

the meaning of Article 17, Paragraph 2, of the Charter of the United Nations'.

"Now that the United Nations has this legal guidance, how should the Assembly react? In the past, it has been the usual practice in matters of this kind for the Assembly to honour, in a suitable resolution, the advisory opinion it has requested. In this instance, the co-sponsors of L.760 see no reason to break with this established practice, and their simple proposal is that the General Assembly accept the opinion. Indeed, they feel strongly that any other course would be interpreted as a slight on the high reputation of the International Court of Justice and a step back from the progress that is steadily being made towards promoting the rule of law in the conduct of international affairs. We have little doubt that most of our colleagues will wish to join with us in supporting L.760 to mark our respect for pronouncements of the International Court of Justice generally and for the measured views it has furnished on this occasion to guide this organization.

#### RESOLUTION OF DOUBTS

"But there is a further important reason why this modest resolution in Document L.760 should be widely endorsed. We earnestly hope that this step will lay the groundwork for a practical approach to the questions which have prevented the United Nations from bringing order and stability into its financial affairs. So far as present financial difficulties are concerned, member states that have hesitated to pay their assessed part of UNEF and ONUC expenses owing to their doubts about the legality of financing methods adopted should now find it easier to fulfill their obligations. This would, of course, greatly ease the precarious financial position of the organization.

"Even more important, acceptance of the Court's opinion would enable the United Nations to turn its attention constructively to the task of evolving orderly financial procedures to meet future peace-keeping costs. That is, of course, the essential purpose of Document L.761, the second draft resolution which my Delegation and eight other delegations are co-sponsoring and which provides for the re-establishment of the Working Group of Fifteen. On the assumption that the Court's opinion will be widely respected, the Working Group would be in an excellent position to resume its important studies, with emphasis on practical considerations; my Delegation is confident that fair, practical and sensible criteria can be devised on which to base an acceptable formula for sharing among all members the cost of such peace-keeping responsibilities. Canada's consistent aim has been to establish a firm pattern for financing in this field, so that the organization can effectively meet any new emergency without hesitation.

#### INEFFECTIVENESS OF PRESENT ARRANGEMENTS

"In the past, each important United Nations peace-keeping operation has been financed by more or less *ad hoc* methods. Such methods have been far from effective and have not been acceptable to all member states. In fact, some states have been unwilling or unable to contribute their assessed share

of UNEF and ONUC expenses. As a result, the balance due for UNEF and ONUC totalled over \$112.5 million, as of September 18. This situation has led to confusion in the planning and administration of peace-keeping operations. The evidence of the ineffectiveness of *ad hoc* arrangements is the present financial dilemma of the United Nations. If the situation which existed is permitted to continue, it is possible that all member states will be faced with undesirable implications. What are these implications? First, if the Assembly employs *ad hoc* arrangements to finance any future peace-keeping operations, the United Nations may be faced again with the regrettable situation which exists today as regards UNEF and ONUC arrears. I am certain that all delegations would prefer to avoid such a repetition, if at all possible. Second, the organization's primary task, as outlined in Article 1 of the Charter, is to maintain international peace and security. Now, while there is a certain relation between satisfactory economic, social and political conditions and the maintenance of peace, there can be little hope for major improvements in the economic and social spheres if world peace is not maintained. Therefore, it is desirable to endeavour to ensure the maintenance of international peace as a foundation upon which economic and social advancement may be achieved.

#### BACKGROUND OF NEW RESOLUTIONS

"Delegations will recall that the Working Group of Fifteen was originally established by Resolution 1620 at the fifteenth session to study methods of covering the costs of peace-keeping operations and the relation between such methods and existing administrative and budgetary procedures of the organization. Members of the Working Group of Fifteen were: Brazil, Britain, Bulgaria, Canada, China, France, India, Italy, Japan, Mexico, Nigeria, Sweden, the Union of Soviet Socialist Republics, the United Arab Republic and the United States. Governments which served on the Working Group were appointed by the President of the General Assembly, in accordance with a formula for regional representation set out in Resolution 1620 (XV). Resolution 1620 also requested member states to submit their observations on the principles to be applied in determining a special scale of assessments for peace and security and other matters. These observations and other matters before the Working Group were discussed during two series of meetings in the spring and fall of 1961. However, the Working Group was unable to come to an agreement on all the principles and elements involved in financing peace-keeping operations. This lack of agreement was clearly illustrated in its report to the sixteenth session (Document A/4971). As I have previously mentioned, one serious impediment to agreement was the difference of opinion over the legality of the financial obligations of member states in respect of the costs of UNEF and ONUC. In view of the Court's very clear advisory opinion, the co-sponsors of Document L.761 are convinced that it is as possible as it is desirable to move ahead to find an orderly and acceptable solution to covering the future costs of peace-keeping

(Continued on P. 6)