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President: Mr. Leopoldo BENITES (Ecuador).

AGENDA ITEM 25

Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States: report of the Secretary-General (*continued*)

1. Mr. MÉNDEZ RIVAS (Uruguay) (*interpretation from Spanish*): Uruguay cannot remain indifferent whenever the international community endeavours to improve and strengthen the role of the United Nations with regard to the maintenance and consolidation of international peace and security and to facilitate the development of co-operation among all nations and the promotion of the rules of international law in relations between States. Consequently, my delegation wishes at this time to make a few remarks which in its view might help us achieve the lofty aims to which we all aspire.

2. As stated on 27 September 1973 by the Uruguayan Minister for External Relations in the General Assembly:

“My country... has contributed with perseverance and good faith to the building of a world governed by law. The observations we all make about the flaws and shortcomings of the system do not discourage us. Rather, such failings show, by their imperfections and through their consequences, the need for a legal order in force for all, a legal order that will link the community of nations, that will offer the climate of security necessary for effective political independence and economic and social development, that will offer essential guarantees to small nations and will remove the shadows of arbitrariness.” [2131st meeting, para. 7.]

3. Peace is unthinkable without security, just as security is unthinkable without justice. Peace and security founded on justice represent a mystical triptych for mankind.

4. It is a fact of history that small countries, perhaps for organic reasons, reduce to a single equation the guarantees

of their own destiny and the material and moral impact of others in the field of law. The great Powers have something to expect from force, which always promises but never keeps its promises and today builds what it destroys tomorrow. The attachment to law of those peoples is almost always speculative or philosophical and for the most part is based on a prophetic vision of an order of things to come. On the other hand, the cult of justice among the small countries is, we would say, organic, visceral and of an ontologically defensive order.

5. It is significant that in one of the oldest languages, Chinese, the word “peace” is composed of two concepts, harmony and equity. That is to say, harmony means security in international relations and equity means justice. Peace is security with justice.

6. My country has always believed that the world will know peace and security on the day when justice prevails in international relations and when social and economic justice becomes a reality for all peoples. Until then, there will be no lasting peace and only force will be able to maintain an ephemeral order.

7. We understand that the strengthening of international security depends for the most part on the will of the great Powers, but the role of the small and medium-sized countries on a different plane can and should effectively contribute to its consolidation, provided of course that the great Powers act in good faith. Ensuring the effective participation in the international community of the militarily weak countries and respect for their rights and for their natural importance by reason of the position they occupy among the peoples of the world, their spiritual orientation and their natural wealth as well as their possibilities for international trade, is tantamount to establishing effective and sound guarantees aimed at the essential and supreme purpose of peace and solidarity.

8. To the supremacy of the law, the triumph of freedom, respect for the dignity of the human person, the repudiation of the rule of violence in any form and of any doctrine of racial division or discrimination, the inviolability of independence and the right of peoples to self-determination, there must be added, urgently and categorically, an adequate and effective system which will make it possible to prevent and punish acts of aggression.

9. Security must be collective, universal and mandatory. The world today does not aspire to peace through force, but to peace with harmony, justice and general well-being.

10. Peace today must be more than a negative concept, namely, the absence of war; it must be a positive obligation of co-operation, solidarity and broad and sincere understanding, taking into account the common destiny of all

human beings. Traditional pacts of non-aggression—armed peace—have provided sorry memories for the peoples of the world. Today, mutual assistance, unrestricted trade and global aid are demanded as the positive and real kind of understanding in the new international relations.

11. Let me quote again the views expressed in this Assembly by the Minister for External Relations of Uruguay, since they reflect the feelings of my country:

“We maintain as a principle that the construction of world co-operation and technology shall not be based even involuntarily on the elimination of national idiosyncrasies. The challenge we confront, therefore, is twofold: to organize constructive co-operation in a multiple world, and to eliminate from that process any aspect of a policy of power, of influence, interventions, and *diktats*, in order that each country may be authentically free in an interdependent and united world.” [*Ibid.*, para. 18.]

12. The economic factor plays a fundamental role here. My delegation at the last session of the General Assembly, during the consideration of this item, emphasized the importance of concerted international action aimed at the reduction and elimination of the economic disparities between the developed and the developing countries.¹

13. In Article 55 of the Charter it is stipulated that Member States must strive to achieve “higher standards of living, full employment, and conditions of economic and social progress and development”. That is one of the fundamental keys to the achievement of true international security. International security cannot be based on the poverty and the suffering of peoples; economic development does away with factors of aggressiveness and discontent and promotes understanding. The imbalance between nations is an insurmountable obstacle to the consolidation of international peace and security. Inequalities breed injustice, and injustice, in the long run, breeds violence.

14. Development must therefore be the development of all human beings and of all peoples—and here we come to the burning problem of social justice.

15. The greatest threat to international peace and security, perhaps more explosive than nuclear fusion, is the extreme poverty that prevails among the great masses of population living in the southern hemisphere of the world. This despair of millions of human beings is the most serious affront to the existing system of peaceful coexistence that prevails among the great Powers.

16. My Government, through its Minister for External Relations, stated before this Assembly that certain economic and trade practices in use today encourage “the concept of class struggle on the international level, among categories of countries” [*ibid.*, para. 43]. This would involve acceptance of

“the dialectics of hatred and opposition. We affirm, instead, the responsibility of all nations in the struggle for development and the establishment of more just trade relations. It is a common responsibility that flows from

international solidarity and from the indivisible unity in present-day world economy.” [*Ibid.*, para. 44.]

That means that the international community must endeavour to ensure that the common undertaking is based on justice. This is the *ultima ratio*, the very spirit of the Charter of the Economic Rights and Duties of States which was adopted by the United Nations Conference on Trade and Development in its resolution 45 (III).²

17. The Secretary-General, in the Introduction to his report on the work of the Organization, states:

“The pressing and global nature of such interrelated problems as development, trade, population, natural resources and environment requires an integrated response which is often hard to achieve through the international machinery set up for far more limited purposes over a quarter of a century ago. In fact in the economic and social fields the United Nations, far from being side-stepped, has become increasingly involved at so rapid a pace that institutions created in 1945 often no longer correspond to current needs.” [*A/9001/Add.1, p. 1.*]

Let us, then, devise effective formulae to provide collective economic security as a necessary basis for political security.

18. While it is true that peace helps development, it is also undeniable that development determines the rule of peace; they are equivalent and interchangeable terms and both can be synthesized in the exclusive prevalence of human rights. All this shows that the problem of freedom in any of its aspects will, in the long run, affect anything that man may do to achieve his own security and peace, as every human being desires.

19. Terror, torture, deportation, extermination—all these have existed from time immemorial, but without reaching the dimensions that modern technology has made possible. Stateless persons, refugees, those who are tossed here and there by the vicissitudes of life and who must live without a regulated life or any continuity that may help them in the future, who stay for a time in one place but are soon forced to move to distant shores, who are at home everywhere and nowhere, who appear to symbolize mankind’s march towards emptiness, unfortunately represent the sign of our times. This is the malignant germ that the international Organization must attack.

20. Freedom will never be real unless it is purely individual. Every individual is free to the extent that others also are free. That is why active humanism will have to be added to the forces that sincerely seek to promote the destiny and opportunities of all.

21. A humane, not a bestial, policy implies the rights of man. To be a man means to limit force through law, right and commitment. When force allows of no limitation, equally unlimited action must be taken to oppose it, but then there will be no peace or security in the world.

¹ See *Official Records of the General Assembly, Twenty-seventh Session, Second Committee*, 1460th meeting.

² See *Proceedings of the United Nations Conference on Trade and Development, Third Session, vol I, Report and Annexes* (United Nations publication, Sales No. E.73.II.D.4) annex I, p. 58.

22. The world places its hopes in the international Organization. Let us abandon as a thing of the past an atmosphere filled with Byzantine verbalism and find new elements and concepts of peace, security, democracy, freedom, self-determination and sovereignty. As was so wisely stated by von Verdross, "It is impossible to establish contractually an unequivocal obligation if, behind the words, we do not have certain values common to all the parties. If that basis is missing, the parties will give different meanings to the same words and will never come to a true agreement of wills".

23. Blocs and cultural regions now appear as two levels in the present organization of the world, the third level being the United Nations. Each level has its specific field of activity. The United Nations, sometimes politically paralysed, fulfils a valuable mission since it achieves universal specialized collaboration, the purpose of which is economic, social and cultural progress. Blocs constitute the most definite and dynamic level in the present organization of the world, but the formative level is the regional.

24. The old concept that international law is a primitive law because it lacks organs that are not at the same time under its jurisdiction is now being replaced by a new concept of international law, not as a law of subordination or co-ordination, but as a law of integration which presupposes the existence of social law in the meaning of an inter-State society.

25. If the justice of the family has replaced that of the individual, the justice of the city that of the family and the justice of the State that of the city, why should not the society of States replace that of the State? History shows a degree of logic in the course it has taken that excludes capriciousness, arbitrariness and retrogression.

26. Solidarity shines today like a star in the darkness. Lloyd George had already visualized this half a century ago, when he asked:

"What does the sentinel see in the infinite expanse of the night? The sentinel should see the light of that shining star or there will be no light in his own eyes."

27. Solidarity is more than a doctrine, more than a feeling; it is dynamically of greater value than an idea. It is a fact, a force, a systematization of the force which operates through history, making war by one nation against another something that affects all nations.

28. If destiny has united us, then destiny must not be placed at the exclusive service of anyone. We must believe in that force, not because it is supported by reason, but because it is born of the interest which is, has been, and will be the true "driving force" of history. Although reason reasons, it is interest that impels us. Reason relates to justice; interest is the true motive behind our achievements in life. The strengthening of international security is today the supreme and vital interest of mankind.

29. In conclusion, I am pleased to state that the delegation of Uruguay will co-sponsor draft resolution A/L.713 now before the Assembly.

30. Mr. BOATEN (Ghana): We have met once more to consider how best we can strengthen this Organization to

make it the more capable of fulfilling the objectives and aspirations for which the Organization itself was founded. This is as it should be, because the human society is a dynamic one; if this is so, then the institutions that serve it should have the flexibility that enables them to change to meet new challenges. The world community of 1945, when the Organization was formally born, is not the same as the world community of today; in the intervening years between 1945 and 1973, new elements have developed in the international scene, new problems requiring solutions have faced the international community, and old concerns have grown in dimensions.

31. In spite of all this, let us not deceive ourselves, lest we become disillusioned, that the strength of this Organization depends on its institutions alone. My delegation believes that, most important of all, the United Nations will be as strong, or as weak, as Member countries decide to make it. It is in recognition of this fact that the Commissioner for Foreign Affairs of Ghana, in his statement from this rostrum on 10 October this year, said:

"The degree of interdependence reached by our present world has internationalized almost every issue to a smaller or larger extent. Until we have recognized this reality solutions to the many problems which face the world community today will continue to elude us. If we seize the opportunity now we may yet usher in the world of plenty which we all seek." [2148th meeting, para. 49.]

In this statement, while welcoming the détente which is developing between the two super-Powers, he nevertheless cited the developing tendency for the super-Powers to seek accommodation or agreement outside the machinery provided by this Organization. What, in the view of my delegation, should be our concern is not the weakness of this Organization, but the lack of will on the part of Member countries to make it strong.

32. Time was, when national security was a tenable element of national policy. Developments in our modern world have demonstrated that the concept of national security has ceased to have the same validity it had before the First World War, and no national security, however well organized, can by itself secure national integrity and sovereignty.

33. In our generation, we have seen how the search for national security has led to conflicts which have threatened to engulf the whole world. This, in the view of my delegation, is because the world has reached a stage of development where it is becoming increasingly difficult to determine where one country's national security ends and where that of another begins. The evidence seems clear enough, that our present age needs to develop a new concept of security which sees national security as a function of international security. It is in recognition of this fact that Article 1, paragraph 1, of the Charter of the United Nations declares as the first Purpose of the United Nations:

"To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and interna-

tional law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”.

We cannot hope to achieve this objective if we stick to our parochial and narrow interests to the exclusion of global concerns.

34. In terms of the principles and purposes of this Organization I should like us to have a closer look at our Charter and assess how far it enables us to fulfil those principles and purposes.

35. The world has moved very far away from 1945. The existence of certain realities at that time made it necessary, I believe, for the founding fathers to agree to confer on the permanent members of the Security Council, consisting of the States named in Article 23, of the Charter, the right to veto decisions of the Council. The world community, as I said earlier, has changed since 1945. The membership of the United Nations has expanded to embrace countries in Africa and Asia which until the end of the first half and the beginning of the second half of this century had no international identities of their own. It was in recognition of that change that Article 61, paragraph 1, of the Charter was amended to enlarge the membership of the Economic and Social Council from 27 to 54. As members will recall, elections to fill the additional vacancies thus created were held last week in this Assembly [2177th meeting].

36. It is with this recognition of the need to make certain changes in the institutions of this Organization that my country suggests that the time has come for a reappraisal of the role and procedures of the Security Council.

37. Experience, past and present, has demonstrated that the operation of the veto by the permanent members of the Security Council often renders the Council, and the entire Organization, powerless to act in time of crisis. My delegation believes that a little modification in the operation of the veto should eliminate this difficulty and remove the helplessness in which this Organization has often found itself in times of crisis. In saying that, my delegation, in full consciousness and recognition of present-day realities, does not suggest the total abolition of the veto. We wish, however, to suggest a modification of its operation to enable a veto by a permanent member to be overruled by a revised procedure of voting if the general interest of the international community so demands.

38. In this regard my delegation proposes a revision on the lines of the following alternatives: where a veto is exercised by a permanent member of the Security Council, two thirds of the votes of the membership of the Security Council, including the affirmative votes of at least two permanent members of the Council, shall overrule the veto so exercised; or when a veto is exercised by a permanent member of the Security Council, the Secretary-General shall convene an emergency meeting of the General Assembly at which the issue giving rise to the exercise of veto shall be debated. If, at the conclusion of the debate, there is a two-thirds majority vote in favour of the proposal which was the occasion for the exercise of veto, the veto shall stand overruled.

39. In making that proposal my delegation does not consider itself as being revolutionary. It has taken into account the provisions of national constitutions which aim at introducing checks and balances to ensure that no arm of the government imposes its will on the machinery as a whole. My delegation sees a similar type of provision in the United States Constitution; it also sees the operation of the same principle in the processes through which a bill passes before it becomes an Act of the British Parliament.

40. If such checks and balances have been found necessary in national Constitutions, and are considered necessary and acceptable, my delegation sees no reason why similar checks and balances cannot be introduced into the procedures of an Organization constituted by equal and sovereign States. In this regard, my delegation does not believe that the meaning of Article 2, paragraph 1, of the Charter is in doubt. That Article states:

“The Organization is based on the principle of the sovereign equality of all its Members.”

The conflict between that principle and the right to veto decisions accorded to the permanent members of the Security Council is evident. My delegation therefore considers that its proposal aims at the minimum revision necessary to reflect the sovereign equality on which the membership of the Organization is based. That is why we are encouraged to believe that our proposal will receive serious consideration by member countries in this Assembly.

41. I should like now to turn my attention briefly to other aspects of the item which is the subject of this debate. My delegation sees a great deal of hope in the United Nations and is greatly encouraged in its optimism for the future of the world community by the purposes and objectives of the Organization's Charter. The ideals contained in Chapter I of the Charter, which outlines the purposes of the Organization, should make us all believe that we still have a chance of saving the world community from destruction if we sincerely wish to do so.

42. I should like all of us to read once more Chapter I of the Charter, to refresh our minds and to remind ourselves daily of our obligations to the international community. I shall not bore the Assembly by quoting the Chapter. My delegation, however, regards it as our catechism. After reading the Chapter we should all ask ourselves how far we have been faithful to the principles which the founding fathers decreed should govern our behaviour as Members of this Organization.

43. As a guide for assessment of our performance I should like to crave the Assembly's indulgence to quote Article 2, paragraph 5, of the Charter:

“All Members shall give to the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.”

In the view of my delegation, that obligation is not confined to action taken under Chapter VII but extends to cover action indicated by the resolutions passed in accordance with the Charter by this Organization.

44. There is no doubt that this Organization has been weakened partly because, through unilateral amendments to the Charter, some Member States do not consider themselves bound by resolutions which have been adopted by the overwhelming majority but to which, for some reason or other, they are opposed. Even where we have joined in prescribing action, some Members seem to indicate by their attitude that their obligation is qualified by the principle of *rebus sic stantibus*.

45. Thus the United States Government, after joining in prescribing action against the rebel government of Southern Rhodesia under Chapter VII of the Charter, decided to buy chrome from that country because it thought it was in its interest to do so. Perhaps the justification for doing so was that the circumstances which existed at the time it committed itself to that action had changed and it no longer considered itself bound by the obligations it had undertaken. Thus other countries continue to trade with Rhodesia, with the excuse that they have no control over the actions of their nationals, while at the same time they exercise the authority to legislate to control their social behaviour and other aspects of their commercial behaviour. Thus a whole host of resolutions seeking merely to affirm this Organization's commitment to the legitimacy of the self-determination and independence of peoples everywhere continues to remain scraps of paper.

46. In the face of this regrettable performance, we have no reason to believe that the resolution adopted at this session of the General Assembly, by an overwhelming majority, taking cognizance of Guinea-Bissau's independence and calling for action to restrain Portugal from resorting to any

action which violates the territorial integrity and independence of that country [*resolution 3061 (XXVIII)*], will be accorded different treatment from that given by some Members of this Organization to similar resolutions. This is the tragedy of our Organization: we uphold principles of democracy within our own national boundaries, but we refuse to accept the same principles when they are applied to our relations within the international community. We are like doctors who attempt treatment only when the disease is beyond cure. We appear to regard preventive action as of no consequence. Thus until there is a conflagration in the Middle East we have no will to act; and for the same reason we see no cause to act in Guinea-Bissau, Angola, Mozambique and the Cape Verde Islands, because in the view of some Member States any threat to international peace posed by the situation in those countries is too remote to merit their concern.

47. It is not only in the political field that some of us maintain that attitude; some are equally unconcerned with the danger which the economic inequalities in our world today pose to world peace because, in their view, whatever danger those inequalities may portend is too remote and cannot therefore arouse concern.

48. Until this Organization decides to act in concert to remove the causes of tension on our planet, the future of mankind will remain uncertain. We have the capacity to act in concert: let us do so now, before it is too late, or accept the doom that awaits all of us because of our lack of will to act to save mankind.

The meeting rose at 4.20 p.m.