93.

8. At the 62nd meeting, on 7 December, the Committee adopted draft resolution A/C.1/39/L.86/Rev.1 by a recorded vote of 93 to 22, with 14 abstentions (see para. 9). The voting was as follows:

In favour: Algeria, Angola, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Democratic Kampuchea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Ghana, Greece, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone,

Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Afghanistan, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Italy, Lao People's Democratic Republic, Luxembourg, Mongolia, Netherlands, Poland, Portugal, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Canada, Democratic Yemen, Denmark, Finland, Iceland, Ireland, Israel, Japan, New Zealand, Norway, Spain, Sweden, Viet Nam.

III. RECOMMENDATION OF THE FIRST COMMITTEE

9. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security

The General Assembly,

Recalling its resolutions 37/119 of 16 December 1982 and 38/191 of 20 December 1983 on the implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security,

Reaffirming that the primary function of the United Nations, in particular through the Security Council, is the maintenance of international peace and security,

Stressing that the purposes of the United Nations can be achieved only under conditions in which States comply fully with their obligations assumed under the Charter,

Alarmed over the growing tendency of States to resort to the use of force, intervention and interference in the internal affairs of States, thus ignoring the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 1/

1/ Resolution 2625 (XXV), annex.

Concerned that the Security Council has not always been able to take decisive action for the maintenance of international peace and for resolving international problems,

Recognizing that fundamental approaches to genuine security include, inter alia, the strengthening of the Charter system of collective security,

Conscious of the important role with which the Security Council is entrusted in enhancing the collective security provisions of the Charter for the promotion of peace and security in the world in accordance with the Charter,

Regretting that the provisions of the Charter relating to collective security measures have not been fully implemented,

Taking into account, in this connection, the reports of the Secretary-General on the work of the Organization to the General Assembly at its thirty-seventh, 2/ thirty-eighth 3/ and thirty-ninth sessions, 4/

Also taking into account the note by the President of the Security Council of 12 September 1983, 5/

Recalling the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983, 6/

Also recalling the views of the Governments of the five Nordic countries on the strengthening of the United Nations, 7/

Taking note of the note by the Secretary-General on the implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security, 8/

2/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).

3/ Ibid., Thirty-eighth Session, Supplement No. 1 (A/38/1).

4/ Ibid., Thirty-ninth Session, Supplement No. 1 (A/39/1).

5/ Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983, document S/15971.

6/ A/38/132-S/15675 and Corr.1 and 2, annex, sect. I.

7/ A/38/271-S/15830, annex.

8/ A/39/441 and Add.1

Having considered the item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security",

1. Regrets that the Ad Hoc Committee which the General Assembly, by its resolution 38/191, decided to establish for the purpose of exploring ways and means of implementing the said provisions has not been constituted;

2. Requests the President of the General Assembly, as a matter of urgency, to undertake consultations with the regional groups to appoint 54 Member States to constitute the membership of the Ad Hoc Committee on the basis of equitable geographical representation and including the permanent members of the Security Council;

3. Requests the Secretary-General urgently to invite those Member States that have not yet done so to communicate to him not later than 30 April 1985 their views and comments on the matter and to transmit those views and comments to the Ad Hoc Committee as soon as possible;

4. Requests the Ad Hoc Committee, in considering the matter, to take due account of the views and comments of Member States, including their recommendations, and to submit a progress report to the Security Council for its consideration and comments and to the General Assembly at its fortieth session, and a final report to the Assembly at its forty-first session;

5. Decides to include in the provisional agenda of its fortieth session the item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security".
