

until this matter can be settled. I should go further and suggest it is not too soon to begin thinking about the whole question of how the status of permanent membership can be brought into harmony with present and future trends in world politics.

Office of the Secretary-General

The authority of the Secretary-General under Article 99 of the Charter to draw the attention of the Security Council to any situation which may threaten peace or security gives him wide powers of discretion and responsibility. These powers have been developed substantially in actual practice over the past 20 years. For example, Dag Hammarskjold's visit to Peking in 1955 was based on his authority under Article 99. He took the same view of his responsibilities in the Middle East in 1956 and after and in Laos in 1959. In other words, it is not required that the Secretary-General should act necessarily on the basis of instruction or guidance from the Security Council or from the Assembly. In the case of the Congo, Mr. Hammarskjold took it upon himself to interpret the resolutions of the Security Council in ways which he thought best expressed the common view. The present Secretary-General has done the same thing in regard to Cyprus. I draw attention to his remarks on the subject at Queen's University in 1965:

"...the Secretary-General must always be prepared to take an initiative, no matter what the consequences to him or his office may be, if he sincerely believes that it might mean the difference between peace and war. In such a situation, the personal prestige of a Secretary-General -- and even the position of his office -- must be considered to be expendable. The second cardinal consideration must be the maintenance of the Secretary-General's independent position, which alone can give him the freedom to act, without fear or favour, in the interests of world peace."

Of course, all three Secretaries-General have been guided, where they had no alternative, by the principles and purposes of the Charter, of which they may be said to have been the chief interpreters. But they have made use of the device of advisory committees, established informally and operating intermittently, particularly in respect of the conduct of peacekeeping operations. This is a system which in my view could be developed even further, in default of the implementation of the relevant provisions of Chapter VII of the Charter. The Security Council is not usually in a position to manage the implementation of its decisions, either because the basis for consensus is too fragile for explicit articulation or because the Council is too burdened with other duties. Nor is it fair to expect the Secretary-General in every case to carry out ambiguous and politically controversial instructions. There is room here for a third level of consultation, which would take into account not only the interests of the Security Council and the Secretary-General but also the interests of those states which may be required to participate in implementing decisions of the Council but do not have the privilege of membership on the Council at a particular time.