

Lecture by His Excellency Salim Ahmed Salim,
President of the thirty-fourth session of the United Nations General Assembly
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"THE POLITICAL AUTHORITY OF THE GENERAL ASSEMBLY"

Mr. President,

Ladies and Gentlemen,

Allow me at the very outset to express my sincere gratitude to you and to Ambassador Friedrich Hartlmayr, the Secretary-General of the Austrian United Nations Association, for having extended an invitation to me to address this distinguished gathering.

It also gives me particular pleasure to join you in celebrating the twenty-fifth anniversary of the signing of the Austrian State Treaty.

At a time when global problems and tension seem to cast a grim shadow on the international situation, the positive contribution made by Austria in world affairs gives hope for optimism as we face the challenges of our era.

Though the maintenance of peace and security will largely depend on rational policies of the great Powers, there is no doubt that all countries have a stake in what is going on and that all have a contribution to make. And since decisions which have an impact on peace or war affects all the world's citizens, the latter have a clear obligation and responsibility to work for the conditions necessary for international peace, stability and security. There could be no better way to make that contribution than enhancing the role and efficacy of the United Nations - the only international institution dedicated to preserve world peace and security and promote genuine

international co-operation. To this end, the role of national United Nations Associations like yours in promoting and co-ordinating public opinion is pivotal. For though the United Nations can establish centers in member countries, its ability to reach the people depends on its preparedness to establish stable working relations with related national associations. Your Association has direct access to the constituency of the United Nations. Naturally therefore, your practical experiences in the field is of immense value to the United Nations.

During my recent visits to West Africa and Asia, I was greatly encouraged by the determination of national United Nations Associations in being valuable links between the United Nations and the people and, in the process, making the people understand the Organization better. I wish, therefore, to pay tribute to the Austrian United Nations Association for its invaluable role in promoting the ideals and objectives of the United Nations.

I am particularly glad to be able to share with you thoughts about the United Nations in your own country. The contribution of the Government and people of Austria to the work of the United Nations is universally appreciated. It is not only that a distinguished and an eminent Austrian, Dr. Kurt Waldheim, is heading the Organization, but also that Vienna is an important center of United Nations bodies. The hospitality and courtesy of the Government, expressed through its offer of the Dona Park facilities to the Organization, is a testimony to its commitment to the world body.

Mr. President,

It is difficult in a short address to discuss adequately the political

authority of the General Assembly. My remarks on the subject, therefore, will be in no way exhaustive. They will only provide a basis for further reflection and discussion about the issue. Of necessity, these remarks are of a general nature and based on my personal observations and experience.

In considering the political authority of the General Assembly, it is necessary to consider it in relation to the special role played by the Security Council in dealing with global problems of peace and security. In as much as both the Assembly and the Council deal with matters relating to international peace and security, it is worthwhile, together with the tracing of the evolution of these two bodies over the years, to try and relate their functions to the relevant provisions of the Charter and the philosophy which guided their formulations.

The Charter establishing the United Nations was signed towards the end of the last war. The philosophy characterizing its negotiation and signature reflected the context of the time, situation and the political configuration as it obtained in 1945. Furthermore, the aftermath of the war and the emergence of much polarized centers of power, dictated that the activities of the entire Assembly of Nations, at the time, revolve around the major Powers emerging victorious from the war against the Axis Powers. The experiences drawn from the demise of the League of Nations which, in part, precipitated by the United States Congress' rejection of Woodrow Wilson's recommendation for membership on the basis of certain unacceptable provisions, and the subsequent withdrawal from the covenant by Germany, Italy and Japan, were instrumental in ensuring that the Charter, establishing the United Nations, took account of the interests of all the powers.

In view of the diversity of the nations which had gathered to draw up the Charter in San Francisco, a differentiation had to be made between them on the basis of military capabilities which was considered to be proportional to their respective sacrifice and contribution to the victory of the allied nations. To the extent therefore that such a distinction had to be reflected in the Charter, it could not have been feasible without the establishment of separate organs within the Organization carrying different roles and responsibilities considered commensurate with the power wielded by their membership. The creation of principal organs of the United Nations responded to this need.

The General Assembly of the United Nations, as one of these principal organs, responded to the need of involving the majority of nations which had played key roles either during the league era or which had acted in concert with the allied forces against the Axis Powers. Yet, though more in number, these nations did not possess the military strength which could have been decisive in the outcome of the war. It is in the same vein that those who were not the principal determinant factors in the ending of the war, could not have been given as much responsibility in promoting peace and ensuring that war did not erupt again. Yet the identity of purpose, despite the disparity of power, demanded that some form of democracy be demonstrated as a recognition of the roles played by the other nations. The Assembly was therefore tailored along the lines of parliamentary diplomacy for the pursuit of a working balance between sovereignty of nations and national interests on the one hand, and international order and the long term interests of the world community, on the other. For this purpose, the Assembly provided for the concept of equality

between all states, big and small, rich and poor, in contributing towards international understanding. Yet even this contribution was confined within the parameters laid down in the Charter. It can be argued that the limiting of the scope of operations of the Assembly under the Charter, was intended primarily to confine, among the major Powers, those issues which were considered sensitive.

Thus, whereas, under the Charter the Assembly is given power "to discuss any question or matter within the scope of the Charter", its ability to do so is contingent upon the concurrence of the members of the Security Council. Indeed, it is not by coincidence that though the Assembly can take decisions or call the attention of the Council to situations which are likely to endanger peace and security, those decisions can only be recommendatory and not binding. Naturally, for these decisions to be binding or implemented, they have to be acceptable to the major Powers which have the ability and capacity to undertake the required action.

Thus, in making the Assembly a deliberative and recommendatory body, these nations sought to reaffirm their dominant role and determined to impart a permanent imprint on the post-war pattern of international relations. To achieve this goal effectively, it was necessary, while concentrating the real powers, complete with enforcement measures, on the Security Council, to institute a semblance of authority within the General Assembly arising from its numerical strength. What emerges clear however, is that the minimal role allotted to the Assembly in relation to that of the Council was more of a token recognition of its universal strength rather than a realization of its collective strength and representativity of its membership.

On the other hand, the establishment of the Security Council provided for the alternative of recognizing the unique role played by the major Powers during the war and their responsibility to ensure the prevalence of peace and security in the world.

Since the United Nations was established to "save succeeding generations from the scourge of war" through the maintenance of international peace and security and providing alternatives to war and conflict, it was proper to accept the reality of the situation and give those nations the responsibility of doing so. In the worst of circumstances, the other nations had no better choice but to accept the arrangement. The principle of the prohibition of the use of or threat of force against the territorial integrity of political independence of any state underlined in the Charter, to which the Charter signatories were prepared to adhere, provided the only hope for security for the weaker nations.

From the point of view of the maintenance of peace and security, the Security Council, as a body, had to be well equipped and its mandate well defined. Yet the veto power which accompanied the permanent membership of the Council, cannot be explained purely in terms of the maintenance of international peace and security, but also in the context of guaranteed national interests. These two, though not in conflict, can in some situations go at variance, particularly when national interests have to be measured against the greater needs of the international community. The rationale of the veto, therefore, was to avoid clashes between the main powers in order for peace to be maintained through avoiding commitments unacceptable to the Five permanent members.

It is argued that the Security Council has not been adequately responsive to the requirements of the changing world. On the other hand, that the General

Assembly has responded by taking action where it was required, and the evolution of the United Nations, testify that even some permanent members of the Council have used the Assembly in dealing with issues pertaining to international peace and security when the Council was rendered inactive by its very structures and decision-making mechanisms. It is this lack of balance between the requirements of the international community and its inability to take action when needed which has continuously made the General Assembly a more relevant institution.

As pointed out, the Charter provides in the context of the distribution of power that the Assembly is supreme except in regard to the question of the maintenance of international peace and security. Yet because of constant differences among the permanent members, the Security Council often fails to meet its obligations regarding the greater interests of the majority of the member states of the Organization. This, in turn, has led to the repeated referral to the General Assembly of matters affecting international peace and security. At the same time however, it should be noted that this increased use of the Assembly in questions of the maintenance of international peace and security during the early years, though not expressly provided for under the Charter, was not always motivated by the recognition of its authority, but at times to circumvent the veto or to acquire mandate for action when such action was not accepted in the Security Council.

Thus, the precedents of the Uniting for Peace Resolution adopted in 1952 on the question of Korea was also invoked in 1956 when the Council was immobilized during the Suez War in creating the United Nations Emergency Force (UNEF) in the Middle East. Consideration of the Hungarian question, and most

recently the Emergency Session on Afghanistan are demonstrations of the role played by the General Assembly in matters of international peace and security. Nevertheless, whatever may have been the initial reason for transferring these issues to the General Assembly, it has become a fact that the Assembly has become actively involved in matters related to international peace and security. This demonstrates the political authority of the Assembly and the moral obligations for decisions taken on the basis of the legitimate needs of the international community instead of exclusive consideration of the national interests of a few.

The General Assembly, being almost universal in character, stands as a monumental testimony to the will of nations to co-operate in confronting the problems which face them individually or collectively. Considering therefore that the establishment and continued existence of the United Nations represents the necessity of co-operation and consultation, the authority of the Assembly emanates primarily from the principle of accountability of the states to their actions and responsibilities as members of the Organization. Its operation is based on the fundamental principle of sovereign equality of all its members.

Regrettably, it is a fact that the competing demands of national sovereignty and international community interests have compelled nations to consider the United Nations obligations in so far as their priorities are concerned. National prerogatives at times have been made to prevail even if it meant violating the Charter. Although the Charter provides for expulsion, no member state has ever been expelled. Except for the brief withdrawal of Indonesia, of its own accord, and the de facto suspension of South African from participating

in the General Assembly, the United Nations membership has remained intact. Thus, in the absence of international policing and the hesitation to act against recalcitrant member nations, the international community interests would seem to be protected by the moral approbation. The fear of international outcry and condemnation has been one of the major factors compelling most of those member states to conform to the Charter.

Despite the shortcomings, nowhere within the Organization has this spirit been more evidently demonstrated than at the level of the Assembly which provides a wider perspective, diversity of knowledge and greater representation of the world. Thus, in the absence of a world government, sheer consideration of the common good and world peace and security should compel common sense to respect the world opinion expressed in the Assembly. In any case, though the onus to face up to the challenges must be borne by the major Powers, the other Assembly members should not seek to exonerate themselves from the duty of living up to the principles they espouse by their adherence to the Charter.

Equally, states have membership obligations, some of whose non or partial fulfilment can have serious consequences. The most illustrative example is the assessed financial contribution to the United Nations which can make a country lose its right to vote if "the amounts of its arrears equal or exceeds the amount of contributions due from it for the preceeding two full years." The ability of the Assembly to levy its members or take corrective measures in circumstances of non-fulfilment of financial commitment would therefore suggest that a member state is deemed to have given up its sovereignty to the extent of these obligations.

But the authority of the General Assembly in the final analysis is the authority of the member states and the extent to which it can be exerted is determined by the extent to which these nations are prepared to pursue the greater ideals of the United Nations. Those, therefore, who have the greater ability to contribute to this goal must be prepared to enhance that authority by desisting from taking any position which would hamper the work of the Assembly. Together with this must be the acceptance of the ability of all nations to make a modest contribution to this endeavour.

Mr. President,

Today the Organization has grown in membership. The 51 founder nations have seen come into existence more than 100 sovereign nations and soon, with the admission of Zimbabwe and St. Vincent, there will be 154 members. This speedy accession to independence by nations has largely been a result of the efforts of the colonial people themselves. Yet there is no denying the fact that the contribution of the United Nations, and in particular the General Assembly, in these processes has been enormous.

The decisions of the Assembly have been very instrumental in aiding liberation movements and indeed, though the resolutions of the Assembly have technically no legal force, there are some which are binding because of their moral force and others because of membership obligations. These unanimously or near unanimously adopted resolutions representing the collective opinion of the international community have remained powerful even before the most vehement critics of the General Assembly. It is not publicly known that any state questions the authority of landmark resolutions of the Assembly such as

the 1948 Universal Declaration on Human Rights or resolution 1514 (1960) on the Granting of Independence to Colonial Countries and People. These now reflect international law especially when backed by the principle of self-determination which is enshrined in the Charter.

The momentum generated by these landmarks, and the rise of nationalism engulfing the colonized world, precipitated the speedy decolonization of countries and the growth of the United Nations membership. With these new states determined to reassert their independence and seeking an enhanced role through more equitable distribution of powers, this growth has also enhanced the moral and psychological influence of the non-permanent members of the Security Council. With this increase of states on the world scene, there have emerged more ideas, more national interests and problems and more cumulative wisdom. This third force of the large and assertive group of developing countries, bound together by the positive polity of non-alignment, provided an alternative to the cold war politics of the early years.

Yet the determination of the third world countries to seek an enhanced role and participation in deciding issues of international concern has not been easily accepted by some of the more powerful countries which did not want to disturb the status quo. Allegations on the so-called "tyranny of the majority" sprung up. These allegations were both without foundation and unhelpful. They were baseless because, in reality, those who have always had real power in the Organization have continued to have it. They were not helpful because they tended to overshadow the genuine and legitimate initiatives made by the new nations aimed at instituting reforms within the legal and institutional framework of the United Nations in order to make the Organization

more in tune with the realities and challenges of the present era.

The General Assembly is the most representative organ of the United Nations and the most viable instrument of international dialogue and contact. Its fundamental basis for authority is its democratic "constitutional" framework. This authority is derived from its ability to work out a dynamic approach to the urgent needs and will of the overwhelming majority of the member states. It is also the accommodation and co-existence characterizing the General Assembly which has offered it a sound ^{as} base/an authoritative political and moral force in determining the course of international relations.

Today the authority of the Assembly, emanating from the provisions of the Charter, still remains largely peripheral. Yet, if the responsibilities and power invested in some members of the United Nations in 1945 corresponded to the powers they could wield then, it is not clear whether the same criteria could still be used in the present era. New nations have emerged and others have fully recovered from the devastation of war. These countries have embarked on sustained economic growth which has afforded them great stability. This stability has enabled them to acquire power, in some cases including military, which has greatly altered the geo-strategic balance of forces in the world.

To restore this balance therefore, taking into account the powers existing outside the Security Council, it becomes logical to see the authority of the General Assembly, not only as being more practical, but in certain circumstances more genuine in terms of the maintenance of international peace and security.

As noted earlier, the authority of the Assembly, deriving its legitimacy from the democratic composition of those wielding it, has more relevance to the dynamic realities of today. To the extent that it has managed, through democratic means to translate its responsibilities as provided for under the Charter, and other wise to deal with problems, some of which were inconceivable during the time of the Charter formulation, is a demonstration of its continued relevance to the world today. It is this ability which has guided the Assembly and enabled it to secure monumental achievements.

The landmark resolution 1514 (1960) on the Granting of Independence to Colonial Countries and Peoples, and the subsequent role played by the Committee of 24, has had tremendous impact. The number of countries which have acceded to independence, through the work of the Assembly, is testimony to the work done. This year, the Assembly will be commemorating the twentieth anniversary of that declaration. The declaration underlines a clear expression of the right of peoples to self-determination and independence by virtue of which they freely determine their political status, freely pursue their economic, political and cultural development and freely dispose of their national wealth and resources, without prejudice arising out of economic co-operation. It further underlines the conviction that the process of liberation is irreversible.

This commemoration will mark two decades of sustained General Assembly efforts to maintain the momentum for decolonization generated at the adoption of the declaration. It will further provide an opportunity for the Assembly to take stock of its accomplishments in the field and serve to reaffirm the commitment of member states to liberation. The historical link between the

Assembly and nations which have acceded to independence through its efforts, has been a great factor in consolidating its authority.

But for a decolonized world the priorities of the peoples quickly took different dimensions. They derive political implications from the conduct of international relations at the global level and power relationships at the individual state level. It was with this consideration, having set a pace of decolonization in motion, that the General Assembly was quick to identify the priorities of an extended and more universal United Nations family.

Thus, the emergence of other measures, other than those provided for under the Charter for the achievement of international co-operation in solving international problems of economic, social, cultural and humanitarian character and the promotion of protection of human rights and fundamental freedoms were based on the desire to create conditions of stability and well-being necessary for peaceful and friendly relations among nations. This foundation recognized the need for equality and the achievement of self-determination.

This General Assembly commitment to the promotion and protection of human rights has found expression in various instruments on the question. The Universal Declaration of Human Rights of 1948, the International Covenant of Economic, Social and Cultural Rights of 1966, the Declaration of Permanent Sovereignty and Natural Resources and the Declaration on Social Progress and Development - all serve to demonstrate the extent of the activities of the General Assembly. These instruments represent recognition of the inherent dignity and worth of a human person and a realization that equal rights of members of the human family are the foundation and basis of the maintenance of international peace and security.

The numerous resolutions adopted by the United Nations General Assembly concerning human rights violations in various parts of the world also indicate the realization that the ideals of peace and development can only be achieved if conditions necessary are provided so that every one may enjoy his economic, political, social and cultural rights. The activities of the Assembly in this field seek to provide for the definition and creation of human rights standards to which member states should conform and, in so doing, achieve a pledge for international co-operation in the field of the promotion of these rights. Yet, the continued persistence of these violations have not escaped the attention of the Assembly. Through its own decisions and the activities of the United Nations Human Rights Commission and other affiliated bodies, it has been able to bring to international attention such gross violations as have existed in South Africa.

In matters of the armaments race and disarmament, the Assembly has played an important role. It has noted, with concern, that some nations continue to see the United Nations more in the context of preventing war, even when war itself was not imminent or when the factors which could precipitate instability and war are not considered, rather than seeing it from a perspective of its ability to work for the creation of stable and lasting foundations for the consolidation of peace and security in the world. This ability of the General Assembly to prevail over these war considerations and seek to reaffirm the positive role and responsibility of the Organization has demonstrated its responsiveness to ^{the} security needs of the time.

Thus, in considering disarmament matters, the Assembly has sought to provide alternatives for enhanced security for all nations with lesser

dependence on stockpiles of armaments for the maintenance of security. It has encouraged positive and constructive negotiations between the major military powers in the context of Strategic Arms Limitation Talks and other confidence building measures under the auspices of the Conference on Security and Co-operation in Europe, Mutual Reduction and Balance of Forces in Central Europe and other consultations such as those regarding the USA/USSR military presence in the Indian Ocean.

The last special session of the General Assembly devoted to disarmament generated great momentum and awakened public opinion to the dangers of the arms race and the prospects of a nuclear holocaust. It underlined the concern of the international community over the exorbitant military expenditures in the midst of abject poverty and deprivation rampant in the world, which in no way enhances the security of the world but renders it more unsafe over time. It spelt out a programme of action, both in conventional and nuclear disarmament, and made the relevant institutional reforms, including the reactivation of the Disarmament Commission and the modification of the Committee on Disarmament.

In economic matters, the Assembly has made significant contribution. It has laboured to point out that the relevance of international peace and security is minimized if there is no consideration of the economic well-being of all the peoples of the world. The Declaration of a New International Economic Order and the Covenant on the Economic Rights and Duties of States have served to illustrate the concern of the Assembly on the existing system of economic relations. In so doing, it has not failed to point out that the existing system is not only unfair to the developing countries, but also that in the long run, it is not in the interest of the developed countries too. Already, there are

evident strains even on the economies of these developed nations. Constrained growth, inflation, currency fluctuations and unemployment have had adverse impact on them.

For developing economies, it has been a sad story. There is evident continued underdevelopment. But for an interdependent world like this, it is necessary to establish mechanisms of mutual complementarity of interests. The experiences of the international development strategy for the second United Nations Development Decade give no hope for improved living conditions for the bulk of the people of the world. The trickle down of growth from the developed countries has served only to entrench the dependence of developing countries. Even as we ended the last decade, not only had the targets set in that strategy for the transfer of resources to these developing countries not been attained, but aid from the major industrialized nations had been on the decline in relation to their Gross National Product over the years.

It is true that the last strategy failed to bear the desired results because it did not take into account the need for fundamental structural changes in the existing economic system. Consequently, the efforts of the Assembly to establish the New International Economic Order are directed towards the promotion of the development of developing countries and specifically in the areas of international trade, commodities, monetary and financial transfer of resources, science and technology, industrialization, food and agriculture and the promotion of economic and technical co-operation among the developing nations.

It is gratifying to note the efforts already made by the General Assembly in preparation for the forthcoming Special Session of the General Assembly on Development which will take place in August. Of particular significance

is the contribution made by the Group of 77 in formulating an international agenda for global negotiations which are expected to be officially launched at that session. These negotiations will also include, among other important topics, the crucial question of energy.

The role of the Assembly in the efforts of democratization of international institutions and establishment of a New International Economic Order based on equality, justice, mutual benefit and genuine interdependence, has been paramount. Its sensibility to the accentuating poverty among the developing nations, partly due to the present system of economic relations, has made it an institution to look to in these efforts to bring about the long overdue changes.

Mr. President,

I have made observations on the authority and achievements of the General Assembly. As I had indicated, it is unlikely that I have covered all aspects of the topic. Yet I hope that these would serve to stimulate discussions among members of the Austrian United Nations Association.

The political authority of the Assembly has been manifested through its numerous achievements in the political, economic, legal, social and humanitarian fields. Its ability to respond to the challenges of the hour has largely been based on its understanding of the dynamics of the present system of international relations. Its universal character has given its decisions moral authority and has made member states more aware of their responsibilities as members. The accountability of these nations to decisions they make in the Assembly has been a source of great authority.

But it would not be totally true to contend that the Assembly has been a perfect instrument, for there have been shortcomings. Yet, in considering these shortcomings, it is necessary also to acknowledge the limitations of a body as heterogeneous as the Assembly. Of necessity, there have been differences among the member states which have not been easy to deal with. In any case, they could not have been dealt with anywhere else except in the Assembly. Put differently, there is no alternative to the Assembly. It has continued to be a unique platform for dialogue. Indeed, there is no other body which brings together as many leaders of nations every year as the Assembly. In that alone, the Assembly has managed to offer an opportunity for contact and understanding.

Nevertheless, it is worthwhile to note that it is not simply by virtue of its universal character that the Assembly has acquired its authority. More importantly, it has instead provided a forum for deliberation and action when the Security Council has failed to. Indeed, it is the immobilization of the Security Council which at times has led the Assembly to take up matters of a international peace and security character. In the process, the Assembly has developed into a more viable instrument in dealing with some of these issues.

In order to have a practical grasp and understanding of international peace and security, it is necessary to go beyond its classical interpretation. It is important to depart from the notion that international peace and security is merely avoidance of war. The General Assembly has taken a positive view and realized that it is not enough to talk of avoidance of war without taking practical measures of avoiding sources of conflict. Thus in considering issues like economic development, human rights, decolonization and the like, the Assembly has sought to emphasize that these cannot be separated from the common

desire for international peace and security. Inevitably, hunger, abject poverty, economic underdevelopment and oppression, including the denial of human rights, lead to conflict within nations and among nations. Therefore, as the United Nations makes efforts to maintain peace and security, there has been even greater effort of linking it to justice, freedom and promotion of a more equitable international order. It is this wider interpretation which the Assembly has made central to its efforts to achieve peace.

As I pointed out earlier in my remarks, in spite of criticisms levelled against the Assembly by one or another group of states, these states have nevertheless eventually found it prudent to resort to it for required action. This demonstrates their own belief in the efficacy of the Assembly. To the extent therefore that they also recognize its importance, states could greatly enhance its authority by adopting a new outlook towards it - that of promoting its objectives and not that of getting it to promote the limited objectives of individual nations or groups or regional interest. Let nations ask themselves what they can do for the Assembly in promoting the interests of the larger international community and not the extent to which they can use the Assembly to achieve their individual goals.

Mr. President,

It is true that the Assembly has done a lot. Yet one must realize that the Assembly can do still more to enhance its prestige and authority. Its broad and diverse composition demands that it must work for broader agreement in decision-making processes and exclude the possibility of being routinely defied. The diversity of its membership demands the spirit of understanding and accommodation in the adoption of decisions, if these decisions are to have a positive impact.

The United Nations remains humanity's only viable international institution in promoting our collective welfare through global understanding and co-operation and conflict resolution. Strengthening the United Nations must be the responsibility of all nations and peoples desirous, not only to avoid the scourge of war, but of no less importance, effective tackling and overcoming the causes of conflict. The General Assembly provides the forum to face these challenges.