Canada
and
the United Nations

1945-1975

End leaves: United Nations headquarters, New York City. The offices of the Permanent Mission of Canada to the United Nations are in the building on the right. (Photo: United Nations)

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Department of External Affairs

Table of Contents

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Foreword

A former Secretary-General of the United Nations, U Thant, said that "the basis of both the League of Nations and the United Nations is the pledge by sovereign states to co-operate, a pledge which involves some measure of sacrifice of sovereignty in the common interest". Far more than its predecessor, the United Nations is an organization expressly designed to promote international co-operation among sovereign states, not only in maintaining peace and security but also in solving international problems of an economic and social character and in encouraging respect for human rights and fundamental freedoms.

The effectiveness of the United Nations is almost entirely dependent on the actions and policies of the member states. It is they that give it life and a sense of direction. In the last analysis, it is for the members to decide whether the United Nations will have the strength, flexibility and resources needed to fulfil the increasing demands made upon it.

Canada was one of the founding members of the United Nations. The Canadian delegation to the San Francisco Conference of 1945 made a significant contribution to the drafting of the Charter; and, as will be seen in this book, Canada has participated actively and responsibly in the United Nations throughout the 30 years that the organization has been in existence.

In a democracy like Canada, foreign policy must have a broad measure of public support. The Government takes special satisfaction from the fact that many private organizations in Canada – notably the United Nations Association – and large numbers of individual citizens have taken a keen interest in international affairs generally, and United Nations matters in particular. Canadians have given staunch support to policies pursued by successive Governments; and, what is even more important, they have exerted healthy pressure on Governments to do more. It is my hope that in years to come Canadians will continue to be inspired by the ideals expressed in the Charter, and to take an informed interest in what their Government is trying to do in and through the United Nations.

Secretary of State for External Affairs

October 1, 1976
Ottawa

Introduction

When representatives of 50 countries met at San Francisco towards the end of the Second World War, their primary concern was to create an organization whose main purpose would be to maintain international peace and security. As former colonies became independent and entered the United Nations, the freedom of peoples and territories that had not yet achieved independence became an additional major concern; and, as the new member states increased in numbers, they stepped up the pressure for political change, and simultaneously focused attention on the role of the United Nations in promoting economic development. Developing countries, whether long-established or newly-independent, now constitute a strong majority in the organization and increasingly look to United Nations machinery for help in bringing about fundamental changes in international economic relations. While the principles and purposes expressed in the Charter remain valid, the organization has had to adopt new directions and priorities, in accordance with the needs and aspirations of its greatly-enlarged membership. Since the conditions of international life will undoubtedly continue to change, the United Nations will have to be a dynamic organization if it is to continue to play a constructive role in world affairs; indeed, it cannot remain static if it is to survive.

The designation by the General Assembly of 1965 as International Co-operation Year prompted the Department of External Affairs to issue in 1966 a slim book entitled *We the Peoples . . . Canada and the United Nations, 1945–1965.* The stated intention was to present, in compact form, an accurate and balanced survey of Canada's participation in the work of the United Nations during its first two decades and to explain something of the philosophical basis of Canadian policy – the Canadian "approach" to issues coming before the organization. Above all, the book was intended "to reflect Canadian confidence in the future of the United Nations system of international co-operation".

The present book is something more than an up-to-date version of the book issued in 1966. Besides surveying Canada's participation in the work of the United Nations during its first three decades, it reflects the dynamic changes that have taken place in the membership and character of the organization. It is, moreover, written from a more critical point of view; failures as well as successes are recorded, and disquietude is expressed as well as satisfaction.

Article I of the Charter sets forth four main purposes of the United Nations, as follows:

> "1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
> "2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take over appropriate measures to strengthen universal peace;
> "3. To achieve international co-operation in solving international problems of an economic, social, cultural, or

humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

"4. To be a centre for harmonizing the actions of nations in the attainment of these common needs."

The 1966 version consisted of a chapter on the historical background followed by four chapters containing accounts of activities and problems grouped respectively under headings drawn from or inspired by the "purposes" defined in Article 1 of the Charter. Because of the great expansion in the activities of the organization during the last ten years, it has not been practicable to follow the same scheme in this book; rather, it has been found desirable to insert chapters, additional to those inspired by the "purposes", on disarmament and arms control, the "new international economic order", the development of international law, and finance and administration. An appendix contains a summary of the financial contributions made by Canada since 1945 to the United Nations and the Specialized Agencies.

It goes without saying that in a book of this size it is not possible to cover all aspects of United Nations activities. The discussion is concentrated on areas that have been of major concern to Canada.

CHAPTER ONE

The United Nations: Origins, Nature and Membership

WE THE PEOPLES
OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,
AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbours, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,
HAVE RESOLVED TO COMBINE OUR EFFORTS
TO ACCOMPLISH THESE AIMS.

Preamble to the Charter of the United Nations

Steps to the Charter

The Allied Powers in the Second World War began to plan for the United Nations several years before hostilities ended. The Atlantic Charter, issued by President Roosevelt and Prime Minister Winston Churchill on August 14, 1941, spoke of the need for the establishment of a wider, and permanent, system of general security, the abandonment of the use of force, and the desirability of bringing about far-reaching collaboration among all nations in the economic field. Prime Minister Mackenzie King indicated Canada's support of these objectives when he told the House of Commons on November 3, 1941:

"What all have still to learn is that today no nation is sufficient unto itself, no continent and no hemisphere great enough, in its own strength, to maintain its own freedom. A recognition of interdependence and combined action based thereon is necessary to the democracies of the world, if they are to maintain their freedom .... We can no longer afford to think of our own freedom and the freedom of others as two things which may be considered apart from one another. We are all members one of another. The freedom of all is bound up in the lives of all."

The aims of the Atlantic Charter were formally endorsed by 26 nations, including Canada, in the Declaration by the United Nations of January 1, 1942.

At Moscow, in October 1943, Britain, the Soviet Union, the United States and China recognized "the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large or small, for the maintenance of international peace and security". Even at this stage there were indications that the principle of equality would not be followed in practice, and Canada recoiled at the prospect of a concert of great powers being solely responsible for order in the postwar world. Canada

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The Rt. Hon. W. L. Mackenzie King, Prime Minister of Canada, signs the United Nations Charter, June 26, 1945.

was determined that middle powers like itself should be given the opportunity of making a meaningful contribution, in keeping with their wartime efforts, to the designing of a security system and the subsequent maintenance of the world's security and prosperity. For Canada, that meant a considerable contribution.

During the next year, documents were prepared by the four great powers as a basis for the Dumbarton Oaks conversations that took place in Washington in the summer and autumn of 1944. From these quadripartite conversations emerged detailed proposals, which, in April 1945, were placed before the United Nations Conference on International Organization at San Francisco. The House of Commons enthusiastically approved Canada's acceptance of the invitation to attend the San Francisco Conference and subsequent membership in "an effective international organization for the maintenance of international peace and security". After two months of discussion, the conference reached agreement on the Charter of the United Nations and the annexed Statute of the International Court of Justice. These were adopted unanimously by the 50 participating states and came into force on October 24, 1945.

From Covenant to Charter

In 1919, when the Covenant of the League of Nations was being written, Canada was intent on becoming a full member of the organization in order to assert a new international status that had been won by its heavy sacrifices in the First World War, but it declined to play even a modest role in the shaping of a new international order; indeed, it resisted the idea of having all members of the League take part in a joint guarantee of the territorial integrity of all other members. By 1945, Canada had learnt a lesson from the failure of the League of Nations and experience in the Second World War. With the development of atomic weapons, guided missiles and long-range aircraft, it was evident that the world was interdependent, that no nation could

seriously consider an isolationist policy, that no nation could hope to withstand any great-power threat to its own security by means of its own resources. Not only could the proposed United Nations supply an additional measure of security to a middle power like Canada, but it could also enable Canada to affirm its status in the world as it demonstrated a willingness to fulfil its obligations to the organization. These factors were clearly in the Prime Minister's mind at San Francisco as he pleaded for a greater measure of responsibility to be accorded the lesser powers.

While the war was still in progress, the Government had created an Advisory Committee on Post-Hostilities Problems. By 1945 Canadian ministers and officials had a clear idea of the new kind of international order that would meet Canadian requirements and of the tactics to be employed in pursuing Canadian objectives in the prevailing climate of great-power rivalry. Although it was apparent that the emergent organization would not be all that they had hoped for, by being prepared for the negotiations they were in a position to make a contribution outweighing Canada's importance as a power.

The League had been denounced as a mechanism to enforce an unjust peace because its Covenant was an integral part of the Treaty of Peace signed at Versailles in 1919. The Charter was drafted before the cessation of hostilities in 1945, and it looked to the future without regard to maintenance of the *status quo*. It was designed for keeping the peace, not making it.

From the League of Nations Covenant the United Nations took over the idea that aggressive war was a crime against humanity and that it was the duty of all member states to join in measures to maintain or restore international peace and security. The Covenant was the first multilateral treaty to incorporate the idea, now universally accepted, that the community of nations had the right to discuss and pass judgment on the international conduct of its members. The United Nations Charter went a good deal further, reflecting an increased awareness of the interdependence of states. Thus, the Charter forbids the use of force

in a manner inconsistent with the purposes of the organization; and it obligates member states to supply armed forces and other assistance to the Security Council. (In practice, as will be seen later, the latter provision has remained virtually a dead letter, and peacekeeping techniques not envisaged in the Charter have been developed.)

Other ideas expressed in the Covenant that were taken over and expanded in the Charter include the principle of respect for the rights of small nations, the conception of an international public service, the principle that even the gravest international political issues should be publicly debated, and recognition of the need for international co-operation in social and economic affairs.

Throughout the war, Canada had made enormous contributions to countries in Europe and Asia through the United Nations Relief and Rehabilitation Administration (UNRRA), mutual aid and export credits. These contributions were made because of the conviction that economic and political reconstruction would have to go hand in hand and that Canada's postwar prosperity depended upon its being able to trade with a prospering world. The Secretary of State for External Affairs, Mr. Louis St. Laurent, described Canada's policy as "support (for) every international organization which contributes to the economic and political stability of the world". Accordingly, the creation of a variety of specialized international organizations under the umbrella of the United Nations was firmly supported by Canada.

One of the principal lessons the authors of the Charter drew from the experience of the League was the necessity of promoting co-operation on economic and social problems with a view to eliminating some of the causes of war. The League had gathered indispensable data on economic and social issues and identified areas requiring attention, but few nations had heeded its recommendations. Against this prewar experience, the authors of the Charter decided that the United Nations should more actively promote higher social standards and the conditions for economic progress.

Institutionally, the United Nations was built on an infrastructure created during the period of the League of Nations. The International Labour Organization was maintained as a Specialized Agency of the United Nations and the Permanent Court at The Hague was re-established as the International Court of Justice. Three Specialized Agencies – the World Health Organization (WHO), the Food and Agriculture Organization (FAO), and the United Nations Educational, Scientific and Cultural Organization (UNESCO) – grew out of the corresponding parts of the League Secretariat, while the mandates system of the League became the trusteeship system of the United Nations. Many other activities, such as the control of narcotic drugs and relief and rehabilitation of refugees, also passed from the old organization to the new. In the economic sphere, plans were laid for the eventual establishment of the International Monetary Fund, the International Bank for Reconstruction and Development, and an international trade organization. The latter never came into being, but most of its proposed functions are being performed by other bodies. Of special interest to Canada is the International Civil Aviation Organization (ICAO), which was brought into being by a convention signed at Chicago in 1944 and which established its headquarters in Montreal.

In practice the Charter has proved to be a much more flexible instrument than the Covenant. The Security Council, despite the veto provision (which will be described later), has wider discretion than the League Council in deciding what constitutes a threat to or breach of the peace or an act of aggression. Through the Economic and Social Council (ECOSOC), the Specialized Agencies, the United Nations Conference on Trade and Development (UNCTAD) and their related bodies, there has been wider and better-organized international economic co-operation than was ever dreamt of under the League. Moreover, the system created in 1945 has been so supple, so adaptable, that countries that have emerged from colonialism to become independent since the United Nations was established have been able to use it to promote interests

that have frequently been at variance with those of the founders of the organization.

The dynamism of the Charter is perhaps best shown by the development of the use of international military forces for purely peaceful purposes, at the invitation and with the consent of the states on whose territories such forces may be stationed. The growth of the peacekeeping idea is described in more detail in Chapter Two of this book. It is sufficient to note here that it represents a pragmatic and largely unplanned extension of the machinery for peaceful settlement described in Chapter VI of the Charter. Although the peacekeeping techniques the United Nations has developed are fundamentally different from the kind of coercive enforcement action envisaged in Chapter VII, they are, in many ways, more in accord with the Charter's emphasis on peaceful co-operation and with the realities of power in the world. Canada has played a leading role in developing and applying the new techniques.

Canada at San Francisco

At the opening of the San Francisco Conference, Prime Minister Mackenzie King spelt out the Canadian approach to the proposals for the Charter that had been drafted at Dumbarton Oaks. He said that, in putting forward suggestions for amendments, the Canadian delegation's sole concern would be "to help in creating an organization which over the years and decades to come will be strong enough and flexible enough to stand any strains to which it may be subjected". While recognizing that the ultimate strength would have to come from the great powers, Canada was determined that this should not be to the exclusion of other powers. "Experience has shown," added the Prime Minister, "that the contribution of smaller powers is not a negligible one, either to the preserving of the peace or to its restoration when peace has been disturbed." The Canadian delegation wished to ensure that the "middle powers" would be associated with measures to keep the peace without sub-

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The Canadian delegation to the San Francisco Conference, 1945. Top of table, left to right: *the Hon. Louis St. Laurent, Minister of Justice; the Rt. Hon. W. L. Mackenzie King, Prime Minister; Mr. Gordon Graydon, M.P. (Photo: United Nations)*

scribing to any automatic commitment of their forces at the behest of the great powers in the Security Council. Its pragmatic and cautious attitude was in accordance with a Canadian policy that had become known as the "functional approach". It had been devised during the war in connection with Canada's demand for representation on the Executive Committee of UNRRA, and had subsequently been followed consistently in relation to representation in other international organizations. It was first enunciated by the Prime Minister in the House of Commons on July 9, 1943, when he said:

> ". . . Authority in international affairs must not be concentrated exclusively in the largest powers. On the other hand, authority cannot be divided equally among all the 30 or more sovereign states that comprise the United Nations, or all effective authority will disappear . . . . In the view of the Government, effective representation . . . should neither be restricted to the largest states nor necessarily extended to all states. Representation should be determined on a functional basis which will admit to full membership those countries, large or small, which have the greatest contribution to make to the particular object in question."

The representatives of the great powers, at their Dumbarton Oaks conference, rejected the functional approach when they were elaborating a formula for electing members of the Security Council and other bodies. A Canadian memorandum addressed to the great powers before the San Francisco Conference reminded them of Canada's position, and at the conference the Canadian delegation never tired of espousing it. Canadian persistence was eventually rewarded in the final wording of Article 23, which directs that, in the election of non-permanent members of the Security Council, due regard should be "specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization . . .". Although the principle of functional representation was accepted in theory, in practice equitable

bloc and geographical representation has tended to become the main consideration in elections to most United Nations bodies.

The Canadian Government hoped that half the membership of the Economic and Social Council would be drawn from the dozen or so states of chief economic importance, some of which would be repeatedly re-elected. Accordingly, at San Francisco the Canadian delegation proposed that states should be elected with "due regard to the necessity of arranging for the adequate representation of states of major economic importance". This proposal was not accepted but the principle was reflected in the provision in Article 61 to the effect that retiring members of the Economic and Social Council should be eligible for immediate re-election.

The Economic and Social Council was seen by Canada as a body to consist of states best able to contribute to the social and economic well-being of both member and non-member states; in the same way, the Security Council was looked on as a body to be composed of states best able to contribute to general security.

(a) Security Council

One of Canada's main aims was to ensure that the security provisions of the new organization should be as effective as possible. Under the Charter, primary responsibility for the maintenance of peace is concentrated in the Security Council. Within certain defined limits, the Council has the power to direct members to take action to enforce peace. At San Francisco, Canada insisted upon a provision under which the armed forces of a state not a member of the Security Council could only be called out for action after that state had taken part in the Security Council's decision. The Canadian delegation submitted a proposal intended to give effect to the principle of "no taxation without representation" in the most important case in which a state's interest could be involved – that is, the commitment of its own armed forces to enforcement action decided upon by the Council. The outcome was Article 44, which says that, when the Security Council decides to use force, each member that

has been asked to contribute a contingent shall be invited to participate in decisions concerning the employment of its own military forces. Inclusion of this provision was owing to the tenacity of the Canadian delegation. To have accepted anything less would have been contrary to a principle established over the years whereby Parliament is called upon to decide whether or not Canadian forces should be despatched for overseas service. Although the principle enshrined in Article 44 was accepted, it remains untested. The principle of special representation for non-members at meetings of the Security Council at which atomic energy questions are being discussed was, however, adopted later.

At Dumbarton Oaks the representatives of the great powers concluded that, respecting certain matters, the proposed international organization would be able to act effectively only if the five powers were in agreement and that, conversely, any one of them would be able, by its negative vote, to veto a proposed decision. At San Francisco, Canada accepted the necessity of great-power unanimity (and hence the veto) in applying coercive measures for the maintenance of peace under Chapter VII of the Charter, but considered that the extension of the veto power to the peaceful-settlement provisions in Chapter VI was undesirable and unnecessary. The Canadian delegation was also opposed to granting any one of the five great powers a veto over the admission of new members. In both cases, however, the great powers overrode the opposition of the middle and smaller states at San Francisco. The Charter accordingly provides that the rule of unanimity of the permanent members (or, in practice, the absence of a negative vote by one of them) applies to the admission of new members, as well as to decisions of the Security Council relating to the peaceful settlement of disputes. The veto power thus extends into many fields and has affected the entire character of the organization. While the Canadian delegation did not regard the outcome as satisfactory, it felt that the veto was not too high a price to pay for a world organization that promised to be highly acceptable in so many other respects.

(b) The General Assembly

At San Francisco, the Canadian delegation tried to ensure that the powers of the General Assembly should be as wide as possible, save for one important limitation: in order to place responsibility where it belonged and to avoid jurisdictional disputes, Canada agreed that the Assembly should not be empowered to make recommendations on a matter relating to international peace and security that was being dealt with actively and effectively by the Security Council. In the Canadian view, it followed that if, because of the use of the great-power veto or for some other reason, the Security Council was unable to act, provision should be made to enable the General Assembly to take over the task of endeavouring to maintain or restore peace. These ideas were incorporated in Articles 10 and 12 of the Charter, which were adopted with Canada's support.

One of the problems at San Francisco was how to provide for co-operation between the Assembly and the Security Council while maintaining their difference in function. Canada sought to do this by a proposed provision requiring the Security Council to submit annual and, when necessary, special reports to the General Assembly for its consideration. Although this was adopted and incorporated in the Charter as Article 24, Paragraph 3, the relation between the two bodies has at times been an uneasy one. In large measure this can be traced to the failure to reach agreement on the procedures that should govern the establishment, control and financing of large-scale peacekeeping operations.

(c) The Economic and Social Council

Among the documents submitted by the Canadian delegation to the San Francisco Conference was a complete redraft of the chapter in the Dumbarton Oaks proposals dealing with international economic and social co-operation. Many of the Canadian proposals were adopted and written into the Charter. They included a number of provisions aimed at clarifying the relation between the United Nations and the

Specialized Agencies, and strengthening the position of the Economic and Social Council as the body responsible for co-ordinating the activities of the Agencies. Another Canadian suggestion the Conference adopted increased the authority of the Economic and Social Council by giving it power not only to make recommendations on matters falling within its competence but also to make or initiate studies and reports on such matters.

(d) The Secretariat

Perhaps the greatest contributions that Canada made to the League of Nations were ideas for an effective secretariat, and some distinguished Canadians who served in it. From this experience, Canada recognized that the United Nations could succeed only if it was served by a truly international civil service responsible to the organization itself. Three Canadian proposals were advanced to ensure the independence, integrity and efficiency of the Secretariat. The first was adopted as Article 100, a key provision of the Charter. This is intended to make members of the Secretariat independent of control by any authority outside the organization, including their own states. Another suggested provision, that the staff should be appointed by the Secretary-General and that the paramount consideration should be to secure the highest standards of efficiency, competence and integrity, became Article 101. The third Canadian proposal, to give representatives of member states and Secretariat officials the privileges and immunities necessary for the independent exercise of their functions in connection with the organization, appears in Article 105.

Other organs

At San Francisco the attention of the Canadian delegation was directed primarily to the matters discussed in the immediately preceding pages. There were, of course, other matters, in regard to which Canada played a

lesser role, notably the discussions concerning a trusteeship system and those concerning a judicial organ.

(a) The Trusteeship Council

Provision was made in the Charter for an international trusteeship system to replace the League of Nations mandate system. It was intended that the former mandated territories, territories that might be detached from enemy states as a result of the Second World War and territories voluntarily placed under the system should become trust territories. By Article 86 of the Charter, the Trusteeship Council was constituted, comprising members administering trust territories, permanent members of the Security Council not administering trust territories, and enough members elected for three-year terms to ensure equality between the number of members administering trust territories and the number of members not administering such territories. The Trusteeship Council was to consider reports submitted by the administering authorities of the trust territories, receive petitions, and otherwise supervise the execution of the trusteeship agreements.

(b) The International Court of Justice

At San Francisco it was decided that the Permanent Court of International Justice, which had been established by the League of Nations in 1920, should be replaced by a new tribunal to be known as the International Court of Justice. Its statute, which is based largely on that of its predecessor, is annexed to, and forms an integral part of, the Charter of the United Nations. All states members of the United Nations and three non-members – Switzerland, Liechtenstein and San Marino – are parties to the Statute of the Court.

The Court, which has its seat at The Hague, consists of 15 independent judges, elected on the basis of their legal qualifications for nine-year terms by the General Assembly and the Security Council. The Statute provides that, while individual judges should be elected regardless of their nationality, they should be so chosen as to assure representation

of the main forms of civilization and the principal legal systems of the world.

The jurisdiction of the Court comprises all cases the parties, by agreement, refer to it and all matters specially provided for in the Charter of the United Nations or in other international treaties and conventions. States may declare that they accept, with or without exceptions or reservations, the compulsory jurisdiction of the Court in certain categories of cases. Furthermore, "the Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request". (Article 65 of the Statute)

Admission of new members

Under the Charter, membership in the United Nations is open to all peace-loving states that accept and, in the judgment of the organization, are able and willing to carry out the obligations of the Charter. New members are admitted by a two-thirds vote of the General Assembly upon the recommendation of the Security Council, where proposals may be vetoed by any one of the permanent members. At San Francisco, Canada opposed granting any one of the five great powers a veto over the admission of new members and strongly supported an Australian proposal by which new members, apart from the ex-enemy states, would be admitted by a two-thirds vote of the General Assembly, but the Australian proposal was defeated. Canadian support for the Australian proposal reflected the view, which Canada has held and advocated consistently ever since, that the United Nations should have as one of its important goals universality of membership.

The United Nations was not intended to be an exclusive club. A Secretary-General, U Thant, put the case for universality in this way, in an address at the University of Denver in April 1964:

"This trend toward universality is unquestionably beneficial – indeed it is essential – to an organization one of whose primary functions is to reflect the state of the world as it is and to harmonize the policies of nations. This main difference between the United Nations and the regional pacts, such as NATO or the Warsaw Pact, is sometimes overlooked by the United Nations' critics. The United Nations exists to reflect the diversity of the world as it is and to try to bring order, reason and the motivation of common interest into that diversity. If it reflected only one side or the other of the world's problems, it would no longer be able to perform its true function."

The principle of universality is not, however, universally accepted; as will be seen later, there have been proposals to expel countries pursuing policies – domestic or foreign – that have been widely condemned by other member states.

The number of original members of the United Nations when the organization was formed in 1945 was 51. Over the next five years there was a gradual increase, and by 1950 the membership stood at 60. At that point the "Cold War" imposed a "freeze" on new admissions that lasted until 1955, when Canada took the initiative in sponsoring a resolution aimed at breaking the membership deadlock. In the past, the applications of 14 countries favoured by the non-Communist members had all been vetoed by the Soviet Union, while the seven sponsored by the U.S.S.R. had not been able to obtain the necessary affirmative votes of seven members of the Security Council. The essence of the Canadian proposal was that all outstanding applicants other than the divided states of Korea and Vietnam should be admitted simultaneously. Since action on the admission of new members had to commence in the Security Council, the Canadian delegation, with 27 co-sponsors, introduced a draft resolution requesting the Security Council to consider the pending applications of all the 18 countries where no problem of unification existed.

The Hon. Lester B. Pearson, Secretary of State for External Affairs, was elected President of the General Assembly in 1952. At his right is the first Secretary-General, Mr. Trygve Lie.

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In introducing that draft resolution, the chairman of the Canadian delegation, Mr. Paul Martin, observed that the record of the United Nations in dealing with this matter had been one of failure and had reflected on the prestige of the organization. Canada now believed that the deadlock could be broken. The problem was not strictly legal, constitutional or procedural, but was rather a political issue that could only be solved by compromise. Some applicants were controlled by regimes or followed policies that Canada did not like, but the edge was more likely to be taken off intolerance and misapprehension within the United Nations than in barren isolation. The United Nations could have been formed with a membership exclusive to those who held similar views on most issues, but Canada had never had any doubt as to the infinitely greater value of an organization embodying all the major traditions and contemporary philosophies of government.

Although the resolution was adopted by the General Assembly by an overwhelming majority, the applications of two of the 18 states, Japan and Outer Mongolia, were vetoed in the Security Council; but, as a result of the Canadian initiative, the following 16 states became members of the United Nations: Albania, Jordan, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Libya, Cambodia, Laos and Spain. (Japan was admitted in 1956 and Mongolia in 1961.)

In succeeding years, United Nations membership increased by leaps and bounds and, by the end of 1975, stood at 144. In large part this has been brought about by the rapid accession to full sovereignty and independence of many new African states. The decolonization of Africa has been one of the most significant developments of our time and the admission of the new African members has had a profound effect on the United Nations.

Although there has been no recurrence of the earlier membership deadlock, the United Nations has thus far failed to find a complete solution to the problem of the divided states. The Federal Republic of Germany and the German Democratic Republic were admitted simul-

taneously in 1973; but the applications of North and South Korea and North and South Vietnam, which have been pending since 1948–51, have not been approved. The question of Chinese representation, which had sharply divided the United Nations for many years, was resolved only in 1971.

Chinese representation in the United Nations

The People's Republic of China gained effective control of the mainland of China in 1949; but the dispossessed Nationalist Government of Chiang Kai-shek retained control of the island of Taiwan and to this day maintains that its "Republic of China" is the sole legal government of all China.

The question whether China should be represented in the United Nations by the People's Republic of China or by the so-called "Republic of China" first arose in 1950, when draft resolutions were introduced seeking support for the immediate seating of the representatives of the People's Republic of China. At that time, the Canadian delegation submitted a resolution that was approved by a large majority and amounted, in effect, to the postponement of a decision on Chinese representation.

For the next ten years, although no resolution to seat the representatives of the People's Republic of China was voted on in the General Assembly, the question came up in various ways. Each time it did, the Assembly approved a resolution postponing consideration of the matter. Commencing in 1961, and continuing throughout the 1960s, the General Assembly annually rejected a proposal to change Chinese representation, having previously agreed that any such proposal was an "important question", which, in accordance with Article 18 of the Charter, could be decided only by a two-thirds majority. During this time Canada made an abortive effort to find a solution in 1966, and

made an important contribution to the eventual settlement of the question in 1971.

As early as 1955, the Canadian Government had explicitly recognized the desirability of having the People's Republic of China play a role in world affairs. On August 25 of that year, the Secretary of State for External Affairs, Mr. L. B. Pearson, said in Vancouver that:

> ". . . it is becoming clearer that, if the United Nations is to play the part that it should in the solution of certain Far Eastern problems, the *de facto* government of China has to be present in its discussion of these problems. If it is not, then the political conferences and negotiations concerning them will often have to be held outside the United Nations – which is unfortunate."

Subsequently, while Canada continued to recognize, and have diplomatic relations with, the Nationalist regime, Canadian ministers and officials visited Peking and established important trade relations with the People's Republic of China.

In 1966, Canada initiated consultations with a number of governments on a suggestion that the political realities could be reflected by:

> (a) the participation of the "Republic of China" in the General Assembly as representing the territory over which it exercised effective jurisdiction;
> (b) the participation of the People's Republic of China as a member representing the territory over which it exercised effective jurisdiction; and
> (c) the participation of the People's Republic of China in the Security Council as a permanent member.

In relation to this interim seating proposal, Paul Martin, the Secretary of State for External Affairs, made it clear that it was in no way intended to imply the existence of two Chinas. It would simply recognize that there were two governments, each exercising control over Chinese territory, and each claiming to be the government entitled to the Chinese

seat in the United Nations. The proposal was dropped when it became apparent that neither of the parties immediately concerned was willing to accept it, and that in these circumstances it would not be acceptable to a majority of the General Assembly.

Upon the failure of its proposal in 1966 for dual representation, which implied dissatisfaction with both alternatives − the existing arrangement, or the seating of the People's Republic of China and the unseating of the "Republic of China" −, Canada decided to abandon its policy of voting against the annual proposed resolution to seat the representatives of the People's Republic of China, and instead to register an abstention; but it continued to vote for the "important question" resolution.

The next step was marked by a change in Canadian policy; in May 1968 the Prime Minister announced that it was Canada's aim to recognize the People's Republic of China as soon as possible and to work towards enabling its government to occupy China's seat at the United Nations. Negotiations with representatives of the People's Republic of China culminated on October 13, 1970, with the announcement of mutual recognition and the establishment of diplomatic relations. A few weeks later the Permanent Delegate of Canada to the United Nations, Mr. Yvon Beaulne, announced that Canada would vote in favour of the resolution proposing that the People's Republic of China should occupy the seat of China in the United Nations. Although for the first time the resolution received a simple majority it failed of adoption because, as usual, the General Assembly had decided that it was an "important question", requiring a two-thirds majority. Canada had voted for the "important question" resolution, while making it clear that it would change its position if, in its judgment, continued support of such a resolution could in the future frustrate the will of the General Assembly.

In its negotiations with the People's Republic of China Canada had found a formula that enabled a number of other countries to follow its example in recognizing the government of the People's Republic

of China as the sole legal government of China. It soon became apparent that there was a clear trend towards the seating of the People's Republic of China in the United Nations and that the majority in favour of the next resolution on this question would be much greater than that of 1970. The Canadian Government accordingly decided, in the light of this trend, that the "important question" procedure had served its purpose of ensuring against an ephemeral and reversible majority, and hence that it would no longer support the usual resolution that the question was an important one. At the General Assembly of 1971, the "important question" resolution was defeated; a final attempt to seat both the People's Republic of China and the "Republic of China" was rejected; and a resolution to seat the representatives of the People's Republic of China and expel the representatives of the "Republic of China" was approved.

Problems of enlarged membership

The United Nations itself is changing, as is the climate within which it must operate. The major cause of this change is the expansion of membership that has occurred in the past 15 years. The "winds of change" that have blown through Africa in the wake of Western decolonization have resulted in the admission to the United Nations of 39 new states from Africa alone.

The effect has been felt in all areas of United Nations activities. In his address before the General Assembly on September 19, 1963, Prime Minister Lester B. Pearson commented:

> "Of all the changes of the past few years, none has been more dramatic than the emergence of new and free nations in Africa. This emergence has had a profound impact on the political evolution of the United Nations and on international affairs generally. It has added heavy responsibilities to our organization in many fields of activity.

It has given new and urgent emphasis to two major questions of our time – colonialism and racial discrimination, both of which can exist in many forms and have no common political pattern.

"The new states have brought United Nations membership closer to the goal of universality. They have also brought inescapable problems of growing pains. This process of growth and adjustment is bound to be difficult. It requires patience and tolerance and understanding on the part of all members, new as well as old."

This is as true in 1976 as it was in 1963. The increase in membership has produced many problems, but the most immediate and obvious need has been to adjust the composition of the principal organs in order to provide adequate representation for states in all geographical regions. The original allocation of elective seats in the various bodies, as well as of posts within the Secretariat, was determined when the membership was little more than a third of what it is now, and when Asia and Africa were barely represented.

A formal attempt to enlarge the principal Councils was made in 1960 when some 40 members, including Canada, co-sponsored draft resolutions recommending the enlargement of the Security Council by two seats and the Economic and Social Council by six seats. The debate revealed a widespread desire to provide for greater Asian and African representation. The principal stumbling-block, however, was the position taken by the Soviet Union. The U.S.S.R. refused to consider any amendments to the Charter so long as the People's Republic of China was unrepresented in the United Nations, and instead suggested a redistribution of the existing seats, at the expense of the Western countries.

For two years no progress was made towards a solution of this problem. Each time the issue came up, the Soviet Union insisted on linking the question of expansion of the Councils with that of Chinese representation. But in 1963, as Afro-Asian pressure for enlargement

became stronger, the Government of the People's Republic of China itself announced that, if it were necessary to amend the Charter rather than redistribute the seats on the Councils, the People's Republic would "naturally favour the corresponding revision of the relevant articles of the Charter so as really to satisfy the justified demand of the Asian and African countries". In the light of this statement, the Soviet Union withdrew its opposition and resolutions to amend the Charter were adopted. The amendments, which entered into force in 1965, provided for the enlargement of the Security Council to 15 by increasing the number of non-permanent members from six to ten, and for increasing the membership of the Economic and Social Council from 18 to 27. In 1971 the membership of ECOSOC was increased to 54.

There was never any question of enlarging the Trusteeship Council, which became smaller as trust territories became independent and the number of administering powers consequently decreased.

Powers and functions

Enlarged membership has brought other problems in its train. Some of these problems formed a main subject of Mr. Pearson's address before the General Assembly on September 19, 1963:

> "We might also consider how to modify the (Security) Council's function to make it more effective as the instrument of political action for the United Nations. Indeed, the time may be at hand for a Security Council which can keep continuing watch on the affairs of the organization as a whole in much the same way as the executive committees operate in the Specialized Agencies.
> "If the enlarged Security Council were given a properly-balanced composition with sufficient safeguards as regards voting rights, it could conceivably become the main arena for political decision on questions which require urgent

action. It could assume responsibility for many of the items which now lie heavily on the agenda of the General Assembly. Such a Council could be in session virtually throughout the year and make it possible to cut drastically into the excessive time and energy now consumed by Assembly proceedings.

"There is another change that might be considered.

"The United Nations will inevitably remain the central world forum for international discussion and recommendation on a wide range of subjects. We already have, on the other hand, regional groupings of states – in Europe, Africa and Latin America. Other groupings conceivably may be formed. The time may have come to correlate the activities of these regional groupings more closely with those of the United Nations. It is possible to envisage a stage in the evolution of the United Nations when regional assemblies may be used to deal with regional problems in search of local solutions or in the preparation for broader treatment at the United Nations."

Since 1963, the Security Council has, in fact, met more frequently than it did during the previous 15 years and has worked more effectively, thanks notably to the practice of holding informal consultations in which differences can be aired and compromise agreements possibly reached prior to the convening of formal sessions. There has also been increasing co-operation between the United Nations and regional organizations, particularly the Organization of African Unity and the Organization of American States, although the respective competences of the United Nations and regional organizations in the field of peace and security has never been defined.

Another problem of enlarged membership is that of voting. The principle of equal political rights is a fundamental principle of the Charter. It is reflected in the "one state, one vote" rule in the General Assembly. Because of the wide disparity in size, population and wealth

of member states, suggestions have been made from time to time for a system of weighted voting in the Assembly. Canada considers this idea unwise. Aside from the fact that a Charter amendment to this effect would never be approved, the idea of weighted voting strikes right at the principle of state equality. Canada would agree with the comment of another Secretary-General, Dag Hammarskjold:

> "The criticism of 'one nation, one vote' irrespective of size or strength, as constituting an obstacle to arriving at just and representative solutions, tends to exaggerate the problem. The General Assembly is not a parliament of elected individual members; it is a diplomatic meeting in which the delegates of member states represent governmental policies, and these policies are subject to all the influences that would prevail in international life in any case."*

In the early days of the United Nations, the countries that were instituting programs for action were at the same time those with the resources to carry them out. Today this is rarely the case. Indeed, in recent years the non-aligned and developing countries have increasingly used their strong voting majority to present a united front on a broad range of political and economic issues. In the eyes of some of the older countries, some of the decisions taken by the vote of the majority have appeared to be irresponsible, and in certain cases to involve a perversion of the Charter and the rules of procedure. (The contentious situation in which the organization finds itself will be discussed in Chapter Nine.) Canada believes that the situation demands a thorough reassessment of the role of the United Nations, and accordingly has given its support to the work of the Ad Hoc Committee set up in 1974 to study a possible restructuring of the United Nations system and to review the Charter. To work out a new way of implementing the time-honoured principle that power and responsibility should go hand

*Introduction to the annual report of the Secretary-General on the work of the organization, June 16, 1956–June 15, 1957.

in hand will not be easy. What is required is more maturity in the attitudes of governments to international problems – and maturity comes only with time and experience.

Although Canadians generally held out great hopes for the success of the United Nations, the experience of the delegations at the San Francisco Conference and the subsequent sessions of the General Assembly, and operations of the main organs, showed from the outset that the primary purposes of the organization could be fulfilled only with great difficulty. Divisions among the great powers and the resulting impotence of the Security Council served to bring out the faults and weaknesses of the Charter. Even in the early period, disappointed Canadian delegates saw the United Nations as very much on trial. But Canadian delegations were repeatedly admonished by their Government to bear in mind the importance of making the machinery work as smoothly as possible so as not to weaken further the authority of the organization or destroy its prestige. Accordingly, time and again they stressed the need for the adoption of sound constitutional precedents for interpreting the Charter, clear rules of procedure as the initial framework was filled out, and resolutions that took into account the long-term implications. Emphasis was placed on warning what might happen if such implications were ignored, rather than on forcing issues to the point where things would happen to the detriment of the institution as a whole.

Assessments of what was achieved at San Francisco in 1945 will vary depending on the viewpoints adopted and the aspects emphasized. Despite many inadequacies, the United Nations Charter and the organization that it created have shown themselves to be capable of sustained growth and adaptation to changed circumstances. This remains the best hope for the survival of the United Nations.

CHAPTER TWO

Peace and Security

To maintain international peace and security, and to that
end: to take effective collective measures for the prevention
and removal of threats to the peace, and for the suppres-
sion of acts of aggression or other breaches of the peace,
and to bring about by peaceful means, and in conformity
with the principles of justice and international law,
adjustment or settlement of international disputes or situa-
tions which might lead to a breach of the peace.

The First Purpose of the United Nations
(Article 1, Paragraph 1, of the Charter)

Universal recognition of mankind's fundamental interest in the pre-
servation of peace and the promotion of international security was one
of the primary reasons for the founding of the United Nations, where,
it was hoped, disputes between nations could be settled without the
use of force. In too many cases, efforts through the United Nations to
find peaceful solutions to international problems have failed, and armed

conflicts between nations have been distressingly frequent. On the other hand, the organization has frequently managed to arrange for the cessation of hostilities, or at least to prevent the spread of local conflicts. The United Nations may take some credit for the fact that there have been no major wars since 1945; and nobody knows how many situations might have degenerated into wars if the United Nations had not been working systematically to reduce international tensions.

The United Nations has organized a number of successful peacekeeping operations in situations where the parties to a conflict recognized that it was in their interest to disengage. Essentially, the operations have involved the physical interposing of a disinterested group of observers or a military force to inspect a ceasefire. But peacekeeping, in addition to being an end in itself, should create the conditions for peacemaking – that is, the diplomatic search for a political solution. Efforts through the United Nations to develop the art of peacemaking have not been very successful. The great powers in the Security Council may thwart effective action if their sympathies are engaged on opposite sides of a conflict or, indeed, they may even prevent the conflict from being brought before the organization. Even when the great powers favour a resolution of a localized conflict, it is not always possible to prevent it from stagnating and perpetuating itself. The relative lack of success in peacemaking, as compared with the success that has been achieved in peacekeeping operations, reflects the basic failure of the member states to create in the United Nations an effective mechanism for the peaceful settlement of disputes between nations.

In the United Nations the main instrument for maintaining international peace and security is the Security Council, which, under Article 24 of the Charter, is charged with "primary responsibility for the maintenance of international peace and security". In the early years of the organization, it became evident that the Council could not carry out this task effectively because of disagreement among the great powers. This chapter considers how the United Nations met this formidable challenge to its authority and competence, and the contribution that Canada made.

The Charter system

The Charter provides for a kind of ascending scale of actions to keep the peace. First, it calls on parties to a dispute to seek a solution themselves through negotiation or other means, including resort to regional organizations. If this fails, the parties to the dispute "shall refer it to the Security Council", which may recommend either methods of adjustment or terms of settlement. Moreover, any member may bring any dispute to the attention of either the Security Council or the General Assembly. The Security Council, after determining whether there exists a threat to the peace, breach of the peace or act of aggression, "shall make recommendations or decide what measures are to be taken". The latter may include non-military sanctions, or, if necessary, military action. In addition, the Charter affirms "the inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations".

Under the Charter, both the Security Council and, in certain circumstances, the General Assembly may discuss and make recommendations on questions relating to the maintenance of international peace and security. It is clear, however, that the framers of the Charter considered that the Security Council could act more expeditiously than the General Assembly. Article 24 begins by stating that "in order to ensure prompt and effective action by the United Nations its members confer on the Security Council primary responsibility for the maintenance of international peace and security . . ."; and Article 12 provides that the General Assembly shall not make any recommendation with regard to a dispute already being dealt with by the Security Council "unless the Security Council so requests". It is significant that the Security Council can take action on matters of substance only if its five permanent members agree and that, consequently, each permanent member can veto a proposal for action. When the Charter was being written, it was assumed that effective action to maintain peace and security depended on the unanimous agreement of the great powers as to the measures to be taken, and on their

willingness if necessary to back up their agreement with armed force.

The machinery provided in the Charter for action to maintain or restore peace and security included a Military Staff Committee, comprising the chiefs of staff of the permanent members of the Security Council, which was to be responsible for the strategic direction of armed forces placed at the disposal of the Security Council. Under Article 43, all members of the United Nations undertook to make such armed forces available to the Security Council at its call, but the kinds of armed force were to be worked out by agreements between the Council and individual members. Moreover, it was stated that action required to carry out the decisions of the Security Council "shall be taken by all members of the United Nations or by some of them, as the Security Council may determine". The Security Council could, therefore, order states to carry out decisions requiring the use of force although the kinds of force provided and the character and extent of the military obligations that members assumed would have been determined in advance by special agreements negotiated with the Council.

The Canadian delegation to the San Francisco Conference noted in its report that "any one of the five great powers could veto the application of the enforcement arrangements". "Thus," the report went on, "the Organization could not in practice use force against a great power or, indeed, against any other state if one of the great powers exercised its veto." The actual use of force was believed to be "a remote contingency since the mere willingness of all the great powers to use force would ordinarily be sufficient to bring any conceivable combination of middle and small powers to heel".

The members of the Canadian delegation at San Francisco did not regard the security provisions of the Charter as a perfect system. In particular, Canada wished there were some limitation on the power of veto as it affected the peaceful settlement of disputes. But Canada agreed, as the delegation reported, that "without united action by the great powers the Organization could not be made to function". Otherwise, it was thought, the United Nations would go the way of the League of Nations.

The breakdown of the Charter system

Canada was one of those nations that urged the Security Council and its Military Staff Committee to make all possible speed in negotiating the special agreements with member states that were envisaged in Article 43, and in organizing the military and economic measures of enforcement. The chairman of the Canadian delegation told the General Assembly in 1946:

> "We are all of us bound under the Charter to refrain from using armed force except as provided by the Charter. The Government and people of Canada are anxious to know what armed forces, in common with other members of the United Nations, Canada should maintain as our share of the burden of putting world force behind world law."

No Article 43 agreements were ever negotiated because the permanent members disagreed on the kinds of military force to be raised, the size of the units each member would contribute and the military bases they would use. The Military Staff Committee reported its failure to reach agreement in 1947, and no further attempt has since been made to implement the enforcement provisions of the Charter. Thus disagreement among the great powers has negated the political assumption on which the Charter security system was based.

Disagreement among the permanent members of the Security Council on the question of implementation of the enforcement provisions of the Charter was a reflection of the Cold War between East and West, between the Soviet Union and the East European socialist countries, on the one hand, and the Western powers, led by the United States of America, on the other. In the early years of the United Nations, the Security Council had some success in dealing with disputes in which the Cold War antagonists were not directly involved; in 1947 it was able to help the Netherlands and Indonesia enter into political negotiations to resolve their differences, and in 1948 was successful in arranging a ceasefire between India and Pakistan and in setting up a Truce Supervisory Organization

in Palestine. In many cases, however, efforts to take effective action were stultified by failure of the permanent members to agree – specifically, by the Soviet Union's exercise of the veto.

The disappointment and disillusionment produced by the failure of the Security Council to fulfil its responsibilities were reflected in a speech by Mr. Louis St. Laurent, Chairman of the Canadian delegation to the second General Assembly in 1947:

> "There is a growing feeling in my country, as in other countries, that the United Nations, because of the experience of the Security Council, is not showing itself equal to the discharge of its primary task of promoting international confidence and ensuring national security. The Economic and Social Council is functioning fairly successfully. The specialist organizations are doing good work. But the Security Council, founded on what is called the unanimity of its permanent members, has done little to strengthen the hopes of those who saw in it the keystone of the structure of peace. It has done much to deepen the fears of those who felt that, with the veto, it could not operate effectively in an international atmosphere of fear and suspicion, where pride is often allowed to take precedence over peace, and power over reason."

In the same speech occurs this sombre passage, a warning that states like Canada would not remain content with the hamstrung condition of the Security Council and a forecast of the formation of regional self-defence arrangements like NATO under Article 51 of the Charter:

> "Nations, in their search for peace and co-operation, will not, and cannot, accept indefinitely an unaltered Council which was set up to ensure their security, and which, so many feel, has become frozen in futility and divided by dissension. If forced, they may seek greater safety in an association of democratic and peace-loving states willing to accept more specific international obligations in return

for a greater measure of national security. Such associations, it has already been pointed out, if consistent with the principles and purposes of the Charter, can be formed within the United Nations.

"It is to be hoped that such a development will not be necessary. If it is unnecessary, it will be most undesirable. If, however, it is made necessary, it will have to take place. Let us not forget that the provisions of the Charter are a floor under, rather than a ceiling over, the responsibilities of member states. If some prefer to go even below that floor, others need not be prevented from moving upwards.

"Two or more apartments in the structure of peace are undoubtedly less desirable than one family of nations dwelling together in amity, undivided by curtains or even more substantial pieces of political furniture. They are, however, to be preferred to the alternative of wholly separate structures."

The peacekeeping record

The breakdown of the security system envisaged in Chapter VII of the Charter produced a change in thinking and emphasis that was described as follows in 1963 by the then Secretary-General, U Thant:

"Due partly to the lack of unanimity among the great powers ever since 1946 and partly to the radical change in the nature of war resulting from the development of atomic and hydrogen weapons, there has been a gradual change in thinking on questions of international security in the United Nations.

"There has been a tacit transition from the concept of collective security, as set out in Chapter VII of the United Nations Charter, to a more realistic idea of peacekeeping.

> The idea that conventional military methods – or, to put it bluntly, war – can be used by or on behalf of the United Nations to counter aggression and secure the peace seems now to be rather impractical.
>
> "There has also been a change in emphasis from the use of the military forces of the great powers, as contemplated in the Charter, to the use, in practice, of the military resources of the smaller powers, which has the advantage of not entangling United Nations actions in the antagonisms of the Cold War."*

"Peacekeeping" was not mentioned or envisaged in the Charter; but when efforts to enforce peace failed, the organization instinctively searched for other ways of dealing with conflicts, and found it possible to develop peacekeeping procedures under Chapter VI of the Charter, which is concerned with the pacific settlement of disputes. Under this Chapter, action may be taken in the Security Council or in the General Assembly or in both bodies. During the early years of the United Nations, the Security Council had some limited success, as has been noted, in cases in which the vital interests of the great powers were not engaged. At the same time, the General Assembly was developing certain procedures designed to help in the settlement of disputes, which were quite significant. In 1947 it established the United Nations Special Committee on Palestine, the United Nations Special Committee on the Balkans and the United Nations Temporary Commission on Korea. Even though some of the states concerned refused to co-operate, these committees were able to develop procedures of inquiry and observation that, in the cases of Palestine and the Balkans, helped to prepare the way for dealing with the immediate issues at stake. Canada was a member of the Palestine and Korean bodies.

There have been two basic forms of United Nations peacekeeping

*Extract from an address to the Harvard Alumni Association at Cambridge, Massachusetts, June 13, 1963.

activity – namely, the use of observers to supervise a truce and the use of a relatively large multinational force of formed units to be stationed on the ground between the parties to a dispute. Observer groups have been located in the Middle East (UNTSO – 1948 to the present), Kashmir (UNMOGIP – 1948 to the present), Lebanon (UNOGIL – 1958), West New Guinea (UNTEA – 1962–63), Yemen (UNYOM – 1963–64), and between India and Pakistan outside Kashmir (UNIPOM – 1965–66). The more sizeable peacekeeping operations undertaken by the United Nations have been in the Middle East (UNEF I – 1956–67), the Congo (ONUC – 1960–64), Cyprus (UNFICYP – 1964 to the present), and the Middle East once again (UNEF II and UNDOF, following the hostilities of October 1973, until the present). Canada is the only member of the United Nations that has participated in all these operations. (Canadian participation in non-UN peacekeeping activities in Indochina and Nigeria is not discussed in this book.)

Observer groups

(a) Palestine – UNTSO

In 1948, upon termination of the British mandate over Palestine, the United Nations tried unsuccessfully to arrange a partition of the territory. Open warfare ensued between Arabs and Jews, and the latter succeeded in establishing the State of Israel. Efforts of the Security Council to bring about a cessation of hostilities were not at first fully effective; but eventually a ceasefire was arranged and a United Nations Truce Supervision Organization (UNTSO) was set up to supervise it. This was the first UN peacekeeping operation. When armistice agreements were concluded between Israel and its Arab neighbours, UNTSO was charged with supervising their implementation. Its personnel, and their experience, were of great help to the United Nations Emergency Force (UNEF I), which was set up after the Suez affair in 1956. Following the "Six-Day

War" of June 1967, UNTSO was deployed along the Suez Canal and on the Golan Heights to supervise the respective ceasefires. When, after the "October War" of 1973, a new UNEF and a United Nations Disengagement Observer Force (UNDOF) were created, it was arranged that they use UNTSO observers for certain tasks.

Canada commenced its participation in UNTSO in 1954, contributing up to 20 personnel, and provided its Chief of Staff, in the person of Major-General E. L. M. Burns, from 1954 to 1956.

(b) India-Pakistan – UNMOGIP and UNIPOM

On the ending of British rule in 1947 and the partition of the Indian Empire into India and Pakistan, conflict ensued over the border state of Jammu and Kashmir. On December 30, 1947, India appealed to the Security Council to urge Pakistan to restrain its nationals from assisting the invaders of Jammu and Kashmir. Pakistan responded with counter-complaints against India. Thus began a long and complicated consideration of the Kashmir question by the Security Council. In due course, a commission established by the Council brought about a ceasefire and induced the parties to conclude the Karachi Agreement of January 1, 1949, which provided for the holding of a plebiscite in Jammu and Kashmir. The proposed plebiscite has never been held.

In 1949, a United Nations Military Observer Group for India and Pakistan (UNMOGIP) was established to patrol the ceasefire lines in Jammu and Kashmir. UNMOGIP has been reduced in size from time to time as tension has eased, only to be increased when fighting has been resumed. In 1965–66, it was supplemented by a second observer group, the United Nations India-Pakistan Observer Mission (UNIPOM), which was established by the Security Council to supervise a ceasefire in areas outside Jammu and Kashmir. The underlying dispute has never been settled, and UNMOGIP remains in being to this day. At the end of 1975 it comprised 51 persons, including nine Canadians. At one time there were 27 Canadians serving with UNMOGIP and as many as 112 with UNIPOM.

(c) Lebanon (UNOGIL), Yemen (UNYOM)
and New Guinea (UNTEA)

Canada contributed 78 military observers to an observation group sent by the Security Council in 1958 to patrol the frontiers of Lebanon, which had complained of outside intervention in its affairs. Small numbers of Canadian service personnel were members of a group despatched to Yemen in 1963 and of a force sent to West New Guinea in 1962 to keep order for a brief period.

Major peacekeeping forces

(a) The Middle East – UNEF I

Canada played a major role in the establishment of the first United Nations Emergency Force (UNEF I) in 1956, was an important contributor to the Force for 11 years and was deeply involved in its disbandment in 1967.

At the beginning of the affair, Canada was on the side-lines. It had not participated in the various international conferences that considered the future of the Suez Canal after its nationalization by Egypt in July 1956. It was not a member of the Security Council, and so had no part in the discussions in the Council preceding and following the attack on Egypt by Israel, Britain and France in October of that year. When action in the Security Council was blocked by use of the veto, the scene shifted immediately to an emergency session of the General Assembly. Here Canada, motivated partly by the closeness of its ties with Britain and France, soon took an initiative of historic importance. In the Canadian view, the first ceasefire resolution adopted by the General Assembly was inadequate. It neither provided for a peace settlement nor for a United Nations force "large enough to keep these borders at peace while a political settlement is being worked out", in the words of the Secretary of State for External Affairs, Lester B. Pearson, to the Assembly on November 2. Accordingly, Canada introduced and the General Assembly

approved a further resolution on November 3. It requested the Secretary-General to submit within 48 hours "a plan for setting up, with the consent of the nations concerned, of an emergency international United Nations force to secure and supervise the cessation of hostilities . . .".

The Secretary-General went to work promptly. The General Assembly accepted his recommendation for the establishment of a United Nations Command and for the appointment of Major-General E. L. M. Burns of Canada, then Chief of Staff of the United Nations Truce Supervision Organization, as Chief of the Command. On the same day, Canada announced its willingness to participate in the force if requested to do so.

A ceasefire became effective on November 7 and, with the acceptance on November 8 by the three governments concerned of the principle of withdrawal of their troops, the worst of the crisis was over. The General Assembly had responded with a speed and efficiency that would hardly have been considered possible ten days earlier. On November 15, advance units of the United Nations Emergency Force arrived in the Canal Zone, and by mid-December it was fully operational. Shortly afterwards, the British and French troops completed their withdrawal.

Since UNEF I was a pioneer force in the history of international peace-keeping, it is worth while to consider briefly its nature and functions. The Secretary-General was responsible for spelling out the functions of the Force, based on the terms of the resolution adopted by the General Assembly. He recommended that the Force should be of a temporary nature. There was no intention that it should influence the military balance and the political balance in ways that might adversely affect efforts to settle the conflict. Limitations on the operations of the Force would be established with the consent of the parties concerned. No use of the Force under Chapter VII of the Charter, involving enforcement action, was envisaged. Thus, as the Secretary-General put it, "although para-military in nature, it is not a force with military objectives". The chief function of the Force would be "to enter Egyptian territory with the consent of the Egyptian Government in order to help maintain quiet during and after the withdrawal of non-Egyptian troops and to secure

compliance with the other terms established in the resolution of November 2". The Force would not have military functions "exceeding those necessary to secure peaceful conditions". Finally, the Secretary-General stated his preference for a balanced composition of the Force. In fact, he managed to obtain offers of contributions from 24 countries, nine of which were accepted. To assist the Secretary-General in defining further the functions and organization of the Force, the Assembly established an Advisory Committee composed of representatives from seven countries, including Canada.

Speaking to the General Assembly on November 23, the Secretary of State for External Affairs, Lester B. Pearson, defined Canada's attitude to UNEF:

> "There is very strong enthusiastic support in my country for this Force – but only as a United Nations Force, under United Nations control, and as an effective and organized Force which can do the job that has been given to it and which, if it can do that job, may be the beginning of something bigger and more permanent in the history of our Organization: something which we have talked about at United Nations meetings for many years, the organization of the peace through international action."

The United Nations Emergency Force, located on Egyptian territory, patrolled the border between Egypt and Israel from November 1956 until May 21, 1967. In mid-May, Egypt had moved its troops through Sinai to the Gaza Strip, and on May 16 General Fawzy of Egypt conveyed a demand to General Rikhye of UNEF that the peacekeeping Force be removed. General Rikhye reported to the then Secretary-General, U Thant, who, considering that the demand should not have been conveyed through military channels, sought immediate clarification from the Egyptian Ambassador to the United Nations. On instructions from his government, the Egyptian Ambassador reiterated the demand that the Force be withdrawn.

It so happened that Canada was a member of the Security Council at

that time. The Canadian representative, George Ignatieff, urged the Secretary-General to appeal to Egypt to reconsider its decision. The Secretary-General did so, but to no avail; by May 18, Egyptian troops were actually occupying positions where UNEF had previously operated. U Thant was convinced that the mandate for UNEF clearly provided that the Force was bound to withdraw if Egypt insisted (a dominant but not unanimous view of legal experts) and he acquiesced. By May 21, UNEF had relinquished its field positions. (President Nasser had demanded that the Canadians be withdrawn first because of Canada's alleged association with the United States and Britain in opposing the withdrawal.) Criticism has persisted that the Secretary-General should have referred the matter of UNEF's withdrawal to the General Assembly and Security Council, rather than simply report to these organs after the event.

Canada refrained from criticizing the Secretary-General on the difficult decision he had taken. The Security Council was not convened immediately; when it did meet, it failed because of great-power disagreement to take action on a Canadian-proposed resolution appealing to the parties concerned to exercise restraint. The Secretary-General urgently visited Cairo, and on his return issued a strongly-worded appeal for moderation. The Security Council continued to procrastinate. On June 5, 1967, war broke out between Israel on the one side and Egypt, Jordan and Syria on the other, and continued for six days. Ceasefires were soon arranged, and on July 17 the United Nations Truce Supervision Organization (UNTSO) was deployed to supervise the ceasefire lines in the Golan Heights and along the Suez Canal.

A lesson learnt from the experience of the first UNEF was that a peacekeeping force was not likely to contribute significantly to the resolution of a conflict unless it was part of, or accompanied by, an arrangement by which the parties undertook seriously to negotiate in the hope of reaching a settlement. This lesson has been applied in the current UNEF II/UNDOF operation, as will be seen later.

Canada initially offered to contribute to UNEF an infantry battalion,

Mr. George Ignatieff, Permanent Representative of Canada to the United Nations, while serving as President of the Security Council, calls a meeting of the Council to order, September 1968.

but in the end agreed instead to contribute signals and other specialist units and an air-transport unit. Even though the battalion originally selected to go to the Middle East was not sent, it was kept on standby duty for possible service with the United Nations. Since then, the Canadian Armed Forces have continued to designate a unit and personnel each year for possible United Nations duty. The Defence White Paper of 1959 stated for the first time that it was the defence policy of Canada "to provide forces for the United Nations to assist that organization in attaining its peaceful aims"; and as recently as November 27, 1975, the Minister of National Defence (James Richardson) informed the House of Commons that one of the decisions taken as a result of a review of defence policy was "that the structure of the Canadian Armed Forces would provide for up to 2,000 personnel to be available for United Nations peacekeeping purposes at any one time".

At its maximum, the Canadian element of UNEF I comprised 1,172 persons.

(b) The Congo – ONUC

The Congo operation (ONUC) began in July 1960, when the Security Council took cognizance of a situation in which the government of the newly-independent Congo (now Zaire) was unable to maintain internal order and meet a separatist threat, supported by foreign mercenaries, in the Province of Katanga. The Council authorized the Secretary-General to take the steps necessary to provide the Congo with such military assistance as might be necessary until Congolese security forces were in a position to maintain order.

As will be seen later (Chapter Eight), the decision of the Security Council to organize help for a newly-independent government reflected the influence of the Secretary-General, Dag Hammarskjold, and led to controversy in the United Nations regarding the role of the Secretary-General and the financing of peacekeeping. Canada fully supported Mr. Hammarskjold in his difficult task of managing the Congo operation, a

task for which he gave his life in an aeroplane crash in 1961. Prime Minister John G. Diefenbaker defined Canada's view of the general problem in a speech to the General Assembly on September 26, 1960, when he said: "The African nations must be permitted to work out their own destinies; when they need help the best source is through the agencies of the United Nations." He also remarked that the experience in the Congo was yet another demonstration of the need "to have military forces readily available for service with the United Nations when required".

The Canadian element of ONUC comprised some 280 signals personnel and a small air contingent.

The Congo operation was by far the most costly and difficult of all United Nations peacekeeping operations. At its peak strength, the Force consisted of over 20,000 men from 19 countries, and at one time or another almost 100,000 people served in it. The total cost was estimated to be more than $400 million. The Secretary-General summed up his view of its achievements in a report on the withdrawal of the Force at the end of June 1964:

> "The presence of the United Nations Force has been the decisive factor in preserving the territorial integrity of the country; it has been solely responsible for the cessation of the activities of the mercenaries in Katanga; and it has been a major factor in preventing widespread civil war in the Congo."

(c) Cyprus – UNFICYP

Canada looked with caution upon a request to participate in a peacekeeping force for Cyprus made necessary by a worsening of the perennial conflict between the Greek and Turkish communities. Prime Minister Pearson explained to the House of Commons on February 19, 1964, that certain requirements would have to be met before Canada would agree to participate. These included satisfactory composition and terms of reference for the Force, prospects for the finding of a political solution

Canadian members of a peacekeeping force on patrol in Cyprus (Photo: CAF)

within a reasonable time, the agreement of the Government of Cyprus to the arrangements proposed, and the association of the peacekeeping force with the United Nations. These conditions were generally satisfied by the adoption of a Security Council resolution recommending "the creation, with the consent of the Government of Cyprus, of a United Nations Peacekeeping Force in Cyprus", the composition and size of which were to be established by the Secretary-General in consultation with the governments directly concerned.

For ten years the United Nations Force in Cyprus (UNFICYP) was largely successful in carrying out its principal purpose of preventing a recurrence of fighting; indeed, by 1974 it had been found possible to reduce the size of the force to 2,800 from an original strength of 6,200 military personnel. Then, in July 1974, the situation changed dramatically. In response to an attempted *coup d'état* against the Government of Archbishop Makarios by the Greek-led Cypriot National Guard, Turkey landed forces in Cyprus and rapidly occupied about 40 per cent of the island. This altered radically the position of the peacekeeping force. It had been created to police a ceasefire between the two communities, but now there was a major confrontation between the Turkish armed forces and the Cypriot National Guard. Moreover, the ceasefire line had changed almost completely, except in the area of Nicosia. The Security Council and the General Assembly, in resolutions adopted in 1974, recommended direct intercommunal negotiations, with the participation of the Secretary-General, as the most appropriate approach to peacemaking in Cyprus; but, to date (early 1976), very little progress towards a settlement has been made.

Initially Canada provided the stand-by battalion that had been earmarked for service with the United Nations, plus a reconnaissance squadron and logistic support element – over 1,100 men in all. Subsequently the contingent was for a time reduced in size, only to be increased following the Turkish intervention in 1974. Later, as the situation stabilized somewhat, UNFICYP was again reduced; at the end of 1975 it consisted of about 3,000 personnel, including 516 Canadians.

(d) The Middle East – UNEF II and UNDOF

On October 6, 1973, hostilities broke out once more in the Middle East when a co-ordinated attack was launched by Egypt and Syria against Israeli positions in the Suez and Golan sectors. The war raged unabated until October 22, when a ceasefire briefly took effect; but hostilities were soon resumed. Increasing super-power involvement was clearly developing when the belligerents ceased military action on October 26, in response to Security Council Resolution 340 of October 25. By this resolution the Security Council provided for the establishment of a United Nations Emergency Force for the Middle East (UNEF II).

The new UNEF was to be of a defensive character, and was to be interposed between the belligerents for the purpose of supervising the ceasefire and the return of the parties to their positions of October 22. In carrying out its responsibilities, it was to have the full support of UNTSO personnel. The Force was to be composed of contingents from countries not permanent members of the Security Council, which were to be selected on a basis of equitable geographic representation. This was the first time that the Security Council had specified such a basis for the selection of participating countries.

Canada was invited to contribute to the logistics component of the Force, and agreed to serve for an initial six-month period, subject to extension. Mitchell Sharp, then Secretary of State for External Affairs, informed the House of Commons that Canada would participate on the understanding that the parties to the conflict would enter into negotiations. In the course of his statement, Mr. Sharp said:

> "Another point demonstrated by the history of UNEF from 1956 to 1967 is that a peacekeeping force of this kind should be recognized by all parties as a temporary necessity, to help avoid a renewal of fighting while the parties to the conflict take up the fundamental problem which had led them to fight each other in the first place. It is precisely because the parties involved never made any progress toward a peaceful settlement in the ten years following

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An officer of the Canadian Logistic Support Team assists a member of the Panamanian Battalion in tuning a high-frequency radio at UNEF Position 802 in Sinai. (Photo: United Nations/Y. Nagata).

1956 that ultimately UNEF had to depart without any other prospect than renewed warfare. With this in mind, I stressed . . . it (is) vitally important in our view that the ceasefire should lead quickly to negotiations . . . ."*

UNEF II, stationed between the forces of Egypt and Israel, first supervised the return to the ceasefire lines of October 22, 1973, and subsequently supervised successive stages of disengagement pursuant to an interim agreement concluded by the two countries on January 18, 1974. Meanwhile UNTSO had been overseeing the ceasefire between Syrian and Israeli forces in the Golan area. Here frequent firing occurred in February 1974, but fortunately it did not lead to a major eruption. As a result of subsequent negotiations under United Nations auspices, an agreement for the disengagement of Syrian and Israeli forces was reached at the end of May 1974. It provided for a United Nations Disengagement Observer Force (UNDOF) to be stationed between the contending forces to inspect the ceasefire, the area of disengagement and the areas of limitation of armaments. Canada agreed to contribute personnel to UNDOF.

Peace in the Middle East since the conflict of October 1973 has often seemed tenuous, and a settlement of the outstanding issues still appears to be remote. Thanks in part to the peacekeeping presence, however, negotiations have been pusued and have resulted in the conclusion in September 1975 of a second interim agreement between Egypt and Israel. Some encouragement may be derived, moreover, from the facts that both Egypt and Israel have agreed that the mandate of UNEF II should be renewable annually instead of semi-annually and, further, that both have agreed in advance that the mandate should continue for at least two years – until October 24, 1977.

At the end of 1975, the strength of UNEF II was about 4,200 and that of UNDOF was about 1,230, including some 80 UNTSO observers. Up to that time, Canada had contributed about 854 persons to UNEF II and 157 to UNDOF.

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*House of Commons Debates 1973, p. 7,800 (November 14, 1973).

Resistance to aggression – Korea

Quite distinct from the peacekeeping operations that have just been described was one in which armed forces of various member states fought in Korea under the aegis of the United Nations in defence of a victim of aggression. Although the Korean operation did not fall within the definition of a peacekeeping operation, it is discussed here because it represented action by the United Nations to maintain peace and security, and because it involved an assumption by the General Assembly of a significant degree of responsibility for action that has been brought into play at other times – notably at the time of the Suez crisis of 1956 – when the Security Council has been rendered impotent by the use of the veto.

After the Second World War, Korea, which had been under Japanese control for many years, emerged as two independent states: the People's Democratic Republic of Korea, in the north, with a Communist government supported by the Soviet Union and, subsequently, by the People's Republic of China; and the Republic of Korea, in the south, with an anti-Communist government supported by the United States. Because of the Cold War, neither was a member of the United Nations when, in June 1950, North Korea attacked South Korea. For the first time, the United Nations had to deal with a major military conflict in which the parties and their major supporters were Cold War antagonists. In its initial consideration of the matter, the Security Council was able to act swiftly because the representative of the Soviet Union, protesting the form of China's representation in the United Nations, absented himself from its meetings. It was obvious from the outset that a call for a cease-fire would not be heeded by North Korea. To resist aggression, the Security Council could not use the machinery for collective action envisaged in Chapter VII of the Charter because no earmarked forces or accepted command system was available. In these circumstances, it was decided to establish a unified command under the United States, which had forces on the spot and was willing and able to organize

collective resistance. Member states were asked to contribute to a United Nations force under this command.

Although Canada, as a member of the United Nations Temporary Commission on Korea (UNTCOK), had dissented from the decision of 1948 to proceed with elections in the southern zone, which in effect established South Korea as a distinct political entity, it was one of the "Group of 16" that came to South Korea's defence. The Secretary of State for External Affairs, Lester B. Pearson, stated at the time that "our obligation in this matter is one which springs from our membership in the UN . . . it places upon us the duty and privilege of doing what we can to see that peace is preserved". Canada contributed to the United Nations command first three destroyers, then a long-range air-transport squadron, and finally an army brigade group. Prime Minister St. Laurent, in announcing the recruiting of the brigade, said that it would be "specially trained and equipped to be available for use in carrying out Canada's obligations under the United Nations Charter or the North Atlantic Pact".

When the Soviet representative returned to the Security Council on August 1, 1950, it immediately became clear that the Council would no longer be able to provide political control of the United Nations action in Korea. The initiative passed into the hands of the General Assembly, where Canada helped to fashion the General Assembly resolution that established the United Nations Commission for the Unification and Rehabilitation of Korea. Following the Chinese intervention on the North Korean side, the Secretary of State for External Affairs, Lester B. Pearson, was a member of a three-man committee to determine the basis on which a satisfactory ceasefire in Korea could be arranged. When the ceasefire effort failed, Canada regretfully voted on February 1, 1951, for a resolution of the General Assembly branding the People's Republic of China as an aggressor.

Recommendations made by the Assembly in a resolution of November 3, 1950, known as "Uniting for Peace", resulted from United States proposals aimed at strengthening the capacity of the United Nations to keep the peace in circumstances where the great powers were divided and

where, therefore, the Security Council would be incapable of action. The most important provisions of the "Uniting-for-Peace" resolution empowered the General Assembly to meet in emergency session to deal with a breach of the peace if called upon to do so by seven members of the Security Council or a majority of members of the United Nations; called on states to hold units of their armed forces in readiness for service with the United Nations as required; and provided for a Collective Measures Committee to report on "methods which might be used to maintain and strengthen international peace and security". Canada supported these proposals. Speaking to the Political Committee of the Assembly on October 11, the Canadian delegate referred to Canada's action in recruiting a special force and expressed the hope that the great majority of United Nations members would take similar action.

Armistice negotiations began in July 1951 after the fighting had been stabilized along a line approximating the 38th Parallel. The negotiations lasted almost two years and Canadian forces remained in Korea for another four years after that. The United Nations has been unable to achieve the peaceful unification of Korea; a political conference held for this purpose in Geneva in 1954 broke up over the issue of the authority of the organization to deal with the Korean question and to supervise free elections.

Some 27,000 members of the Canadian armed forces served in the Korean war theatre, the maximum at one time being more than 7,000; they suffered more than 1,600 casualties, including 424 deaths. At the time of writing, a Canadian officer has been assigned to the United Nations Command Military Armistice Commission (UNCMAC), which observes the armistice line.

The financing of peacekeeping operations

The costs of all peacekeeping activities authorized by the United Nations before the Suez crisis of 1956 (with the exception of the costs of opera-

tions in Korea, which did not engage the financing machinery of the organization) were included in the regular budget, with the required funds coming from the regular assessments upon member states. These activities were on a relatively modest scale and involved the use of military personnel merely as observers. With the establishment of the United Nations Emergency Force (UNEF I) in 1956 under the "Uniting-for-Peace" procedure, the organization was faced for the first time with the problem of how to meet heavy peacekeeping expenses. The Canadian Government believed that it would be improvident for the United Nations to finance the activities of the Force by the uncertain means of an appeal for voluntary contributions. Canada strongly favoured fixed assessments that would underline the collective responsibility of all United Nations members for the maintenance of peace.

Although the Canadian viewpoint prevailed, there were numerous dissenters; a majority of 51 nations supported the assessment resolution, but the East European bloc voted against it, and 19 others abstained. The U.S.S.R. contended that peacekeeping was the sole prerogative of the Security Council and that the General Assembly was acting illegally in establishing UNEF I and in assessing members to pay for the Force. A number of Latin American states questioned the binding character of an assessment to provide funds for an extraordinary expenditure not included in the regular budget. Some of the Arab states protested that the victim of aggression should be exempt from assessment. Certain other governments simply pleaded poverty.

In order to attract the maximum number of contributions, developed countries, including Canada, made substantial voluntary contributions, which were intended to reduce the scale of assessments of the developing countries by about half. The success of this tactic, however, was doomed by the Congo crisis, which resulted in the establishment of the United Nations Operation in the Congo (ONUC) in August 1960, and incurred a monthly bill of about $10 million. Peacekeeping expenses now exceeded the regular budget of the organization and led, in turn, to greatly increased demands by the developing countries for financial relief. More

over, France now joined the U.S.S.R. in active opposition to the principle of – and in refusal to pay – mandatory assessments for peacekeeping operations. To finance the Congo operation, the General Assembly, led by the United States, Britain, Canada and a number of other countries upholding the principle of collective responsibility, continued to adopt resolutions assessing the whole membership for peacekeeping costs. At the same time, it was necessary further to reduce the assessments of the developing countries.

In 1961, the financial situation had deteriorated to such an extent that the General Assembly authorized the Secretary-General to float a United Nations bond issue of up to $200 million. Canada purchased $6.4 million (U.S.) worth of bonds. The Assembly also decided to seek an advisory opinion from the International Court of Justice whether peacekeeping costs were "expenses of the organization" and thus assessable under Article 17 of the Charter. In July 1962, the International Court, by a majority of nine to five, answered the question affirmatively.

Certain governments, particularly the Communist ones, refused to abide by the Court's advisory opinion, and continued to withhold payment of their assessed contributions. The result was that by January 1, 1964, the Communist states were subject to the provisions of Article 19 of the Charter, which deprives states that are in arrears to a certain extent in the payment of their financial contributions of their vote in the General Assembly. In order to avoid a confrontation over Article 19, the short-lived nineteenth session of the General Assembly approved essential items of business without voting and in February 1965 established a Special Committee on Peacekeeping Operations, of which Canada was a member. The General Assembly accepted this body's recommendation that Article 19 should not be applied to UNEF I and ONUC arrears and that voluntary contributions should be requested to help meet United Nations debts. Canada made a voluntary contribution of $4 million.

The financing of UNFICYP has been accomplished without open dissension in the United Nations because no definite assessments are involved; it was agreed at the outset that the force would be financed

by the governments providing the contingents, by the Government of Cyprus, and by voluntary contributions. Canada does not contribute to the voluntary fund but absorbs the very considerable direct costs of maintaining the Canadian contingent in Cyprus instead of in Canada, which have amounted to approximately $25 million since 1964. Voluntary funding has been inadequate; at the end of 1975 the Special Account for UNFICYP had a deficit of more than $44 million. This is in sharp contrast to the more satisfactory financial arrangements for UNEF II.

The financing of UNEF II was dealt with primarily by General Assembly Resolution 3101 of December 18, 1973, which provided for a mandatory assessment and at the same time invited voluntary contributions. The provision for voluntary contributions is secondary to the assessments, which were allocated according to a formula by which members of the Security Council were responsible for 63 per cent of the cost of the Force, certain developed countries for 35 per cent, and developing countries for 2 per cent.

The authorization by the General Assembly of collective assessments devolved first from the Security Council's approval of a report to it by the Secretary-General, dated October 27, 1973, which proposed that "costs of the Force shall be considered as expenses of the Organization to be borne by the Members in accordance with Article 17, paragraph 2, of the Charter". Nonetheless, mindful of past difficulties in enforcing mandatory assessments for peacekeeping, the General Assembly, in its Resolution 3101, was not inflexible in the apportioning of costs, which it described as "an *ad hoc* arrangement, without prejudice to the positions of principle that may be taken by Member States in any consideration ... (concerning) arrangements for the financing of peacekeeping operations". The People's Republic of China (which abstained on the Security Council resolution establishing the Force), Albania, Libya and Syria have refused to pay their assessments. Several member states have been late in making their payments. The continuing financial arrangements for the Force remain, however, firmly tied to the principle of col-

lective assessments, which has not proved to be a source of significant friction.

UNDOF comes within the finacial arrangements made by the General Assembly in its Resolution 3101, which represent a major step forward. This is the first time collective assessments have been applied for peace-keeping without causing a major rift in the organization.

The reimbursement procedures followed by the United Nations with respect to troop-contributing countries in the present United Nations Emergency Force also represent a significant advance over those followed in previous peacekeeping operations. The formula that was applied for UNEF I and ONUC, by which troop contributors were reimbursed for "extra" and "extraordinary" expenses beyond what would have been incurred had the troops remained at their home bases, proved uneven in its effect. Canada has now succeeded in winning acceptance for the principle of equal financial treatment of all troop-contributing countries; the Secretariat, in consultation with countries contributing troops to UNEF II, has for the first time worked out standard across-the-board finan-cial arrangements for the monthly payments of $650 for specialists and $500 for other personnel. Payment for other items (for example, for deprecia-tion of contributor-owned equipment) is being negotiated between the Secretariat and troop-contributing nations. The generally satisfactory financial status of the UNEF II operation enables the United Nations to make reimbursements fairly promptly up to the levels agreed on.

Planning for peacekeeping

One of the consistent characteristics of Canadian policy in connection with United Nations peacekeeping has been a concern for advance planning both by contributing governments and by the Secretariat. When UNEF I was established at the time of the Suez crisis in 1956, Canada, as noted above, earmarked a battalion for peacekeeping service. Other countries,

notably the Scandinavian ones, took similar action. Broadly speaking, however, preparedness for peacekeeping has been inadequate. With a view to remedying the situation, Canada took the initiative in convening a meeting in 1964 to examine the practical military aspects of peacekeeping.

Speaking to the General Assembly in 1963, Prime Minister Pearson proposed that "there should be an examination by interested governments of the problems and techniques of peacekeeping", which might "lead to a pooling of available resources and the development in a co-ordinated way of trained and equipped collective forces for United Nations service". Canada followed up this proposal by inviting 27 governments, chosen on the basis of their contribution to peacekeeping operations in the past and specific indications of their general willingness to participate in the future, to send military experts to Ottawa to discuss such technical aspects of peacekeeping as command and control, logistics, status of United Nations forces, etc. There were to be no political discussions or formal conclusions. The idea was simply to bring together past participants to evaluate in an informal way their common experience. The meetings were not held under United Nations auspices, but the Secretary-General was kept informed of the preparations and sent his Military Adviser to attend as an observer. Twenty-three countries were represented.

The meetings were held in private and there was no public announcement of the results they achieved. It can be said, however, that as a pioneer attempt to introduce an element of advance preparation into peacekeeping, they achieved the purposes of exchanging much useful information, establishing contacts or resuming them at the staff level, and increasing understanding of one another's special problems by the governments concerned.

As noted in the discussion of the financing of peacekeeping operations, the Special Committee on Peacekeeping, known generally as the Committee of 33, was established in 1965 after the General Assembly recoiled from applying Article 19 of the Charter over the refusal of the East European bloc and France to pay their peacekeeping assessments. The committee

was given the task of making a comprehensive review of "the whole question of peacekeeping operations in all their aspects", including ways of overcoming the financial difficulties of the organization. After dealing with the immediate financial problem that confronted the United Nations in 1965, the committee remained in being. In ten years of effort, however, it has not succeeded in working out acceptable peacekeeping guidelines. The lack of success reflects the basic continuing difference of approach of two groups of countries towards peacekeeping. One group, led by the United States, has sought to codify rules giving broad authority to the Secretary-General to recruit a force, name a commander, and manage an operation. Conversely, a group led by the Soviet Union is primarily interested in safeguarding the authority of the Security Council and has insisted that the main responsibilities related to peacekeeping be left with that body. Canada has played an active role in the committee, reflecting its continuing interest in peacekeeping matters.

Despite the deadlock within the Special Committee, some operational guidelines for peacekeeping operations have evolved as a result of the need to make day-to-day decisions in the field. Troop contributors often meet in informal sessions to iron out difficulties that may arise and have played a significant role in evolving operational procedures that contribute to the effective functioning of peacekeeping forces. Moreover, the establishment of the most recent United Nations Emergency Force has had the effect for the present of settling pragmatically certain issues on which the Committee had been deadlocked. The Security Council resolution authorizing the establishment of the Force charged the Secretary-General with naming the commander, recruiting the contingents, writing an operational handbook for the Force with the approval of the Council, and exercising management in the field. The Secretary-General acts "under the authority of the Council", however, and is required to refer to the Security Council decisions that "may affect the effective functioning of the Force". As has been noted earlier, the Force is financed by collective assessments. This may possibly serve as a valuable precedent for peacekeeping operations in the future.

Peacekeeping – a useful mechanism?

International peacekeeping is one of the few mechanisms developed thus far by the world community to prevent or at least moderate international conflicts. The condition of international tension and conflict that makes peacekeeping so necessary may also, however, limit its utility. Whereas in theory peacekeeping should make a positive contribution to the solution of a conflict, in the past this has not always been the case. Indeed, the existence of a peacekeeping force may encourage the parties to a conflict to delay trying to resolve the underlying problems, and thus inhibit peacemaking. Peacekeeping endeavours have too often been plagued, moreover, by divisions within the United Nations on the nature, scope and authorizing body for the operations, by recurrent financial deficits, by the rights of the host country, including the right to evict the peacekeeping force, and by the not infrequent withdrawal of personnel by contributors. Following the eviction by Egypt of UNEF I, the difficulties and controversies associated with ONUC, and the renewal of conflict in Cyprus despite the presence of UNFICYP, international support for peacekeeping operations seemed to ebb; but, more recently, the crucial role of UNEF II and UNDOF in stabilizing the situation in the Middle East has illustrated dramatically the value of peacekeeping and shows once more that it deserves continuing international support.

Canada's appreciation of the positive aspects, as well as the limitations, of peacekeeping stems not only from a generation of participation in United Nations endeavours (see Appendix Two) but also from its participation in peacekeeping operations outside the United Nations framework, especially in Vietnam. As a result of its wide experience, Canada has evolved a set of criteria for accepting a peacekeeping role. These criteria, enunciated in 1972 by Mr. Mitchell Sharp, then Secretary of State for External Affairs, are:

> (1) There must be a threat to international peace and security that requires the establishment of a peacekeeping force.

(2) The peacekeeping endeavour should be linked to an agreement for a political settlement, or at least a reasonable expectation of a negotiated settlement.

(3) The peacekeeping force should be responsible to a political authority, preferably the United Nations.

(4) The sponsoring authority should receive reports and have adequate powers to supervise the mandate of the force.

(5) The parties to the conflict must accept the peacekeeping force.

(6) Canadian participation in the force must be acceptable to all concerned.

(7) The peacekeeping force must have a clear mandate, including provision for freedom of movement.

(8) There must be an agreed and equitable method of financing the operation.

Any assessment of peacekeeping suggests that it has become and will remain a continuing feature of world politics and an important aspect of Canada's participation in the work of the United Nations. As the current United Nations operation in the Middle East clearly demonstrates, peacekeeping can do more than maintain the status quo – it can help to create conditions in which peacekeeping efforts may be pursued with some chance of success. It is reasonable to hope that peacekeeping is a mechanism that will continue to evolve and to contribute significantly towards establishing a peaceful world order. It will remain imperfect and often stop-gap in nature, however, unless due emphasis is placed, in the process, upon peacemaking.

It should be borne in mind that the Charter does not authorize the United Nations to impose or enforce a settlement of an international dispute. Even if a peacekeeping operation does not lead directly to a political settlement, it may serve to inhibit outbreaks of fighting, which would have tragic consequences for the countries concerned and might

spread to involve other countries in a general war; and it may, at the same time, preserve at least the possibility of an eventual peaceful solution.

Conclusion

As the foregoing discussion makes clear, Canada has been in the forefront of United Nations efforts to keep the peace. It does not claim any special virtue that qualifies it for this role, although it has, on the whole, been in a position to give assistance when it was needed. Nor does Canada pretend to have any greater urge than other nations to help prevent war. Rather, it was ready and willing, when the Charter system of security was found wanting, to put into practice that theory of functional contributions to the United Nations that it had advocated from the beginning. If the great powers were not to perform the function of maintaining the peace, then it was natural for a middle power with the required military capability and without major political handicaps to make an appropriate contribution.

Canada has coupled with its readiness to participate in peacekeeping a consistent belief that United Nations actions to keep the peace are in the interests of all United Nations members, and that all should bear some share of the burden – a belief, that is, in collective responsibility. This responsibility has not, in fact, been borne equitably; some members of the United Nations have undertaken more than their share of peacekeeping costs, while others have borne less.

The gap between the ideal of collective security and the facts of life in the United Nations remains wide. But Canada continues to believe that, even if it is too much to expect full implementation of the principle of collective responsibility, it is vital that, in the absence of great-power agreement, the United Nations should continue to be able to "unite for peace" when the occasion requires.

Disarmament and Arms Control

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the members of the United Nations for the establishment of a system for the regulation of armaments.

(Article 26 of the Charter)

There is no mention of disarmament in the Charter, and the only reference to arms control – "the regulation of armaments" – is in Article 26, quoted above. This article recognizes the principle that peace and security might be promoted by a "regulation of armaments" and suggests the desirability of reducing "the diversion for armaments of the world's human and economic resources". Although Article 26 remained a dead letter, a great deal of consideration has been given in the United Nations and related forums to a never-ending search for agreement on measures of disarmament and arms control.

General and complete disarmament has long been a goal of the United Nations not only as a means of inhibiting the use of force in international relations, and thus of reducing the risk of war, but also with a view to releasing resources for economic and social development – that is, for the betterment of conditions of life of people throughout the world. Repeated efforts have been made to curb or to eliminate nuclear weapons and other weapons of mass destruction, to prevent the spread of nuclear weapons to more countries or into new environments, and to achieve reductions in the burden of conventional armaments. Although the arms-control measures that have been achieved have not been negligible, it is clear that the political will required to achieve general and complete disarmament does not yet exist. Nevertheless, some disarmament measures have contributed to, or arisen from, improvements in the world political climate – and the situation might have been worse if the United Nations had not existed.

From the beginning, the General Assembly has been the major forum for debate on international disarmament priorities; but disarmament negotiations, which in earlier years took place in United Nations bodies, passed to other forums in the 1960s. By the early 1970s, the organization had become largely an outside observer of the most important East-West arms-control and disarmament negotiations. These negotiations focused first on far-reaching but unattainable disarmament plans, then on very limited but more realizable measures not affecting important existing military arsenals, and finally on the most vital security interests of the United States, the Soviet Union and their respective allies.

In the disarmament field, Canada has been one of the most prominent and active non-nuclear-weapon powers in initiating new proposals and in responding constructively to the proposals of other countries. Canada has been a member of every United Nations disarmament body, including those otherwise confined to the major powers. This prominent role stemmed initially from association with the United States and Britain in the wartime development of atomic energy. Although Canada could have made nuclear weapons, the Government very early decided as a matter

of policy not to do so, and has never wavered in that policy. Rather, Canada has achieved eminence in the development of the peaceful uses of nuclear energy, and this has given it an influential voice in international discussion of the control of the uses of such energy. Moreover, its security interest in the defence of North America and of Western Europe caused Canada to seek, with a sense of urgency, disarmament measures that would contribute to the easing of East-West tensions and reduce the risks of war. At the same time, Canada's associations with the Commonwealth and *francophone* countries of Africa, Asia and the Caribbean gave it an insight into the security concerns of the developing and non-aligned countries.

Early disarmament efforts in the United Nations

Because of the serious concern with which countries viewed the development of nuclear weapons, one of the first acts of the United Nations, taken on the joint recommendation of the Prime Ministers of Canada and Britain and the President of the United States, was the creation in 1946 of the Atomic Energy Commission (AEC), composed of members of the Security Council and Canada. One of the early matters considered by the Commission was the Baruch Plan, which proposed that the AEC own, "in trust" for the nations of the world, all nuclear material upon its extraction from the ground and called for the abandonment of nuclear weapons following the establishment of a system of international inspection of all nuclear facilities. The plan was opposed by the U.S.S.R. and was never implemented.

Most Western countries believed that effective disarmament could not take place without the settlement of major political issues and the establishment of an adequate system of verification and control (including "on-site" inspection, if necessary) to safeguard the security of nations. The Soviet view was that an immediate reduction of armaments and of armed forces would create this sense of international security and confidence and that any system of control and inspection could be established

only under the authority of the Security Council (where all proposals were subject to veto by the permanent members).

In 1947, the Commission for Conventional Armaments (CCA) was established as a forum for the negotiation of reductions in conventional weapons. Canada was a member during 1948–49 and participated actively in drawing up plans for the exchange and verification of information on conventional armaments. It soon became apparent, however, that differences between Eastern and Western countries on the methods of reducing nuclear armaments applied also to conventional weapons, and the work of the Commission came to a standstill. No meetings of either the AEC or the CCA took place after 1949, and in 1952 the General Assembly dissolved both bodies.

Throughout the 1950s, various proposals and counterproposals were presented in the search for a basis of agreement, and the forum for negotiation changed frequently. The impasse that had developed in both the AEC and CCA was an important factor in causing the General Assembly in 1952 to consolidate conventional and nuclear disarmament responsibilities in the hands of a single Disarmament Commission. This Commission was composed of all the members of the Security Council and Canada. No progress was made during the Korean War, and thereafter difficulties over control procedures and the priority to be accorded proposed disarmament measures continued to plague the Commission.

In an effort to break the deadlock over the question of control and inspection, a subcommittee of the Disarmament Commission, composed of the four major powers and Canada, was established in 1954. When this body also failed to make progress, Canada submitted a draft resolution to the General Assembly that recognized that the continuing development of new weapons made more urgent the need for a solution to the disarmament problem and concluded that a further effort should be made to reach agreement on comprehensive and co-ordinated proposals. Eventually, the other members of the subcommittee co-sponsored this resolution, and it was adopted unanimously.

In 1957, Canada was active, with the other Western powers, in making a proposal to eliminate the possibility of surprise attack. Canada offered to permit, on a reciprocal basis, aerial inspection of Canadian territory.

During the late 1950s, acrimonious discussion developed over the composition of the Disarmament Commission and its subcommittee as more states sought representation. Consequently, in 1958, it was decided to include all members of the United Nations in the Commission. In 1959, the four great powers decided to create a Ten-Nation Disarmament Committee (TNDC), evenly divided between NATO and Warsaw Pact countries, that, in effect, replaced the subcommittee of the Disarmament Commission as the East-West forum on disarmament issues. Canada was a member. Although not formally within the UN structure, the TNDC was recognized by the Disarmament Commission, which from time to time referred matters to it for consideration and report. The TNDC soon broke down, however, when the delegates of the Warsaw Pact countries withdrew during a particularly strained period of East-West relations. By the end of 1961, the United States and the Soviet Union had agreed to resume negotiations in an Eighteen-Nation Disarmament Committee (ENDC) composed of the original ten countries, including Canada, plus eight non-aligned countries. The ENDC was the immediate predecessor of the current Conference of the Committee on Disarmament (CCD), which continues to meet regularly in Geneva.

General and complete disarmament

In 1959, the General Assembly adopted general and complete disarmament as a basic goal of the United Nations. The Soviet Union proposed a three-stage program to eliminate within four years all armed forces and armaments beyond a minimum level required for internal security, and subsequently introduced in the Ten-Nation Disarmament Committee a draft treaty setting out disarmament programs in stages, with strict time-

limits for adherence. The reactions of other major powers were mixed, but in due course the United States also proposed its own "program for general and complete disarmament under effective international controls". There had been no progress beyond the tabling of these proposals when the TNDC broke down in 1960. With an improvement in relations late in 1961, the General Assembly approved a resolution, co-sponsored by the United States and the Soviet Union, endorsing a set of agreed principles that would serve as a mandate for negotiations on general and complete disarmament in the Eighteen-Nation Disarmament Committee. The major documents before the first session of the ENDC were a Soviet draft treaty and an "outline of basic provisions of a treaty on general and complete disarmament in a peaceful world" submitted by the United States. Although debate in the ENDC continued into the mid-1960s, consensus on any aspect of a general disarmament program of such sweeping dimensions proved impossible to achieve.

It may be said that early disarmament efforts in the United Nations and the proposals for general and complete disarmament of the early 1960s were marked by a mixture of idealism and Cold War political propaganda. Strong attachment to the ideal of a disarmed world was a natural consequence of the horrors of the First and Second World Wars, and, at a time of severe East-West tension, of fears of another war. At the same time, the Cold War tended to give rise to proposals shaped more by political competition than by realism. "General and Complete Disarmament" is a perennial item on the agenda of General Assemblies and continues to be a declared goal of the United Nations. The United States, the Soviet Union and their respective allies have increasingly recognized, however, that such a goal is likely to be reached only very gradually, following both a radical change in the international system beginning with a firm *détente* in East-West relations and the settlement of the severest regional disputes, and steps of gradual arms limitations and control that might foster a climate of mutual trust.

Partial measures

The obstacles encountered in seeking a general and complete disarmament and the easing of East-West relations following the Cuban crisis of 1962 encouraged a turn in negotiations in the ENDC and in General Assembly disarmament debates towards collateral or partial measures of more restricted scope, which could be more readily achieved and could make a more immediate contribution to the improvement of the international political climate. Since 1963, the United Nations has encouraged and endorsed a number of treaties of a limited nature. Except for one, these treaties have not involved the destruction of existing weapons but have placed useful curbs on the development and spread of weapons of mass destruction. Canada has repeatedly urged that negotiations should proceed in whatever area progress was most likely to be achieved, and has played a prominent role in encouraging the conclusion of, and often in formulating, these treaties.

Nuclear-weapon test ban

By the mid-1950s international concern had developed over the possible hazards of radioactive fallout resulting from nuclear-weapon tests conducted in the atmosphere, and over the role of tests in promoting the nuclear arms race. Negotiation of a test ban was begun by the Soviet Union, the United States and Britain in 1958. Although the nuclear powers unilaterally accepted moratoriums on their testing for a period, negotiations failed during the next five years to result in agreement. It became apparent at an early stage that there was a basic difference of views on the possibility of verifying a prohibition of all nuclear testing without resort to on-site inspections. The U.S.S.R. believed that external verification means were sufficient; the Western powers did not.

In March 1962, the ENDC, meeting for the first time, focused its attention on this issue. Two alternative draft treaties were proposed by
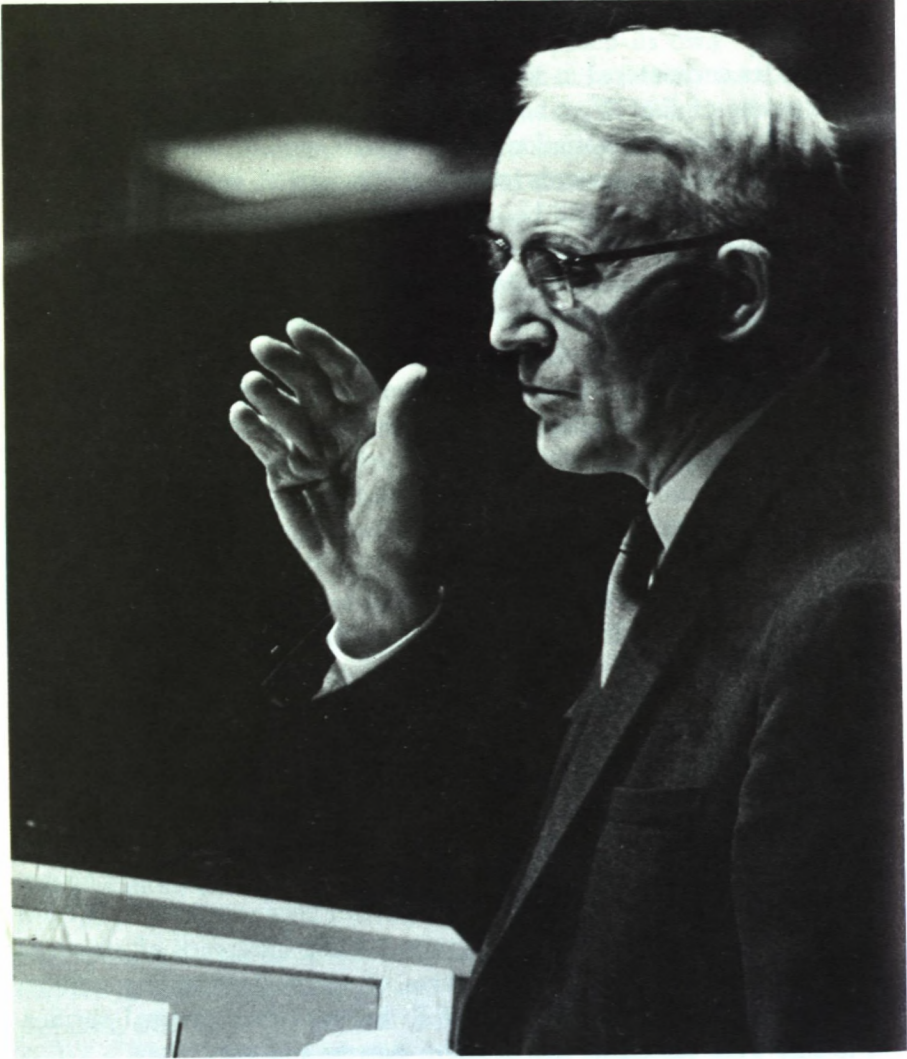
The Hon. Howard Green, Secretary of State for External Affairs, at the General Assembly, September 25, 1962.

the Western powers and circulated within the committee. One proposed a comprehensive test ban (CTB), with on-site inspection, and the second proposed a partial test ban (PTB) that would outlaw tests, other than those conducted underground, without verification. Negotiations on a comprehensive test ban continued within the ENDC, but agreement could not be reached on the means of verification. While the impasse continued, the three powers that had launched the negotiations decided to hold separate consultations in 1963 in Moscow, where agreement was reached on the terms of a partial test ban treaty (PTB), prohibiting nuclear-weapon tests in the atmosphere, in outer space and under water. Canada encouraged this approach as a first step and adhered to the PTB treaty three days after its signature in Moscow. This treaty entered into force in October 1963 but without the adherence of France (which announced the conclusion of its atmospheric testing in 1974), and the People's Republic of China (which has not yet, early in 1976, committed itself to ending tests in the atmosphere). Nevertheless, the PTB, reflecting the improvement in East-West relations after the Cuban crisis of 1962, ended large-scale atmospheric testing by the United States and the Soviet Union.

During the late 1960s, Canada devoted increasing attention to ways and means of achieving a comprehensive test ban. In 1969 and 1970, in an attempt to break the deadlock on verification of underground tests, Canada introduced in the General Assembly a draft resolution calling on states to support and assist the development of seismological techniques of detecting underground tests. As large underground tests became a matter of public concern, Canada adopted a more forceful position in the General Assembly and, in 1971, introduced a draft resolution aimed at encouraging the United States and the Soviet Union to negotiate a treaty to halt underground tests. Canada took similar action in 1972. In 1973, in the light of renewed concern about the dangers of atmospheric testing, Canada joined Australia and New Zealand in introducing a draft resolution calling for the negotiation of a comprehensive test ban and urging that all atmosphere testing be halted "forthwith".

In 1974 the United States and the Soviet Union agreed to seek a treaty

to restrict the size of their underground tests, and in 1975 no tests were carried out in the atmosphere by any nuclear power. A complete halt to all nuclear-weapon tests in all environments remains a major Canadian objective, as an important means of limiting nuclear-weapon development and especially of preventing testing by still more countries.

In co-operation with Japan and Sweden, Canada has continued research into the detection, location and identification of underground nuclear explosions by seismological means. In April 1975, Canada was host to an informal scientific meeting to promote this work. A report on the results of this meeting was tabled in the CCD in Geneva, where negotiations looking towards a comprehensive test ban continue.

Outer Space Treaty

A second collateral measure on which there has been progress is restriction of the use of outer space for non-peaceful purposes. In 1959 the United Nations established a Committee on the Peaceful Uses of Outer Space. In the early 1960s, Canada, with a number of other countries, pressed for the application of international law to outer space, and in 1962 it submitted to the ENDC a draft declaration to ensure the use of outer space solely for peaceful purposes. In 1966 the ENDC was able to agree on a draft Outer Space Treaty to prohibit the use of orbiting devices for delivering weapons of mass destruction. The General Assembly approved the draft by acclamation. The treaty entered into force in October 1967, with Canada as a party.

Seabed Treaty

In 1970 the General Assembly considered and commended to all states a draft Seabed Treaty prohibiting the emplacement of nuclear and other weapons of mass destruction on the seabed and ocean floor. This treaty

entered into force in May 1972. Canada, which had participated actively in its negotiation, immediately signed and ratified the pact.

Chemical and bacteriological (biological) weapons

The use of chemical and biological weapons was outlawed by the Geneva Protocol of 1925, to which Canada adhered, but in the late 1960s the General Assembly urged that the existing protocol be reinforced by the negotiation of conventions to prohibit the possession of chemical and biological agents for use in war. Following negotiations in the CCD, a convention was opened for signature in 1972 on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxic weapons and on their destruction. Canada signed and ratified the convention shortly after it came into force in 1975.

Consideration continues to be given in the CCD to the prohibition of chemical weapons. Canada has tabled a number of working papers on this question in the CCD and has consistently supported General Assembly resolutions calling for early agreement on effective measures to prohibit the development, production and stockpiling of all chemical weapons and for the destruction of stocks of such weapons.

Other arms-control proposals

Several other arms-control measures are at present (early 1976) being urged in the United Nations. These include a proposal for the prohibition of the use of environmental-modification techniques for military or other hostile purposes, and the "prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons". Both these proposals are being considered in the CCD.

Canada has participated fully in the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law

Applicable in Armed Conflicts, as well as in conferences of government experts convened under the auspices of the International Committee of the Red Cross to study the possibility of prohibiting, or restricting the use of, certain categories of conventional weapons, and it has supported General Assembly resolutions calling for the continuation of this work.

Non-proliferation of nuclear weapons

In the mid-1960s, following the entry of France and China into the ranks of the nuclear powers, the United Nations gave increasing attention to the question of the proliferation of nuclear weapons. In 1966 the General Assembly requested the ENDC to pursue efforts to achieve an international treaty to prevent the spread of nuclear weapons to more countries. These efforts led in 1968 to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which is today the principal instrument of an international non-proliferation regime and probably the most important of the treaties on disarmament achieved under the auspices of the United Nations. Canada, as one of the non-nuclear-weapon states most advanced in nuclear technology, participated fully in the ENDC negotiation of this treaty. In June 1968, the General Assembly recommended a draft treaty to all nations. The United States, Britain, Soviet Union and more than 50 non-nuclear-weapon states, including Canada, soon became parties to it. The treaty came into force in 1970, and the number of states bound by it is nearly 100.

The nuclear-weapon states parties to the NPT agreed not to place nuclear weapons or other nuclear explosive devices in the hands of any other country. The non-nuclear-weapon states parties to the treaty undertook not to acquire nuclear weapons or other nuclear explosive devices and to accept a system of inspection applied to all their nuclear facilities for the purpose of verifying that nuclear material was not diverted to nuclear weapons or any other nuclear explosive devices. The system of verification called for by the NPT, while not applying to the nuclear-weapon states,

marked an important step towards a widely-applied system of on-site international inspection. The inspections are carried out by the International Atomic Energy Agency (IAEA), created in 1956 to promote international co-operation in the peaceful uses of nuclear energy under safeguards to ensure that military purposes are not served. Canada strongly supported this aspect of the treaty calling for a stronger system of international nuclear safeguards inspection that could facilitate the international exchange of nuclear materials and technology. In the latter regard, the treaty reaffirmed the right of all states parties "to develop research, production and use of nuclear energy for peaceful purposes". Parties to the treaty "undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy". In addition, the treaty calls for arrangements whereby the potential benefits of the peaceful application of nuclear explosions would be made available by the nuclear-weapon states to non-nuclear-weapon states parties to the treaty. Canada supported the inclusion of a provision placing an obligation on the nuclear-weapon states parties to the treaty to negotiate effective restraints on the nuclear arms race and to meet their commitment to seek a halt to nuclear-weapon testing.

Nuclear-weapon-free zones

In 1967 the General Assembly welcomed, with Canadian support, the conclusion of a Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco). Since then there has been considerable interest in the United Nations in the establishment of nuclear-weapon-free zones in other regions of the world. Canada has been strongly sympathetic to the notion of nuclear-weapon-free zones where their creation is feasible, would promote stability and would further the non-proliferation objective. In 1975 Canada voted in favour of resolutions of the General Assembly supporting the denuclearization of Africa and the consideration by coun-

tries of the regions concerned of the creation of nuclear-weapon-free zones in South Asia, the Middle East and the South Pacific.

Current East-West control negotiations

The attention of the super-powers and their allies in most recent years has been focused on "arms control", especially on attempts by the super-powers to establish accepted ceilings on the levels of strategic armaments. The principal goal of these efforts has been to promote stability and to reduce the risks of war. At the same time, these efforts have been central to the political relations of the two super-powers. Since vital security interests and the development of strategic weapons systems are involved, the problems to be overcome are complex and highly technical.

The most important East-West arms-control negotiations are the Strategic Arms Limitations Talks (SALT) between the United States and the Soviet Union, which began in 1969. These bilateral talks have been of central importance in the strategic and political relations of the super-powers and consequently to the interests of their allies. In 1971 SALT agreements placed important restrictions on the development of anti-ballistic-missile defence systems, and at the end of 1974 the Vladivostok Understanding between the United States and the Soviet Union set out guidelines for a further SALT agreement, including overall ceilings on strategic offensive weapons. Canada considers the limitation of strategic arms to be of major importance to the world community, and has accordingly supported resolutions of the United Nations General Assembly calling for more rapid progress in the SALT negotiations.

Early in 1974, negotiations began in Vienna between the countries of NATO and the members of the Warsaw Pact to achieve what is described by NATO members as "Mutual and Balanced Force Reductions" (MBFR) in Central Europe. Since Canada has military forces in the region affected, it is a direct participant in these negotiations. The NATO countries have put forward proposals designed to achieve a parity of ground forces in

Central Europe as a step towards reducing the largest confrontation of military forces in the world and promoting stability and *détente* in Europe.

The MBFR negotiations, like those on strategic arms, are highly complex.

The current disarmament role of the United Nations

The pursuit of major East-West security negotiations outside the United Nations, the current emphasis in East-West negotiations on arms control rather than disarmament, and the high levels of armament expenditure by the major military powers have led to increasing criticism, especially by the developing and non-aligned countries, which compose the majority of the members of the United Nations. This group of countries has continued to press for bolder measures of disarmament, particularly nuclear disarmament, which could release increased resources for economic development of the developing countries. In 1975, at the Conference to Review the Non-Proliferation Treaty, the non-aligned countries vigorously attacked the super-powers for the proliferation of weapons within their existing nuclear arsenals and for failing to halt their nuclear-weapon testing or to place any limitations on their freedom to threaten the use of nuclear weapons against non-nuclear-weapon states. Although the General Assembly had declared the 1970s to be a "Disarmament Decade", critics point to the continuing absence of concrete disarmament measures.

In 1969 the non-aligned countries obtained greater representation in the Geneva Disarmament Committee (ENDC) when it was enlarged from 18 to 26 members and became the Conference of the Committee on Disarmament (CCD). In 1975 the membership was increased to 31. The CCD, like the ENDC before it, reports to the General Assembly and is serviced by the United Nations Secretariat, but is "sponsored" by the United States and the Soviet Union, which have taken the lead in introducing proposals and determining the content of agreements arrived at in the CCD. Of the other nuclear powers, Britain is a member of the CCD,

France has chosen not to occupy the seat reserved for it, and China is not a member. Many countries are anxious to see a new disarmament negotiating body created that would involve all countries on an equal footing. Some believe that a world disarmament conference, open to participation by all countries, would give renewed impetus to efforts to achieve broader disarmament. Canada supports in principle the idea of convening a well-prepared world disarmament conference at an appropriate time, but considers that it would not be fruitful to begin preparations or to set a date for such a conference until there is reasonable assurance that it would, in fact, lead to concrete progress towards disarmament. In Canada's view, there can be little assurance that a world disarmament conference would lead to such progress unless all nuclear-weapon states are prepared to participate and to assist actively in its preparation.

Canada's arms-control priorities

Canadian arms-control policy is determined by Canadian security interests and foreign-policy objectives. In their broadest terms, these are to deter threats of war to Canada and its allies and to promote a more stable, peaceful and prosperous international environment. Accordingly, Canada actively encourages further mutual limitations and reductions in strategic armaments by the United States and the Soviet Union in the interest of promoting greater strategic stability and East-West *détente.* Canada also considers it vitally important to lessen the chances of conventional war in Europe. The achievement of parity of conventional military forces in Europe, where Canadian armed forces are involved, is, therefore, also a major Canadian arms-control objective.

The explosion of a nuclear device by India in 1974 heightened the concern of many countries, including Canada, about the possible spread of nuclear weapons to more countries. As an exporter of nuclear materials and technology, Canada has a particular interest in seeing that international co-operation in the peaceful uses of nuclear energy does not lead to the

proliferation of nuclear weapons and the endangering of international security. At the 1974 General Assembly, Mr. Allan J. MacEachen, Secretary of State for External Affairs, expressed Canadian policy in these terms:

"We have developed a valuable system of nuclear power generation and we believe that nuclear power should not be withheld from those whose energy needs can best be met by this method. . . . However, until more adequate internationally-agreed measures are instituted, Canada intends to satisfy itself that any country using Canadian-supplied nuclear technology or material will be subject to binding obligations that the technology or material will not be used in the fabrication of nuclear explosive devices, for whatever purpose. To this end, Canada attaches special importance to the role of nuclear safeguards applied by the International Atomic Energy Agency. . . .

"The phenomenon of proliferation is, in political terms, something like a nuclear chain-reaction. With the successful explosion of a nuclear device by each newcomer to the ranks of the nuclear powers, the greater grows the desire of other countries to 'go nuclear'. In a world without truly effective safeguards, they feel their national existence threatened. If each new nuclear-weapon state prompted its neighbour to follow its example, all concerned would find their security quickly undermined.

"We believe that it is the very existence of nuclear explosive devices that presents the hazard to humanity, and it increases in proportion to the number of countries possessing them. One need make no distinctions in terms of what countries possess such devices. The danger lies as much in the number of countries that have them as in the policies of the possessors. . . .

"Our aim is to seek broad international measures that
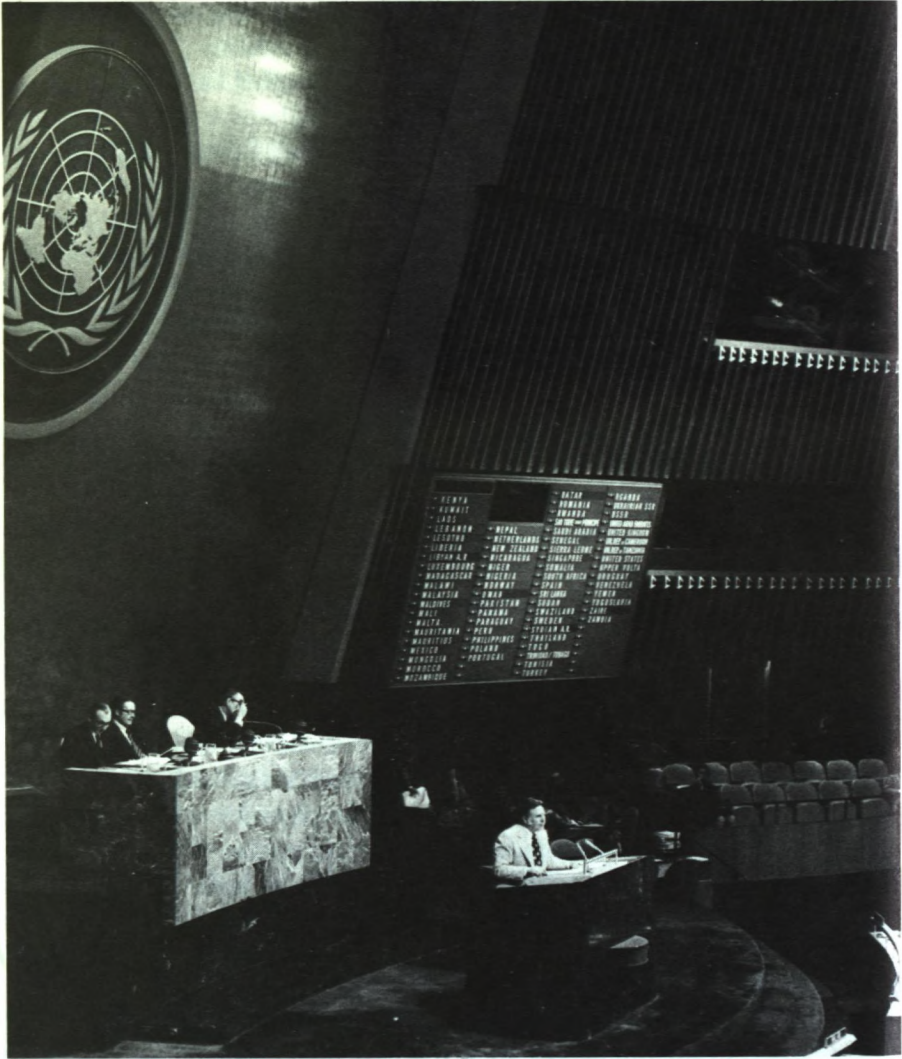
The Hon. Allan J. MacEachen, Secretary of State for External Affairs, addresses the United Nations General Assembly. (Photo: Max Machol)

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will halt both the multiplication and the wider dissemina-
tion of nuclear weapons, and that will check the spread of
the technology of nuclear explosive devices and the further
development of that technology as applied to nuclear
weapons. The Non-Proliferation Treaty, the efforts to
limit strategic arms, and the achievement of a compre-
hensive test ban are designed to serve these objectives. As
for the halting of the proliferation of nuclear weapons, all
states should undertake not to transfer nuclear technology
or materials except under international supervision aimed
at ensuring that the transfer is not used for fabricating
nuclear explosive devices."

Despite the restricted scope of recent arms-control negotiations and the
increasing reliance on bilateral and regional negotiations outside the
United Nations, Canada has considered this to be a realistic way of
achieving progress. Canada remains one of the most active members of
the CCD, where it continues to work towards overcoming technical and
political obstacles to the banning of nuclear-weapon tests and chemical
weapons and towards the achievement of other effective arms-control
measures.

The Canadian view is that concrete progress towards disarmament
will be made only on the basis of proposals that take full account of
the security concerns of the states they affect, of related political condi-
tions, of the complexities of steadily-advancing military technology and
of the need of states to be adequately assured that the agreements they
enter into will be fully respected and implemented by all parties. While
the direct role of the United Nations in disarmament negotiations has
lessened, Canada believes that the organization continues to make a
vitally important contribution by providing a forum in which all countries
can exert their moral suasion on the major military powers and in which
they can encourage the broad political settlements that are prerequisites
for practical measures of disarmament.
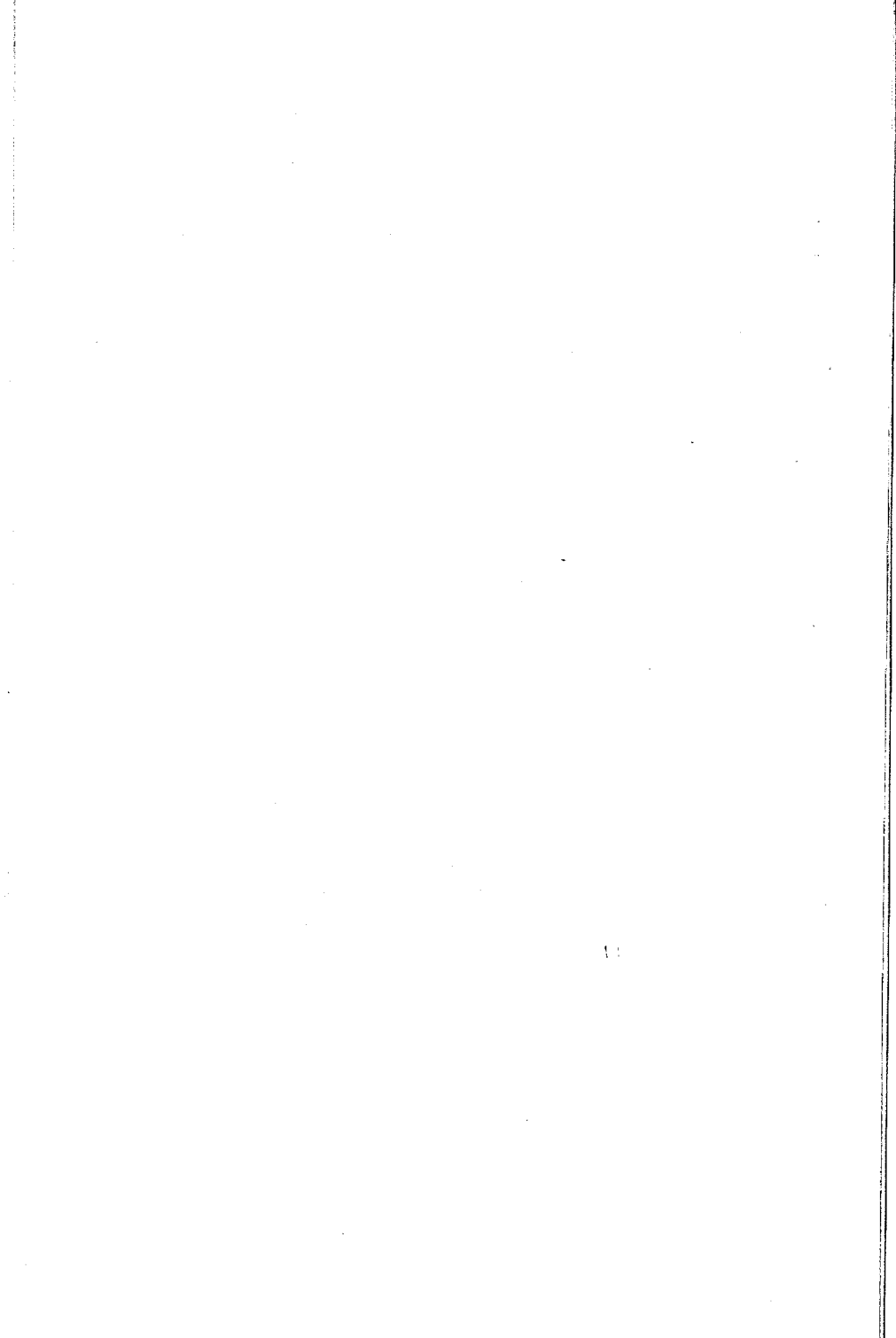
Equal Rights and
Self-Determination of Peoples

To develop friendly relations among nations based on
respect for the principle of equal rights and self-determina-
tion of peoples, and to take other appropriate measures to
strengthen universal peace.

The Second Purpose of the United Nations
(Article 1, Paragraph 2, of the Charter)

Colonialism, or "the administration of territories whose peoples have not
yet attained a full measure of self-government", as the Charter puts it,
has existed in one form or another throughout history, but it is only
within comparatively recent times that it has come to be regarded in most
parts of the world as a political evil and as something that should end
as rapidly as possible. Since about 1960, colonialism has been a major
preoccupation of the United Nations. The pressure for decolonization
has mounted inexorably, and has by now achieved most of its objectives.
Today self-government is a fact in all but a few of the lands formerly
under colonial rule. With the recent accession to independence of the

Portuguese territories in Africa, the process of decolonization has been virtually completed. It has added, in less than a quarter-century, some 75 new members to the United Nations out of a total membership, at the end of 1975, of 144.

The League of Nations Covenant recognized that colonialism was a major international problem but laid down obligations only in relation to the colonial territories of the powers that were defeated in the First World War. The Covenant declared that the "well-being and development" of the peoples of these territories was a "sacred trust of civilization" and entrusted their tutelage to certain Allied powers as mandatories on behalf of the League. The sole obligation of League members with colonial territories outside the mandates system was to "secure just treatment of the native inhabitants of territories under their control".

The Charter and decolonization

The United Nations Charter went a good deal further than the League Covenant. In the first place, all members of the United Nations having dependent territories under their control recognized that the interests of the inhabitants of those territories were paramount, and agreed that their well-being was to be promoted to the utmost. This undertaking was defined as "a sacred trust" and to emphasize its importance was given the form of a declaration (Chapter XI of the Charter). Secondly, the emphasis in the Charter was on progress towards self-government, or even independence. This represented a tremendous change in thinking from 1919. The third great advance in the Charter was the specific obligation placed on all colonial powers to transmit regularly to the United Nations detailed information on economic, social and educational conditions in the territories for which they were responsible. It was this that enabled the General Assembly gradually to assume a supervisory role in respect of the development and political advancement of all colonial territories.

The Charter divides non-self-governing territories into two categories.

An international trusteeship system was set up to replace the League mandates system and all the mandatory powers (Australia, Belgium, Britain, France, Japan, New Zealand and South Africa) except one agreed to transfer their mandated territories to the new system; South Africa refused to place the mandated territory of South West Africa under trusteeship. Under the new system, a basic objective was to promote the progressive development of the inhabitants of the trust territories "towards self-government or independence". The United Nations, acting through the Trusteeship Council and the General Assembly, has substantially greater supervisory powers than the League possessed. Specially important were the authority to consider oral and written petitions in consultation with the administering powers and the right to send visiting missions to the trust territories. By the end of 1949, territories had been placed under United Nations trusteeship by individual trusteeship agreements.

In the second category were placed all other non-self-governing territories. Here the main legal obligation on the colonial powers was to furnish information to the United Nations on economic, social and educational progress, but the avowed goal was "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement" (Article 73). Significantly, the Charter did not specifically envisage independence as a goal for the colonial territories not placed under trusteeship; but, as will be seen later, the omission has not operated as a deterrent.

At San Francisco in 1945 the Canadian assessment was that Chapter XI of the Charter represented a more extensive codification of the principles to be applied to non-self-governing territories than had ever been attempted before. This was all to the good. Canadian delegates hoped that out of the Declaration on Non-Self-Governing Territories embodied in this Chapter would come "a healthy competition between colonial powers for the achievement of better conditions for the people under their

care". At the least it would bring to the United Nations an unprecedented flow of information, which could be used to suggest lines along which improved colonial policies might be developed.

From trusteeship to independence

The proof of the success of the United Nations trusteeship system is that ten of the 11 territories that were once under trusteeship have by now achieved independence on their own or by joining with an independent state.

British Togoland elected to joint Ghana, which became independent in 1957. The same year a special United Nations commission, of which Canada was a member, visited French Togoland and recommended that elections be held in 1958 to enable the inhabitants to decide their own future. Canada later joined in co-sponsoring a resolution providing for United Nations supervision of the elections. The people favoured independence, a status achieved by Togo in 1960.

The French Cameroons and Italian Somaliland also obtained their independence in 1960. In 1961 the British Cameroons trusteeship was terminated when the Northern Cameroons voted to become part of Nigeria and the Southern Cameroons elected to join the Republic of Cameroon (the former French Cameroons). Tanganyika (now Tanzania) became independent in 1961 and the New Zealand trust territory of Western Samoa acquired independence in 1962.

Ruanda-Urundi has had a more troubled history. In 1960, after violent disorders had racked this Belgian trust territory in the heart of Africa, a United Nations commission was set up to visit the country and supervise legislative elections. A special amnesty commission, in which a Canadian representative participated, was also sent to Ruanda-Urundi in 1961 to examine cases of grave crimes with a view to implementing the Assembly's recommendation that a full and unconditional amnesty be granted. Two officers of the Royal Canadian Mounted Police were members of the

United Nations team. After elections later that year, the General Assembly approved July 1, 1962, as the date for the accession to independence as separate states of Rwanda and Burundi.

Nauru, a small Pacific island rich in phosphate deposits, was administered as a trust territory by Australia, Britain and New Zealand until 1968, when it achieved independence as a republic. Because of its small size and limited resources, Nauru has entered into only very limited international relations. It is not a member of the United Nations.

The Australian trust territory of New Guinea was joined in 1973 with the Australian territory of Papua to form the self-governing state of Papua New Guinea. The trusteeship agreement for New Guinea was terminated when the new state became independent on September 16, 1975, and shortly thereafter Papua New Guinea was admitted to the United Nations.

Only one trust territory, the Trust Territory of the Pacific, which is under the administration of the United States of America, remains under the international trusteeship system. As it is also designated as a "strategic area" under Articles 82 and 83 of the Charter, reports on its progress towards independence are made to the Security Council as well as to the Trusteeship Council, and it is the Security Council that will eventually terminate the trusteeship agreement between the United Nations and the United States. It is expected that the Trust Territory of the Pacific will accede to independence by 1981 at the latest.

The unique case of Namibia (formerly South West Africa), a territory that was never brought under the trusteeship system, is discussed later in this chapter.

The Declaration on Decolonization

Prior to about 1960, the United Nations was only slightly involved in the drive to end colonialism, which was sparked mainly by a combination of independence movements in the territories concerned and a growing willingness on the part of most of the administering countries to divest

themselves of colonial responsibilities as soon as the peoples concerned could be prepared to govern themselves. Indeed, Britain had led the way and set the pace in preparing the far-flung components of its empire for independence. Likewise, the United States, in the case of the Philippines, and France, as regards most of its African colonies, were largely self-motivated. But the United Nations can claim its rightful share of the credit for its role in the disposition of the Italian colonies at the end of the Second World War and the subsequent accomplishment of their independence, the stormy severance of the colonial tie between the Netherlands and Indonesia, and the eventful and dramatic assertion of the right to self-determination of the Belgian Congo (now Zaire).

Two events in 1960 rapidly changed both the pace and the direction of United Nations involvement. The first, and the more important of the two, was the admission that year of 18 new member states, the majority of which were former French colonies. The second was the adoption by the General Assembly of a Declaration on the Granting of Independence to Colonial Countries and Peoples (abbreviated in common usage to "Declaration on Decolonization").

In the early years of the United Nations, the Western colonial powers could usually rely on a safe voting majority against any proposed resolution that they regarded as unacceptable. The situation changed rapidly with the admission of 18 new countries in 1960, followed by a veritable flood of new member states from Africa, Asia and the Caribbean, which were products of colonial emancipation and at the same time its most vigorous advocates. One observer described the process thus in 1964:

> "One cannot divide the history of the United Nations into distinct before and after periods, segregating in time the impact of the United Nations on decolonization and the impact of decolonization upon the United Nations. Decolonization is a continuing process, and the United Nations continues both to affect it and be affected by it. Indeed, the involvement of the Organization in the colonial issue tends to be self-perpetuating and even self-augmenting; every

victory for self-determination produces a new member state
which adds to the strength of the anti-colonial forces in the
Organization."*

The Declaration on Decolonization was adopted by the General
Assembly on December 14, 1960, at the conclusion of a long and
exhaustive debate. Eighty-nine states, including Canada, voted in favour
of it; no member voted against it; and only a small minority abstained.
The Declaration contained five key provisions:

(1) The General Assembly proclaimed the necessity of
bringing colonialism "in all forms and manifestations" to
a speedy and unconditional end.

(2) The subjection of peoples to alien subjugation, domina-
tion and exploitation was declared to be a denial of funda-
mental human rights, contrary to the Charter, and an impe-
diment to the promotion of world peace and co-operation.

(3) All peoples had the right to self-determination; accor-
dingly, an end should be put to all armed action or
repressive measures directed against dependent peoples,
and inadequacy of political, economic, social or educa-
tional preparedness should never be used as a pretext for
delaying independence.

(4) Any attempt to disrupt the territorial integrity of a
country was deemed to be incompatible with the purposes
and principles of the United Nations.

(5) Most important of all, immediate steps should be taken
in all colonial territories to transfer full power to the
peoples of those territories without any conditions or reser-
vations, and in accordance with their freely-expressed will
and desire, in order to enable them to enjoy complete inde-
pendence and freedom.

*Inis L. Claude, Jr., *The Changing Nature and Role of the United Nations,*
essays based on a series of lectures given at the Graduate Institute of International
Studies in Geneva, October 27–29, 1964.

Although the adoption of the Declaration on Decolonization marked the beginning of the second – and much more dynamic – phase of efforts in the United Nations to end colonialism, its direct effect should not be overestimated. The achievement of independence by a large number of countries in the 1960s was a product of political forces. The Declaration was another product of those forces, a statement of objectives whose substance had already been accepted by most of the administering powers.

Responsibility for examining the implementation of the Declaration on Decolonization was assigned to a Special Committee of the General Assembly, which since 1962 has had 24 members. The responsibilities of various earlier committees established to examine aspects of the decolonization issue were gradually assumed by the Committee of 24, whose mandate has been renewed annually.

Progress in decolonization

The role played by the United Nations in facilitating and promoting decolonization has been determined less by the Charter provisions on non-self-governing territories than by the intent and meaning given to them by the overwhelming majority of United Nations members; and the rapid progress made in effecting decolonization has been due in large measure to the acceptance by most of the colonial powers of the goal of independence for their dependent territories, and to their willingness to respond positively to demands formulated in the organization. The process that took place was one of evolution, marked by the following developments:

> (a) Although there was no obligation to transmit political information on non-self-governing territories, Australia, Denmark, the Netherlands, New Zealand and the United States from the outset provided information on governmental institutions in their territories. In 1961, Britain decided to provide the United Nations with information on

political and constitutional advances in its dependent territories in excess of that required by the Charter, a decision rightly regarded as of the first importance. France has not taken a similar decision; for many years, it has accepted as an obligation only the requirement to transmit the information required of it under the Charter. Nonetheless, in recent years, France has on occasion chosen to provide information directly to the Secretary-General on political developments in certain territories whose decolonization has become a contentious issue at the United Nations.

(b) Although the General Assembly is not specifically authorized by the Charter to make recommendations on the political affairs of non-self-governing territories, it gradually developed the practice of doing so. Over the initial opposition of the colonial administering powers, the General Assembly first began to make recommendations on regional groups of territories. Subsequently, it moved much further, so that by now recommendations on political developments in individual colonial territories have long been accepted as normal. Colonial powers moved with the times in response to "the winds of change", an expression much-quoted during the 1960s and one, it might be noted, coined by a British Prime Minister. While sometimes reserving their position on the legality of the General Assembly's recommendations to co-operate with the United Nations in the work of decolonization, the administering powers increasingly tended to respond to United Nations demands.

(c) A similar evolution occurred as regards the practice of the General Assembly, which is not specifically provided for in the Charter except with respect to the trust territories, of hearing petitioners from non-self-governing territories. The practice in the early years was to hear peti-

tioners only if the colonial power concerned agreed to their appearance. In time, as the growing membership of the organization became increasingly convinced of the inalienable right of all peoples to self-determination and to a fair hearing at the United Nations, the General Assembly asserted its right to hear petitioners even from territories on which no information was sent to the organization – territories such as Angola, Mozambique, French Somaliland, the Comoros Islands and the Spanish Sahara, which the administering powers concerned regarded as overseas provinces, departments or autonomous territories rather than "territories whose peoples", in the words of Article 73 of the Charter, "have not yet attained a full measure of self-government". Since the administering powers could no longer prevent the General Assembly from agreeing to hear petitioners, most came to acquiesce in the procedure and to accept a *de facto* extension of the General Assembly's jurisdiction. Petitioners are permitted to speak only as individuals. In 1974, however, the General Assembly officially approved the complementary practice, which had evolved over the previous two years, of authorizing liberation movements recognized by the Organization of African Unity to participate in the consideration of items relating to their territories in the committees and subcommittees of the General Assembly, and of providing financial assistance to such movements to facilitate their participation in the debates.

(d) Until recently, colonial powers usually refused to accept visits to their subject territories by United Nations committees seeking to inquire into conditions there and to report their findings. The Charter (Article 87) specifically provides for such visiting missions in the case of trust territories, but makes no provision whatever for visits to other

non-self-governing territories. The colonial powers argued that such visits would constitute an unacceptable intervention in the administration of their colonies. Gradually, however, as pressure mounted for decolonization, most of the administering powers became more flexible in their responses and by 1975 all but France and the United States had adopted a policy of inviting the Committee of 24 to send a visiting mission to one or another of their territories each year.

The remaining colonial problems

Decolonization problems that still remain (in early 1976) before the United Nations can be categorized as follows:

(1) Some very small non-self-governing territories, in particular isolated island territories such as Montserrat, Bermuda, the Tokelau Islands, the Solomon Islands, St. Helena, the New Hebrides and the British Virgin Islands, which have not yet developed political institutions to the point where they might exercise their right to self-determination in the near future. While some of these may eventually choose independence, others may instead choose to enter into free association with an independent state as did Nieu, which in 1974, exercised self-determination and chose an autonomous form of government in free association with New Zealand.

(2) Thorny problems relating to the decolonization of those territories in which the aspirations or territorial ambitions of neighbouring countries are delaying or prejudicing the exercise of self-determination, or where, as the neighbouring countries would maintain, the delay in decolonization is impeding the restoration of the territorial integrity

of a given country. Increasingly the principles of "self-determination" and "territorial integrity" (of neighbouring states) have come to confront one another in areas as disparate as the Spanish Sahara, Belize, the Falkland Islands, East Timor, the Territory of the Afars and Issas (Djibouti), the Comoras, and Gibraltar. In each case it has been demonstrated that there is no easy solution. Intense emotions are often in play within the territory concerned, within the neighbouring countries, and within the administering countries. In general, the United Nations has insisted upon the necessity of maintaining the territorial integrity of territories approaching independence; but there have been exceptions, as in the recent acceptance of the decision of the Ellice Islands to separate from the Gilbert Islands, each pursuing its separate route to independent nationhood.

(3) The "hard-core" problems of Rhodesia and Namibia. In both these territories progress of the black majorities towards self-government has been effectively blocked by white minority regimes, which, moreover, deny to the black majorities their essential human rights by imposing upon them odious racist policies and practices.

Canadian policy

The Canadian attitude to the problem of ending colonialism comprises support for the idea of self-determination and the wish to assist in promoting the evolution from colonial rule to self-government and independence of all dependent peoples who desire that status, at a rate governed only by practical considerations of internal stability. Canada recognizes that each remaining colonial territory has its own special problems and its own conditions. It has been Canadian policy, for

example, to point out that the principle of self-determination does not always necessarily imply independence. This may especially be the case for small territories that, while wishing to exercise control over their immediate conditions, consider that their limited human and natural resources make independence an unattractive alternative to colonial or some other status. The United Nations should, therefore, in Canada's view, favour solutions to remaining colonial problems appropriate to each case, taking, in the words of the Charter, "due account of the political aspirations of the peoples". Finally, since the administering authorities cannot be expected to share or shift their responsibilities for the dependent peoples under their control, Canada believes that, if the United Nations is to continue to contribute to orderly evolution, it must take account of these responsibilities as well as of the wishes of the inhabitants of the colonial territory concerned.

At the United Nations, Canada, with countries like Ireland and the Scandinavian states, has represented a moderate point of view – Western but "non-colonial". On occasion Canada has been able to play a useful and constructive role. A typical example of this occurred in 1959, when Canada co-sponsored a resolution setting up a committee to study the principles to be applied in determining when an obligation existed to transmit information to the United Nations on colonial territories. The committee's report helped to clarify a long-disputed point.

Canada has tended to judge proposed General Assembly resolutions on colonial matters on the basis of practicality: Would they work? Would they secure the co-operation of the colonial power concerned? Were they reasonable and constructive? Did they reflect the real interests of the population concerned? Accordingly, Canadian delegates have frequently stressed the need for the rapid professional training of personnel in trust and other non-self-governing territories. Experience has shown that, if colonial territories are to reach the "take-off point" for viable nationhood, it is essential for them to have a solid base of trained administrators. In this task all countries can help. For many years now Canada has provided technical training and higher education

for thousands of students from colonial territories. Of particular interest in this regard is the leadership Canada has given in the work of the United Nations Educational and Training Program for Southern Africa (UNETPSA), a body set up specially for the purpose of providing trained manpower for the future needs of Southern Africa. Canada has been one of the principal donors to UNETPSA, and at the time of writing the Canadian Permanent Representative is chairman of its Advisory Committee.

In commenting on the decolonization problem, Canada has frequently stressed the need for careful preparation for independence, conducted with a proper sense of urgency, and a desire to respect the wishes of the peoples in the colonial territories. A Canadian representative, speaking in the General Assembly on November 26, 1975, put it this way:

> "We have maintained over the years our support for the right of peoples under colonial rule to self-determination and independence. We have at the same time underlined our belief that the objective of the decolonization process is not simply to bring about the departure of a colonial power, but to encourage the emergence of stable and united nations (large or small) which are equipped to face the challenges of independence, of social and economic development, and of being able to live in peace and security with their neighbours."

Rhodesia

The situation in Rhodesia began to give rise to serious concern in the early 1960s, when it became apparent that a white minority that had exercised a large measure of self-government since the 1920s was intent on resisting pressure from the colonial power, Britain, to adopt, prior to being granted independence, measures that would lead to majority rule. Commonwealth heads of government, at a meeting in 1964, agreed

that they would not recognize the validity of any unilateral declaration of Rhodesian independence, and called for a conference to be attended by representatives of all political groups, with the objective of seeking agreement on the steps by which Rhodesia might proceed to independence within the Commonwealth, "at the earliest practicable time on the basis of majority rule". On July 17, 1964, the Prime Minister made a statement in the House of Commons expressing the full support of the Canadian Government for the line taken at the Commonwealth meeting. Further efforts to resolve the Rhodesian problem were unsuccessful, and the Smith regime made a unilateral declaration of independence on November 11, 1965. This was not only an illegal act but also was in direct conflict with the basic principle of decolonization followed by successive British Governments, *viz.* that independence should be granted only under constitutional arrangements acceptable to the majority of the people of the territory concerned. While the basis for international action that has been taken since 1965 has been the illegality of the situation, it is fair to say that the main issue and the central concern is the true decolonization of Rhodesia.

Following upon the unilateral declaration of independence, the Canadian Government immediately stated that it would not recognize either the declaration, the allegedly independent state of Rhodesia, or the government headed by Smith. Canada's trade commissioner in Salisbury was immediately withdrawn and a series of measures were announced, ranging from the removal of Commonwealth preferences on Rhodesian goods to a complete arms embargo. The same day, Canada voted for a resolution adopted by the United Nations General Assembly condemning Rhodesia's unilateral declaration of independence and asking the Security Council to consider the situation as a matter of urgency. The Commonwealth Secretariat Sanctions Committee was established to co-ordinate the economic sanctions to be imposed by members of the Commonwealth upon the rebel regime.

The Security Council at that time adopted two resolutions on Rhodesia. The first called on all member states to refrain from recognizing the

illegal Rhodesian government or from providing any assistance to that government. The second called on all states to "refrain from any action which would assist or encourage the illegal regime and in particular to desist from providing it with arms, equipment, and military material, and to do their utmost to break all economic relations with Southern Rhodesia including an embargo on oil and petroleum products".

By the end of 1965, Canada had taken action to ban over 90 per cent of imports previously coming from Rhodesia. A total embargo had been placed on the export of oil and petroleum products to Rhodesia and export credits and insurance facilities had been withdrawn from all Canadian exports to Rhodesia. These steps were the result of Canadian support for the economic measures recommended by the Security Council. Canada was also participating in an emergency airlift to assist Zambia, which could no longer use its rail outlet to the sea through Rhodesia.

Since 1965, the Rhodesian question has been regularly considered by both the General Assembly and the Security Council. The imposition of mandatory economic sanctions against the illegal regime was decided on by the Security Council in 1967. This was an unprecedented action by the Council and came only hesitantly, after much pressure from the General Assembly, when it was clearly evident that concerted international action was required. It was reinforced a year later by Security Council decisions (in Resolution 253) imposing a comprehensive embargo on trade, financial transactions and related activities. It compliance with these decisions, Canada has severely restricted its commercial contacts with Rhodesia, as well as the entrance of Rhodesians into Canada. Canadian trade with Rhodesia, which was worth about $5 million in 1965, has been reduced to a trickle, composed mainly of items exempt from restrictions for humanitarian, medical or educational reasons.

In the General Assembly there have annually been two resolutions on Rhodesia. One of these has been a general resolution on the political situation and the other has dealt with sanctions measures. Until recently, both resolutions have contained elements and have been couched in language that made it impossible for Canada to support them, despite

its continuing condemnation of the illegal regime. At the General Assembly of 1975, however, the sponsors improved the wording considerably, eliminating most of the unrealistic and unacceptable elements. Canada was able to support both resolutions, while expressing reservations regarding sections of them that recommended or called for restrictions on the freedom of movement of individuals and communications, and implied approval of the use of violent means to effect political ends. In 1975 Canada took the initiative in calling on the Security Council and the Security Council Sanctions Committee to re-examine and reassess sanctions measures against Rhodesia in order to make them more effective, both in their immediate economic objectives and to demonstrate the condemnation of the rebel regime by the international community.

The decolonization of Portuguese territories has brought major strategical changes in the situation in Southern Africa. The existence of an independent Mozambique, whose government is hostile to the white minority regime in Rhodesia, has had the effect of depriving Rhodesia of free and uninterrupted access to the sea. The emergence of Mozambique and Angola as independent nations has contributed to a major policy change on the part of the rebel regime's greatest supporter, South Africa, which has been pressing it to negotiate a constitutional settlement acceptable to the African majority. It is Canada's hope that both domestic and international pressures will force the white minority in Rhodesia to face the reality of its position and to come to terms with the black majority.

Canada is confident that the people of the territory will ultimately achieve success in their struggle for their basic human rights. It may be that the idea of NIBMAR (no independence before majority African rule), which emerged in the Commonwealth context, may be too restrictive a formulation; what is essential is that the majority of Rhodesians themselves approve any settlement that is arrived at – and it is clear that any settlement, to be acceptable to Rhodesians as a whole, must provide for eventual majority rule. The Canadian Government and the

Canadian people fully support the legitimate aspirations of the Rhodesian people to self-determination and independence and remain prepared to assist in whatever way is appropriate or effective to encourage a solution to the Rhodesian problem.

Namibia

It was noted earlier that when the United Nations trusteeship system was established to replace the League of Nations mandates system, South Africa refused to place the mandated territory of South West Africa under trusteeship. The situation persists to this day, and South West Africa (now recognized by the United Nations as Namibia) is the only mandated territory that has neither become independent nor been placed under the trusteeship system. In 1950 the International Court of Justice ruled that South Africa continued to have the international obligations laid down in the League of Nations Covenant and the mandate, and that the United Nations was entitled to exercise supervisory functions over the South African Government's administration of the territory. It has never been able to exercise this function effectively, however, and the status of Namibia has remained a bitter issue at the United Nations. More than 80 resolutions touching on it have been adopted by the General Assembly or the Security Council, and questions relating to it have been considered by the International Court of Justice on three occasions.

An important stage in consideration of the question of Namibia was reached in 1966. That year, after the International Court of Justice decided on technical grounds not to render an opinion on the merits of claims that South Africa was not fulfilling the terms of the mandate, the General Assembly adopted Resolution 2145 (XXI), purporting to terminate the mandate and place the territory under the direct responsibility of the United Nations. Canada voted in favour of this resolution.

In 1967, the General Assembly adopted Resolution 2248 (XXII) establishing the United Nations Council for South West Africa and instructing it to proceed to the territory to take over its administration and to ensure withdrawal of the South African authorities. The resolution also provided for the appointment of a United Nations commissioner for the territory, to undertake any executive or administrative functions that the Council might entrust to him. Considering the proposed Council's mandate unrealistic in view of the continued South African occupation of the territory, and questioning whether the interests of the United Nations would be well served by setting up a council to perform an impossible task, Canada abstained in the vote on the resolution, which nevertheless was adopted. Later in 1967, the General Assembly adopted a resolution changing the name of South West Africa to Namibia.

The Security Council in 1970 reviewed its earlier resolutions on Namibia and adopted two new ones. In Resolution 283, the Security Council requested all states to avoid any relations – diplomatic, consular or otherwise – with South Africa that could imply recognition of South Africa's administration of Namibia, and called upon them to declare formally to the South African Government that they did not recognize South Africa's authority in Namibia. Canada complied with this on July 28, 1971.

By the second resolution (No. 284), and in accordance with Article 96 (1) of the Charter, the Security Council requested the International Court of Justice to give an advisory opinion on the legal consequences for states of the continued presence of South Africa in Namibia. In delivering its advisory opinion in 1971, the Court concluded that South Africa's presence in Namibia was illegal, that South Africa was obliged to withdraw its administration from the territory immediately, and that the members of the United Nations were obliged to recognize the illegality of South Africa's presence in Namibia and to refrain from any dealings with the Government of South Africa that would imply recognition of, or lend support to, this presence. The advisory opinion of the International Court, like the earlier opinions and the numerous

resolutions of the General Assembly and the Security Council, had no effect on the policy and actions of the South African Government.

In 1972, the Security Council attempted to break the deadlock between the United Nations and South Africa by authorizing (in its Resolution 309) the Secretary-General to "initiate contacts with all parties concerned". A year later, the Secretary-General submitted a report on the results of his discussions with, *inter alios,* the South African Government and citizens of Namibia. As the results of the discussions were considered unsatisfactory, the Secretary-General's mandate was terminated.

In 1974, the South African Government instituted in "South West Africa" a constitutional conference, on the basis of tribal and other groups, to determine the direction constitutional development should take in Namibia. From the conference, which is still in progress (in early 1976), were excluded any political parties such as the South West African People's Organization (SWAPO), which has been recognized in United Nations resolutions as the sole authentic representative of the Namibian people. Moreover, the selection of participants in the constitutional conference was not carried out in such a manner as to guarantee that they in fact represented even the groups they were said to be representing. Neither has there been any international supervision of such selection. The United Nations and South Africa have thus defined positions that are diametrically in opposition. The United Nations insists that, in order to bring about a valid act of self-determination for Namibia, it is necessary that free and democratic elections be held under United Nations supervision, and that such elections must be organized on a nation-wide basis with the full participation of SWAPO. The Security Council has unanimously adopted a resolution on two occasions calling on South Africa to declare its acceptance of the United Nations resolutions on the subject, to withdraw its administration immediately, and to facilitate free elections under United Nations supervision.

Canada continues to hope that a peaceful solution to the Namibia problem will be found as soon as possible, and to urge that South Africa comply with the resolutions of the Security Council on the

subject. It believes that a final settlement can be achieved only with the participation of all Namibian groups, political parties and organizations, including SWAPO. It has taken steps to ensure that its activities in no way give support to the occupation of Namibia by South Africa, which it considers to be illegal. Canada has implemented measures recommended in General Assembly resolutions on the subject of Namibia so far as it considers them to be aimed realistically at solving the problem. It has not, however, accepted appeals for armed struggle to deal with this difficult political problem; neither has it accepted the view that illegal occupation of Namibia by South Africa constitutes in the terms of the Charter "a threat to international peace and security" and thus merits coercive measures against South Africa under Chapter VII of the Charter.

Racial policies of South Africa

The fruitless efforts made in the United Nations to terminate South African control of Namibia have been motivated not only by a general desire to put an end to one of the few remaining colonial situations but by the universal abhorrence of the policies of racial discrimination followed by the South African authorities in the territory. The policies of *apartheid* and racial discrimination are being pursued also in the Republic of South Africa itself, and have long been the subject of vehement condemnation in the United Nations. Although South Africa's racial policies do not come under the heading of "decolonization", it is convenient to discuss them here, especially in view of the close relation between them and the problems of Rhodesia and Namibia.

Canada has frequently condemned in the strongest terms the practices of *apartheid* and racial discrimination in South Africa as being a denial of fundamental human rights. It has repeatedly made known to the South African Government its desire to see a change in the policies practised by that Government and an end to repressive measures,

including arbitrary arrests and trials of individuals whose only apparent offence is their opposition to South Africa's racial policies. Canada participates in an international boycott of South Africa in the area of sports. It has also maintained an embargo on the export of military equipment or spare parts to South Africa in accordance with resolutions of the Security Council adopted in 1963 and 1970. By such measures as these, Canada has sought to impress upon the South African Government and people the need to effect a positive evolution of the racial situation in South Africa and an end to the *apartheid* system.

In 1974, the African members of the United Nations, frustrated by South Africa's continuing intransigence in relation to Namibia, Rhodesia and its own *apartheid* policies, called for a review by the Security Council of South Africa's relation with the United Nations. During the Security Council debate, a draft resolution was tabled calling for the expulsion of South Africa from the United Nations, in accordance with Article 6 of the Charter, for violation of the provisions of the Charter, in particular, its contravention of mandatory Security Council sanctions against Rhodesia, its continuing illegal occupation of Namibia, and the maintenance of its *apartheid* policies. When pressed to a vote, this resolution was defeated by an uprecedented triple veto by the United States, Britain and France. Subsequently, the General Assembly, by procedural means that Canada considered to be not in accordance with the terms of the Charter and the rules of procedure of the General Assembly, voted by an overwhelming majority to suspend South Africa from the 1974 session of the Assembly. In anticipation of a repetition of the events of 1974, South Africa did not attempt to participate in the 1975 session. It remains a member state of the United Nations, however, and has participated in a Security Council debate on Namibia.

Canada opposed the expulsion or suspension of South Africa from the United Nations for reasons that were set forth in a statement in the General Assembly, on September 30, 1974, by the Canadian Permanent Representative, as follows:

"The increasing universality of this world organization – a trend which Canada has strongly supported – is one of its greatest strengths. We do not accept that our attitude toward the racial policies of the South African Government should lead us to contemplate limiting or curtailing the rights of that Government's delegation to participate in the work of the United Nations. It remains Canada's view that our best chance of achieving modification of the South African Government's policies, in the direction of accordance with the goals of the United Nations Charter, lies in participation, discussion and dialogue. Lines of communication must be kept open if ideas are to be exchanged, attitudes modified and policies revised. Only thus can the full force of international opinion be developed and brought to bear upon problems of concern to us all, wherever these may occur."

Canada's opposition to the racial discrimination practised by South Africa and Rhodesia has its positive counterpart in substantial contributions to a number of United Nations and other international funds designed to provide to non-white Africans education and training opportunities that are denied them in their own country, and in direct assistance for projects carried out by southern African groups in partnership with Canadian and other non-governmental organizations in such areas as medicine, education and agriculture. Moreover, Canada has undertaken large development-assistance programs in some of the independent states of southern Africa (especially Zambia, Tanzania and Botswana) whose peoples live in a sense in the shadow of the countries where discrimination is practised, and provide a haven for refugees from those countries. It should be mentioned, finally, that Canada has agreed to help Mozambique enforce economic sanctions against Rhodesia.

Economic, Social and Humanitarian Co-operation

To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.

The Third Purpose of the United Nations
(Article 1, Paragraph 3, of the Charter)

Although the activities of the United Nations in the political and security fields at times capture most of the headlines, the economic and social work of the organization and its Specialized Agencies is of equal importance. This is specifically recognized in Article 55 of the Charter, which speaks of "the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations", and then spells out various areas of activity in which the organization should become engaged.

Economic and Social Council

Responsibility for most of the work of the United Nations in the economic and social fields is vested in the Economic and Social Council (ECOSOC). According to Article 62 of the Charter, it may deal with:

  a) "International economic, social, cultural, educational, health and related matters";

  b) promotion of "respect for, and observance of, human rights and fundamental freedoms for all";

  c) the preparation of draft conventions on matters falling within its competence;

  d) the calling of international conferences on matters falling within its competence;

  e) matters relating to the Specialized Agencies, which are autonomous international organizations linked to the United Nations through special agreements;

  f) the carrying out of recommendations of the General Assembly; and

  g) such other functions as may be assigned to it by the General Assembly.

As will be seen later, much of the activity in relation to economic development centres in the United Nations Conference on Trade and Development (UNCTAD), which is an organ of the General Assembly; but UNCTAD's permanent body, the Trade and Development Board (TDB), reports to the General Assembly through ECOSOC.

The Economic and Social Council originally consisted of 18 member states elected by the General Assembly for three-year overlapping terms; but it has twice been enlarged and now comprises 54 member states. Canada was one of the original 18 countries elected to membership of the Council in 1946, and has served further terms during the periods 1950–52, 1956–58, 1965–67, and since 1973.

At the opening meeting of the Council in 1946, the Canadian representative said of it:

"We represent, one might say, the positive side of the
work of the organization. Our task is not so much to
prevent as to do, not so much to avoid the undesirable as
to accomplish the good. . . ."

ECOSOC is the counterpart in the field of economic and social co-opera-
tion of the Security Council. It is essentially an executive body, directing
the activities of the United Nations itself in the fields assigned to it
and co-ordinating the activities of the Specialized Agencies and a number
of special bodies, specialized commissions and committees that have
been set up under its direct jurisdiction.

In the United Nations, every problem of any consequence that is
agitating the minds of people in various parts of the world finds
expression; and, once a problem is raised and discussed, there are fre-
quently proposals for some kind of action by the organization. Sometimes
questions of an economic or social character are raised in the General
Assembly, which may decide to refer them to ECOSOC for study; or
they may be raised initially in ECOSOC itself. The Council deals with
the problems in many ways; it may request the Secretariat to study
the matter and submit a report, or it may refer the matter to the
appropriate Specialized Agency, or it may establish a special committee
of experts to consider the matter and make recommendations for action –
to cite only a few kinds of action that might be taken. Over a period of
years, through study and debate, issues may be defined and proposals for
action developed.

Economic questions

Much of the economic co-operation among states members of the United
Nations is conducted in autonomous Specialized Agencies, whose work
is discussed at the end of this chapter. In the United Nations itself
some useful work is done in regard to statistics and some other matters,

but the main concern is with the economic development of the developing countries. For the latter, which constitute a clear majority of the states members of the organization, the primary purpose of the United Nations is to co-ordinate assistance to them and to bring about fundamental changes in the prevailing economic system. Their objective is to raise the living standards of their people and to reduce the glaring disparities between the rich and poor nations. Because of its great importance, the whole broad problem of economic development is treated in a separate chapter (Chapter Six).

Social and humanitarian questions

The United Nations provides a forum – or, rather forums – for discussion of and action on a wide variety of matters in the social and humanitarian fields. It is quite impossible to treat them all in this survey. Typical, and of special importance, are the activities in respect of human rights, the welfare of children and refugees.

Human rights

The Commission on Human Rights, which, under ECOSOC, is the organ of the United Nations responsible for the' protection of human rights, began its task in 1947 with the drafting of a Universal Declaration of Human Rights, which was adopted and proclaimed by the General Assembly the following year. It sets forth those basic rights and fundamental freedoms to which all men and women everywhere are entitled without any discrimination, and was adopted as a common standard for all nations. Article 5, for example, prohibits the use of "torture ... cruel, inhuman or degrading treatment or punishment". According to Article 9: "No one shall be subjected to arbitrary arrest, detention or exile." Article 19 states: "Everyone has the right to ...

seek, receive and impart information and ideas through any media and regardless of frontiers."

Despite the fact that it creates no binding legal obligations, the Declaration has had a significant impact. Legislation in many countries, and indeed the constitutions of many of the newer countries, reflect its influence. In Canada, where most of the principles set forth in the Declaration has long been effectively recognized, it has been cited specifically in a number of provincial statutes. Reference is often made to it in draft resolutions submitted to the General Assembly as a standard that states should apply in the field of human rights. It has also inspired a number of international conventions, such as those dealing with slavery, forced labour, refugees, stateless persons, political rights of women, nationality of married women, and discrimination in respect of education, employment and occupation.

Following the adoption of the Declaration in 1948, the Commission on Human Rights drafted the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights, which were adopted and opened for signature, ratification and accession at the General Assembly in 1966. The covenants put into binding legal form, and in many cases amplify, the provisions of the Universal Declaration of Human Rights. The International Covenant on Civil and Political Rights provides for the establishment of a Human Rights Committee, and the optional protocol provides for the consideration by that committee of communications from individuals who claim to be victims of the violation of any right set forth in the covenant. When it entered into force on January 3, 1976, the International Covenant on Economic, Social and Cultural Rights had been ratified or acceded to by 37 states. The International Covenant on Civil and Political Rights and the optional protocol entered into force on March 23, 1976, when the former had been ratified or acceded to by 37 states, and the latter by 12 states.

Since some of the provisions of the convenants fall within provincial

jurisdiction, the Federal Government sought the agreement of the provinces to implement the relevant provisions and then acceded to the two human rights covenants and the optional protocol in June 1976.

Another – and slightly earlier – example of achievement of the United Nations in the human rights field was the approval by the General Assembly in 1965 of the Convention on the Elimination of All. Forms of Racial Discrimination. While the convention has certain defects, it meets a need that has been long felt by those who consider that racial discrimination must be attacked as an international problem as well as a national problem. One of the convention's most important features is its provision for implementation. Here it broke new ground in an attempt to ensure that the rights set forth in the convention would be effectively respected. Each state party to the convention is required to report periodically on action taken to give effect to its purposes. More important, the convention established a conciliation procedure that makes it possible for a participating state to bring to the attention of a special committee instances in which other states have allegedly not lived up to their undertakings. Finally, in perhaps its most novel feature, the convention allows individuals, if their governments agree, to complain directly to a special conciliation commission if they believe that they are victims of a violation of its provisions. Not only did Canada and other Western countries welcome these measures of implementation but their delegations were instrumental in persuading others of their value and need. The International Convention on the Elimination of All Forms of Racial Discrimination was signed for Canada in 1966, and was ratified by and entered into force for Canada in 1970.

UNICEF

Of the children now growing up in the world, three out of four live in developing countries. Many suffer from hunger and disease; many lack the chance to learn to read and write and acquire elementary skills.

The purpose of the United Nations Children's Fund (UNICEF) is to help countries to provide health, nutrition and welfare services so that their children may grow up into healthy and useful citizens.

Canada was one of the members of a committee that in 1946 recommended the establishment of a temporary voluntary fund to provide emergency aid for children in war-ravaged countries. UNICEF was the outcome. In succeeding years its terms of reference were revised and more emphasis was placed on long-range programs of child welfare. The Children's Fund has now become a continuing part of the positive work done by the United Nations. The Canadian Government's support for UNICEF ($5 million annually) is supplemented by that of Canadian voluntary organizations and individual citizens, which amounts to over $2 million.

Assistance to refugees

The Second World War resulted in the displacement of many millions of people, mainly in Europe, and ever since that war international conflicts and domestic upheavals have caused people to leave their homes and, in many cases, to become helpless refugees. Even before the United Nations itself was established, the allied countries created the United Nations Relief and Rehabilitation Administration (UNRRA) which by 1949 had assisted over 98 per cent of the displaced people in returning to their homes. There remained more than a million unable or unwilling to be repatriated. Canada's concern for "the urgent problem of re-settlement of the displaced and homeless" was expressed by the Prime Minister in 1947; and accordingly it gave its full support to the International Refugee Organization (IRO) when it was set up in 1948. By 1952, when the IRO wound up its activities, Canada had contributed $18 million to its work and, more important, had welcomed 124,000 refugees as landed immigrants.

The IRO was created to deal with a specific short-term problem; but it soon became apparent that the refugee problem would be a never-ending

one. In 1948, as a result of the conflict between Arabs and Jews that led to the partition of Palestine and the establishment of the State of Israel, approximately one million persons left their homes and became refugees in adjacent countries. Temporary assistance measures were organized by UNICEF and other agencies, but, for the long term, the General Assembly in 1949 created the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The Agency remains in being and continues to provide relief, education and other services for hundreds of thousands of people. It is supported by voluntary contributions. Since its inception to 1975, Canada has contributed more than $31 million. The first Director-General of the UNRWA was a Canadian, Major-General Howard Kennedy.

As the IRO was being phased out, the United Nations established in 1951 the Office of the United Nations High Commissioner for Refugees (UNHCR). The basic tasks of the UNHCR are to identify the needs of refugees, to provide international protection for them, to co-ordinate and finance relief programs, to seek permanent solutions by facilitating voluntary repatriation or integration within new national communities, and to these ends to enlist the help of governments, organizations and individuals. Of equal, if not greater, importance has been the increasing demands on the High Commissioner to lend his good offices in situations that do not come within his specific terms of reference. Thus he was able to provide effective assistance to the Ugandan Asians in 1972–73 and in relation to the major dislocations arising from the war in Indochina.

From the beginning, Canada has been a member of the Executive Committee, which supervises the programs of the High Commissioner for Refugees. Since 1969 it has been a party to the United Nations Convention of 1951 and the Protocol of 1947 Relating to the Status of Refugees. Its contributions to the IRO, to the UNHCR and to other refugee activities (not including the UNRWA) since 1945 have amounted to more than $38 million; and several times this amount has been spent on helping refugees to establish themselves in Canada. The expenditure on refugees in 1975–76 is expected to exceed $8 million.

Some aspects of Canadian immigration policy have changed from time to time over the past 30 years, but never in such a way as to inhibit the Government from making substantial contributions to the alleviation of refugee problems that have arisen in various parts of the world. Thus, when the World Refugee Year was proclaimed by the United Nations in 1959, Canada took special steps to admit aged and handicapped refugees, and in 1967 it introduced a further program of such assistance following an appeal of the High Commissioner.

In 1966, in a White Paper on immigration policy, Canada reaffirmed its wish to accept its "fair share of international responsibility for refugees", and in 1970 it adopted new immigration guidelines, including a provision authorizing the responsible minister to admit certain categories not specifically covered in the United Nations Convention and Protocol (such as people still within their own countries, like the Ugandan Asians and many Chileans). Approximately 10 per cent of the immigrants admitted to Canada since 1946 have been refugees or members of oppressed minorities; as a rule they have established themselves as good and useful citizens.

Canada has made special efforts to receive refugees at times of crisis; it welcomed 38,000 Hungarian refugees in 1956–57, 13,000 Czechoslovakians in 1968–69, 228 Tibetans in 1970, and 5,600 Ugandan Asians in 1972–73. Up to March 31, 1976, 4,510 Chileans and 6,518 Indochinese were authorized to enter Canada as refugees. With this record, Canada can be counted on in the future to continue co-operating with the United Nations in alleviating the human misery that occurs when people become refugees.

Special and periodic United Nations conferences

Over the years, there has been a tendency for ECOSOC, responding to clearly-expressed international demands for action on matters of urgent importance, to recommend to the General Assembly that it convene special

international conferences. The General Assembly has, in fact, authorized conferences on such questions as the environment, population, human rights, the role and status of women, food, and human settlements. These conferences constitute a new mechanism for seeking solutions to world social problems, in much the same way as the sixth and seventh special sessions of the General Assembly (in 1974 and 1975) dealt with proposals for a new international economic order. Often the problems discussed at these conferences have only recently emerged into public consciousness, and so are not being dealt with systematically by any established institution. In such cases, the conference may recommend new institutional arrangements to carry on the work that has been started. In every case, they serve at least to heighten world-wide consciousness of particular issues and to stimulate governments, individuals and groups to initiate practical measures that they might not otherwise have taken.

The International Conference on Human Rights (Tehran, 1968) dealt with respect for and implementation of human rights. Many of the proposals adopted at the conference have since been translated into action by various organs of the United Nations; an example is the recommendation for an International Decade for Action to Combat Racism and Racial Discrimination.

Ever-growing international concern regarding threats to the environment led to the holding of what has been widely regarded as a highly-successful Conference on the Human Environment at Stockholm in 1972. Canada played a leading role in this conference, and a Canadian, Dr. Maurice Strong, served as its Secretary-General, subsequently becoming the first Executive Director of the United Nations Environment Program, which was created as a result of its recommendations. In 1972, moreover, Canada agreed to act as host to Habitat: Conference on Human Settlements (Vancouver, 1976), which discussed solutions to a set of problems identified at the Stockholm conference. Habitat concerned itself with the problems of the "man-built environment" – a vast complex of problems involving housing, land-use, water-supply, urbanization, community development and related matters that will confront national governments

and international organizations as a result of the expected doubling of the world's population by the year 2000. As host, Canada had a special interest in the success of the conference, and to that end gave a great deal of attention to its organization. The conference issued a declaration of principles on human settlements entitled the Declaration of Vancouver and made specific recommendations for national and international action. These included recommendations on public participation in the decision-making process, increases in land value owing to public investment or decision, safe water for Third World countries, the status of women and the restructuring of existing UN organizations to improve international co-ordination in this field.

A World Plan of Action for Population was the major result of the World Population Conference, held at Bucharest in 1974. In addition to requesting member states to implement national programs, the Plan established mechanisms for reviewing and appraising progress in the population field.

The World Conference of the International Women's Year, which was held in Mexico in 1975, adopted a World Plan of Action by which member states may measure and enhance their progress in advancing women's rights. It recommended to the General Assembly the proclamation of a United Nations Decade for Women. Among the results of the conference will be the establishment of a host of training programs and programs of research into problems relating to women.

A World Conference to Combat Racism and Racial Discrimination, scheduled to take place in Ghana in 1978, was called in response to demands by the Third World. Conceived in 1973, it had as its purpose the evaluation of the progress of the Decade for Action to Combat Racism and Racial Discrimination. At the time of writing (early in 1976), it is not possible to assess the bearing on the proposed conference of the resolution describing Zionism as "a form of racism and racial discrimination", which was adopted by the General Assembly in 1975. This resolution, among whose promoters were countries that had been loudest in their complaints regarding racism and racial discrimination, was regarded by

In a studio at United Nations headquarters, Miss Jacqueline Lemay records the song "Half the World is a Woman" («La moitié du monde est une femme»), which she composed as a personal contribution to the UN International Women's Year, 1975. (Photo: United Nations/T. Chen)

Canada and many other Western countries as a corruption of the goals of the United Nations Decade against Racism.

In addition to special conferences, the United Nations organizes certain regular conferences. Typical of these are the United Nations Congresses on the Prevention of Crime and Treatment of Offenders, which are held every five years. Canada agreed to act as host to the Fifth Congress at Toronto in 1975, but sought to postpone it because of a steady deterioration of the atmosphere in which international conferences were being held, examples of which were the discord that marred the sixth special session and the previous regular session of the General Assembly, the recent conferences of the United Nations Industrial Development Organization (UNIDO) and the International Labour Organization (ILO), as well as the International Women's Year Conference in Mexico a few weeks earlier. Two factors in particular played a major role in the Government's request. The first was the inevitable intrusion of unrelated political considerations into the proceedings of the congress. The second was the re-escalation of violence in the Middle East and the consequent spread of its bitterness to Canada and subsequently to the congress itself. In the end, the Canadian proposal was rejected and the congress was held in Geneva.

ECOSOC and subsidiary bodies – Canadian membership

Besides serving on ECOSOC itself from time to time, Canada has frequently been chosen to serve for a term on many of the Council's important subsidiary or related bodies. At the time of writing, Canada is a member of the Committee on Natural Resources, the Committee on Review and Appraisal, the Commission on the Status of Women, the Commission on Narcotic Drugs, the Statistical Commission, and the Committee on Housing, Building and Planning. In 1975, Canada was elected for the second time to a three-year term (1976–78) on the Commission on Human Rights. Canada is also on the Governing Council of the United Nations

Development Program and on the Executive Board of the United Nations Children's Fund. It is a member of the Trade and Development Board of the United Nations Conference on Trade and Development and, as such, participates in all of UNCTAD's main committees. Canada is also a member of the Executive Committee of the Office of the United Nations High Commissioner for Refugees and of the Governing Council of the United Nations Environmental Program. It holds permanent membership in the Economic Commissions for Europe and Latin America. Canadians serve in a personal capacity on the Advisory Committee on the Application of Science and Technology to Development and the United Nations Volunteer Program, and have recently completed terms on the Committee on the Elimination of Racial Discrimination and the International Narcotics Control Board.

The mere listing of the subsidiary bodies mentioned in the preceding paragraph illustrates vividly the variety of functions performed by the United Nations in serving as a centre for facilitating and promoting international co-operation. The list is, of course, far from complete – and many of the bodies mentioned themselves have subsidiary committees and subcommittees.

ECOSOC – reform

In 1974 the General Assembly established an *ad hoc* committee to consider suggestions relating to a review of the Charter. While this study was not aimed primarily at the Economic and Social Council, any changes that might be made in the Charter would inevitably affect the Council's operations. More immediate to its work, however, was a decision of the seventh special session of the General Assembly (September 1975) to launch a study of the structural framework of the economic and social programs and activities of the United Nations. This study happens to come at a time when the magnitude of the tasks to be performed in connection with the Second Development Decade has compelled ECOSOC to accelerate

and rationalize its work and that of its subsidiary organs. It may lead to reforms affecting the existing relations between the United Nations and the Specialized Agencies, and possibly to a regrouping of a number of economic and social functions within the structure of the United Nations itself.

Specialized Agencies

One of the major strengths of the United Nations system lies in the contributions made in their respective fields by the Specialized Agencies. These are separate, autonomous intergovernmental organizations, each with its own deliberative and executive bodies, its secretariat and its budget. They are linked with the United Nations through special agreements, and their work is co-ordinated by the Economic and Social Council. Their fields of responsibility are widely divergent, but in certain areas some of their interests may overlap.

Agencies exist to promote international co-operation in communications (the Universal Postal Union and the International Telecommunication Union); transport (the International Civil Aviation Organization and the Inter-governmental Maritime Consultative Organization); and in other technical fields (the World Meteorological Organization, and the International Atomic Energy Agency).* There are four financial organizations: the International Bank for Reconstruction and Development, with its affiliates, the International Development Association and the International Finance Corporation, and the International Monetary Fund. The International Labour Organization is concerned with working conditions and with relations between employers and employees. The Food and Agriculture Organization is concerned with improving agriculture, forestry and fisheries

*Though usually treated as a Specialized Agency, the International Atomic Energy Agency (IAEA) is an independent intergovernmental organization that reports directly to the General Assembly and is thus technically in a slightly different category. The General Agreement on Tariffs and Trade (GATT), which provides a forum on trade matters, is in a similar category.

production. The work of the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, within their general fields, is all-embracing and multifaceted.

Some of the Specialized Agencies antedate the United Nations by many years, but most of them were created after the United Nations came into being in 1945. Canada played a key role in the establishment of several of the Agencies (the FAO was launched in Quebec), has participated actively in their deliberative and executive bodies, and has worked hard to ensure the effective functioning of all of them. It goes without saying that Canada itself benefits directly from many of the services provided by and through the Specialized Agencies.

Almost all of the Specialized Agencies have programs of assistance to developing countries, and in addition act as executing agencies for development projects paid for by the United Nations Development Program, a fund consisting of voluntary contributions from the world's industrialized countries. Thousands of Canadians, drawn from federal and provincial government services, universities and industry have worked in such development programs, in all parts of the Third World.

Brief descriptions of Canada's involvement in the work of two of the Specialized Agencies should provide an idea of the kind of work they perform, each of course in its own area and in its own special fashion.

International Civil Aviation Organization (ICAO)

Canada's position as a major trading nation, its geographical situation astride important international air-routes, and the early recognition of the value of aircraft in developing remote parts of the country and in providing improved communications between the various regions combined to give the country from the beginning an important interest in the early developments that led to the establishment of ICAO. A Canadian delegation took an active part in the 1944 Chicago Conference, which resulted in the signature of the International Civil Aviation Convention and the establish-

ment of ICAO. The choice of Montreal as the site for the ICAO head-quarters was partly in recognition of Canada's contribution at Chicago.

The purpose of ICAO, in the language of its convention, is "to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport". In more specific terms, the organization promotes safety through standardization, training and regulation, provides statistics, works to reduce red tape at international airports, codifies international air law and extends technical assistance to developing countries.

Canada has been a member of the Council of the organization since its creation and has always played an active role in the work of the subsidiary bodies that deal with various technical and financial aspects of aviation. It has made significant contributions to the development of the technical annexes to the Chicago Convention and has participated actively in the international negotiations regarding such matters as unlawful interference – hijacking and related crimes. Canadians have occupied important positions in the headquarters Secretariat, and one, Mr. R.M. Macdonnell, was Secretary-General from 1959 to 1964. Canada continues to provide experts and training under the ICAO technical assistance program.

World Health Organization (WHO)

The World Health Organization (WHO) provides another useful example of Canada's interest and involvement in the Specialized Agencies. Canada was one of the 16 nations represented at the Preparatory Conference in Paris in 1946, and thus was able to play a key role in the establishment of the organization. Dr. Brock Chisholm, who headed the Canadian delegation to the Paris conference and who had done much to develop and promote the imaginative conception of the proposed organization, was elected Secretary to the Interim Commission and subsequently became the first Director-General of the WHO.

In 1952, 1956, 1962, 1968 and again in 1975, the World Health

Assembly elected Canada as one of the eight states to designate members to the Executive Board. Canadians have served in various capacities in many WHO activities. Dr. Basil Layton was President of the World Health Assembly in 1972 and 1973. R.A. Chapman was elected President of the Directing Council of the Pan-American Health Organization, the WHO's regional arm. Dr. D.G. Chapman was elected as one of the three vice-chairmen of the Executive Committee of the Joint FAO-WHO Food Standards Program in 1972 and was subsequently elected chairman of the Codex Alimentarius Commission for a term beginning in 1975. Canada makes substantial contributions to the work of WHO by providing technical and professional personnel who serve at headquarters and on field projects, by providing the facilities of its medical and nursing schools for the training of technical and scientific personnel from other countries, and by making known the results of advanced research and knowledge in a variety of medical fields.

Evolution of Specialized Agencies

Mention was made earlier of Canada's concern regarding the anticipated intrusion of political issues into the discussions of the Congress on the Prevention of Crime and Treatment of Offenders. The problem of politicization arises in many technical meetings, including those of the Specialized Agencies. In the latter there has always been a certain amount of discussion of issues of a political nature, sometimes of doubtful relevance to their work. It was perhaps inevitable that such issues should arise in, say, the International Labour Organization, between countries with free trade unions and countries whose workers' organizations were state-sponsored. In the earlier years, such politicized discussions were time-consuming but, in the long run, had little or no effect on agency programs. Unfortunately, there has developed in recent years the practice of raising political questions repeatedly, in one technical meeting after another, to the point where progress on the substantive issues may be seriously impeded. The Canadian view has always been that the place for

the discussion of purely political issues is the United Nations itself – that is, the General Assembly and the Security Council – and that meetings of the Specialized Agencies should not be used to promote such political objectives.

The Specialized Agencies have tended to have their greatest impact in those areas where international co-operation is clearly in accordance with the national interests of most of the member states. Notable examples of such achievements include the World Weather Watch Program of the World Meteorological Organization, and the WHO campaign for the eradication of smallpox. Less progress has been made in those areas where issues related to international conflict have intervened or where domestic political systems or power groups have apparently felt themselves threatened by proposed programs. With regard to unlawful interference with civil aviation, for example, ICAO has been able to adopt a comprehensive manual setting out guidelines on technical aspects of safety and security but has met with little success in its efforts to ensure prosecution of alleged terrorists. Efforts of the ILO, concerned with employment, or of the FAO, concerned with rural development, may at times be frustrated by domestic political interests opposed to income-redistribution policies and land reform.

In the past, the activities and orientation of the Specialized Agencies reflected the consensus of interests and at times even the ideological stamp of the major Western industrialized countries that were their principal founders and that, for a good many years, were able to mobilize comfortable majorities for their own proposals. In recent years, since the developing countries have become the majority, the focus has shifted in large measure to economic and social development and very recently to efforts at establishing a "new international economic order". As these countries define their goals and co-ordinate their tactics better, they will doubtless propose significant changes in the basic assumptions, specific programs, work priorities and even constitutional frameworks of some of the Specialized Agencies. How to adapt the Agencies and their programs to meet the demands for change that are being presented with

such urgency is the major issue confronting the states members of the Specialized Agencies. As will be seen in the next chapter, the issue presents itself even more clearly in the United Nations itself.

Economic Development

With a view to the creation of conditions of stability and
well-being which are necessary for peaceful and friendly
relations among nations based on respect for the principle
of equal rights and self-determination of peoples, the
United Nations shall promote:

(a) higher standards of living, full employment and con-
ditions of economic and social progress and development;

(b) solutions of international economic, social, health,
and related problems . . .

(Article 55 of the Charter)

Over the period of a generation since the adoption of the Charter, ever-
increasing attention has been given in the United Nations to problems of
the economic development of "developing countries" – those that for
various reasons have lagged far behind the industrialized nations. In
these 30 years, much has been achieved. Developing countries have
improved their basic infrastructure – railways, roads, bridges, ports and

power systems — and developed health and educational services and the skills of many of their people to provide the basis for higher levels of economic activity. In this they have been assisted by the various technical assistance and other aid programs of the United Nations and of individual states members of the organization. Despite this progress, however, an enormous gap remains between the economic levels of the rich one-third and the poor two-thirds of the peoples of the world. What is worse, the gap continues to widen. A somewhat simplified explanation of this unhappy circumstance is as follows:

> (a) for practical reasons it is rare for any nation, rich or poor, to increase its national income by as much as 10 per cent in any year;
>
> (b) if two countries have the same rate of increase in national income, a country with a population increase of 1 per cent will have a higher *per capita* increase than a country with a population increase of 3 per cent — and most developing countries have higher rates of population increase than developed countries; and
>
> (c) if two countries each have an increase of 5 per cent in average *per capita* income, there is an improvement of $10 *per capita* where the average income is $200, and $100 where the average income is $2,000 — and the disparity increases by $90.

Until recently, problems of development were discussed largely in terms of an aid relation. A call to do more was invariably interpreted as a call for more money for development programs. The contribution of donor countries to international development was still regarded as a response to a moral imperative.

That moral imperative has not changed, nor has the conviction, as U Thant put it, that "there is no acceptable alternative to international co-operation if mankind is to survive."* What is relatively new is a

*Address by the Secretary-General to the thirty-seventh session of the Economic and Social Council, July 16, 1964.

realization that direct assistance, while of short-term importance, deals mainly with the symptoms of economic malaise rather than with its underlying causes; that trade – on fair terms rather than on the unequal terms that have long prevailed – can be of much greater significance to developing countries than aid; that economic co-operation must take new forms if the gap between rich and poor is to be closed. There has been, moreover, a growing awareness not only of the injustice inherent in the widening differences between the economic levels of rich and poor nations but also of the grave dangers posed for all peoples by those differences. It is at the United Nations that the problems have been brought into focus. Indeed, to many observers it appears that since about 1960 the United Nations has changed from an organization preoccupied with peace and security to a body engaged primarily in a gigantic effort to redistribute from the rich to the poor not only food and other consumer goods that can make life tolerable – or survival possible – but also resources of capital and technology that can offer prospects of a brighter future for hundreds of millions of human beings. There may be some exaggeration in this – after all, the maintenance of peace is still of fundamental importance. It may well be true, however, that in the long run peace is unlikely to be maintained if the economic condition of the underprivileged majority of the world's people is not substantially improved as quickly as possible. Herein lies the most fundamental challenge now confronting the members of the United Nations.

In 1945, the men and women concerned with rebuilding a world shattered by two global wars and a catastrophic economic depression were aware of the need to build a new economic order as well as a system for ensuring peace and security. Prime Minister Mackenzie King put it this way at the San Francisco Conference:

> "It is ours to help to bring into being a world community
> in which social security and human welfare will become
> a part of the inheritance of mankind."

The planners of the new order were preoccupied with problems of postwar reconstruction, and with the need to ensure that international

co-operation would prevent a recurrence of the economic disasters of the 1920s and 1930s. They envisaged a system that would encourage a reduction of barriers to trade and a reinforcement of international monetary stability in a climate of continuous economic growth and international confidence.

The international economic system of the early postwar years was an amalgam of the prewar system and some new structures established in the United Nations, or in close association with the organization, to encourage and facilitate international economic co-operation. It was devised by representatives of developed countries who recognized that the international community should have some responsibility for promoting the economic advancement of the poorer countries but had little conception of the magnitude of the problems that would soon come to the fore. Within a very short time, economic development was a live issue in the United Nations. Within 20 years, owing mainly to the process of decolonization that has been described in Chapter Four, developing countries constituted a majority in the organization and were not only stepping up their demands for assistance in economic development but were beginning to articulate a demand for basic changes in the prevailing economic system that had been devised without their participation and with only minimal regard for their interests. Within 30 years, they had won widespread recognition by the developed countries of the need for fundamental changes. Meanwhile it had become apparent that the world trade-and-payments system was not even meeting adequately the needs of the developed countries whose interests it had been constructed to serve. Thus both developed and developing countries have an interest in reforming the system, though they have not reached agreement on the changes that should be made. It is clear, however, that a reconstructed system will have to serve world economic expansion and stability, which are essential to the welfare of all peoples, and at the same time ensure a rapid reduction in the great disparities between rich and poor countries. A great debate centres on the proposals of the developing countries for a "new international economic order".

The institutional framework

The institutions that were to distinguish the postwar economic system from the prewar system began to take shape in 1943, when the Second World War was still far from being won. In that year, the United Nations Relief and Rehabilitation Administration (UNRRA) was established, and the United Nations Conference on Food and Agriculture laid the foundations for the Food and Agriculture Organization (FAO). The following year, 1944, the Bretton Woods Conference drew up the articles of agreement for the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD). When the framers of the Charter met at San Francisco in 1945, they put into formal language principles that had already been agreed on, that one of the purposes of the United Nations should be the achievement of "international co-operation in solving international problems of an economic, social, cultural or humanitarian character" (Article 1), and that its functions should include the promotion of "higher standards of living, full employment, and conditions of economic and social progress and development", and "solutions of international economic, social, health and related problems" (Article 55). At the same time, as has been noted in Chapter Five, they made provision for the Economic and Social Council to direct the economic and certain other activities of the organization, and to co-ordinate the work of the FAO, the IMF, the IBRD and other Specialized Agencies. Shortly after the United Nations came into being, an effort to create a permanent international trade organization failed, but the General Agreement on Tariffs and Trade, concluded in 1947, has served ever since as a framework for international commercial relations.

United Nations assistance programs

Soon after its inception, the United Nations began to tackle the problem of economic development through aid programs that in the intervening

30 years have grown from modest beginnings to the network of sophisticated programs administered by the United Nations today; and the example of the organization has been followed by many countries in the elaboration of bilateral programs that, in sum, are greater than those of the United Nations itself.

Technical assistance to developing countries is now so integral a part of international co-operation that it is difficult to remember a time when it did not exist on any significant scale. Yet in 1946, when the regular budget of the United Nations first made modest provision for a co-operative transfer of skills, the notion of a systematic and sustained technical assistance program was an exciting departure in international thinking. Dr. Hugh Keenleyside of Canada was the first United Nations Commissioner for Technical Assistance. By 1949 it was apparent that the demand for expert skills from the United Nations and its affiliated agencies would require steadily-increasing resources and that the efforts of the United Nations and the Specialized Agencies should be financed where possible from one large central fund contributed voluntarily by member governments. Thus was the Expanded Program for Technical Assistance (EPTA) brought into being by the United Nations and the transition made from assessed to largely voluntary financing, following a pattern already established in 1946 for the United Nations Children's Fund (UNICEF).

The need for more assistance funds and a wider range of projects prompted the establishment in 1959 of the United Nations Special Fund. Whereas EPTA and the regular programs of the United Nations and its Specialized Agencies had been limited to the dissemination of skills by sending experts abroad and granting scholarships, the Special Fund was designed to undertake "preinvestment" assistance – developing large-scale projects to the point where capital assistance or investment from other sources would be attracted.

At the end of 1965, EPTA and the Special Fund, whose efforts had become virtually interlocking over the course of the years, were merged into a unified United Nations Development Program (UNDP), with

A Canadian mining engineer examines an ore sample from a silver mine in the course of a mining survey in Mexico undertaken by the Food and Agriculture Organization for the United Nations Development Program. (Photo: United Nations)

combined resources for 1966 estimated at close to $160 million ($9.5 million of which was contributed by Canada). The separate purposes of the two funds were maintained within the program until 1971. At that time, the Special Fund and the Technical Assistance components were completely merged and the Governing Council, instead of considering individual projects, commenced consideration of integrated country programs meshing with the development programs of the states concerned.

Canada has continued to support the UNDP as it has developed into the prime United Nations assistance program. By 1975, the total amount of annual pledges of financial support for the UNDP was more than $400 million, of which Canada contributed approximately $24 million. Canada supplemented its donation with a further $500,000 earmarked for assistance to the least-developed countries in recognition of their special problems.

Assistance bearing the United Nations label is a co-operative undertaking; each recipient government is expected to make some contribution to United Nations projects, whether a token payment towards local expenses or the lion's share of the total cost of a project. Many recipient governments, moreover, make at least token financial contributions to the international voluntary programs. Assistance from the organization and its agencies is granted only to governments, at their specific request. No political strings are attached; the only requirement for eligibility is that the receiving country be a member state of the United Nations or of a Specialized Agency, or a recognized dependency of a member state.

Finance for development

The realization by the participants in the Bretton Woods Conference of 1943 that special facilities would be required for the financing of reconstruction and development led to the establishment as a United Nations Specialized Agency of the International Bank for Reconstruction and Development (IBRD). Subsequently, in the light of experience, it was
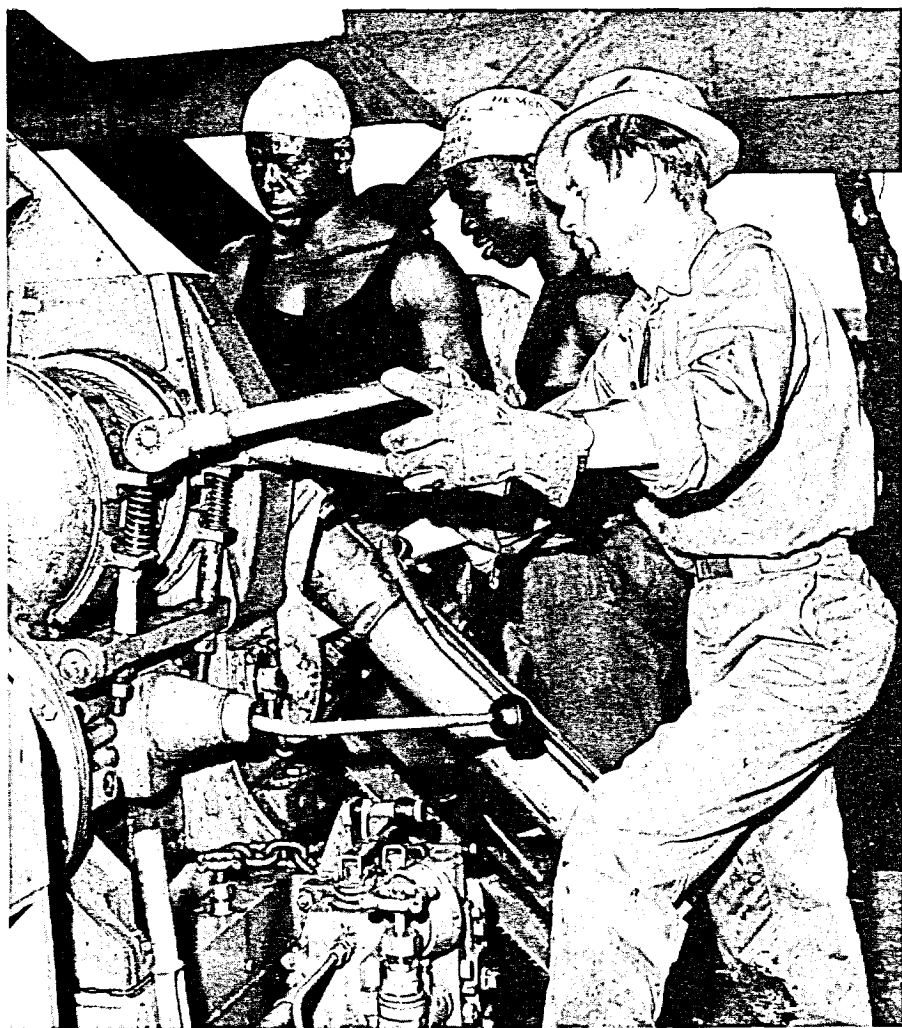
A Canadian member of a United Nations mineral survey team works the clutch and throttle of a drilling rig at Gagouali, Ivory Coast. (Photo: United Nations)

decided to establish two additional Specialized Agencies, the International Finance Corporation (IFC, created in 1957) and the International Development Association (IDA, set up in 1960).

The IBRD, with its two affiliates, is empowered to extend loans and credits to all member countries, especially developing countries, for projects that Bank studies have indicated will make an important contribution to the borrower's economic development. The three organizations differ essentially in the source of their funds and the terms of their loans. The IBRD obtains most of its funds from bond issues on world capital markets and it must, accordingly, lend on competitive terms. Canada's subscription to the IBRD's capital amounts to $942 million (U.S.), 3.7 per cent of the total. Since members pay in only one-tenth of their subscriptions, Canada's actual contribution to the Bank's lendable capital is $94.2 million (U.S.). The remaining nine-tenths of the subscriptions remain on call and constitutes a guarantee of Bank obligations.

The IDA relies on interest-free advances from governments for the bulk of its resources, and makes loans on highly-concessional terms. Its funds are replenished at three-year intervals. The fourth replenishment became effective in January 1975, and the resources committed amounted to approximately $4,500 million for the period 1975–77. Canada's contribution to this replenishment was $276 million, or over 6.1 per cent of the total. The total Canadian contribution to the IDA since it was established in 1960 amounts to almost $646 million.

The IFC seeks to promote the growth of productive private enterprise in developing member countries by facilitating loans on competitive terms without government guarantee. The total of gross commitments since the inception of operations is $878.5 million (U.S.). Canada's subscription to the IFC amounts to $3.6 million (U.S.).

Capital for development has also been mobilized through regional development banks, several of which were established as a result of discussions in United Nations bodies. Typical is the Asian Development Bank, which was created in 1965, backed by a Canadian pledge to contribute $25 million towards the initial capital target of $1 billion. Canada

has continued to support this organization with subscriptions to increase its capital assets and to augment its multi-purpose Special Fund and its Technical Assistance Special Fund. Canada has also contributed to the capital assets and special funds of the other regional development banks.

Food

With a view to alleviating the perennial problem of hunger, the United Nations and the Food and Agriculture Organization jointly established the World Food Program in 1963. Its resources are used in "food-for-work" development projects, emergency aid and assistance to disadvantaged groups. In the initial three-year period, contributions to the Program were approximately $100 million. The target for the current two-year period (1975–76) was fixed at $440 million. Largely as a result of a supplementary pledge by Canada, bringing its total subscription to approximately $190 million in 1975–76, this target has already been exceeded; indeed, by December 1975 the total amount pledged stood at $650 million. Canada, which has traditionally ranked second, behind the United States, has now become the largest contributor to the Program.

Under the auspices of the FAO, a World Food Conference was held in Rome in November 1974. The conference was called to deal with both the short-term problems of depleted world grain stocks, high prices for food grains, the high cost and shortage of fertilizers, and the longer-term problem of the projected situation up to and including 1985. One result of the conference was the establishment of the World Food Council, to co-ordinate policies relating to the production, sale and distribution of foodstuffs. Another result will be a new United Nations Specialized Agency, the International Fund for Agriculture Development, which is expected to come into existence in 1977. The proposed Fund is to be capitalized at approximately $1 billion, to be financed in roughly equal parts by industrialized countries, and by states members of the Organization of Petroleum Exporting Countries. Canada, as a major food-

producer, played an active role in the World Food Conference, and pledged an initial contribution of $33 million to the proposed International Fund for Agricultural Development.

In general, the programs of the United Nations and its associated agencies in relation to food aid and agricultural development have long-term objectives of helping developing countries to improve their agriculture and increase their food-production, and to prevent speculation in food on which mankind's future depends; short-term objectives are the avoidance of food shortages and, when the need arises, the alleviation of hunger.

The First and Second Development Decades: UNCTAD and the Group of 77

By the early 1960s, the original postwar approach to economic aid and co-operation no longer satisfied the majority of the member states of the United Nations, many of which not only were in need of economic development but desirous of complementing their newly-won political independence by ridding themselves of economic subservience. Their dissatisfaction led to increasing pressure for the organization to give more and more attention to development problems; one of the immediate results was the designation of the 1960s as the United Nations Development Decade. The purpose was to co-ordinate coherent and related measures to accelerate the development process and thus reduce the incidence of poverty, hunger, ignorance and disease. Particular attention was to be given to the mobilization of human resources, industrial development, promotion of exports, abolition or reduction of trade restrictions, provision of long-term development capital and the exploitation of natural resources. The average rate of increase in gross national product of the developing countries reached 5 per cent in the 1960s; but the high rate of population growth held down the rate of increase in income *per capita* to about 2.5 per cent.

In the course of the first Development Decade, spokesmen for the developing countries began to raise more and more insistently the need for improvements in the international trade-and-payments system. They pointed out that a decline in the world prices for their principal exports might easily undo the good effects of a substantial infusion of aid. They insisted that the traditional trade, monetary, investment and transport arrangements operated to the advantage of the developed countries and to the corresponding disadvantage of the poorer, developing countries – and that, accordingly, the arrangements should be reformed. The then Secretary-General, U Thant, noted in 1964 that "a change of political dimensions" had taken place "in the awareness of a need for a more organized international co-operation in the economic and financial field";* and, in the same year, the first United Nations Conference on Trade and Development (UNCTAD I) was held in Geneva. This was the first conference ever held for the express purpose of coming to grips with the trade and development problems of the developing countries of the world. It adopted 59 recommendations, covering a very wide range of principles to govern trade and aid relations, commodity problems and arrangements, measures to promote exports of semi-manufactured and manufactured goods, industrial development, economic aid and related financial questions.

Representatives of 77 developing countries attending UNCTAD I seized the occasion to draw up and sign the "Joint Declaration of Developing Countries" and to constitute the so-called "Group of 77". Now numbering close to 110 members, the Group of 77 has in the intervening years become a focal point for the creation of a co-ordinated approach by the developing countries to the whole range of economic issues confronting the world, both at the United Nations and elsewhere. The institutionalization of UNCTAD as an organ of the General Assembly responsible for promoting co-operation on trade and commodity questions in relation to the economic growth of developing countries represented one of the Group's first achievements. Another was the establishment in 1965 of the autonomous United Nations Organization for Industrial Development (UNIDO),

*Address to the thirty-seventh session of ECOSOC, July 16, 1964.

whose purpose is to promote the industrialization of the developing countries.

Sessions of UNCTAD held at New Delhi in 1968 and at Santiago in 1972 dealt with proposals regarding the terms of trade in commodities produced and exported by developing countries, a generalized scheme of preferences to be accorded by developed countries in favour of developing countries, a redefinition of the target of 1 per cent of the gross national product of developed countries for resource-flows to developing countries, monetary issues, the special problems of a group of "least-developed countries", and other questions. The discussions were at times acrimonious, and the results from the point of view of the developing countries were disappointing; but UNCTAD has demonstrated its value in clarifying their concerns and evolving a consensus on changes that should be made in the world economic system. Indeed, UNCTAD fulfils an essential role in providing continuing machinery for negotiations between developed and developing countries. The fourth conference of UNCTAD, held in Nairobi in May 1976, resulted in the adopting of 13 resolutions, covering a wide range of issues, such as the establishment of an integrated program for commodities, international assistance measures and the transfer of technology. It is generally agreed that UNCTAD IV marked an important step forward in the continuing co-operation between developed and developing countries.

Between the sessions of UNCTAD, its work is carried on by the Trade and Development Board (TDB), which was established as a permanent organ of UNCTAD reporting to the parent body and also to the General Assembly through ECOSOC. The Board has four main committees, dealing with commodities, manufactures, invisibles and financing relating to trade, and shipping. Canada is a member of the Board and its committees and has participated in their activities.

Despite intensive efforts, the first UN Development Decade witnessed an increase in the gap between rich and poor. Even though some leading developing countries achieved remarkable growth during the 1960s, the structural imbalances in the international economic system remained.
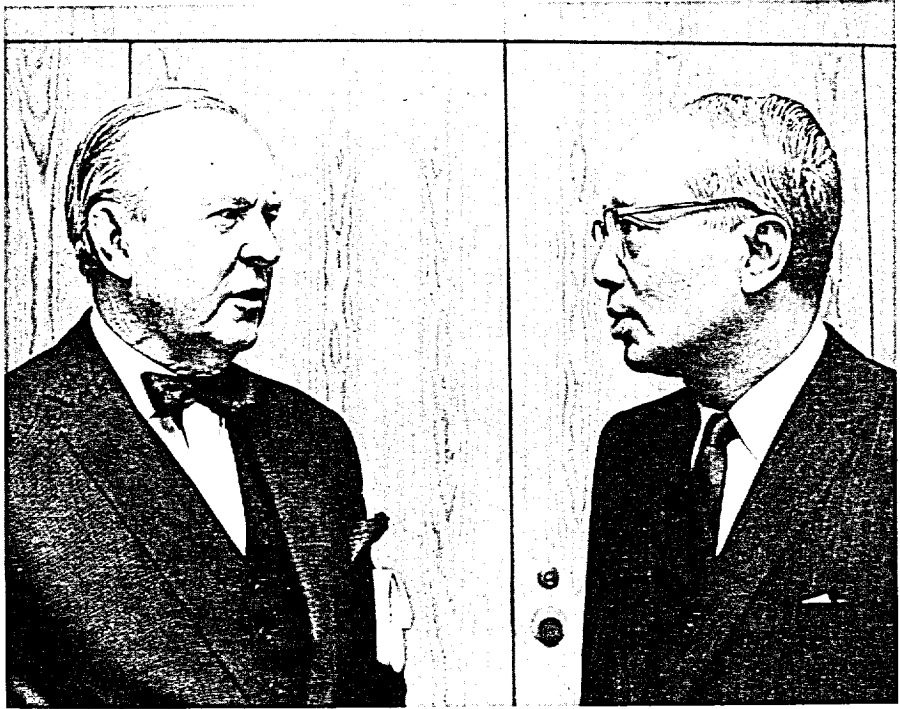
The Rt. Hon. Lester B. Pearson, head of an international commission established by the International Bank for Reconstruction and Development to examine the history of economic development and to propose principles that might be applied in the future, with Secretary-General U Thant, 1969.

During the course of the decade, various studies were conducted in an attempt to clear up conflicting theories as to the roles of economic aid, structural changes and the need for new institutions. An enquiry headed by a former Prime Minister of Canada, Lester B. Pearson, sought to propose a philosophy of international co-operation for development acceptable to both developed and developing countries. It reflected the growing disenchantment with the pattern of development fostered by foreign aid, and the continuing calls for a re-evaluation of the old system and its replacement by radically new institutions.

During the second half of the decade, intensive efforts were made to prepare an international development strategy for the 1970s. As a consequence, the General Assembly in 1970 unanimously proclaimed the Second Development Decade and adopted the International Development Strategy as a blueprint for action. The Strategy outlines tasks for both developing and developed countries. While recognizing the need for foreign aid (indeed, for an increase in the flow of development assistance from developed to developing countries), it emphasizes the importance of improved terms of trade as a means of providing countries with the foreign exchange required for the financing of much of their development. The Strategy established specific targets for economic growth, including: (a) an average rate of growth of 6 per cent in gross domestic product (5.9 per cent achieved from 1971 to 1974); (b) 3.5 per cent average annual *per capita* rate of growth (3.3 per cent achieved from 1971 to 1974); (c) at least 1 per cent of gross national product as the general development-assistance target for industrialized countries, including 0.7 per cent in the form of official development assistance (targets unfortunately met by few developed countries, whose average assistance in fact decreased between 1971 and 1974 from 0.34 to 0.32 per cent of gross national product); and (d) increase in agricultural production of 4 per cent *per annum* (a major area of shortfall, as the average annual rate of increase between 1971 and 1974 was only 1.5 per cent).

As a means to achieve these objectives, the International Development Strategy emphasizes the need for: (a) improved access to developed

countries' markets for the primary and processed exports of developing countries, with stable, equitable and remunerative prices (especially for primary commodities); (b) increased financing on more favourable terms; and (c) the increased application in developing countries of appropriate technology, with a view to expanding and diversifying production.

New international economic order

By the early 1970s the developing countries, dissatisfied with the meagre results of years of efforts to raise the living conditions of their peoples through assistance programs, began to adopt new tactics. They believed that UNCTAD, though still a useful and, indeed, necessary organ, had not succeeded in achieving its objectives because the existing economic system was biased against their interests. Accordingly, they demanded with increasing insistence a fundamental restructuring of international economic arrangements with a view to evolving a system that would more adequately meet their urgent need for more rapid economic development; and they made it clear that what they had in mind should not only not be biased against them but should positively discriminate in their favour.

The demands of the Group of 77 were crystallized at the Fourth Conference of Heads of State or Government of Non-aligned Countries held at Algiers in 1973, and were published in an "economic declaration". While not containing any fundamentally new conception, this document presented for the first time a comprehensive set of objectives for restructuring the international trade-and-payments system. In the spring of 1974 it inspired a Declaration and a Program of Action on the Establishment of a New International Economic Order, which were adopted without a vote by the sixth special session of the General Assembly. A complementary text, adopted by the General Assembly in December 1974, was called the Charter of Economic Rights and Duties of States. The principles set forth in these documents form the base upon which the developing countries intend to build a new international economic order (NIEO).

Proposals for a new international economic order are spelt out in the documents in a good deal of detail, but the main principles may be summarized thus: (a) the economic development of the developing countries cannot be accomplished without basic changes in the structure of the international economic system; (b) prices of commodities exported by developing countries must be stabilized at just and remunerative levels; (c) better access to markets for manufactured goods should be assured; (d) industry should be developed and diversified, and to this end access to technology should be provided on favourable terms; and (e) development assistance should be provided in increased volume and on better terms.

Many developed countries considered that some of the ideas embraced in the proposals for a new international economic order would not be workable and that the implementation of others would not be generally beneficial. For this reason, clear reservations were expressed at the time of the adoption of the Program of Action by the sixth special session. Moreover, the proposals for a new international economic order had been debated in an atmosphere of confrontation between developing and developed countries. While there was general determination on the part of developed countries to facilitate the process of development, there was wide disagreement on the degree to which the world system itself needed to be altered, or could be altered, for this or any other purpose. To some extent, of course, the atmosphere had been affected both by the world economic recession and by the decline in commodity markets that had characterized the last few years, and by bitterness on all sides surrounding differing views on oil and food prices, and the causes of world inflation. What was clear was that times were hard – and hardest perhaps for developing countries, particularly the poorest among them. While the Group of 77 had initially been in favour of broad and sweeping change, it became apparent in succeeding months to all concerned that any reconstruction of the world system would have to be exceedingly well prepared. It was particularly apparent that the process could only be undertaken with the co-operation of all countries and in the interests of

all countries. For this to be achieved, confrontation between developing and developed worlds would have to be abandoned.

The seventh special session of the General Assembly, on economic relations between developed and developing countries, which was held in September 1975, marked a dramatic change in the political atmosphere that surrounded the economic debate. As a consequence, a resolution (3362) was adopted without a vote, outlining action needed on all pertinent aspects of relations between developed and developing countries, and, where possible, assigning tasks to specific organizations such as UNCTAD, the International Monetary Fund, the Food and Agriculture Organization, the United Nations Industrial Development Organization and other institutions, and to multilateral trade negotiations under GATT. Much of the bulk of detailed negotiations of policy measures necessary to facilitate the development process will take place in these specialized forums. Nonetheless, it is clear that the nations of the world wish the United Nations to retain general responsibility for the realization of an international economic order that will serve universal interests.

Canadian attitude towards the new international economic order

The improvement in the atmosphere surrounding discussion of economic relations between developed and developing countries enabled the Canadian Government to overcome some of the initial reservations that accompanied the reaction to earlier, more militant, demands on the part of the Group of 77. Developing countries themselves had refined some of the more generalized objectives in the light of more detailed information and a better understanding of their possible implications.

In the Speech from the Throne on September 30, 1974, the Government indicated that Canada's contribution to international measures to aid developing countries would entail not only increasing the flow of develop-

ment assistance to such countries but also re-examining other policies that affected Canada's economic relations with them. This would involve adapting development aid to new needs and conditions, more trade, and, whenever feasible, more industrial investment, joint ventures, and transfers of technology on mutually-acceptable terms. The ways in which Canadian policies would be modified were spelt out in some detail in *Strategy for International Development Co-operation 1975–1980,* issued by the Government in September 1975.

During the course of 1975, a concerted effort was made by the Government to determine ways in which Canada could contribute to progress in structural reform of the world trade-and-payments system which would assist developing countries. Among the developed countries, it may well be that Canada is in a fairly privileged place to be able to contribute to progress in this direction. While Canada is a participant in the founding of the postwar economic order and a major industrial power today, it is nonetheless an exporter of commodities and raw materials, and a net capital and technology importer, and is able, perhaps more easily than some other industrialized countries, which have been colonial powers, to share the outlook of developing countries with which Canada has had sound and friendly relations since their independence.

In the early months of 1975, before the satisfactory conclusion of the seventh special session of the General Assembly, and when the atmosphere was still tense from the confrontation of the sixth special session, Prime Minister Trudeau and the Secretary of State for External Affairs, Allan J. MacEachen, both expressed the sympathy of the Government for the aspirations of the developing countries. In a speech at the Mansion House, London, on March 12, Mr. Trudeau said:

> "The demands of the developing countries have been carefully formulated and powerfully articulated. They reflect a sense of frustration and anger. Those countries seek no piecemeal adjustments but a comprehensive re-structuring of all the components – fiscal, monetary, trade, transport and investment. The response of the industri-

alized countries can be no less well-prepared and no less comprehensive in scope. But we should be very wrong and doing ourselves and our children a great disservice, if we regarded this process as an adversary one. We should be foolish as well, for solutions are not beyond our reach . . . . The human community is a complex organism, linked again and again within itself, and as well with the biosphere, upon which it is totally dependent for life. This interdependency demands of us two functions: first, the maintenance of an equilibrium among all our activities, whatever their nature; second, an equitable distribution world-wide, of resources and opportunities. The proper discharge of those functions calls for more than tinkering with the present system. The processes required must be global in scope and universal in application. In their magnitude, if not in their conception, they must be new. Of their need none can doubt."

On May 4, Mr. MacEachen spoke on the same subject at Port Hawkesbury, Nova Scotia, as follows:

"A call for a new international economic order has been made in the past year by the developing countries. This appeal is often made in strident tones caused by the frustration of years of economic stagnation and deprivation in a world in which prosperity and wealth continue in a kind of peaceful coexistence with poverty. There is confidence and unity in this demand by countries of the Third World for a new system that will place them, relatively, in a more advantageous position in the world's economy – not as recipients of the fruits of the voluntary generosity of the rich but as equal partners in, and benefactors from, the system itself.

"Their approach initially caused concern among many policy-makers in the developed world. The conception of

a new order implies the destruction, or at least the drastic reform, of the old. And yet it is clear to all perceptive observers of the international scene that we are already in the midst of a process of transition toward a new international economic order. This is a process in which the idea of interdependence has taken on a new and more balanced meaning. Not only are developing countries dependent on the industrialized countries in areas such as aid, technology and investment, but the industrialized countries are dependent on the developing countries, particularly in the area of natural resources.

"A new economic order need not imply rejection of all our institutions and our basic political and economic philosophies. It does mean change in our international economic system so that the greatest possible number of people will benefit from that system – so that, ultimately, peoples and nations will be able to live in greater dignity and in harmony, free from the oppression of poverty. If such poverty is not tackled by a responsive economic system, it will generate misery and conflict on a tragic scale in years to come."

Since that time, Canada has been in the forefront of nations working towards effective understandings on the issues involved in proposals for a new international economic order. Those issues were discussed in 1976 at a conference, held in Paris, on international economic co-operation, of which Mr. MacEachen was co-president. At the Paris conference, representatives of 27 countries, designated by all the industrialized and developing nations, sought understandings on general principles. It is hoped that such understandings will facilitate detailed negotiations in specialized organizations and meetings, all of them linked in one way or another with the Economic and Social Council and the General Assembly of the United Nations.

The coherent treatment of the proposals that has already taken place

has been made possible by the existence of a universal organization in which aspirations can be expressed and dealt with. In the process, problems of economic development have become the major concern of the United Nations, and activities in the economic sphere have come to absorb more than three-quarters of its budget and manpower resources. But the adoption of resolutions calling for a new international economic order does not solve the economic problems of the world. Rather, it confronts the United Nations – that is, the members of the United Nations – with a challenge to develop the proposals, to translate them into action that will result in fundamental changes in international economic relations, and ultimately in revolutionary changes in relative standards of living of the peoples of the world. For the developing countries, the challenge is to intensify the efforts that they are already making, with some outside help, to improve their own conditions. For the developed countries, the challenge is to identify, in co-operation with the developing countries, changes that should be made in the existing system of international economic relations – and then make them. It will not be an easy process. There will be genuine disagreement regarding the measures to be taken. There will be vested interests to overcome. There will probaly be frustration and impatience on both sides, and angry disputation from time to time. This is the kind of process that has produced positive results in the United Nations in the past. It is devoutly to be hoped that it will continue to produce positive results in the future. The immediate alternative – a continuation of things as they are – is something that the world will not tolerate indefinitely. The ultimate alternative is "misery and conflict on a tragic scale in years to come".

The Development
of International Law

The general Assembly shall initiate studies and make recommendations for the purpose of ... encouraging the progressive development of international law and its codification.

(Article 13, Paragraph 1, of the Charter)

The development and codification of international law has become one of the most important, though perhaps least publicized, functions of the United Nations. This function is performed through a variety of bodies, including: (1) the Sixth (Legal) Committee of the General Assembly; (2) the International Law Commission, established in 1947; (3) the United Nations Commission on International Trade Law, established in 1966; (4) United Nations conferences convened for the purpose of elaborating and adopting conventions; (5) *ad hoc* committees established by the General Assembly for specific tasks; and (6) the Specialized Agencies. The new and flexible techniques developed under the aegis of the United Nations since 1945 have supplemented and accelerated the slow, tortuous process by which, traditionally, international law has

evolved. The organization thus plays a key role in promoting the negotiation and acceptance of treaties establishing binding legal obligations in many fields of human activity, often reflecting new concepts responding to contemporary needs of states. As a result, principles that might earlier have taken a generation or longer to gain general acceptance – or might never have won approval – are developed, crystallized and accepted as international law in a remarkably short time.

The Sixth Committee of the General Assembly

The Sixth Committee considers agenda items on legal matters and prepares recommendations and draft resolutions for submission to the General Assembly in plenary meetings. In particular, it receives for prior consideration the annual reports of legal bodies such as the International Law Commission and the United Nations Commission on International Trade Law, and makes recommendations to the General Assembly regarding the guidance and direction to be given them for further work. In addition, the Sixth Committee itself occasionally embarks on the final preparation and negotiation of international conventions, such as the Convention for the Protection of Internationally Protected Persons, which was adopted in 1973.

The International Law Commission (ILC)

The International Law Commission was established and given its statute in 1947 by the General Assembly to promote the codification and development of international law. It is composed of eminent jurists from 25 countries, who sit in their personal capacity as experts on international law, rather than as representatives of governments. Elections are held every five years and, like elections to the International Court of Justice, are the object of extensive consultation designed to ensure equitable

distribution of the seats as between geographical areas and the main systems of law. Mr. Marcel Cadieux, then Legal Adviser of the Department of External Affairs, was a member of the Commission from 1961 to 1966. The Commission held its first session in 1949, and since then has prepared draft conventions and other texts on a number of international law topics, some chosen by the Commission itself and others referred to it by the General Assembly or the Economic and Social Council. Since 1949, the Commission has prepared drafts on the Declaration of Rights and Duties of States, on a Code of Offences against the Peace and Security of Mankind, on four law-of-the-sea conventions, on the law of treaties, on diplomatic and consular relations and, more recently, on the prevention and punishment of crimes against internationally-protected persons, on representation of states in their relations with international organizations and on succession of states in respect of treaties. The Commission is currently – early in 1976 – working on the law of succession of states in matters other than treaties, state responsibility, the most-favoured nation clause, treaties between states and international organizations, and the non-navigational uses of international water courses.

The United Nations Commission on International Trade Law (UNCITRAL)

In response to a widely-expressed desire that the United Nations play a more active role in reducing legal obstacles to the flow of international trade, the General Assembly established the United Nations Commission on International Trade Law in 1966. Canada has not yet sought membership on the Commission, which comprises 36 states, elected for six-year terms and representing the various geographic regions and the principal economic and legal systems of the world. The Commission submits its annual reports both to the General Assembly (through the Sixth Committee) and to the United Nations Conference on Trade and Development (UNCTAD). Since its creation, the Commission has directed its attention

to the international sale of goods, international payments, international commercial arbitration and interational legislation on shipping. The 1974 Convention on the Limitation Period (Prescription) in the International Sale of Goods is based on an UNCITRAL draft.

United Nations and other conferences

The General Assembly from time to time requests the Secretary-General to convene multilateral conferences of plenipotentiaries to negotiate conventions on the basis of drafts prepared by the International Law Commission, UNCITRAL or various *ad hoc* committees created by the General Assembly. Conferences convened in Vienna in 1961 and 1963 resulted in the adoption of conventions codifying the law concerning diplomatic and consular relations; and a conference held in 1968–69 adopted the Vienna Convention on the Law of Treaties. In 1975, a conference was held to consider the representation of states in their relations with international organizations. Of special interest to Canada have been the three United Nations conferences on the law of the sea.

The United Nations Conference on the Human Environment, held in Stockholm, in 1972, issued a Declaration on the Human Environment, containing important legal principles that have since found their way into binding treaty language for specific purposes (e.g. the London Dumping Convention) and are making their influence felt in the practice of states. The Governing Council of the United Nations Environmental Program (UNEP), which was established by the General Assembly as a result of proposals adopted by the Stockholm conference, has a continuing role in the development of environmental law, particularly in the areas of weather-modification and the conservation and harmonious exploitation of natural resources shared by two or more states.

International conferences not directly convened by the United Nations often report their proceedings to the organization, whose member states are thus enabled, in the course of debates in the Sixth Committee, to

influence the further work of such conferences. This has been the case with the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law, which was convened in 1974 by the Swiss Government in co-operation with the International Committee of the Red Cross to consider additional protocols designed to extend the basic protection offered to war victims by the Geneva Conventions of 1949.

United Nations special and *ad hoc* committees

The General Assembly has from time to time appointed or established special and *ad hoc* committees to study specific questions related to the development and the codification of international law. A Special Committee on Principles of International Law concerning Friendly Relations and Co-operation between States was first established by the Assembly in 1963 and reconstituted in 1965. It held sessions in 1964 and from 1966 to 1970, when it completed the drafting of a declaration elaborating seven principles of international law on the use of force, the peaceful settlement of disputes, non-intervention in domestic matters, sovereign equality of states, co-operation of states, right of self-determination and the fulfillment of states' obligations under the Charter. Canada was one of the 31 members of the committee from 1964 to 1970. The Declaration on Friendly Relations subsequently provided much of the groundwork for the elaboration of agreements outside the framework of the United Nations in the Conference on Security and Co-operation in Europe (CSCE).

Another committee constituted in 1962 by the General Assembly for lawmaking purposes was the Special Committee on the Question of Defining Aggression. This committee, which consisted of 35 member states (including Canada), held annual sessions from 1968 to 1974 with a view to elaborating a generally-acceptable definition of aggression that would serve as a guideline against which actions of states could be judged (and, if necessary, condemned). The adoption by the General Assembly in 1974 of a resolution recording a consensus on a definition

of aggression marked the end of a search that had begun under the auspices of the League of Nations in 1923.

In 1959, the General Assembly established the 37-member Committee on the Peaceful Uses of Outer Space. This committee, through its Legal Subcommittee, has an impressive record of achievement in the enunciation of principles and the development of conventions relating to activities in outer space. As a result of its work, four conventions have been adopted: the Outer Space Treaty (1967), the Agreement on the Rescue of Astronauts (1968), the Liability Convention (1972), and the Convention for the Registration of Objects Launched into Outer Space (1974). Canada, as a member of the committee, played a key role in the formulation of these instruments and since 1975 has been a party to each of them. It is currently working with other members of the Outer Space Committee to examine the legal implications of remote sensing of the earth from space and, with Sweden, has taken a joint initiative in proposing draft principles to govern direct television broadcasting by means of satellite.

Specialized Agencies

Several international conventions establishing rules of international law have been developed through the work of Specialized Agencies. Important examples are the three conventions on unlawful interference with aircraft (the Tokyo, Hague and Montreal Conventions) concluded under the auspices of the International Civil Aviation Organization (ICAO). Canada, now a party to these conventions, played a significant part in the discussions leading to their adoption.

The law of the sea

By far the most ambitious contribution being made through the United Nations to the development of international law is an attempt to incor-

Mr. Saul F. Rae, Permanent Representative of Canada to the United Nations, signs the Convention on the Registration of Objects Launched into Outer Space, February 14, 1975.

porate old and some entirely new conceptions in a comprehensive restructuring of the law of the sea.

Questions relating to the regulation of the oceans have engaged the attention of international lawyers for hundreds of years. An attempt in 1930 to codify the existing law of the sea failed when a conference at The Hague of 42 states was unable to agree even on the crucial question of the breadth of the territorial sea.

When the International Law Commission commenced its activities in 1949, it immediately began work on some aspects of the law of the sea, and eventually produced a set of more than 70 articles that served as a basis for the discussions at the First United Nations Conference on the Law of the Sea, which was held at Geneva in 1958. At that conference, delegations representing 86 states succeeded in reaching agreement on four basic conventions that were an important codification of the international law of the oceans. These four Geneva Conventions concern (1) the territorial sea and the contiguous zone, (2) the high seas, (3) fishing and conservation of the living resources of the high seas and (4) the continental shelf. Canada is a party to the Convention on the Continental Shelf.

The 1958 conventions left many important issues unresolved, including the questions of the breadth of the territorial sea and of a coastal state's exclusive fishing-zone. At the first conference, Canada put forward the new notion of a contiguous zone in which a coastal state would have exclusive jurisdiction over fishing. Initially Canada's proposal was for a three-mile territorial sea coupled with a nine-mile contiguous fishing zone. This was subsequently changed to a six-mile plus six-mile formula that failed by only one vote to secure the agreement of a required two-thirds majority of delegations at the unsuccessful Second Conference on the Law of the Sea in 1960.

Codification of the law of the sea then marked time until international interest in the potential new resources of the seabed was stirred following rapid advances in the technology of drilling and mining at great depths. In 1967, a debate took place in the General Assembly on the proposal of

Ambassador Arvid Pardo of Malta that the resources of the international seabed should be treated as the "common heritage of mankind". As a result of the discussion, the General Assembly established the Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the limits of National Jurisdiction, first on an *ad hoc* basis and then as a permanent committee of 42 members. On the basis of the committee's work, the General Assembly adopted in 1970 the very important Declaration of Principles Governing the Seabed and the Ocean Floor, and the Subsoil thereof, beyond the Limits of National Jurisdiction, preserving the area and its resources (mainly nodules rich in nickel, copper, cobalt and manganese) as the "common heritage of mankind" and stipulating that activities in the area should be conducted for exclusively peaceful purposes.

Also in 1970, the General Assembly decided that the time had come to hold a Third Law of the Sea Conference to undertake a comprehensive review of the existing law and to bring it into line with current political, economic, technological and social realities. Realizing that the issues of the international seabed could not be solved in isolation, the Seabed Committee, as it came to be called, whose membership had increased to 92 countries, was converted into a preparatory commission with the broader task of preparing for the third conference.

In view of the stalemate that had developed in the 1960s in the codification of the law of the sea, the Canadian Government decided to take certain steps that, as it turned out, had an important catalytic effect on the development of the law of the sea. In order to protect essential national interests, a three-mile territorial sea and nine-mile exclusive fishing-zone were established in 1964. In 1970, the territorial sea was extended to 12 miles and exclusive fishing-zones were created by drawing fisheries closing-lines across the mouths of the Gulf of St. Lawrence and the Bay of Fundy, and in certain areas off the Pacific coast. In 1970, Canada also took action to protect its extremely vulnerable Arctic marine environment by enacting the Arctic Waters Pollution Prevention Act.

Since its formal opening in 1973, the Third Conference on the Law of the Sea has been confronted with the mammoth task of reconciling

Seated at the table during a press interview held on March 18, 1976, on issues before the Third United Nations Conference on the Law of the Sea are (right) Allan J. MacEachen, head of the Canadian delegation to the conference and at that time Canada's Secretary of State for External Affairs, and J. Alan Beesley, deputy head of the Canadian delegation.

the interests of nearly 150 states and reflecting the widely-divergent perspectives on more than 100 different but interrelated issues of the coastal states, landlocked states, shipping and maritime powers, and technologically-developed and -developing countries. The task is formidable, but a successful outcome would mean that for the first time in human history a comprehensive legal regime governing the seas and the seabed would be recognized almost universally. The conference's work centres on two ideas that seem almost revolutionary when compared to traditional doctrines of the law of the sea: first, a 200-mile economic zone reserved to coastal states, including a 12-mile territorial sea and a 188-mile extension for specific jurisdictions, such as over fisheries and non-living resources (minerals and oil), as well as for the preservation of the marine environment; second, the principle of the "common heritage of mankind" applying to the resources of the seabed beyond national jurisdiction, which would be administered by an International Seabed Authority.

The third conference had its first session at Caracas in 1974 and its second at Geneva in 1975. The third session is being held in New York in 1976. No country has more national interests at stake in the success of the conference than Canada, in view of the extent of its coastline, the breadth of its continental shelf off the Atlantic coast, the dependence of its coastal communities on fishing for their well-being, and the highly vulnerable balance of nature in its Arctic waters. Accordingly, Canadian delegations have participated actively and creatively not only at the sessions of the third conference but in formal and informal discussions that have taken place in the General Assembly, in its Sixth Committee, and elsewhere. Canada's aim is to achieve a comprehensive code that will represent an equitable accommodation of the many interests involved and that, above all, will be workable.

The importance and effectiveness of Canada's role in the Third Conference on the Law of the Sea has been recognized by the election of Mr. J. Alan Beesley, Deputy Head of the Canadian delegation, as Chairman of the Drafting Committee.

Prospects for further development of international law

Although progress in the development and codification of international law under the aegis of the United Nations has been impressive, there remain areas where the fabric of international law is clearly in need of reinforcement, but where the international community has been unable to reach agreement on what the law should be. Some examples are the treatment of foreign investments, procedures for the peaceful settlement of disputes, and measures to combat international terrorism.

As has already been noted in Chapter Six, Canada participated actively in the negotiations that led to the adoption by the General Assembly in 1974 of the Charter of Economic Rights and Duties of States. It shared the basic objectives of the sponsors of the Charter but, in the end, in company with other members of the United Nations, was unable to support some of its key articles, including one that purported to establish the right of a state to nationalize foreign property without any reference to the applicability of international law. Canada accordingly expressed disappointment that it was not possible to reach general agreement on a charter that might have been a basis for the positive evolution of international law.

Recurrent efforts to promote wider acceptance of arbitration, mediation, conciliation and other peaceful means of settling disputes have encountered resistance by many states that have indicated a preference for direct negotiation of differences (or if necessary confrontation) and a corresponding unwillingness to submit to third-party procedures. Initiatives intended to encourage greater resort to various kinds of peaceful settlement were taken in the General Assembly — for example, by Britain in 1965 and by Australia in 1975 (in each case supported by Canada) — but they foundered on the resistance of states unwilling to appear to surrender an element of sovereignty.

Canada actively supported the initiative of Secretary-General Waldheim in placing international terrorism on the agenda of the General Assembly in 1972, following several shocking acts of terrorism, including the attack

that year on Olympic athletes at Munich; and it accepted membership in the United Nations Committee on International Terrorism established by the General Assembly. The committee met during 1973, but was unable to reach agreement on measures to combat terrorism. Its work was crippled from the outset as a result of the highly-ambiguous terms of reference imposed by a majority of the General Assembly (and opposed by Canada), which enabled certain delegations to divert the committee from the problem of acts of terrorism by individuals or groups to a wide-ranging debate about Israeli-Arab questions and Rhodesian and South African policies, which were already under consideration in other forums.

Against this background, it is clear that current international disputes preoccupy many member states to a degree that sometimes makes it difficult for them to sustain the balanced, long-range approach necessary to the further development of rules of international law. These political and doctrinal disputes cast their shadows over many areas of activity in the United Nations. Nevertheless there is widespread confidence in the continued vitality and relevance of lawmaking in the United Nations system as a whole. There is widespread recognition of the importance of being selective in identifying opportunities to build on past achievements, and to choose areas for codification or progressive development where legal norms are both desirable and broadly acceptable. Legal solutions to international problems can be expected to reflect the growing awareness of the interdependence of states, not only in such fields as the law of the sea and the law of outer space but also in other significant areas, such as the rational management of the earth's resources under the pressures of new technology and the development of an international economic system that will lead to a more equitable distribution of these resources.

The International Court of Justice

No account of the development of international law under the aegis of the United Nations would be complete without a reference to the organ-

ization's principal judicial organ, the International Court of Justice, whose origins and functions were described briefly in Chapter One.

The 15 judges of the Court are elected on the basis of their legal and other qualifications, and are to be chosen in such a way as to assure "the representation of the main forms of civilization and of the principal legal systems of the world". As a result of this requirement, the geo-political qualifications of candidates have tended to receive as close scrutiny as their legal or judicial abilities, and elections to the Court have been the occasion of intensive bargaining between states presenting candidates from the same geographical region. Geographical representation on the Court has remained stable in the last two elections and tends to parallel representation in the Security Council. It includes nationals of four of the five permanent members of the Security Council; there has been no Chinese member of the Court since 1966. A former Legal Adviser of the Department of External Affairs, Dr. John E. Read, was a "founding member" of the Court and served on it from 1946 until his retirement in 1958.

The International Court can help in two ways "to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace". In the first place, it may adjudicate a dispute submitted to it by the parties, or may do so in exercise of its compulsory jurisdiction; in the second place, it "may give an advisory opinion on any legal questions" requested by the Security Council or other appropriate United Nations body.

The jurisdiction of the Court is compulsory only for states that have expressly recognized it as such. At the end of 1975, 45 states were accepting the compulsory jurisdiction of the Court. Between 1951 and 1975, nine other states had withdrawn their declarations of acceptance of compulsory jurisdiction without filing new ones. Most of the acceptances are qualified by exceptions and reservations. Canada had accepted the jurisdiction of the Permanent Court of International Justice in 1929 with reservations concerning: (a) disputes for which some other method of

peaceful settlement has been provided; (b) disputes with members of the Commonwealth; and (c) disputes falling within the domestic jurisdiction of Canada. A like declaration of acceptance was filed with the new International Court of Justice, but in 1970 Canada terminated its original declaration of acceptance and deposited a new declaration containing a further reservation concerning (d) disputes arising out of or concerning jurisdiction or rights claimed or exercised by Canada in respect of the conservation, management or exploitation of the living resources of the sea, or in respect of the prevention or control of pollution or contamination of the marine environment in marine areas adjacent to the coast of Canada.

Canada has not been directly involved as a party in any disputes before the Court, but exercised its right to present both oral and written statements when the Court was called on to render an advisory opinion to the General Assembly on whether or not certain expenditures of the United Nations to cover peacekeeping operations constituted "expenses of the Organization" within the meaning of Article 12(2) of the Charter. In 1947, Canada supported a resolution of the General Assembly to the effect that the Court was competent to render an advisory opinion on the interpretation of the Charter.

Since the inception of the Court, 43 contentious cases have been submitted to it, the latest (as of early 1976) being fisheries-jurisdiction cases brought by Britain and the Federal Republic of Germany against Iceland and nuclear-test cases brought by Australia and New Zealand against France. In addition, the Court has given 15 advisory opinions, the most recent concerning the legal status of the Western Sahara and of its ties with Morocco and Mauritania.

The volume of business is far below the capacity of the Court. Among the reasons for this state of affairs are the existence of other peaceful means of settling disputes, the fact that many disputes are not of a kind that can be resolved by determination of legal rights and wrongs, the feeling of some states that hailing another state into court is in itself an unfriendly act rather than an expedient means of settling

a difference, and the lingering reluctance of many sovereign states to submit themselves to the compulsory jurisdiction of the Court or, indeed, to submit a particular case to its adjudication. It should be mentioned also that many newly-independent countries have been unwilling to submit to the Court territorial disputes deriving from their colonial past; for example, Indonesia, though often urged in the General Assembly and elsewhere to take to the Court its dispute with the Netherlands over West New Guinea, preferred instead to press its case politically rather than as a strictly juridical claim.

From 1970 to 1974, the Sixth Committee of the General Assembly reviewed the role of the Court in debates that achieved consensus on a reaffirmation of the importance of the Court as the principal judicial organ of the United Nations, and of the desirability that more states consider accepting its compulsory jurisdiction. Underlying this consensus, however, were expressions of major differences of attitude towards the Court. The socialist states of Eastern Europe, led by the U.S.S.R., were firm in resisting the jurisdiction of the Court and efforts to enhance its role; and some developing states, particularly in Africa, expressed dissatisfaction with what they regarded as the status-quo orientation of the Court, its reliance on traditional sources of international law, and its reluctance to regard declarations and resolutions adopted by the General Assembly as new sources of such law.

The use of an international court to settle disputes between sovereign nations is still at an early stage of development. As progress is made in developing and codifying international law through the adoption of universal conventions, the need for uniform interpretation of the conventions will increase and may result in more frequent recourse to the Court. Future use of the Court is likely to be affected one way or another by a decision to be taken at the Third United Nations Conference on the Law of the Sea either to establish, or not to establish, a special Law of the Sea Tribunal.

Finance and Administration

The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

(Article 17, Paragraph 2, of the Charter)

In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization . . . .

(Article 100, Paragraph 1, of the Charter)

The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

(Article 101, Paragraph 3, of the Charter)

The structure of the United Nations, the way it is financed and functions, and the human and other resources placed at its disposal by member states are clearly central to its success in fulfilling the purposes of the organization. It is for this reason that Canada, with other member states, takes a keen interest in the sometimes controversial questions of United Nations budgeting and program management, and in the attributes and performance of the Secretariat.

Member states exercise financial and administrative control through the General Assembly – more particularly through its Fifth Committee, which deals with administrative and budgetary questions. Canada's main interest in these matters arises from a desire to ensure that the United Nations is an effective and efficient organization, capable of fulfilling the purposes set forth in the Charter or subsequently agreed on. There is, however, the added fact that the United Nations is big and growing bigger, and therefore requires careful control. Regular budget expenditures covered by assessment of member states were about $19 million (U.S.) in 1946 (the first budget year), and had grown to $107 million (U.S.) by 1965. Partly as a result of inflation and currency instability, but also because of a steady expansion in programs, the corresponding 1975 expenditures have reached an estimated level of $441 million (U.S.). In 1975, an added expense, paid for by assessment of member states, was the amount of $80 million (U.S.) appropriated for the UNEF/UNDOF peacekeeping operations in the Middle East.

Canada paid during 1975 the sizable amount of $11.4 million for both the regular budget of the United Nations and the United Nations peacekeeping operations in the Middle East. Its share of the total amount assessed on member states was 3.18 per cent. Assessment rates are revised by the General Assembly, normally every three years, to take into account changes in the economic capacity to pay of member states, admission of new members and several other factors. Canada's voluntary contributions to the UN-related programs and activities, including the UN Development Program, the UN Environment Program, the United Nations High Commissioner for Refugees, the United Nations Children's

Fund, the United Nations Relief and Works Agency for Palestine Refugees, food-aid programs, the peacekeeping force in Cyprus (UNFICYP) and several others, amounted to $37 million in the 1974–75 fiscal year. The combined total amount of both assessed and voluntary contributions by Canada to the United Nations and its related programs and activities between 1945 and March 31, 1975, is approximately $580 million. Approximately $110 million was contributed in the same period to the Specialized Agencies. (A table giving some details of Canada's contributions since 1945 is to be found in Appendix One at the end of this book.)

Among the numerous administrative and budgetary questions that are dealt with annually in the General Assembly, there are two that, because of their political content and fundamental importance to the well-being of the organization, have, in one form or another, engaged Canada's particular attention over the years. These are the financial problems of the organization and a search for their solution, and the role and character of the international civil service.

Financial problems

The first major difficulty arose as a result of the refusal of 35 member states to pay the part of their assessed contributions attributed to peacekeeping operations either in the Middle East (UNEF I) or in the Congo (ONUC) or both (the problem has already been discussed in Chapter Two). It is sufficient to recall here that the Soviet Union and France were among the countries that withheld part of their contributions, and that the organization met the immediate difficulty by selling bonds, and by obtaining voluntary contributions from a number of countries (including Canada, which contributed $4 million). Unfortunately, neither the United States nor the Soviet Union agreed to contribute, each waiting for the other to make the first move. The $37 million (U.S.) collected in voluntary contributions fell far short of the amount required to over-

come the financial difficulties of the organization. As a result of the refusal of some countries to pay those parts of their assessed contributions attributable to the amortization of the bonds and to certain programs, and of the withholding by four countries, including China, of their assessed contributions for the current peacekeeping operations in the Middle East (UNEF II and UNDOF), the United Nations is faced in 1976 with a mounting deficit. Already, the deficit exceeds $100 million, and is likely to increase at a rate of $10 million or more annually if a remedy is not found soon. Meanwhile, the organization has had to borrow, on a short-term basis, increasing amounts from several funds in the custody of the Secretary-General in order to meet its current obligations.

Canada has participated actively in the work of various committees that have been set up from time to time to seek remedies for the financial problems of the United Nations. Though the committees have failed to resolve the basic problem, they have formulated proposals for improving the functioning of the organization, agreed on a definition of the components of the deficit, and encouraged such states as France, Japan and the United Arab Emirates to join the list of voluntary contributors. France, moreover, discontinued its practice of withholding that part of its assessed contribution attributable to amortization of the bond issue.

The financial difficulties facing the United Nations are compounded by the practice of some states of paying part of their assessed contributions for the United Nations Program of Technical Assistance in national currencies that are for practical purposes almost unusable. This practice is symptomatic of a deep-seated controversy over the financing of programs that are undertaken as a result of the exercise of the voting power of the majority and paid for mainly by the developed countries that are in the minority. It has appeared all too frequently to the developed countries that are the major contributors that many activities financed under the regular budget contribute little to the social and economic advancement of mankind – and, indeed, that they have merely served the purposes of political confrontations at meetings devoted to

repetititive and unproductive debates. Fears have been expressed that, if the proliferation of activities of doubtful value is not checked, the traditional withholders of assessed contributions may be joined by developed countries that have hitherto been staunch supporters of the United Nations. It is worth noting that, in 1974 and 1975, the United States made smaller voluntary contributions than had been anticipated to the United Nations Development Program, thus expressing its displeasure with member states that in United States eyes are insensitive to its positions on various issues and abuse their voting power for excessive budgetary growth.

Canada shares the objections of other developed countries to assuming a heavy share of the burden of programs with unrealistic economic and social targets. It would welcome a transfer of the technical-assistance program to voluntary financing. And yet it is, and for long has been, sympathetic to the concerns of the developing countries and tries not to lose sight of their side of the case. To the developing countries, which account for the overwhelming majority of the world population, the main purpose of the United Nations is to put an end to a system of political, economic and social subjugation that springs from self-centred policies of the wealthy countries. To them, the goals of economic and social progress seem well beyond the horizon and the use of their voting power to wrest advantages from the wealthy minority has seemed to be entirely justified.

When differences were pressed to a point at which a real financial crisis loomed, a search for a compromise began. On the initiative of a large group of moderate member states, including Canada, the General Assembly in 1975 reaffirmed the collective responsibility of member states for the sound financial condition of the United Nations and created a 54-member intersessional committee charged with the task of bringing about a comprehensive settlement of the critical financial situation of the organization. The two preceding attempts to tackle the financial problems of the United Nations relied on small bodies dominated by developed countries with a high level of expertise in finance

and management. The current attempt reflects increased concern on the part of developing countries for the financial health of the organization. This, in turn, provides grounds for hoping that an understanding will be reached setting limits to the kinds of program to be undertaken and to the level of the budget, and that as a result the practice of withholding contributions will cease.

It should, perhaps, be mentioned that the assessed contributions of developed countries like Canada are not great in relation to their respective national budgets. They are generally willing to pay their fair share of what they regard as the legitimate expenses of the organization but object in principle to paying for programs that, in their view, are economically or socially unproductive, contrary to their political interests, or not in harmony with the purposes of the United Nations.

International Civil Service

The first major crisis for the Secretariat arose in 1952 in the wake of the agitation led by Senator Joseph McCarthy over Communist-directed subversion in the United States. Allegations against some United States citizens who were members of the Secretariat, several of whom refused to testify before the Senate Internal Security Sub-committee, prompted the first Secretary-General, Trygve Lie of Norway, to tender his resignation, though he carried on for five months until April 1953, when his successor, Dag Hammarskjold of Sweden, was sworn in. To avoid a serious break with the United States, Mr. Lie appointed a three-man International Commission of Jurists, which advised him, among other things, to dismiss a staff member or refuse employment if there were reasonable grounds to believe that the individual was engaged in, or was likely to be engaged in, subversive activities against the host country. In Canada, these recommendations were not well received because they appeared unfair and threatened the automatic application of the host country's standards of employability to the international civil service.

Canadian policy recognized the host country's right to protect itself against threats of subversion, but expressed the feeling that, in this case, the threat had been exaggerated and that the attacks on the Secretariat should be resisted. The Canadian view at the time was that it did not appear that, in the performance of their official duties, members of the Secretariat presented a security risk to the United States. At the seventh session in 1953, Paul Martin said that it was ". . . not just nor reasonable that an employee should be dismissed on the sole ground of having refused to answer questions, the answers to which might incriminate him". Canada joined with other delegations in requesting the Secretary-General to base any action on the relevant principles of the Charter and to consult the Advisory Committee on Administrative and Budgetary Questions, as well as the heads of the Specialized Agencies, in reaching his decision. While several employees were dismissed as security risks in the aftermath of American protests, the controversy eventually died down with a change in the political atmosphere in the United States.

The second major crisis that confronted the international civil service is identified with the Soviet *troika* proposal to replace the Secretary-General. This proposal was made following the crisis in the Congo (now Zaire) and the United Nations operation there to restore internal order (discussed in Chapter Two). In August 1960, the Soviet Union had voted for a resolution confirming the authority already given to the Secretary-General for action in the Congo, and entrusting additional responsibilities to him. In September, however, Chairman Khrushchov made a public attack on Mr. Hammarskjold in the General Assembly and requested his replacement by a collective executive organ consisting of persons representing respectively the states of the Eastern European bloc, the Western group and the developing countries. The stated purpose of this demand was to ensure that the work of the United Nations would not be carried out to the detriment of any one of these groups of states. The Soviet Union no doubt was seeking to prevent a growth in the influence of the Secretary-General resulting from a

development of the independent powers and functions granted to him under the Charter.

The action of the United Nations in intervening to restore and maintain order in the newly-independent Congo was inspired in large measure by Mr. Hammarskjold. The Soviet Union was not alone in having reservations regarding it and the expansion of the role of the Secretary-General that it represented. Although there was a widely-held view in 1960 that some organizational changes in the Secretariat were desirable, the *troika* proposal had virtually no support outside the East European bloc. During this period, Canada firmly supported the Secretary-General, his actions and his interpretation of the Charter provisions regarding the powers and functions of his office. Canada rejected the unjust and intemperate attacks on him, and opposed the bizarre Soviet proposal. Basically, Canada was fully in accord with the functions of the United Nations Force in the Congo and welcomed the role the United Nations was assuming.

Throughout 1961, at least until the tragic death of Mr. Hammarskjold in an aircraft crash on September 19, the Soviet Union pursued its campaign against him. The attacks spread even into the debates of the Specialized Agencies. Thereafter, they began to subside. The Soviet Union did not attempt to block by veto in the Security Council the election of U Thant of Burma as Acting Secretary-General to complete Mr. Hammarskjold's term of office or his subsequent election as Secretary-General. Canada warmly supported U Thant's appointment and was pleased that he was able to assume office without having to sacrifice any of the authority required for discharging his heavy responsibilities. Neither U Thant nor his successor, Kurt Waldheim, was able, however, to pursue the course set by Mr. Hammarskjold. Political realities have not lent themselves to the type of initiatives by the Secretary-General that the situation in the Congo demanded.

Another issue that has engaged member states since the early years of the United Nations has related to the equitable distribution of Secretariat posts among their nationals. The Charter provides that due

regard should be paid to the importance of recruiting staff on as wide a geographical basis as possible. It does, however, leave no doubt as to the paramount consideration in the employment of the staff and in the determination of the conditions of service, which "shall be the necessity of securing the highest standards of efficiency, competence, and integrity". To achieve this paramount goal, the Secretary-General, in the early 1950s, increased the number of permanent appointments from about one-third to about three-quarters of the staff. Canada supported this policy since, in its view, it helped to give effect to the Charter conception of an independent, highly-professional, international civil service. The predominance in the Secretariat of nationals of Western countries gave rise, however, to ever-increasing political pressure for the recruitment of nationals from the under-represented countries. The cause of these countries has been supported by the Soviet Union, which, for its part, has advocated the setting of geographical quotas for recruitment. The majority has refused to support quotas as a means of accelerating the achievement of a geographical balance on the ground that such an arrangement would deprive the Secretary-General of much of his independence in personnel questions. While quotas have not been established, the General Assembly has approved a "desirable range" for the number of Secretariat posts allotted to each member state. The use of the desirable ranges in recruiting staff is complicated by the recent additional requirement to hire more women and to improve the geographical balance of senior staff. In principle, Canada supports the idea of geographical distribution of Secretariat posts, subject, however, to the paramount consideration of ensuring efficiency, competence and integrity. In fact, because of practical difficulties, progress in balancing the composition of the Secretariat has been slow.

The composition of the Secretariat is a perennial subject of debate in the General Assembly. Member states that are under-represented have varying reservations regarding a career international civil service, or, like the Soviet Union, advocate a rotational service with fixed-term appointments and continually maintain their pressure for rapid adjust-

ments in the Secretariat's composition. Others, including Canada, reiterate the paramount Charter provisions, encourage the adoption of measures to strengthen the Secretariat and stress the need for efficiency and effectiveness. They encourage the adoption of measures to strengthen the Secretariat and support improvements in the terms and conditions of employment intended to make service in the Secretariat more attractive.

Canada welcomes the presence of its nationals in the international civil service. Over the years, many Canadians have served in the United Nations in all grades, including some of the most senior positions.

A recent far-reaching measure of the General Assembly has been the creation of the International Civil Service Commission. This body, composed of 15 members appointed in their personal capacity, started its work in the spring of 1975. The Commission regulates and co-ordinates conditions of service not only in the United Nations proper but also in all those Specialized Agencies in the so-called United Nations Common System that accept the statute of the Commission. The Commission, among other matters, makes recommendations on conditions of service, salaries, allowances and benefits, standards and practices of recruitment, career development, and development of staff regulations. Its aim is the development of a single, unified international civil service through the application of common personnel standards, methods and arrangements.

Over the years, the Secretariat, built on principles enshrined in the Charter, has been strengthened by experience and by the struggle to resist encroachments on its independence. Its expertise, and the services it has provided to member states, have made an invaluable contribution to the conduct of multilateral business, which increases year by year in volume and complexity.

A Centre
for Harmonizing the Actions
of Nations

To be a centre for harmonizing the actions of nations in
the attainment of these common ends.

The Fourth Purpose of the United Nations
(Article 1, Paragraph 4, of the Charter)

The achievements of the United Nations clearly reflect the success of
the organization as a centre for harmonizing the actions of nations.
It would be oversimplifying, however, to state that the failures of the
UN reflect the failure of the organization to fulfill its "Fourth Purpose".
In some cases this may be so. In many other cases, however, apparent
failures are at least partial successes; the situation might have been
worse if the United Nations had not existed and there had been no
multilateral attempt to find a solution. It should always be borne in
mind, moreover, that the United Nations has no independent life of
its own; rather, it is a useful mechanism through which its sovereign
members may or may not try to act together. Thus the last 30 years
reveal that its major successes occurred when the member states acted
positively to harmonize their actions. Its major failures occurred when
they did not do so.

It is easy to produce evidence that at times the United Nations is a centre for noisy discord, a sterile international debating society. Taken in isolation, some of the resolutions of the General Assembly and other organs appear frivolous or irrelevant. Such resolutions may, however, be steps in a long, indirect process by which the member states gradually define a problem or sharpen an issue and simultaneously grope their way towards a solution. A prime example of the process is the way in which the United Nations has dealt with the problem of economic development – a major preoccupation of the organization for the 30 years it has been in existence. Millions of words have been spoken and written on it, thousands of hours have been devoted to discussing it, and hundreds of resolutions have been adopted; the problem has been defined and redefined; and there has been a gradual evolution in the general strategy and the particular tactics for attacking the problem.

Some of the successes of the United Nations are achieved without any formal action being taken. Debates may serve to clarify an issue and lead to a better understanding of a problem. Even more important may be what goes on behind the scenes; a fruitful decision is almost invariably the product of consultation among representatives of regional and other groupings, whereas a decision taken after an angry confrontation between an inflexible majority and a determined minority is rarely of lasting value. The organization does, indeed, serve as a centre where actions of nations may be harmonized if there is a sufficient mutual interest to induce the flexibility, the spirit of compromise, that is necessary if actions are to be harmonized. The very existence of the United Nations, where national representatives may be called on to defend their governments' actions, exerts a salutary influence on national governments. Participation in meetings of United Nations bodies educates and broadens the outlook of political leaders and government officials, and has a subtle influence on habits of thought. The organization provides concrete, physical centres where national representatives meet one another and frequently resolve bilateral issues that might otherwise have grown

to become more extended international problems. Though far from perfect, it has become an essential part of the machinery for the conduct of bilateral as well as multilateral relations among states.

Since 1945, the various organs and Specialized Agencies of the United Nations have dealt with a great variety of matters. Efforts to promote peacemaking, through the creation of an effective mechanism for the peaceful settlement of international disputes, and efforts to promote disarmament have been only partially successful; but, through the peace-keeping techniques that have been developed, many conflicts have been localized and otherwise limited or even ended. Thanks very largely to action that has been co-ordinated in the United Nations, hundreds of millions of people have been able to exercise the right of self-determination. The organization has provided the forums in which international economic action has been organized both through permanent institutions and special conferences. In the United Nations, international standards for the recognition and respect of human rights have been negotiated, and substantial progress has been made in developing international law. New problems, such as those relating to the seabed and outer space, have been identified and some steps have been taken towards solving them. In all its activities, the United Nations is an accurate reflection of an imperfect world; rarely have its failures or its successes been absolute.

Consultation or confrontation?

Although, in subscribing to the Charter, member states agreed on the purposes defined in Article 1, they differ among themselves in points of view, in interpretation, in emphasis; and so they have widely-varying ideas as to how the United Nations should be employed as a centre for harmonizing their actions. From the outset, the differences have been reflected in the organization, more or less formally, of blocs or groups based on geography or culture or ideology or common interests.

Although members of a group often vote together on important issues, they also frequently differ. Some of the groups exist mainly for the purpose of choosing candidates for membership in various United Nations organs. Others concert their policies on a wide variety of subjects. Geographically, the informal groups fall under the headings "Western and Others" (a number of developed countries that includes the United States of America, Western Europe, Canada, Australia and New Zealand, with Japan sharing many interests), "Eastern" (the Soviet Union and other socialist countries – but not including the People's Republic of China and Albania), "African and Asian", and "Latin American". Third World countries (sometimes called the non-aligned group) tend to seek a political position between the first two groups and are usually set apart from them by their stage of economic and social development.

Even though the preamble to the Charter purports to be a declaration made in the name of "We the peoples of the United Nations...", the organization was not intended by the drafters to become a world government, nor was the General Assembly to become a world parliament. It remains an organization of sovereign states, "a centre for harmonizing the actions of nations". Nevertheless, not unlike parliamentary democracy, the United Nations system, in its philosophy, atmosphere and operation, has always been dominated by the interplay of majority and minority and by a high degree of regulated confrontation between them. This confrontation has, over the years, taken a number of successive forms – between the Communist and Western states, between colonial and anti-colonial states, between developing and industrialized countries, between poor and rich.

Confrontation of the first kind was already developing when the United Nations came into being, and compromises stemming from it are reflected in the Charter itself. It inhibited the application of the Charter, making a dead letter, for instance, of the provision for the use, under the control of the Security Council, of armed forces to maintain or restore international peace and security. On the other hand, it led to the development of peacekeeping and to some forms of arms

limitation. Other kinds of confrontation, moreover, have helped the United Nations to reach eventual consensus, as in progress towards decolonization, economic development, human rights and the development of international law. Confrontation has on occasion degenerated into war, but armed conflicts have been localized and many have been terminated rapidly; for a generation, major wars have been avoided. Fundamental disagreement among member states about the nature and functions of the United Nations or about the meaning of the Charter has never led to the permanent withdrawal of a member or, until recently, to the threat of suspension or expulsion.

Previous confrontations in the United Nations have been resolved, or at least mitigated, partly because of changing circumstances and partly as a result of actions – usually, a long series of actions – taken in accordance with the generally-accepted principles and spirit of the Charter. In recent years, there has appeared a new form of confrontation that poses a challenge to some of the principles enshrined in the Charter and undermines conventions that were generally accepted in earlier years. If it intensifies, it could affect adversely the ability of the United Nations to pursue its primary purposes and might even endanger the measure of progress it has achieved over the years.

The new confrontation had its origins in the early 1960s when, as former colonies achieved independence, the newly-emerging states joined other developing countries to form a majority in the United Nations. The formation of the original "Group of 77" (now numbering well over 100), and its far-reaching efforts to achieve a "New International Economic Order", have been discussed in Chapter Six. Although the primary objectives of the group have been in the economic field, many of the same states have also gathered to pursue political objectives, particularly in Africa and the Middle East. At the General Assembly of 1974, tension between developed countries and the Group of 77 over the latter's tactics in pursuing its economic objectives, exacerbated by additional tension arising out of efforts to promote the Palestine Liberation Organization at the expense of Israel, and to expel South Africa, gave

rise to bitter debate. At issue were fundamental questions of the very nature of the United Nations and of some of the principles set forth in the Charter. The debates begun in 1974 were inconclusive, at least in the sense that none of the questions of principle were resolved. Since the questions remain, and are likely to be raised again, it is worth while to consider them here.

The Charter and the unwritten rules

As has been noted in Chapter Six, the sixth special session of the General Assembly and the subsequent regular session of the General Assembly of 1974 adopted a Declaration and a Program of Action on the Establishment of a New International Economic Order, and a Charter of the Economic Rights and Duties of States. The developed countries vigorously opposed adoption of the resolutions, and expressly recorded their reservations regarding some of the principles set forth in them. Under the terms of the Charter, there was nothing illegal in the use by the majority of its voting power to obtain the formal approval of the General Assembly for resolutions expressing principles to which the minority states were opposed. The action of the majority caused the United States delegate, however, to decry the "tyranny of the majority", and caused the representatives of other developed countries to participate in a debate marked by bitterness on both sides. Delegations of developed countries accused those of developing countries of being unrealistic when they forced the adoption of resolutions that could be implemented only with the willing co-operation of developed countries; and they declared that irresponsibility on the part of delegations in the General Assembly brought the United Nations into disrepute, undermined the popular support it had enjoyed in many countries, and adversely affected the ability of the organization to perform its functions.

The developing countries argued that the rich and powerful countries

had drafted the Charter and the rules of procedures, had not hesitated to impose their views when they were the majority, and now were resisting change; the new majority group of the poor and the weaker nations, representing the majority of the people of the world, was trying, they declared, to achieve the objectives of the Charter and was being opposed by the developed countries, which were unwilling to implement the decisions of the General Assembly. The implication that member states had a duty to comply with decisions of the General Assembly that they had opposed was rejected by most developed countries, not only because it appeared to run counter to the principle of the sovereign equality of member states, which is expressly recognized in Article 2 of the Charter, but also because it is simply unrealistic to expect national governments and legislatures to implement policies that they have not accepted more or less willingly. Developing countries expressed dissatisfaction with the privileged position of the Security Council *vis-à-vis* the General Assembly, and especially with the Security Council veto, which, it was said, amounted to the tyranny of a very small minority. The contention of the developed countries that constructive decisions could best be reached through consultation, in a spirit of give and take, was vigorously rejected. Some delegations indicated that they viewed the United Nations primarily as a forum for the redress of long-standing and real grievances rather than as a "centre for harmonizing the actions of nations".

Institutional problems: universality and equality

The foregoing is a brief treatment of only part of a wide-ranging debate in which the pent-up emotions of many delegations were released. Among the questions of principle that were discussed were those relating to the pros and cons of universality – that is, whether membership in the United Nations should be open to all states – and the related question of whether

member states might be expelled or suspended from participation in the organization's activities. These questions of general principle were raised in relation to two particular cases, South Africa and Israel.

At the Algiers Summit Conference of 1973, non-aligned states not only laid the foundations for the campaign looking towards a "New International Economic Order" but also decided to step up pressure on Israel and South Africa. The non-aligned soon succeeded in obtaining for the Palestine Liberation Organization (PLO) the right to participate as an observer in the United Nations, in its Specialized Agencies, and in most conferences convened by them. The PLO also gained the endorsement by the General Assembly of its claim to be the sole representative of the Palestinians in the Middle East negotiations (though the PLO refused to recognize the right of Israel to continue to exist as an independent state); and the non-aligned also succeeded in isolating Israel by limiting its effective participation in some United Nations organs and Specialized Agencies.

While South Africa's racist policies, discussed in Chapter Four, had been the subject of perennial condemnation, it was not until 1974 that the Assembly rejected the credentials of the South African delegation. This meant that South Africa could not continue to participate in the work of the General Assembly, and in 1975 South Africa decided not to attend. However, it remained a member of the UN, as attempts to expel South Africa were vetoed by the U.S., Britain and France in the Security Council.

At the time of its establishment, the United Nations, as an institution, was inspired by essentially Western nations, modified by Soviet insistence on ensuring the decisive role of the great powers, and it reflected an overriding concern with peace and security. In three decades the international community has undergone profound changes. The "great powers" of 1945, which were granted the status of permanent members of the Security Council, with the right of veto, are not all, in terms of the present balance of power, the most significant states of the mid-1970s. A near trebling of the membership of the General Assembly, which now

approaches universality, was not anticipated by the drafters of the Charter. The Third World is not represented in the Security Council by any recognized permanent voice. The current forms of confrontation between industrialized and developing countries were not foreseen. The initial conceptual and institutional equilibrium within the United Nations is tending to break down, and pressures for an eventual revision of the system are gradually building up.

Nowhere in the Charter of the United Nations is any conception of universality defined. The Charter neither specifies that membership is a right of all states nor that universal membership is an objective. Rather, membership "is open to all peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the organization, are able and willing to carry out these obligations". The conception of universality has developed over the years in relation to specific debates on membership and participation. The attitudes of member states towards universality, a question of principle, have frequently been influenced by their positions on the political issues involved in the particular cases being discussed.

When the question of South Africa's participation in the work of the United Nations was being discussed at the General Assembly in 1974, proponents of universality (comprising in general the Western group and certain Latin American countries) argued that the United Nations, in order to achieve its primary objective of maintaining international peace and security, should embrace states of all political, social and economic systems; that member states should not be suspended or expelled simply because their policies or practices were abhorrent to the great majority; that the object of retaining such states in the organization was to expose them to constant and vocal criticism and to sensitize them to world public opinion; and that questions of membership, suspension or expulsion and, by implication, participation, were, under the Charter, the prerogative of the Security Council. It was pointed out that, according to the Charter, a member might legally be deprived of the exercise of its rights and privileges only in accordance with the specific provisions

of Articles 5, 6 and 19; that, under the Rules of Procedure, the powers of the Credentials Committee were limited to examining whether credentials submitted to it were authentic, i.e. signed by the head of state or foreign minister of a member state; and, accordingly, that suspending a member by rejecting the credentials of its representatives constituted a violation of the Charter and of the Rules of Procedure of the General Assembly.

The opponents of the universality principle included, almost without exception, the African, Asian, Eastern European and Caribbean states. They argued that, while universality was an important principle, it should not override other principles embodied in the Charter; that in Article 6 the Charter provided a mechanism for the expulsion of a member that had persistently violated the principles contained in the Charter; and that the continued presence of a member state that persistently defied the organization and showed contempt for its principles eroded the credibility of the United Nations. Some contended that the prerogative of the Security Council should be examined closely and perhaps redefined if its permanent members misused their powers by preventing the adoption of concrete measures on matters of concern to a great majority of the members of the organization.

Since the opponents of universality commanded the required majority, they could obtain a *de facto* suspension of a member state from the Assembly session. Their voting power does not change the fact, however, that, in the long run, the United Nations cannot survive if it begins to evaluate the right of states to participate on the basis of their policies and practices or on the degree of representativeness of their governments. The particular concern of many countries here was for Israel, the other member that might become the target of similar attack in the forseeable future. (In fact, attempts at the General Assembly in 1975 to reject the credentials of the Israeli delegation, and to suspend the Spanish delegation, were easily defeated.) A decision by the General Assembly to suspend or otherwise limit the participation of Israel in the organization would have disastrous effects on public support for the United Nations in Canada,

the United States and many Western European and other countries, with damaging consequences for the future of the organization.

In 1975, at the seventh special session of the General Assembly and subsequently at the regular session of the General Assembly, there was hard bargaining between the Third World and the developed countries, but there began to emerge a mutual willingness to understand the other side's problems and to make concessions, and a degree of real consensus was achieved. It appeared that both sides had been at the brink of an abyss and had recoiled. But then the Assembly approached the abyss again by adopting a resolution equating Zionism with racism and racial discrimination, albeit by a margin that revealed a split within the Afro-Arab alliance. The debates on the resolution in committee and in plenary, and its adoption, envenomed the atmosphere for the remainder of the session and had adverse effects on the work of the General Assembly in various fields. Adoption of the resolution outraged public opinion in Western countries, including Canada, where the House of Commons unanimously adopted a condemnatory resolution, and had the effect of lowering public support for the United Nations itself.

Charter review

The United Nations Charter, reflecting political realities, recognizes that there are circumstances in which the organization cannot take action without the concurrence of the great powers, and explicitly gives them permanent membership of the Security Council and the right to veto proposed decisions. As has been noted earlier in this chapter, Third World countries increasingly resent the preponderant role granted under the Charter to the Security Council and, through it, to the traditional great powers.

At a time when some of the assumptions on which the United Nations has been operating for a generation are being challenged, it is natural that special attention should be given to the possibility of amending the

Charter. Indeed, in 1974, the General Assembly established an *ad hoc* committee to consider the matter. Under its own terms, amendment of the Charter can be effected only by a two-thirds majority vote of the General Assembly, including all the permanent members of the Security Council. It is very unlikely that in the foreseeable future any proposal that involves fundamental changes, such as modification of the "one state, one vote" rule in the General Assembly or of the veto provision in the Security Council, will overcome this obstacle. The permanent members of the Security Council oppose weakening of the veto power, and an overwhelming majority of the members of the United Nations support the principle of sovereign equality. It may be that agreement could be reached on some relatively minor amendment touching certain outdated provisions of the Charter and those concerning procedure. It is also possible that some of the objectives of countries advocating a revision of the Charter might be met by changing the rules of procedure, or by effecting institutional and structural reforms without amending the Charter.

Recognizing that worthwhile changes in the Charter are unlikely to be made, Canada has approached the matter cautiously. In its response to a resolution of the General Assembly of 1969 on the "Need to consider suggestions regarding the review of the Charter of the United Nations", the Canadian Government commented as follows:

> "The United Nations can be made more dynamic without rewriting the Charter; its effectiveness and vitality depend not so much upon changing the basic structure of the Organization as upon the political resolve of the Member States to fulfil the obligations and the responsibilities each has taken up in subscribing to the provisions of the Charter. In short, the effectiveness of the United Nations is directly dependent on the political will of its Members. No documentary revision in itself can 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."

Procedural questions

A subject of perennial complaint at the United Nations concerns the technical inefficiency of the organization as a centre for harmonizing the actions of nations. At the General Assembly of 1969, the then Secretary of State for External Affairs, Mitchell Sharp, alluded to the problem in these terms:

> "The United Nations (including all its organs and asso-
> ciated agencies) is drowning in a sea of words. Talk is of
> the essence at the United Nations, but to be useful it must
> be kept within reasonable bounds. As we all know, this is
> not being done. The number of conferences and meetings,
> and the paper they produce, have increased to the point
> that even those members with the largest resources have
> difficulty in providing competent representation and coping
> with the flood of paper. As the conference load increases
> there has been a corresponding decrease in effectiveness.
> This has led governments to attach less importance to the
> United Nations' activities and efforts. The credibility of
> the United Nations as a negotiating forum and as an instru-
> ment for resolving the world's problems is wasting away.
> Public confidence in the organization is being weakened
> and public support is being undermined . . . ."

Subsequently the Canadian delegation took the initiative in sponsoring resolutions, which were adopted, aimed at reducing the volume of paper and the proliferation of committees and subcommittees of doubtful value. The tangible results were to check the rate of increase of documentation and meetings.

Although it is possible, from time to time, to effect technical improve-
ments in the administration, procedures and activities of the United
Nations, and incidentally to effect some economies, it has to be recognized
that an almost universal organization of sovereign states, which itself

possesses no sovereign authority, is different from other organizations – indeed, it is unique. Its effectiveness should not be judged by the standards that might be applied to a national parliament and government.

Global interdependence

In the 30 years since the establishment of the United Nations, the notion of global interdependence has gradually achieved greater meaning and wider acceptance. As common problems have become increasingly more difficult to resolve on a national basis, governments have realized the usefulness and indeed inevitability of consultation and joint planning on issues of global concern. The result has been that in many areas of United Nations activities (e.g. health, the environment, food, employment, population, transportation, communications, and trade), there has been no alternative to a high level of co-operation. Of course, national interests will continue to play a part in the policies that countries pursue. The point is that the pursuit of these interests to the exclusion of common goals is no longer a rational basis for policy. In this respect the United Nations, as the universal agency responsible for promoting and maintaining peace, has achieved a degree of success unforeseen in 1945 at San Francisco. In spite of the resort to confrontation that has at times hindered the work of the United Nations, the best hope for the future of the organization rests with the steady development of global interdependence.

In a letter to the Secretary-General on the occasion of the thirtieth anniversary of the United Nations (dated October 24, 1975), the Secretary of State for External Affairs, Allan J. MacEachen, emphasized in the following words the importance of supporting the United Nations as the only institution capable of meeting the challenges of the changing international environment:

> "At the time of its conception and establishment 30 years
> ago, the United Nations reflected the values and realities

of a world emerging from the shock of a tragic war. In 1945 the world hungered for peace; the 51 countries gathered in San Francisco were determined to establish a new and dynamic system of international relations based on justice and equality rather than power and exploitation. International relations have evolved considerably in the intervening 30 years, but the hopes of 1945 have still not been fully met. Nevertheless, the United Nations has successfully risen to many of the challenges that the intervening years have placed before it. Indeed, the Canadian Government and people firmly believe that the successes of the UN have far outweighed its shortcomings and that its continued good health is indispensable to the well-being of the world community. We therefore hope and expect that progress will continue to be made towards the goals and ideals of its founders."
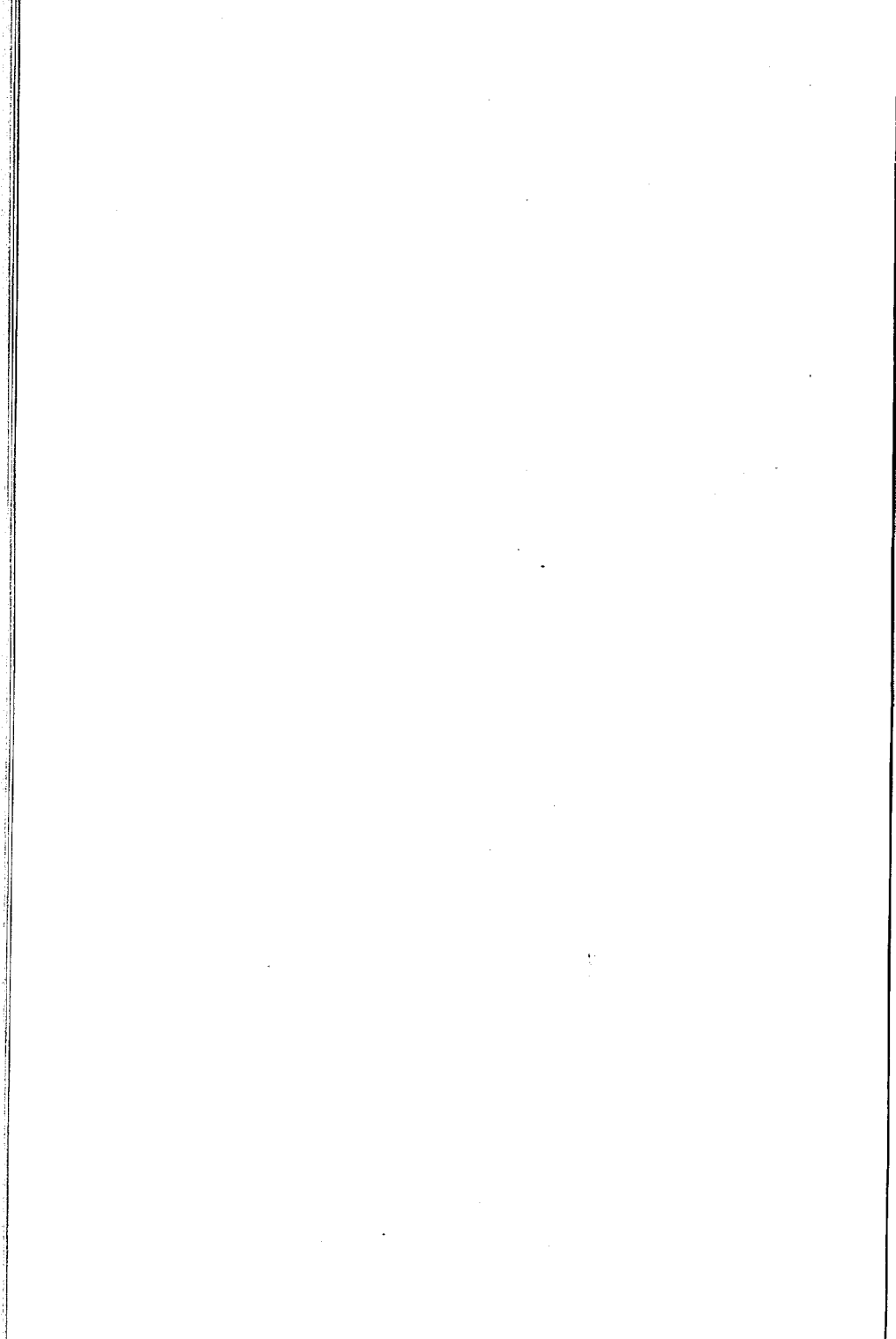
APPENDIX ONE
Canada's financial contributions to the regular programs of the United Nations, its special funds, non-financial agencies, the IAEA and the United Nations Association in Canada for the fiscal years 1967–68 to 1975–76 (in $000 Canadian)

Organization	Total 1945–66	66–67	67–68	68–69	69–70	70–71	71–72	72–73	73–74	74–75	75–76	Total 1945–76
I. UN regular budget	31,247[1]	3,538	3,796	4,049	4,557	4,890	5,490	5,769	7,076[2]	8,838[3]	9,856[3]	89,106
II. Peacekeeping												
UNEF I	4,494	730	686	—	—	—	—	—	—	—	—	5,910
ONUC	9,187	—	—	—	—	—	—	—	—	—	—	9,187
UNFICYP[4]	7,002	2,943	1,907	1,235	1,235	1,800	1,600	1,585	1,722	3,853	1,930	26,812
UN Special Account	4,307	—	—	—	—	—	—	—	—	—	—	4,307
UNEF II/UNDOF	—	—	—	—	—	—	—	—	954	2,803	4,620	8,377
III. Social and Economic Programs												
UNDP[5]	—	9,500	10,750	10,815[6]	13,554[7]	15,267	16,185	18,000	20,300	22,200	24,500	161,071
Special Fund	21,378	—	—	—	—	—	—	—	—	—	—	21,378
EPTA	26,376	—	—	—	—	—	—	—	—	—	—	26,37
UNHCR	34,582[8]	350	350	350	400	400	400	400	450	550	750	38,83
UNICEF	16,675[9]	1,100[10]	1,000	1,000	1,400	1,200	1,500	1,700	2,300	2,500	3,500	33,8
UNRWA[11]	18,328	2,900	4,356	1,619	3,700	2,050	2,050	1,350	1,850	2,300[12]	3,200	43,70
UNITAR	—	60	60	60	60	60	60	60	60	60	60	600
UNEPTSA	—	25[13]	—	30	50	20	50	49	75	175	175	649
WFP[14]	5,818	8,940	11,261	10,398	17,546	16,531	16,000	20,279	20,740	15,215	99,021	241,749
UNFPA	—	—	—	—	—	1,000	2,000	2,000	2,000	2,500	3,500	13,000
UN Fund for Congo	1,989	500	500	500	500	250	250	—	—	—	—	4,489
Committee on Racial Discrimination	—	—	—	—	—	3	3	1	1	2	3	13

Organization	Total 1945–66	66–67	67–68	68–69	69–70	70–71	71–72	72–73	73–74	74–75	75–76	Total 1945–76
Trust Fund for South Africa	—	—	10	—	—	—	10	10	10	10	10	60
Fund for Drug Abuse Control	—	—	—	—	—	—	150	200	200	200	200	950
Miscellaneous	7,898[15]	35[16]	—	—	11[17]	21[17]	8,270[18]	—	—	—	—	16,235
UN Voluntary Fund for Environment	—	—	—	—	—	—	—	99	905	—	—	1,004
IV. Specialized Agencies												
ILO	6,426	818	903	959	1,084[19]	1,072	1,170	1,360	1,517	1,497	2,761	19,567
FAO	8,181[20]	1,068	1,207	1,139	1,302[21]	1,225[22]	1,538	1,528	2,142	2,141	3,324	24,795
WHO[23]	9,778	1,654[24]	1,767	1,827	1,272	2,074[25]	2,347	2,554	2,935	3,052	3,716	32,976
UNESCO	7,966	900	987[26]	1,062	1,090	1,174	1,188	1,568	1,756	2,590[27]	2,491	22,772
ICAO[28]	3,329	245	239	265	266	259	275	315	539	424	443	6,599
IMCO	72	14	16	17	18	18	22	21	27	27	42	294
ITU	1,432[29]	211	203	218	235	245	273	328	453	503	690	4,791
WMO	239	61	64	74	82	91	86	100	172	178	243	1,390
UPU	283	39	54	38	37	57	69	79	88	132	130	1,006
WIPO[30]	—	—	—	—	—	—	—	—	—	116	145	261
IAEA regular budget	1,675	271	319	315	343	351	438	499[31]	236[31]	881[31]	1,115[31]	6,443
IAEA operational budget	351	61	61	61	62	71	70	—	—	—	—	737
GATT	710	170	183	191	219	232	261	323	401	557	651	3,898
Miscelleanous	91[32]	—	—	—	—	1[33]	—	—	—	—	—	92
UN Association in Canada	201	17	17	27	27	27	30[34]	27	27	35	35	470
Total	230,015	36,150	40,696	36,249	49,050	30,389	61,785	60,204	68,936	73,339	166,961	873,774

1.   This figure excludes Canada's 1945–46 assessment for the League of Nations of $317,814 and the 1946–47 assessment of $313,733. These two assessments included Canada's share of the costs of the International Labour Organization and the International Court of Justice for these years. Canada's advances to the United Nations Working Capital Fund of $1.2 million in 1945–46 and $195,000 in 1946–47 are not shown.

2.   This figure includes a contribution of $38,800 to the Working Capital Fund.

3.   These figures reflect reductions of $319,526 and $322,063 in Canada's assessments for 1975 and 1976 respectively and represent partial repayment of principal and interest owed by the UN to repay bonds purchased by Canada to offset the expenses of peacekeeping in the Congo.

4.   These figures show the estimated extra cost to maintain the Canadian UNFICYP contingent in Cyprus instead of in Canada.

5.   The United Nations Development Program was formed by consolidation of EPTA and the Special Fund effective January 1, 1966. During 1966–67, Canada's contribution was $6.2 million to the Special Fund and $3.3 million to EPTA. Canada's contribution was consolidated beginning with the 1967–68 fiscal year.

This amount includes $65,000 supplementary assistance for technical co-opera-

This sum includes $54,000 supplementary assistance for junior professional staff.

This amount includes $18.8 million for the International Refugee Organization during 1947–51 (the IRO terminated operations in 1951), $236,000 to the Intergovernmental Committee on Refugees (IGCR), $1.7 million to the United Nations Refugee Funds and United Nations Emergency Fund, $1.2 million to post-UNRRA, as well as $630,000 to the United Nations High Commissioner for Refugees. Between 1970 and 1976 the Canadian Government channelled the following grants through the UNHCR for special operations in addition to the contributions to the regular program (in $000 Canadian):

Focal point India (1971)	9,220
South Sudan (1973–74)	500
Subcontinent repatriation (1973)	1,000
Cyprus (1974–75)	150
Emergency relief in South Vietnam (1975)	
Cash	1,250
Kind (fish & freight)	600
Indochina (1975–76)*	3,000
Thailand (1976)	250
Guinea-Bissau (1975–76)	100
Mozambique (1975–76)	350
Cape Verde (1975–76)	50

* Comprises the following: U.S. $1,000,000 (Cdn. $1,000,000) for Laos Program, to be used for rice purchase in Thailand with transportation ($632,000) and for other goods ($368,000); U.S. $2,020,202 (Cdn. $2,000,000) unearmarked by area, to be used primarily for purchase of goods in Canada.

9. This amount includes a contribution of $5 million to the International Children's Fund and $200,000 to the Council for the United Nations Appeal for Children voted under general post-UNRRA relief.

10. This figure includes $100,000 contributed on December 9, 1966, in memory of the children who died at Aberfan, Wales, and Dorion, Quebec.

11. These figures include grants of commodities and the breakdown is as follows (in $000 Canadian):

Year	Cash	Food*
1964–65	1,000	500
1965–66	1,200	700
1966–67	1,200	1,700
1967–68	3,006	1,350
1968–69	1,519	1,000
1969–70	1,700	2,000
1970–71	1,350	700
1971–72	1,350	700
1972–73	650	700
1973–74	1,150	700
1974–75	1,150	700

1975–76	1,200	2,000
1976–77	1,350	2,000

*Food contribution figures rounded off.

12. This figure includes a supplementary contribution of $450,000 in addition to Canada's regular pledge.

13. This was a contribution to a program preceding the United Nations Educational and Training Program for Southern Africa.

14. Figures for WFP include both cash and commodity contributions.

15. This sum includes $7.8 million to the United Nations Korean Reconstruction Agency during 1950–55, $12,000 to the United Nations War Crimes Commission, $75,000 for construction of seven doors for the United Nations, and $30,000 to the United Nations Technical Assistance Administration Training Program at the University of British Columbia, as well as a contribution to the United Nations building in Santiago, Chile.

16. This is a payment to the United Nations International School Development Fund.

17. These are payments to United Nations Trust Fund for the World Youth Assembly.

18. All of this sum was used for relief operations in Bangladesh.

19. This amount includes $8,000 supplementary assistance for technical co-operation from the Canadian International Development Agency (CIDA).

20. This figure includes $23,000 to the "Freedom-from-Hunger" campaign in 1961.

21. This amount does not include a $6,000 grant from CIDA for the Associate Experts Program.

22. This figure does not include $29,000 supplementary assistance from CIDA.

23. The payments to the World Health Organization include various special contributions to the smallpox and cholera eradication funds that later became part of WHO's regular assessment.

24. Includes $22,000 for gift of furnishings to the World Health Organization .building in Geneva.

25. Does not include $195,000 grant from CIDA.

26. Includes a contribution of $25,336 to the Working Capital Fund.

27. Includes a contribution of $137,000 to the Working Capital Fund.

28. The Canadian Government makes grants to assist the International Civil Aviation Organization in defraying the costs of accommodation. It also reimburses the Organization for compensation paid by ICAO to its Canadian employees for Quebec income tax. The sums expended for these purposes are not included in the statistics.

29. Assessment for membership in the International Telecommunication Union for 1945–46 and 1946–47 was estimated at $2,800 annually on the basis of the 1947–48 assessment.

30. The World Intellectual Property Organization was granted Specialized Agency status in 1974.

31. These figures include the operational budget.

32. This sum includes $62,000 for a gift of uranium to the International Atomic Energy Agency, $24,000 to the IAEA Fellowship Fund, and $3,000 for UNESCO office furnishings.

33. This amount is supplementary assistance to Specialized Agencies from CIDA.

34. This consisted of an annual grant of $27,000, plus a special grant of $2,500 for the annual meeting.

APPENDIX TWO
United Nations Peacekeeping Missions (number of personnel)

Countries	UNMOGIP[1] as at May 24, 76	UNTSO[1] as at May 24, 76	UNFICYP as at May 1, 76		UNEF[1] as at May 24, 76	UNDOF as at May 24, 76	Total
			Mil.	Civ. Pol.			
Argentina		8					8
Australia	10	6		32			48
Austria		12	295	36		515	858
Belgium	2	7					9
Britain			850				850
Canada	9	20	514		878	126	1,541
Chile	4	4					8
Denmark	5	12	362				379
Finland	3	35	408		655		1,101
France		24					24
Ghana					600		600
Indonesia					450		450
Iran						391	391
Ireland		21	5				26
Italy	3	9					12
Netherlands		15					15
New Zealand	4	5					9
Norway	5	11					16
Poland					847	84	931
Sweden	5	36	421	23	649		1,134
Uruguay	1						1
U.S.A.		35					35
U.S.S.R.		36					36
Total	51	296	2,855[2]	91[2]	4,073	1,116[3]	8,482

1. Observers are included.
2. Total of military personnel and civilian police is 2,946.
3. In addition, there were 78 observers, making a total of 1,194.

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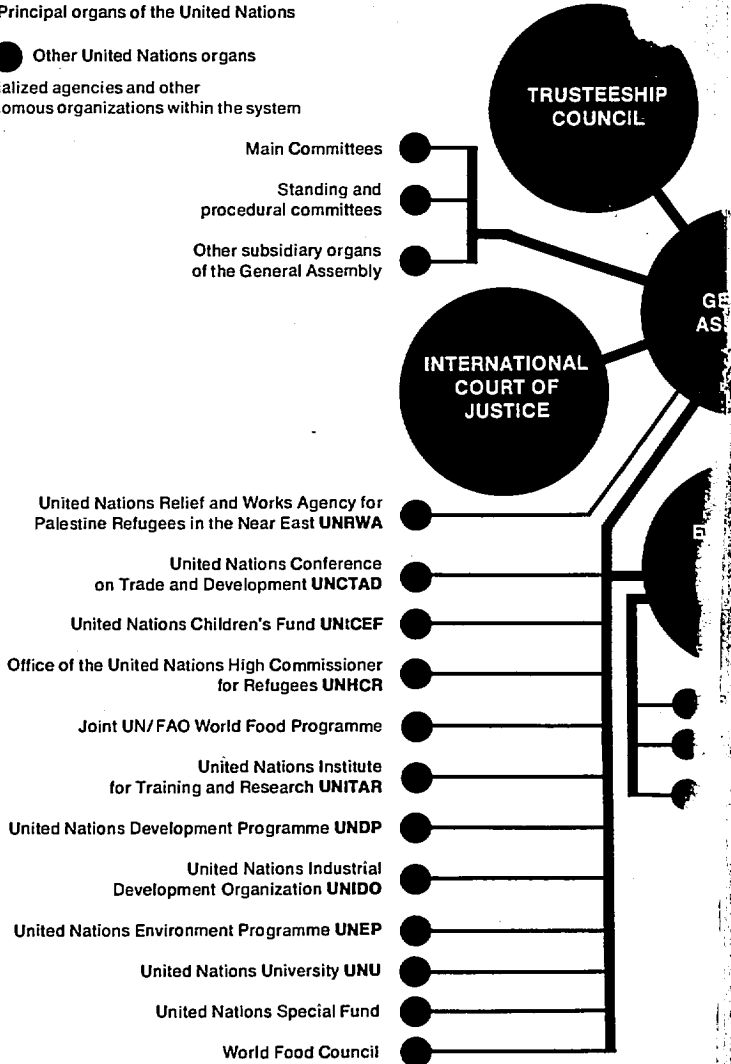*United Nations Yearbook*

THE UNITED NATION

● Principal organs of the United Nations

● Other United Nations organs

○ Specialized agencies and other
autonomous organizations within the system

Main Committees ●

Standing and ●
procedural committees

Other subsidiary organs ●
of the General Assembly

**TRUSTEESHIP
COUNCIL**

**GE
AS**

**INTERNATIONAL
COURT OF
JUSTICE**

United Nations Relief and Works Agency for
Palestine Refugees in the Near East **UNRWA** ●

United Nations Conference
on Trade and Development **UNCTAD** ●

United Nations Children's Fund **UNICEF** ●

Office of the United Nations High Commissioner
for Refugees **UNHCR** ●

Joint UN/FAO World Food Programme ●

United Nations Institute
for Training and Research **UNITAR** ●

United Nations Development Programme **UNDP** ●

United Nations Industrial
Development Organization **UNIDO** ●

United Nations Environment Programme **UNEP** ●

United Nations University **UNU** ●

United Nations Special Fund ●

World Food Council ●