

I would like to talk about some issues that have not been discussed today, the first one being the United Nations Security Council. There are, for instance, complaints that the five permanent members of the Council use it to control the fate of all nations. People forget that ten countries on it are not permanent members, and that nine votes are required by the Security Council to make a decision of substance. If no permanent member objects or simply abstains, the ten non-permanent members can do anything they want, within reason of course. We were told by Professor Rohlik that there are some limits to what the Security Council should be doing. But looking at it the other way, if the permanent members want to make a decision, they also need nine votes at least, and there are only five of them. Therefore, it requires others to work with them. And, of course, as the ten are elected by the General Assembly, the General Assembly can ask them to vote in a certain way and warn them that if they do not then they will not get reelected. In that way, the General Assembly might put pressure on them if the Security Council is doing something that the General Assembly does not like, and the Security Council would not be able to adopt a resolution opposed strongly by the Assembly. As a result, it is not true that the five permanent members can do what they please. They can try to control and they can push, but they can be counter-pushed. That is point number one.

Point number two is that the Security Council has no monopoly on matters likely to endanger international peace and security, as the General Assembly also has the authority to deal with such matters. The Charter provides expressly for it in Chapter VI, that any such matter can be submitted either to the Security Council or to the General Assembly. In addition, the General Assembly can do whatever it wishes to do by adopting recommendations, pretty much the same that the Security Council can do under Chapter VI as it too can adopt only recommendations. Therefore, the Assembly can deal with anything that is required to be done about a problem, up to the point of issuing sanctions. Even there, the General Assembly discovered in 1950, when it adopted the Uniting for Peace resolution, that it is entitled and has residual power to deal with problems relating to the maintenance of peace if the Security Council is not able to deal with them. The International

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Court of Justice in the 1962 *Certain Expenses of the United Nations Case* said that the Assembly has this power. If the General Assembly thinks action is necessary, it can take it.

In fact, in the case that was mentioned here, of apartheid in South Africa, and in a similar case in Rhodesia, the General Assembly did indeed take action. Several times, the Security Council, at most, adopted resolutions of condemnation. Nevertheless, the General Assembly went ahead and adopted recommendations asking for action against these countries; in particular, it recommended economic sanctions first against South Africa and later against Rhodesia. The Assembly succeeded in isolating Rhodesia relatively easily, and the domination by the white minority was terminated. Thus encouraged, the Assembly decided to broaden the actions against South Africa, imposing one kind of sanction after another, and imposing it every year by a larger majority. By the time the big powers found that there were only a few countries that still would vote with them, they changed their tune and decided to follow the Assembly's example and to do some of the things that they had refused to do before. At first, the Council imposed sanctions on South Africa with respect to selling weapons to it, and then broadened the sanctions by saying that all states were forbidden to sell to South Africa things from which weapons could be made, but it never went as far as the sanctions recommended by the General Assembly.

To make sure that the sanctions it established were not violated, the Assembly appointed a committee to watch over all exports to South Africa, and when the committee found that somebody did not observe the sanction, the United Nations publicized it around the world. Of course, this inflamed public opinion everywhere, and as soon as a country violating the embargo found out that the United Nations was going to announce its violations, it was forced to change its conduct.

For instance, there were some Greek ships on their way to South Africa when they were denounced by the United Nations. Greece immediately told those shippers that as long as they sailed under the Greek flag the General Assembly must be obeyed. So of course they changed their flag to that of some islands in the Caribbean, but that hole was soon plugged as well. Sanctions are slow, but they can work to some extent, and, in fact, in this case they did work. After a while, the Security Council stopped adopting its own weak resolutions on this subject. Instead, it started announcing that it agreed with the General Assembly resolutions. There is still some public opinion of the world that matters, and people too often forget about that. What is important is that public opinion of the world has acquired in the

General Assembly a spokesman, and this was done without amending the Charter.

The third issue that has been neglected relates to strengthening the General Assembly indirectly. The Assembly can establish any subsidiary body that it wants. At one point it established an interim committee to deal with issues arising between the sessions of the General Assembly, but the Soviet Union did not like it, and after a while it was abandoned. Instead, the General Assembly no longer ends its usual session in December but adjourns it, so that it can be called back into session without any delay. Its President and the General Committee remain in office until the next September, when a few days before the beginning of the next session, a meeting is held to terminate the previous session. As a result, the General Assembly can easily meet to deal with any important business, such as providing money for a new peacekeeping mission or adopting an agreement implementing the Law of the Sea Convention, without having to call a diplomatic conference for that purpose.

There is also a beginning of another important development. Like other groups, the members of parliament of various countries who attend the General Assembly as members of delegations decided to have dinner together and they liked it. This started to be an annual occurrence, and some of them decided that maybe they ought to have some permanent arrangements for preparing their meetings. As a result of a Canadian and Australian initiative, a group of parliamentarians elected a chairman and established an office in New York, the purpose of which was to promote the idea—and I myself proposed something like that in the 1950s, but nobody ever paid attention to it—that there should be a parliamentary body established by the Assembly, of a consultative character. The Assembly may ask it for advice on some issues on its agenda. For instance, as was previously mentioned today, the Secretary-General submits an annual report but the General Assembly does not know what to do with it except to thank him for presenting it. It was proposed, therefore, that the Assembly should ask the consultative parliamentary body to study the Secretary's report and give its opinion on what the Security Council had been doing with suggestions for possible improvement, and as these views would be coming from important people, the Assembly would pay attention to them.

A second assignment may be even more important. Everybody knows about the tragic financial situation of the United Nations. It just happens that in most countries members of parliament decide the issues about the budget, and often, including in the United States, they do things that the government

does not like. On the other hand, it somehow happens frequently that a member of a delegation to the General Assembly of a country who is a parliamentarian, when he returns home, is more likely to defend what the United Nations is doing, or what the U.N. wants to do, than those that did not participate in U.N. deliberations. In fact, in the United States there are two or three members of our legislature, a congressman or a senator or sometimes both, who are members of the delegation to the Assembly; they come back with their minds changed a little about the United Nations being really a bad and inefficient body.

It might be useful for the General Assembly to have an annual meeting of the parliamentarians at the same time it has to listen to the 100 speeches—now even 185 speeches—of the heads of delegations at the beginning of the Assembly when very little else is being done, at least officially, except by small working groups of various kinds. During that period, we could also have the meetings of the parliamentarians. By the time the members of the Assembly finish their speeches, parliamentarians might also be through with their discussion of particular budgetary methods or items—what is wrong, what can be done, and what they might be willing to recommend as a possible solution. This might be of some help to the General Assembly and may provide guidance about what it should be doing in order to obtain parliamentary support. It is sometimes forgotten that it is the General Assembly, not the Security Council, who is most responsible for budgetary decisions.

It is likely that the members of the General Assembly would be delighted to know that what needs to be done has been approved by an influential group of parliamentarians from their countries, and even the Security Council might listen to that. So it seems to me that this is a good idea which does not require very much. Each country would send a certain number of delegates selected by the majority and minority parties. It may be an arbitrary number, three, five, or seven. If some countries would like to have more because they have a bigger population, that could be done too, as there is no provision in the Charter that says that a subsidiary body of the General Assembly has to be composed in any particular way. The General Assembly can invent a way. The United Nations invented peacekeeping, and it can likewise invent a way that may solve the financial problem.

There are of course many other things floating around that people pay little attention to, but which if thought through might work. I have made three suggestions, which can be implemented without changing the United Nations Charter, and if they do not work, they can be abolished by another Assembly decision.