

be a substitute for that will; nor can it be shown that where the will exists the present form of the Charter has frustrated it.

Against this background, the Government of Canada questions whether it would be productive to undertake revision of the Charter as a whole at this time. Questions of textual revision (as, for example, the removal of certain provisions such as Article 107) and, in particular, opportunities for change within the existing framework should be approached in a constructive spirit on a functional or case-by-case basis.

Canadian initiative

It was with this objective that Canada took the initiative to propose in 1970 the establishment of the Special Committee of 31 to study ways and means of improving the procedures and organization of the United Nations General Assembly, including the organization of work, rules of procedure, methods and practices. The work of this committee culminated in acceptance of substantial procedural reforms by the United Nations General Assembly on December 17, 1971.

Similarly, Canada has actively supported the proposal that a special committee of legal experts be set up to conduct a careful and searching review of the role of the International Court of Justice in the light of the comments of member states, in the hope that this proposal may be adopted by the United Nations General Assembly at its twenty-eighth session. Other efforts along similar functional lines to strengthen the effectiveness of the United Nations will have Canada's active co-operation.

Charter review is often approached primarily as a matter of strengthening the effectiveness of the Security Council. It is in the area of the maintenance of international peace and security that the United Nations has most generally been regarded as falling short of what it is expected to achieve. In Resolution 2864 (XXVI), the General Assembly requested the Secretary-General to include in his report to General Assembly XXVII suggestions on ways and means of enhancing the effectiveness of the Council. Numerous ideas have been put forward relating to this subject over the years.

Of particular current interest are proposals which have recently been advanced by members of the Special Committee on Peacekeeping, including the U.S.A. and the U.S.S.R., for the development of a subsidiary body under Article 29 or through activation of the Military Staff Committee, in order to advise the Security Council and the Secretary-General

on the conduct of peacekeeping operations. Peacekeeping as such is not spelled out in specific terms in the Charter. It is noteworthy, however, that such proposals need not call for revision of the Charter; they are capable of implementation within existing Charter provisions.

Based on the extensive experience of Canadian forces in past United Nations peacekeeping operations, Canada will continue to play an active part in the preparation of guidelines and institutional arrangements designed to strengthen the peacekeeping role of the organization and more effective use of the Security Council.

Suggestions have also been made from time to time involving amendment of the Charter to alter the voting procedures in the Security Council and the General Assembly, in particular to introduce limitations on the use of the veto, and various systems of weighted voting.

A close examination of the effects and implications of such proposals leads to the conclusion that in present circumstances revisions of this nature would not be feasible or in some instances desirable.

Removal of veto

An attempt to remove the veto from areas of decision-making in the Security Council (for example, as has been suggested in relation to admission of new members under Article 4, or recommendations for specific settlement of disputes under Chapter VI, and indeed which Canada proposed at San Francisco in 1945) might attract some support in the United Nations General Assembly, but in present circumstances would still encounter firm opposition amongst permanent members of the Council. In the same way, any given formula to allocate greater voting strength in the General Assembly to member states according to the size of their assessed contribution to the regular budget or other factors, such as population or GNP, might conceivably find support (depending on the particular formula proposed) amongst those members who might thereby qualify for preferred status. However, it would inevitably have little appeal to the majority of members, who, under any of the various formulae proposed, would find themselves placed at a relative disadvantage.

The variety of problems within the competence of the Assembly would make it virtually impossible to establish just and rational criteria for the allocation of votes other than the existing system of one vote for each member state. In certain instances, for example, physical proximity to a situation involving security considera-

*Permanent members
would oppose
any attempt
to remove veto*