

U. N. Studies

The General Assembly

Can It Be Salvaged?

by
ARIEH EILAN

The  *Heritage Foundation*



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Former Ambassador at Large Arieh Eilan's distinguished career has spanned many decades and continents. He has served as Ambassador from Israel to Kenya, Burma, and Finland, as Consul-General in Bombay, and in many other international posts for his country. Throughout his career, he has been connected with the General Assembly and its committees, including service in the Israeli Permanent Mission, 1956-1961, with the rank of Minister, and most recently as head of Israel's delegation to the Disarmament Committee, where he was responsible in 1980 for presenting to the U.N. Israel's plan for the creation of a nuclear weapon-free zone in the Middle East. Mr. Eilan is now contributing to American publications.

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The following study was written shortly before the 1983 General Assembly (38th Session) convened. Nothing happened in the course of this General Assembly to alter any of the study's conclusions with regard to the functioning of the General Assembly. It has proved itself once again irrelevant as a decision-making body of the world community and useless as even a forum of constructive international consultation.

With the tacit, and sometimes the active, approval of the Soviet Union, the Third World majority continued to dictate to the rest of the Member States the kind of items that were to be placed on the agenda and the resolutions to be adopted. This resulted in perpetuating certain agenda items and disregarding completely subject matters that could be injurious to the Soviet Union or a Third World country (see "The Frozen and the Absent Agenda"—Chapter 3).

The unwillingness of the Third World majority to debate breaches of human rights in their own midst became nakedly apparent at the end of the session, early in December 1983, when an Iranian exile tried to bring to the floor of the Assembly a discussion of the execution of thousands of political prisoners by the Khomeini regime. The *New York Times* reported on December 7 that Dr. Kazem Rejavi, a political science professor in Switzerland, had distributed in the United Nations a list of the names of 7,746 people who had been executed in Iran since June 1981. The *Times* noted that "despite meeting with 75 delegations . . . and despite the information that Dr. Rejavi presented he did not find a major member nation willing to put the issue of human rights violations in Iran before the world organization." On the other hand, the General Assembly continued to express its concern for what it claimed were breaches of human rights in Chile, El Salvador, and Guatemala. In fact the General Assembly in 1983, as in previous years, was willing to voice its moral concern only in cases that could be construed as implying political criticism of United States policy.

On the question of the Middle East, the General Assembly delivered itself of the perennial dozen or so resolutions proclaiming Israel as the root of all evil. In this area, however, the 38th Session can claim one unprecedented action—the adoption of a resolution condemning the "Memorandum of Understanding" between the United States and Israel of November 1983. This resolution was passed on December 19 by a vote of 81 Yes, 27 No, and 29 Abstaining. In so voting, the Assembly was guilty of a breach of international law, which recognizes the right of sovereign

countries to conclude among themselves whatever bilateral agreements they desire.

Needless to say, the United Nations General Assembly has never objected to the 1980 "Treaty of Friendship and Cooperation" between the Union of Soviet Socialist Republics and the Syrian Arab Republic. This agreement, in effect, provided Syria with the necessary military and political backing to continue and to expand its illegal occupation of parts of Lebanon. In the United Nations, what is sauce for the goose is not always sauce for the gander.

On the subject of disarmament, the 38th Session beat its own record by adopting 68 resolutions as compared with 60 in the 37th Session. The number of such resolutions has been growing steadily from year to year. In 1976 the Assembly adopted only 23 disarmament resolutions. Yet the real issues of arms control are studiously avoided and resolutions couched in a phraseology calculated to give the impression that the arms race is some sort of international epidemic that could be cured, if only Member States were willing to avail themselves of the right kind of vaccine. Small wonder, then, that for years the Assembly has disregarded the controversy over the deployment of intermediate-range missiles in Europe. The 37th Session in 1982 finally adopted a vacuous resolution on the subject, and the 38th Session promptly passed four such resolutions: a Soviet draft calling for the nondeployment of new (i.e., Western) missiles; a bland West European draft urging, without going into specifics, the two superpowers to continue negotiations; a Romanian proposal asking for the nondeployment of new (Western) and the reduction of existing (Soviet) missiles; and finally a Swedish-Mexican initiative demanding a greater role for the U.N. in arms negotiations. No draft-resolution was submitted supporting the U.S. view—i.e., calling for parity in the deployment of Soviet and American intermediate-range missiles in Europe.

On the subject of the New International Economic Order, the 38th Session repeated most of the resolutions of the previous session. The speeches of Third World representatives demanding an immediate transfer of wealth and technology from the industrial West to the developing countries were a trifle less strident. Mexico introduced a resolution to get the "global negotiations" started. However, the realities of the world economic situation do not auger well for the success of this kind of initiative. Whatever the Mexicans may be saying at the U.N., they themselves are only too painfully aware that the real fiscal and economic business of the world is transacted at the International Monetary Fund and the World Bank and not from the rostrum of the General Assembly.

The Assembly responded to the warnings by the Food and Agriculture Organization and other bodies of an imminent danger of large-scale famine in Africa by passing some 20 resolutions to help individual African countries. However, there was no indication that the African states most directly affected were themselves prepared to employ emergency mea-

asures, in common with each other, to alleviate the danger. They were waiting, as always, for the world community to bail them out.

Old-timers at the U.N. describe the 38th Session as “quiet and dull.” It began, however, with a prominent non-event. Foreign Minister Andrei Gromyko of the Soviet Union used the American request for changing the airport of his arrival in the U.S. as an expedient excuse not to show up at all, not wishing to witness the world’s revulsion at the Soviet Union’s shooting down of South Korean airliner KAL 007. He need not have worried. The Assembly soon settled down to its accustomed routine of hammering out its 300 or so resolutions, most of which went unreported by the world’s media. Not a single resolution among the 300 referred to the Soviet attack on KAL 007. The Soviet Union emerged from the 38th Session of the General Assembly of the United Nations with its reputation intact.

While the General Assembly remained silent on the massacre of those aboard the South Korean jetliner, it “deplored” the U.S. rescue mission in Grenada, branding it a “flagrant violation of international law and of the independence, sovereignty, and territorial integrity of that state.” At the 38th Session, it was business as usual: some Member States continued to be “more equal than others.”

Arieh Eilan
December 1983

The United Nations, its specialized agencies, and affiliated bodies have mushroomed over the years to an extent undreamed of by the drafters of the U.N. Charter at Dumbarton Oaks and San Francisco in 1944–1945. Among the medley of sessions of committees (both permanent and ad hoc), councils, boards of governors, annual conferences, and study groups, one annual event remains that is the heart and focal point of the U.N. system—the convening of the General Assembly on the third Tuesday of September in the city of New York.

Most of the world's leaders, including Presidents of the United States, have addressed this world body, as have secretaries of state, ministers of foreign affairs, spokesmen of communist dictatorships and Third World tyrannies, and representatives of the shrinking group of democratic powers.

The General Assembly's annual deliberations continue for about three and a half months, winding up shortly before Christmas. In the course of its sessions, the General Assembly adopts about 300 resolutions, covering disarmament, international conflicts, aid to developing countries, human rights, colonial dependencies, U.N. financing, and international law. Most of these resolutions repeat themselves almost verbatim from year to year and are rarely reported in the world press.

Each year, as the representatives of 157 Member States rise to observe the minute of silence at the opening ceremony, a fleeting current of hope runs through the ranks of hundreds of diplomats and politicians from almost every country in the world. This euphoria is extremely short-lived. Within days, not only does disillusionment set in, but also the long-established habit of bored cynicism and realization that one is participating in what U.S. Senator Daniel Patrick Moynihan describes as the "theatre of the absurd." As the endless debates in the seven Main Committees begin their repetitious routine on agenda items that have changed little in the last decade and a half, one becomes aware of something more menacing than boredom. One senses that what is under attack is the very essence of every political tradition that stems from the meetings of free men around the village well. This disquieting feeling is compounded by the spectacle of apathetic resignation displayed by diplomatic representatives of those very countries whose political traditions and fundamental legal maxims are being challenged.

Some maintain that all is not lost—that although the United Nations General Assembly never will be an effective instrument for the mainte-

nance of peace and security, it nevertheless offers the United States an opportunity to display a leadership both compassionate and firm, pragmatic in tactics, but unyielding in principle. And further, by so doing, it could present some nations of the Third World with the alternative they are seeking to break loose from habitual compliance with the role prescribed for them by Moscow and its surrogates.

There are those who claim that the General Assembly in fact offers a preview of the shape of things to come: one hundred or so Third World nations, mostly ruled by various authoritarian or totalitarian regimes, using the General Assembly to shape the world in their own image; the Europeans watching the show from the sidelines with disdain, but paralyzed into almost catatonic immobility; the United States, now apologetic, now defiant (depending on the current Administration), but essentially still in search of its role in the world body and the world at large. The argument goes on to conclude that under such circumstances the United States has little to gain by continuing its membership in the United Nations. Why should the American taxpayer subsidize one quarter of the regular budget of an organization that in the last fifteen years has spent more than one quarter of its time assailing the United States, its allies, and the very principles that guided the men who wrote the American Constitution?

Whichever view one takes, it is important first to comprehend the unadorned reality of the General Assembly of the United Nations.

Very few diplomats ever expected the General Assembly to resolve international conflicts. It was, in fact, never meant to do that. The Charter of the United Nations defines the function of the General Assembly as that of a deliberative body which can decide to recommend to the parties of a dispute or to the Security Council a certain course of action. Actual maintenance of peace and security was to be the prerogative of the Security Council.

The General Assembly was from the start intended to be a talking shop that would proclaim to the world the tenets of international equity and universal peace. Had the General Assembly pursued this vision, however inadequately, many of its shortcomings could have been forgiven. Thus the General Assembly would have been held in high esteem had it criticized South Africa for its policy of racial discrimination and at the same time censored Idi Amin for the brutal murder of hundreds of thousands of Africans. Had the General Assembly shown impartiality in these two cases, or in many others, it would have done little to change the situation in Africa, but it would have given the world a much needed trust in the existence of a supernational depository of international morality. Yet, Idi Amin's mass murder never even made the agenda of the General Assembly, while South Africa was suspended from participating in its proceedings.

The failure of the General Assembly therefore lies principally in the field of political morality. Instead of functioning as that supernational body, it has become aggressively partisan. Its morality is that of the double standard, selectively and hypocritically praising and condemning. The question is: Can the General Assembly be salvaged?

The Original Purpose of the General Assembly

In 1945 there was a definite understanding that the Security Council was to be the principal organ of the United Nations, which could function only on the basis of “great power” unanimity. The General Assembly, as a deliberative organ permitted only to make recommendations, was expected to be less hindered by immediate political considerations in proclaiming the lofty principles of the Charter of the United Nations.

From the start, however, it was the General Assembly rather than the Security Council that captured the imagination of a war-weary world. The Security Council was never photogenic. The sight of eleven (now fifteen) diplomatists slugging it out in battles of cold war rhetoric was not very inspiring.

On the other hand, the spectacle of the representatives of most of the world’s independent states, gathered in the brightly lighted auditorium of the General Assembly, seemed to promise both pictorially and dramatically the dawn of a new and more hopeful era. The presence in the halls of the General Assembly of renowned figures, such as Paul-Henri Spaak of Belgium, Nehru’s sister Lakshmi Pandit, and Eleanor Roosevelt, added excitement to the proceedings. The undoubted sincerity of Mrs. Roosevelt’s impassioned pleas in support of the Declaration of Human Rights inspired the media, the academic world, and common folk the world over. After all, she spoke for the world’s most powerful nation, and it seemed that, for the first time in history, might was on the side of righteousness.

General Assembly Predecessors

The General Assembly of the United Nations was the third attempt of the Western world in multinational diplomacy. Its immediate predecessor was the defunct League of Nations, which in turn was preceded by the Hague Conferences. Toward the end of the 19th century, European governments concluded that the world needed some sort of system of international consultations and international institutions to take care of matters of common concern. Even before that time, international consultations had taken place at irregular intervals to deal with specific

problems, such as the division of Africa at the 1885 Conference of Berlin. At the turn of the century, two conferences were held at the Hague, in 1899 and in 1907, to consider the wider principles that should guide the behavior of sovereign states. The ostensible purpose of the Hague Conferences was to prevent the outbreak of wars and to establish not so much a world order as an orderly world. It was felt, however vaguely, that the evolution of European states from the internecine wars of the feudal lords to a common recognition of, and respect for, the "king's peace," and finally to the emergence of a rule of law, might provide the pattern that the family of nations could follow to regulate their relations according to commonly accepted rules.

In addition, the industrial revolution and the development of new methods of communication forced the Europeans to establish international organizations to cope with the novel phenomena of the interdependence of states. Thus, the International Telegraphic Union was founded in 1865, and the Universal Postal Union, in 1874.

Ironic as it may seem today, the two Hague Peace Conferences were convened at the initiative of the Tsar of all the Russias, Nicholas II, the last autocratic monarch of Europe.

In political terms the conferences involved a considerable degree of multi-lateral insincerity, and met with an atmosphere heavy with unreality. Nevertheless, the statesmen at The Hague, for whatever reasons, contributed to the establishment of the precedent that collective diplomacy should be oriented towards such matters as the codification of . . . international law, the formulation of standing procedures for the peaceful settlement of disputes, and the promotion of the principle that pacific solutions should be sought by disputants. . . .¹

The first Hague Conference was preponderantly a European affair, but the second Peace Conference in 1907 was attended by 44 countries, including the United States and most Latin American states; they comprised the vast majority of independent countries at that time. Some of the problems that beset the Hague Conference later plagued the League of Nations and are today frustrating the General Assembly. These problems are inherent in the very nature of conference diplomacy; a main difficulty is the lack of common motivation on the part of sovereign states to arrive at agreement on any political issue.

In fact, there is no compelling reason for a multitude of independent states, from different geographical locations, with no common bond of history or cultural affinity, to hold similar views about world events, which can affect each one differently or not at all; nor can they be expected to subscribe to a common standard of political and social moral-

¹Inis L. Claude, Jr., *Swords into Ploughshares* (New York: Random House, 1971), p. 30.

ity. *The London Times* held that the Hague Conference of 1907 was “a sham and has brought forth a progeny of shams because it was founded on sham.”²

Does this mean that all international conferences are a waste of time and are doomed to failure? Not necessarily. In sharp contrast to the Hague Conference, the League of Nations, and the General Assembly are the technical conferences, especially those of a regional character. The conference of South East Asian states on the matter of cotton growing, for instance, at times has proved a highly useful and rewarding experience in international cooperation. The number of participants is limited to no more than a dozen states. Although every country is in competition with every other country participating in the conference, they have problems in common and sometimes even stand to gain by formulating a common policy in the growing and marketing of raw cotton and the export of manufactured cotton material. Speeches are of little avail, nor is there much use in taking a vote. After all, being outvoted will not prevent a country from going it alone in the matter of pricing cotton, if it thinks that this is in its best interests. There is, however, room for persuasion and old-fashioned horse trading.

The Effect of the Voting System

Yet neither of these two handy methods is of much use when the question before the General Assembly is who should represent Kampuchea at the U.N.—the representative of the Pol Pot regime or the Vietnam installed puppet government? The General Assembly makes decisions by taking votes. Among those who vote are countries such as Burma and Thailand, who have definite interests in the matter, along with Upper Volta and Bolivia, who have no compelling reason to make any decision at all.

Two fundamental methods of arriving at a decision have been tried in conference diplomacy without much success: (1) unanimity, i.e., to reach a decision there must be no dissenting vote; (2) a decision by either a simple or a qualified majority of Member States.³

In the 19th century, unanimity was the rule governing such international gatherings as the Congress of Vienna in 1815, the Congress of Paris in 1856, and the Berlin Congresses in 1878 and 1885. At the Hague Conferences, unanimity was still the rule, although at the Second Hague Conference, as the number of participants increased, the views of the majority of states were sought and obtained through test voting. The

²Claude, *op. cit.*, citing J. B. Scott, *American Addresses at the Second Hague Peace Conference* (Boston, New York: Ginn and Co., 1910), p. 13.

³This is not the method of voting in the Security Council. There, a decision requires an affirmative vote of nine members, including the concurring votes of the permanent members.

real decision, however, remained in the hands of the great powers, not unlike the veto power of the five permanent members of the Security Council of the United Nations: the People's Republic of China, France, the United Kingdom, the United States, and Soviet Russia. The voting process at the Hague must have been discouraging, for when the League of Nations was established after the First World War, its founders decided to revert to the rule of unanimity. The League of Nations, of course, failed, but it is debatable whether the rule of unanimity was the main cause of its downfall. Lord Robert Cecil, one of the great figures in multilateral diplomacy between the two World Wars, wrote: "I do not regard the so-called unanimity rule as a blot upon the League procedure. At the worst it may have made the Council and Assembly cautious in discussing radical proposals, but that I am inclined to think, is in international affairs, a good thing."⁴ Reading some of the propagandistic draft resolutions sponsored by Third World countries in the General Assembly, one cannot help feeling that there was merit in Lord Robert Cecil's words.

At present, voting in the General Assembly is done electronically. The delegate of a country presses a button—green for "yes," red for "no," yellow for "abstention." His country's vote is recorded immediately on the big scoreboard that faces the representatives of the 157 Member States. The Undersecretary for General Assembly Affairs, sitting on the podium to the left of the President of the General Assembly, notifies the representatives when the voting process is completed and the machine is closed. A few seconds pass before the result of the vote goes up on the scoreboard. As one looks at the countries' names in alphabetical order, from Afghanistan to Zimbabwe, with their votes in the appropriate color markers, one cannot escape the feeling that one is participating in a charade. A synonym for charade is "pretense," and the make-believe in this case is that there are 157 Member States, roughly of equal size and importance, accountable for their votes and speeches to their home constituents, who elected them in free democratic elections.

The reality is palpably different. The PRC and Luxembourg, the United States and the Maldives, the USSR and Fiji—each has one vote. As for democratic accountability at home for votes cast in the name of a country, suffice it to say that of 157 Member States only twenty or so countries possess a freely elected legislature and a free press where the government can be criticized for its voting record in the General Assembly.

Political scientists have tried for decades to find a system whereby the voting strength of individual states reflects more accurately their real power in international affairs. All have been unsuccessful. If one were to apportion a country's voting strength in accordance with its population,

⁴Robert Cecil, *A Great Experiment* (New York: Oxford University Press), p. 72.

the People's Republic of China would wield one quarter of the votes of the General Assembly. By a territorial yardstick, the USSR would have more votes than any other country, and the United Kingdom would have one-third of the votes of Mauritania. What other standards can be used? Military strength, economic power? One need not be a specialist in international affairs to imagine vividly the kind of discussion that would ensue if such proposals were ever to be voiced seriously. Observes Inis Claude:

Indeed majority rule has no valid claim to legitimacy apart from the existence of a basic moral consensus. We ought to be on guard against the naive tendency of some internationalists to assume that decisions of international majorities are infallibly just and impartial; national-minded sinners are not transformed into world-minded saints by coalescing to form a majority voting bloc in the General Assembly. . . .

. . . under those circumstances it may be doubted whether the trend toward registration of the will of a majority of member states as 'international decisions' represents sound progress for an international organization. Majority decisions in the equalitarian General Assembly are likely to be undemocratic in the sense that they do not represent a majority of the world's population, unrealistic in the sense that they do not reflect the greater portion of the world's real power, morally unimpressive in the sense that they cannot be identified as expressions of the dominant will of a genuine community, and for all these reasons ineffectual and perhaps even dangerous.⁵

The Intent of the Founders

The authors of the U.N. Charter at Dumbarton Oaks, and later at San Francisco, were driven by a compelling need to make the United Nations as different as possible from the League of Nations, the world's first sustained experiment with an international political organization. In the Covenant of the League no clear distinction was drawn between the functions of the Assembly and those of the Council. Articles III and IV of the Covenant stipulated that the Council shall consist of the Representatives of the Principal Allied and Associated Powers (the United States, Great Britain, France, Italy, and Japan) as permanent members with four others elected by the Assembly.⁶ In other words, the Council was the seat of the mighty.

The founders of the United Nations, however, decided to draw a clear line between the duties of the General Assembly and of the Security Council. In referring to functions of the General Assembly in Articles 10 and 14, the Charter speaks clearly of that body's right to make recommendations either to parties in a dispute or to the Security Council. As for

⁵Claude, *op. cit.*, p. 118.

⁶The United States subsequently dropped out.

the duties of the Security Council, the U.N. Charter states in Article 24: “In order to insure the 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”

At the Dumbarton Oaks Conference, the drafters of the Charter prescribed an even more modest role for the General Assembly, thinking that it would occupy itself “with organizational, housekeeping arrangements and activities in the economic and social fields.” Later, in San Francisco, the smaller powers (at that time predominantly Europeans and Latin Americans) balked and demanded a larger role for the General Assembly. As a result, Article 11 of the Charter defines the political role of the General Assembly by saying that it “may consider the general principles of cooperation in the maintenance of peace and security . . . and may make recommendations with regard to such principles to the Members or to the Security Council, or both”

U.S. Secretary of State Edward Stettinius defined the respective roles of the Security Council and of the General Assembly as follows:

Perhaps the basic difference between the constitutional arrangement of the United Nations and that of the League of Nations, is that instead of the Assembly and the Council having identical functions, as was the case under the League, the General Assembly and the Security Council will each have different functions assigned to it. The General Assembly is primarily a body for deliberation and recommendation, while the Security Council is given powers to act in the maintenance of international peace and security whenever it deems necessary.⁷

The separation of powers between the Security Council and the General Assembly was further strengthened by Article 12 of the Charter:

While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

This provision of the Charter has fallen into disuse, and the division of function between the two bodies has consequently become more and more blurred.

Of all the parties involved in the debates at Dumbarton Oaks and San Francisco, the Soviet Union was the most adamant in trying to reduce the role of the Assembly and stress the prerogatives of the Security Council, where it could control decisions by the use of the veto. The Soviet Union’s attitude toward the General Assembly as an institution was, from the start, one of grave suspicion. Its experience with the League was far from happy. There, the USSR was ostracized totally, and the way things looked in 1944–1945, it had little reason to suppose that its isola-

⁷Stettinius Report, June 26, 1945, pp. 69, 77, 78, 84, 94.

tion among the members of the United Nations would be any less severe. Therefore, in all debates about the drafting of the Charter, the Soviet Union was bent on reducing the role of the General Assembly.

Five years after establishment of the U.N., the U.S., in effecting the adoption of the Uniting for Peace Resolution on November 3, 1950, gave the General Assembly the opportunity to take action in a field previously reserved for the Security Council. To circumvent the Soviet veto in the Security Council on the question of Korea, the U.S. turned to the General Assembly, and by doing so enhanced the role of the Assembly far beyond the limits envisaged by the Charter.

It would be an oversimplification to say the U.S. was in favor of giving a larger role to the General Assembly at a time when it was in a position to influence the vote of a majority of Member States, and that it is now interested in reducing its powers since the USSR today can command a majority of votes. The fallacy of this argument lies in the deceptive comparison between the Assembly under American and under Soviet leadership. Even at the height of its powers, the United States was careful not to interfere with the plurality of views held in the Assembly.

In fact, in its first fifteen years of existence, the General Assembly showed signs of attempting, however inadequately, to maintain some modicum of impartiality in its deliberations and decisions. It should be remembered that many of the most important anti-colonialist decisions were taken at a time when the West, and particularly the United States, was in a position to control the voting pattern of Member States in the General Assembly. Though the U.S. could, and occasionally did, use its influence to cause or to prevent the adoption of resolutions in accordance with its own interest, it was, on the whole, a gentle and considerate world leader, allowing friends and allies much leeway in voting. In the great colonial debate in the fifties and sixties, the United States frequently spoke out against colonialism and often clashed with its Western allies, especially Britain, France, Portugal, and Spain. On the other hand, the Soviet Union has tried, not always successfully, to instill among its followers in the General Assembly a sense of "socialist solidarity," a term that proscribes dissent.

What Is at Question?

Two questions have emerged in this discussion. Is majoritarianism a wise and equitable method of arriving at decisions in an international gathering of sovereign states, such as the General Assembly? What are the consequences of the gradual usurpation by the General Assembly of the functions of the Security Council?

Both issues have become less urgent or relevant as a result of having been overshadowed by a new development during the last decade and a half. This development is the emergence of a new organization to which

90 (the majority of) Member States of the United Nations belong, in which decisions are taken that have a profound effect on the choice of items to be placed on the agenda of the General Assembly and on the kind of draft resolutions that are to be submitted under those items. This organization is found in the group of meetings of the so-called non-aligned states at the levels of heads of state, foreign ministers, and their Permanent Representatives to the United Nations. Decisions taken at their conferences concern matters under review of the Security Council and of the General Assembly. In other words, the majority of Member States of the United Nations owes political allegiance to an extraneous body which, though it formally professes to support the Charter, is not bound by its rules.

It might be argued that there is nothing new in this; after all, the Charter provides in Chapter VIII for the right of Member States to deal with matters concerning the maintenance of peace and security within regional organizations.

The organization of nonaligned states, however, does not fall within the category of regional organization, since it is composed of countries of Latin America, Africa, Asia, and the Caribbean plus one European state. Additionally, the organization of the nonaligned is not principally concerned with the maintenance of peace and security in any specific region, or among its members. It attempts to prescribe to the United Nations measures that affect the whole world, unlike such mainly regional groups as NATO, the European Economic Community, the Organization of African Unity, and the Organization of American States.

Had the founding fathers of the United Nations foreseen such a development, the Charter probably would have contained provisions prohibiting the participation of Member States in any organization outside the framework of the U.N., which would seek, by a collective decision, to limit the freedom of sovereign states to act as they wished in the General Assembly.

It might be argued that the agreement of a Member State of the United Nations, in the framework of a meeting of the nonaligned, to pursue a certain course of action in the General Assembly does not legally bind it to abide by that decision. This is formally true, but the political reality, in most cases, compels it to support the adoption of a draft resolution in the General Assembly in accordance with the texts previously agreed on by the nonaligned.

The only body capable of defending itself against the dictates of the nonaligned is the Security Council through exercise of the veto by one or several of its permanent members. This is why there is additional reason for strengthening that body, as against the General Assembly, and returning to a separation of powers between the two principal organs of the United Nations, as envisaged by the Charter.

How the General Assembly Functions

The first two to three weeks are perhaps the most interesting and important period of a General Assembly session. This is when the so-called General Debate takes place. Actually, it is not a debate at all, but a time when those mainly responsible for their country's foreign policy—secretaries of state, foreign secretaries, ministers for external or foreign affairs—address the Plenary of the General Assembly. Some of these statements are important because they provide the Secretary of State of the United States, for instance, and the Minister of Foreign Affairs of the Soviet Union, an opportunity to signal either the pursuance of certain previously held positions or a departure from them. Frequently a representative of an important Member State spends half an hour saying nothing of any importance. This, too, is an indication of that country's political position at a particular juncture.

Secretary of State Alexander Haig devoted most of his speech to the General Assembly in 1981 to economic matters. The signal was clear. He was saying, in effect, to the Third World: I know what really interests you—you want economic aid, and this is the United States view of Global Negotiations, the New International Economic Order, and so on. As for political matters, the United States at this juncture does not regard the General Assembly of the United Nations as a suitable venue for stating its policy on the Middle East, relations with the Soviet Union, and disarmament.

The Soviet Minister for Foreign Affairs Andrei Gromyko's speeches in 1981 and 1982, compared to his previous statements, were exceptionally harsh, clearly calculated to influence the shaping of policy by the newly elected Reagan Administration.

These speeches are written by numerous experts in state departments and ministries of foreign affairs, checked and counterchecked by other specialists, and often submitted for final approval to the head of state or prime minister. Once delivered, they are analyzed in the chanceries of dozens of countries, compared with the texts of that country's statements of previous years, and the conclusions are condensed in memoranda which are circulated, marked "Secret," to that country's embassies.

Speeches by foreign ministers in the General Debate, although metic-

ulously scrutinized by diplomats from many countries, do not commit a Member State to pursue its foreign policy in strict accordance with its statements in the General Assembly. The advantage of “declaratory diplomacy” lies in the opportunity it affords to send smoke signals without entering into binding commitments.

Not all speeches of foreign ministers are equally important. Many are routine, written by ghostwriters with no special knowledge of diplomacy or world affairs. Sometimes a lighter vein is introduced into these statements when, for instance, the representative of a Caribbean country officially suggested that an item be inscribed on the Assembly’s agenda proposing the establishment of a special U.N. body to investigate the phenomenon of unidentified flying objects.

Far more important, however, than the official statements of ministers of foreign affairs are the unofficial meetings among the world’s statesmen, which take place in New York each year at the beginning of the General Assembly. Simply put, if the Foreign Minister of Norway is anxious to discuss “matters of common interest” with the Foreign Minister of France, he can do so in New York without the protocol of an official visit to Paris; all he has to do is go from one New York hotel to another. These meetings occupy most of the time of the 100 or more foreign ministers who use attendance at the General Assembly as a convenient pretext for bilateral discussions that, for the most part, have little to do with the U.N. and its problems. It has been said that these interministerial meetings may justify the yearly convening of the General Assembly. There is little evidence, however, that the rest of the General Assembly proceedings are equally beneficial.

Delegations to the General Assembly

For three months of the year, between the third Tuesday of September and the middle of December, the General Assembly building on Manhattan’s East River hums with activity. The two Delegates’ Lounges, the restaurant, and the cafeteria are full of the bustle of people from the 157 Member States. These people will soon depart, leaving the halls empty except for the occasional meeting of the Security Council, the Economic and Social Council, and the dozens of committees established by the General Assembly.

Each Member State of the United Nations is entitled by the Charter to four delegates to the General Assembly. In fact, most countries’ delegations are considerably larger. In addition to delegates, there are alternate delegates, special advisers, parliamentary advisers, and plain advisers. Example: the U.S. delegation to the 37th General Assembly in 1982 consisted of four delegates, headed by Ambassador Jeane Kirkpat-

rick, four alternate delegates, five special advisers, one congressional staff adviser, and fifty-one advisers. The U.S. Delegation is not particularly overstaffed, and at the height of the Session most members of the American delegation had to put in extra hours to cope with the workload.

It takes an expert to discern the pecking order in a delegation. With obvious exceptions, it often happens that an aide placed as, say the eleventh member of a country's delegation, is the key man when it comes to the operational stage of last-minute negotiations before a vote is taken.

Each Member State (with few exceptions) maintains an Embassy to the United Nations, called a Permanent Mission, which remains in New York all year. Any country's delegation to a given General Assembly consists of all the members of the Permanent Mission, plus additional diplomats, parliamentarians, and public personages, sent each year to New York for the General Assembly. Some of these "visiting firemen," as members of the Permanent Mission often refer to their home-based colleagues, are one-time visitors; others, specialists in certain fields, frequently hold ambassadorial rank and attend every General Assembly for many successive years. The diplomats belonging to Permanent Missions represent the core of a country's delegation. They know their way around, are in touch with their opposite numbers from other missions, and are familiar with the workings of the Main Committees of the General Assembly. Usually, one member of the Permanent Mission is attached to each committee as an adviser to assist the visiting member who generally heads his country's delegation to a Main Committee.

The work of the General Assembly is divided into seven Main Committees, the First through the Sixth and the Special Political Committee; each is a mini-General Assembly in which all Member States participate. Most items appearing on the agenda are first discussed and voted on in one of the Main Committees and are then confirmed by an additional vote of the Plenary. A certain group of items is discussed directly by the Plenary without reference to one of the Main Committees. If an item is first discussed and voted upon in committee, the same representatives of Member States go, a few days later, to the hall of the Plenary and vote again on the same draft resolution, which, after its adoption by the Plenary, becomes a formal decision of the General Assembly.

On rare occasions, a country voting one way in committee changes its vote on the resolution in the Plenary. If this happens, it is generally assumed that the country has succumbed to hard lobbying by one of the superpowers or one of the blocs.

The First Committee—Disarmament and Security

This committee spends 80 to 90 percent of its time discussing disarmament. Items referring to international security are introduced mainly by the Soviets, their allies, or Third World countries. They tend to be

very general in nature, such as: “The Implementation of the Declaration on the Strengthening of International Security; Non-Interference in the Internal Affairs of States; Inadmissibility of the Policy of Hegemonism in International Affairs.”

The First Committee, often referred to as the Disarmament Committee, is a club of its own, consisting of diplomats who have specialized in the esoteric world of disarmament debates in the U.N. Their debates must not be confused with the more specific discussions on disarmament that take place in Geneva in the framework of the Committee on Disarmament, which consists of only 40 Member States. There the discussions are more technical and require a certain degree of familiarity with the elements of nuclear arms, chemical weapons, and the various agreements that have been reached previously on disarmament. Most of the significant arms control agreements have been negotiated outside the U.N. and are submitted to the U.N. for final ratification.

The Special Political Committee

The varied agenda of this committee considers such topics as the effects of atomic radiation, U.N. peacekeeping operations, and information. Most of its time, however, is spent discussing the policy of apartheid and the censure of Israel on the question of refugees and the occupation of the West Bank. Since the expulsion of South Africa from the General Assembly, no representatives of that country sit in this committee to respond to the charges made against them. The delegate of Israel, however, is confronted by twenty-one representatives of Arab States, fifteen communist countries, and a number of African delegates.

The annual debate on Israel in the Special Political Committee, as in some other Main Committees of the General Assembly, is the result of a sustained policy by the Arab states to make the most of their numerical power in the General Assembly. The same arguments are repeated year after year. The Israeli representative, greatly outnumbered, cannot reply to every anti-Israel tirade and is compelled to limit the exercise of his “right of reply”—as the official U.N. language calls it—to only a few of the anti-Israel statements. His response in turn draws a bevy of “replies to replies” so that he never has the last word.

Unlike the First and Second Committees, the Special Political Committee (SPC) requires no expertise from its members. The delegates on this committee are professional diplomats plus guests, i.e., parliamentarians, public figures, and so on. The diplomats, most of whom are posted to New York and serve in their Permanent Missions for about four or five Assemblies, have come to dread the annual Arab onslaught on Israel in the SPC. They know by heart all the arguments used by both sides and spend their time trying to gather information from their Arab colleagues to see if any significant departure is to be expected in the wording of the draft resolution condemning Israel from that of the previous

years. If so, their job is to warn their respective governments in time to receive appropriate voting instructions.

The guests, however, experiencing the fury of the Arab onslaught for the first time, are appalled by the display of unconcealed hatred shown by the Arabs. They tend to judge the Israel defense as adequate or inadequate depending on their personal political predilections and the individual performance of the Israeli delegate. Whatever the rights or wrongs of the case under discussion, the diatribes, the invectives, and name calling seem inappropriate for a meeting of representatives of sovereign states.

The Second Committee—Economic and Financial Matters

Although called the Economic and Financial Committee, the Second Committee in actual fact deals almost exclusively with aid to countries of the Third World. The representatives on this committee, even more than on the First Committee, tend to be specialists in finance, industry, and, above all, the intricacies of multilateral aid and the U.N. institutions through which this aid flows. Even the Second Committee is not immune to politicization. One or two resolutions will have to contain some condemnation of Israel in order to secure Arab support. Nevertheless, its tone is much more businesslike and less shrill than that of other Main Committees of the General Assembly.

Multilateral aid is highly institutionalized. The specialized Agencies (UNESCO, WHO, ILO, AFO), though largely independent of the General Assembly, are often requested by resolutions passed in the Second Committee to participate or assist in certain tasks. In addition, the U.N. Development Program (UNDP), the main channel for technical assistance, reports to the Second Committee, as do other U.N. agencies, such as United Nations Industrial Development Organization, United Nations Conference on Trade and Development, and the United Nations Institute for Training and Research. The Economic and Social Council reports on its economic resolutions to the Second Committee as well.

Although much of the deliberation of the Second Committee is as repetitive as other debates in the U.N., a glimmer of reality about the world's economic situation occasionally penetrates the verbosity of the draft resolutions and statements of representatives of Member States. The Second Committee talks grandly of the New International Economic Order, but the representatives of the Third World on the committee realize that most of the aid, wealth, and know-how they want is controlled by the minority of 18 Western votes in the General Assembly. They also realize that outvoting and abusing the West will not be particularly conducive to obtaining the transfer of material aid. Consequently, in the Second Committee, there is more consultation and less invective than in other Main Committees.

The Third Committee—Social, Humanitarian, and Cultural

On reading the agenda of the Third Committee, anyone unfamiliar with the General Assembly would conclude that the United Nations is doing a fine job protecting the human rights of the peoples of the world. There are such laudable items as: “Implementation of the Program for the Decade for Action to Combat Racism and Racial Discrimination: Report of the Secretary General.”¹ There is also:

Elimination of All Forms of Racial Discrimination:

- (a) Report of the Committee on the Elimination of Racial Discrimination.
- (b) Status of the International Convention on the Elimination of Racial Discrimination: Report of the Secretary General.
- (c) Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid.²

In addition to subparagraph (c) of the above item, South Africa is also specifically selected for condemnation in an item entitled: “Adverse Consequences for the Enjoyment of Human Rights of Political, Military, Economic and Other Forms of Assistance Given to Colonial and Racist Regimes in Southern Africa.”³ Anti-South African resolutions can also be submitted under Item 79, entitled: “The Importance of the Universal Realization of the Right of Peoples to Self-Determination and of the Speedy Granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights: Report of the Secretary-General.”

Since the days when Eleanor Roosevelt tabled the Universal Declaration of Human Rights to the Third Committee in 1948, the application of Parkinson’s Law to the General Assembly’s protection of human rights has spawned quite a few committees and subcommittees. The 43-member Commission on Human Rights meets annually in Geneva and submits a report to the Economic and Social Council, which, in turn, submits its report to the Third Committee. The Commission on Human Rights receives reports in its subcommittee on Prevention of Discrimination and Protection of Minorities. The United Nations specialized agencies, such as the United Nations Educational, Scientific, and Cultural Organization (UNESCO), and the International Labor Organization (ILO), have their own special programs, seminars, and working groups dealing with human rights.

The debates in the Third Committee are predictably acrimonious. Quite apart from the ever present cant and hypocrisy of statements made by representatives of totalitarian or tyrannical regimes extolling the virtues of human rights, there is also the genuine ideological chasm in the

¹Item 76: Agenda of the 37th Regular Session of the General Assembly A/37/25/Add. 1+2, October 8, 1982.

²*Ibid.*

³*Ibid.*

perception of human rights between the democracies of the West and the Member States who owe dogmatic allegiance to dictatorship of the proletariat.

The Fourth Committee—Trusteeship

Once the scene of the great colonial debates, the Fourth Committee now has a very short agenda, most of which is dictated by the Committee of 24.⁴ The continued need for the existence of the Fourth Committee is open to question. Since it dealt with colonies emerging, or being legislated, into independent nation status, its work is mainly accomplished.

The Fifth Committee—Administrative and Budgetary

The budget of the U.N., conferences to be held, and the need for special visiting missions are all determined by the Fifth Committee. In addition, the committee deals with staff problems of the 6,000 men and women who work in the United Nations Secretariat.

When a resolution is passed by one of the Main Committees of the General Assembly, the chairman of that committee may say that it contains financial implications which will have to be approved by the Fifth Committee before it goes for final adoption to the Plenary of the General Assembly. This is generally a formality, since the representatives of the same majority that voted in favor of certain motions are likely to repeat their support in the Fifth Committee. However, there are exceptions. The Soviets are penny pinchers and have been known to go against the wishes of their friends in the Third World when they suspect that the extravagances of special conferences held in various parts of the world will cause another increase in the regular budget of the organization.

In November 1982, the U.N. witnessed the rare spectacle of the United States, the Union of Soviet Socialist Republics, and the United Kingdom making common cause against the Third World. *The New York Times*⁵ reported that the representatives of the three powers had visited the Secretary-General concerning the steady increase in the United Nations budget. The day before, the *Times* reported that the U.S. had unveiled a new tactic to announce its resistance to higher costs. It had introduced amendments to at least three resolutions in the Fifth Committee, approving their substance only to the extent that they could be financed without exceeding the level of resources approved in the budget. All three amendments were soundly defeated. But as one American official said: "We want people to know we are serious. If they do, we hope the escalation in costs will stop."

Most of the proposals for additional expenditures are put forward by countries whose contributions to the budget are less than 0.50 percent. Though no one would wish to curtail the right of poorer Member States

⁴A "Special Committee," established in 1960, to be discussed in Chapter 3.

⁵*New York Times*, November 19, 1982.

to propose international measures that they themselves are incapable of financing, unfortunately too many of their requests are palpably frivolous. But the West has nobody but itself to blame for this. For years it had not dared to protest against the proliferation of international gatherings, dealing repeatedly with the same subjects, for fear of offending the susceptibilities of the Third World, until the Soviet Union began to show its impatience with the penchant of some delegations for convening costly conferences in Geneva or, preferably, Paris.

The representatives of most countries in the Fifth Committee are well versed in budget matters. Their debates are a spectacle, rare in the General Assembly, of professional competence and a realistic attitude toward concrete problems.

The Sixth Committee—International Law

The Sixth Committee has always been held in high esteem because, unlike other Main Committees, it has managed to preserve the political manners of a bygone age. Debates there are not quite so shrill and acrimonious as in other committees. Some of the representatives are distinguished jurists who contribute to learned journals of international law. The Sixth Committee has not escaped politicization of its proceedings, however. Its agenda lists such items as "Progressive Development of the Principles and Norms of International Law Relating to the New International Economic Order." The Committee has to consider a "Resolution Relating to the Observer Status of National Liberation Movements Recognized by the Organization of African Unity and/or by the League of Arab States." Of greater practical value is the item entitled the "Report of the United Nations Commission on International Trade Law."

The tragedy of the Sixth Committee is that it deals with public international law, which is intended for a world respecting the principle of due process and the rule of law. The Soviets do not disregard the importance of legal maxims and, if anything, are conservative in their juridical outlook. This cannot be said of all the representatives of the Third World, though India, Singapore, Pakistan, and some Latin American countries have made notable contributions to the work of the Sixth Committee.

The Genesis of Resolutions in the General Assembly

Anyone entering a conference room where one of the seven Main Committees is meeting is likely to observe excruciating boredom. While one representative, seated behind a plaque bearing his country's name, monotonously intones political platitudes, the rest of the distinguished representatives stare into space, write personal letters or their own speeches, or talk to each other in undertones.

There is also the occasional diplomat who, having surveyed the scene with the experienced eye of the professional lobbyist, will descend on one of the representatives of the 157 Member States and proceed to sell him a draft resolution or try to persuade him to change his country's vote on some issue or other. Sometimes groups of men stand about in one corner of the conference room and, after a while, are likely to move out together into the corridors for intense haggling. They are engaged in a process known as the "kitchen stage" of the production of a draft resolution.

The Way the Majority Works

Each resolution is initiated by one Member State or a small group of sponsors belonging to like-minded governments. The sponsorship of draft resolutions is extremely important. In certain situations, such as the issue of disarmament, the Soviets may prefer to sail under their own flag by unofficially circulating a draft resolution sponsored only by themselves and their Eastern European allies. In other cases, Moscow may want to keep a low profile; thus, Cuba may be the main sponsor, in company with Ethiopia and Vietnam.

In the first case, the Soviets may be concerned principally with making their own position unmistakably clear. Having done so, however, they will see to it that their draft is acceptable to as many Third World countries as possible. They will negotiate directly without involving their Third World surrogates, such as Cuba or Vietnam. Having made a few minor concessions, the Soviets will demand as a trade-off the cosponsorship of their resolution by the maximum number of Third World countries. When the resolution is officially tabled in committee, the list of cosponsors is arranged in alphabetical order, giving no clue as to the original authorship of the draft. Consequently, many research students attempting to analyze United Nations resolutions years after they have been adopted are misled by the long list of cosponsors into attributing the submission of the draft to a widely held Third World point of view, rather than to a Soviet initiative.

In the second case, the Soviets may prefer to let the Cubans do all the running. The Cuban representatives usually will try first to enlist the support of the Third World radicals, who are not patently Soviet surrogates, but who usually vote in favor of Soviet initiatives. To this group belong such countries as: Algeria, Belize, Benin, Cape Verde, Grenada, Equatorial Guinea, Libya, Mali, and Syria. Having secured the support of the radical group, which is normally obtained by adding to the draft resolution some censure of Israel, South Africa, imperialism, or colonialism, the authors of the draft resolution then turn to the rest of the ninety members of the so-called nonaligned group of states. Generally speaking, their support is secured without much difficulty, provided the resolution resembles resolutions adopted by a huge majority in the course of previous General Assemblies.

Many Third World delegations do not maintain constant contact with their foreign ministries and do not require instructions from home on how to vote on each draft resolution. Their representatives know that, as long as they are in the company of like-minded delegations, their superiors back home will not question their voting. These delegates can exercise a certain discretion in deciding how to cast their country's vote and manage to get away with it as long as they do not step too obviously out of line. Certain Third World ambassadors have been known to succumb to persuasion by determined colleagues from other Third World delegations, who are anxious to enlist all available support for their cause. This does not necessarily require outright bribery, but often there is the promise of support in the election to certain U.N. posts, which may be of special personal interest to a given ambassador. If ever a complaint is lodged in the ambassador's capital with regard to his vote on some resolution, the usual response is that due to a technical hitch his instructions arrived after the vote had been taken.

The usual routine resolution that enjoys Third World sponsorship may have 110 countries voting in favor, 6 against, 19 abstentions, and the rest not present for the vote. The states voting against could be Australia, Canada, France, Israel, the U.K., and the U.S. The abstentions generally consist of the West Europeans, including the Scandinavians, plus some Latin Americans, and perhaps such Pacific Islands as Fiji and Samoa.

The hard core vote of the West, with certain variations, amounts only to 18. Australia, Austria (sometimes), Belgium, Canada, Denmark, Finland (sometimes), France, Federal Republic of Germany, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Turkey, United Kingdom, United States.

Since the standard resolutions sponsored by Third World countries are guaranteed automatic adoption by the General Assembly, their political value has been decreasing over the years. The more these resolutions pass, the less the Western media are inclined to cover them. Among professional diplomats as well, extreme Third World resolutions adopted by the General Assembly are given scant consideration. It is not surprising, therefore, that whenever a group of Third World countries considers a particular resolution to be of special importance, they tend to seek either Western support, or at least a promise of abstention. If they are successful, particularly strident invective is dropped from the wording of the resolution, as are paragraphs demanding action by the Security Council. The end result, however, is to the advantage of those Third World countries that can claim to have secured the support, or at least the acquiescence, of the West for a resolution the West would not have initiated.

Nevertheless, the pursuit of 18 votes out of 157, when overwhelming support for a draft resolution is guaranteed, shows more and more the

importance of the qualitative, rather than the numerical, results of voting in the U.N.

Amendments and Separate Paragraphs of Draft Resolutions

The reason for the imbalance in the sponsorship of draft resolutions between the West and the rest of the U.N. lies not only in the ability of the Soviet Union to find Third World backing for its own draft resolutions or to move its friends to submit a draft the Soviets advocate. The imbalance is also the result of the knowledge held by all delegations that if the USSR so wishes, it can torpedo almost any draft resolution submitted by NATO countries.

The methods employed are either a request for a separate vote on certain paragraphs of the resolution or submission of amendments. Most demands for a separate vote refer to the operative part of a draft resolution. If the Soviets and their allies succeed in deleting two of the most important operative paragraphs of a Western sponsored draft resolution, what is left is the preambular section and perhaps one or two innocuous paragraphs from the operative section which, if read together, make the resolution superfluous and meaningless.

In accordance with the Rules of Procedure,⁶ amendments are voted on first. Afterward, the draft resolution as a whole is put to the vote, either amended or unamended, depending on the result of the vote.

If a Western country, or specifically the United States, were to submit a draft resolution, the Soviet Union usually could muster enough Third World support so that some of the African and Asian countries would submit amendments that would vitiate or dilute the American draft. The United States would then be faced with a dilemma—either to withdraw the resolution before the vote or to risk seeing the resolution disfigured. If there are a number of amendments to the same draft, they are voted on *seriatim*, i.e., an amendment to the first paragraph of a draft resolution will be put to the vote before an amendment to the second paragraph. However, once voting has begun, the sponsors of the original draft resolution can no longer withdraw it. Thus, if the Third World amendment to a Western draft resolution is adopted, the Western co-sponsors of the draft cannot then say: "Enough, we are withdrawing our resolution." They must allow all the other amendments to be voted on, and then see their own resolution altered beyond recognition. Finally, when the amended draft resolution is put to a vote in a case such as this, the United States may have no choice but to vote against its own original draft.

Under such conditions the Western countries avoid submitting their own drafts or amendments and have to be satisfied with voting against,

⁶Rules of Procedure of the General Assembly, A/520/Rev 2. Paras, 90 (130) and 91 (131).

or perhaps abstaining (which amounts to acquiescence), on draft resolutions that go against the policy of their governments.

In the more businesslike committees, such as the First (Disarmament), Second (Economic Aid), Fifth (Budgetary), and Sixth (Legal), the Western countries succeed in having some of their wishes reflected in the resolutions adopted by the General Assembly by the method of prior consultations.

If some Western countries agree to submit a draft resolution in the name of, say, the members of the European Economic Community, they begin by showing the text to the more moderate Third World countries and seeking their comments and agreement. If a compromise is reached, and if a "nose count" is made that predicts the support of a majority of the Committee, the resolution is tabled. In a further development the Soviets and their immediate surrogates may inform the Third World co-sponsors of the Western draft that the Soviet Union will have to vote against the draft resolution or abstain. Once this development becomes known along the delegates' grapevine, many Third World countries who had originally intended to support the draft may decide that abstention is prudent.

In such circumstances the West has to choose between withdrawing its draft or negotiating further with the Soviets and their friends. If a further compromise is reached as a result of such negotiations, a new version of the draft resolution is officially circulated bearing the legend "revision." In these instances the resolution is generally adopted by consensus. The final form of such a compromise resolution is a far cry from the original Western draft. Nevertheless, it could be argued that the merging of various texts is standard parliamentary procedure and that it is better to have a compromise text adopted, enjoying the unanimous support of the Assembly, than to have no resolution at all.

This argument would hold true if the same process of compromise were to take place when the original sponsors of a draft resolution were the Soviet Union or their surrogates. This, however, happens rarely, as the USSR has little need to settle for a compromise text.

In conclusion, it can be said that the Soviet Union and its allies are in a position, directly or indirectly, to influence the content of the majority of draft resolutions adopted by the General Assembly. By the threat of submitting or causing the submission of amendments, they can prevent the West from initiating draft resolutions. Even the method of consultation takes place only if it is agreeable to the Soviet Union.

The Third World and the Rules of Procedure

If the General Assembly were to become a kind of World Parliament, like all legislatures, it would have to have rules to govern its procedures.

The drafters of the Assembly's first Rules of Procedure⁷ were greatly influenced by those of the Council and Assembly of the League of Nations, which, in turn, had been inspired by the collective experience of Western parliamentary traditions. Although the procedures of the Palais Bourbon, the House of Commons, and the Congress of the United States differ from each other in important details, they share an abiding belief in the rule of law and due process.

Transplanting procedural rules from national legislatures consisting of elected representatives of the people to international gatherings of representatives of sovereign states was a chancy venture. It could succeed only by trial and error, and only provided that most of the participant Member States shared a common understanding of the need to establish a workable United Nations jurisprudence by which all Member States would abide.

The maxim that the Assembly was a "master of its own procedure" was introduced in the knowledge that the drafters of the Rules of Procedure could not be expected to foresee all the contingencies likely to arise in the future, and that the Rules of Procedure must have flexibility and margin for growth. In effect, this maxim allowed the Plenary or one of its Main Committees to dispense with certain rules and decide that in a given procedural situation it be guided by common sense, rather than by a procedural provision of its official Rules of Procedure. It was hoped that by its careful application new rules might emerge, which, by force of precedent, would make the Rules of Procedure more effective in securing orderly conduct of the deliberations and voting of the General Assembly.

This deliberate loophole came to be misused by the multitude of Third World countries that began to swell the ranks of the U.N. in the sixties. They started to invoke this principle, chiefly against the application of the rule that certain decisions of the General Assembly could be adopted only by a two-thirds majority of members present and voting. A number of national legislatures have similar rules, which require that decisions of particular importance can be passed only if they command the support of more than a simple majority, i.e., a two-thirds or a three-fourths majority. The drafters of the Charter therefore stipulated that resolutions on "important questions shall be made by a two-thirds majority of the members present and voting" (Article 18). The Charter adds that important questions shall include "recommendations with respect to the maintenance of peace and security" and mentions other categories such as the election of the nonpermanent members of the Security Council and other councils, admission of new members, expulsion of members, and budgetary questions. The phrase "maintenance of peace and security" of course covers, in practice, all international disputes.

⁷Preparatory Commission of the United Nations, P.C.; Chapter 1, Section 3.

By applying the principle that the Assembly was a master of its own procedure, the newly emerged Third World countries sought to abolish these provisions. They did so by putting to the vote the question of whether or not a given resolution demanded a two-thirds majority. This question could be decided by a simple majority, which they possessed. In this manner the newly independent states of the Third World secured for themselves a procedural gimmick for railroading any resolution through the General Assembly, unimpeded by the need to secure a majority of two-thirds of the Member States present and voting.

This method was used particularly by the Arab states in their campaign against Israel. On the one hand, they denounced Israel for being a danger to the maintenance of peace and security, and on the other hand, they denied that, if this were true, their resolutions, in accordance with the language of the Charter, required the approval of a two-thirds majority. If challenged, they could produce a majority, together with Soviet and Third World support.

With the exception of resolutions on disarmament or economic and budgetary questions, where the West is in a position to exert some influence on their semantics in behind-the-scenes negotiations, the bulk of them passes virtually unchallenged with only Australia, Canada, France, Israel, the U.K., and the United States dissenting. This applies particularly to decisions of the General Assembly on apartheid, Israel, colonialism, transnational corporations, and resolutions on the complex of problems subsumed under the ubiquitous heading of human rights.

The kitchen stage of drafting these resolutions has in the last decade and a half become an internal Third World affair. There are meetings of the Arab bloc, the African bloc, and the Group of 77 (a loose coalition of about 120 Third World countries with a special interest in economic matters), where drafts are negotiated and compared and compromises are reached. Sometimes the West may be informed by friendly Third World countries of the general state of negotiations; this courtesy is extended on the basis of friendly bilateral relations of a Third World and a Western country and sometimes on the strength of personal relationships between delegates. Politically, however, the West has no bargaining chips in the formation of most of the resolutions adopted by the General Assembly of the United Nations.

The Role of the Blocs

There is nothing in the Charter or the Rules of Procedure of the General Assembly that recognizes geographical or ideological blocs of Member States. Nevertheless, the election of the nonpermanent members of the Security Council, the Economic and Social Council, and other U.N. bodies of limited membership is conducted under the principle of equitable geographical representation.

For instance, the ten nonpermanent members of the Security Council in 1983 are: Malta, the Netherlands, Nicaragua, Pakistan, Zimbabwe, Guyana, Jordan, Poland, Togo, and Zaire.⁸ In other words, the Council's nonpermanent members have been elected on the basis of geographic distribution: two European states, Malta and the Netherlands; three African, Togo, Zaire, and Zimbabwe; two Latin American states, Guyana and Nicaragua; two Asian/Arab, Pakistan and Jordan; and one East European, Poland.

Inside each bloc, rotation permits each state to become the official candidate for election to the U.N. bodies with a restricted membership. Although most members of the General Assembly belong to one bloc or another—except the United States, Israel, the PRC, and Albania—a number of countries belong to two blocs or more; there are also Member States whose political allegiances are not clearly defined and whose voting patterns are irregular, guided by a variety of considerations, geographical, ideological, and plain opportunistic.

Of the 49 members of the African bloc, seven belong to the Arab group: Algeria, Djibouti, Egypt, Libya, Morocco, Sudan, and Tunisia. Of the 31 states in the Latin American bloc, thirteen belong to the Caribbean region. They have a different political tradition, and English, rather than Spanish, is their lingua franca. On many issues they feel closer to the African than the Latin bloc.

The 21 Arab states often are split on grounds of ideology and political expediency. Although united (with the exception of Egypt) on the condemnation of Israel, they differ sharply even on such issues as Afghanistan, where they might be expected to maintain Moslem solidarity. Thus, in the 1982 resolution of the General Assembly demanding the withdrawal of "foreign troops" from Afghanistan, Democratic Yemen, Libya, and Syria supported the USSR; Algeria and Yemen abstained; and the rest of the Arab countries voted with the majority for an anti-Soviet resolution, possibly because the USSR was not mentioned by name.

The communist group of states consists of the hard-core Soviet bloc: Byelorussia, Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Poland, Ukrainian SSR, and the USSR. Although a member of the group, Romania sometimes reserves for itself the right to vote independently.

To this group has to be added the Soviet surrogates: Afghanistan, Angola, Cuba, Democratic Yemen, Ethiopia, Laos, Mozambique, Nicaragua, and Vietnam. Although members of this second group occasionally deviate from the Soviet line on minor issues, the USSR invariably can depend on them to vote in accordance with the Kremlin's instruc-

⁸The permanent members of the Council are the PRC, France, the United Kingdom, the U.S., and the USSR.

tions on all important matters. In the course of the last two General Assemblies, Libya and Syria joined the Soviet hard-core group. In 1950, the Soviet bloc could command only 8 sure votes.

In addition to its hard-core and its surrogates, the USSR generally has the votes of radical Third World countries. Though the number varies, it generally consists of Benin, Cape Verde, Comoros, Equatorial Guinea, Grenada, Guinea-Bissau, Guinea, Guyana, Iran, Iraq, Madagascar, Mali, and Mauritius.

Thus the total number of nations belonging to the three pro-Soviet categories amounts to 33, of which 24 are Third World countries. This group of 24 pro-Soviet Third World Member States is a force strong enough to generate pro-Soviet initiatives among the rest of the 68 states that call themselves nonaligned.

No regional group of Asian countries exists. The countries of the Association of South East Asian nations (ASEAN)—Indonesia, Malaysia, the Philippines, Singapore, and Thailand—belong to the right wing of the Third World. They vote cautiously, supporting the Third World in most of the ritualistic resolutions on such topics as South Africa, but frequently abstain or even support the West on more vital matters. The two Asian giants, the PRC and India, pursue policies that reflect the shifting alliances in East and South Asia following the Soviet invasion of Afghanistan.

The People's Republic of China, while paying lip service to the cause of nonalignment, is pursuing the main goal of its foreign policy in the General Assembly: the reduction of Soviet influence in Asia and among Third World countries generally. Its voting and pronouncements in the General Assembly are a faithful reflection of this policy.

India, together with Sri Lanka and Yugoslavia, represents the centrist trend in the Third World. Since the Soviet invasion of Afghanistan, India has come to treat the threat of Soviet expansionism with greater alarm. While New Delhi combats Cuban influence in the Third World, it also seeks opportunities to prove its Third World credentials by being uncompromising over such issues as support for the New International Economic Order, the New World Information and Communication Order, the condemnation of Israel and South Africa, and the activities of transnational corporations.

In effect, as India becomes more and more wary of Soviet intentions in Asia, it tries to renew its ties with some Western countries on a bilateral basis and at the same time attempts to offset this development by showing greater support for the USSR in the General Assembly and in other forms of multilateral diplomacy. Bangladesh and Bhutan usually, although not automatically, tag along with India.

Pakistan, while voting with the rest of the Third World on routine items, is guided by two primary considerations: its eternal quarrel with India and its fear of Soviet expansionism. Since the Soviet invasion of Afghanistan, the Pakistanis have become a front-line state. Islamabad is trying to pur-

sue a cautiously pro-Western policy at the General Assembly, tempered by the realization that the Soviet Union has become a neighbor in Afghanistan and is interested in destabilizing Pakistan. Although pro-Western, Pakistan cannot be counted on to support the United States in votes on important issues.

The six Pacific Island States, Fiji, Samoa, Solomon Islands, Papua, New Guinea, and Vanuatu, vote with political restraint and speak rarely, but generally to the point.

The Western bloc is probably the least cohesive of all General Assembly groupings. The West commands about 20 votes out of a U.N. membership of 157. The European 10 (European Economic Community), Belgium, Denmark, Federal Republic of Germany, France, Greece, Ireland, Italy, Luxembourg, Netherlands, United Kingdom, forms the most important Western subgroup. However, the divisions within that group are often so strong that either they fail to reach agreement altogether, or they produce a platform that is so vague and amorphous as to make opposition to the Soviets meaningless. The Netherlands, Ireland, and especially Greece are ideologically close to the Scandinavians on such issues as disarmament, East-West relations, and Third World issues.

The Scandinavian group, even though it contains three NATO members (Norway, Denmark, and Iceland), is generally more influenced by Sweden than by the United States. The Swedes themselves are also part of the so-called European nonaligned, or neutrals, along with Austria, Finland, Yugoslavia, and Malta.

There remain Australia, New Zealand, Canada, Spain, Portugal, and Israel. Of this group, only Australia, Canada, and Israel can be relied on to support the U.S. Although thoroughly Western in political outlook, New Zealand sometimes goes along with the Scandinavians. Portugal generally supports the West, but Spain, even before the advent of the socialists, tended to curry Third World favor.

The overwhelming numerical preponderance of Third World countries, the alliance of some of them with the Soviet Union, and the establishment of an habitual anti-Western voting habit by so many Member States from Asia, Africa, and Latin America has had a paralyzing effect, even in purely human terms, on Western delegations.

Frequently, Western delegates do not participate in debates and restrict their pronouncements to brief explanations of vote, after the vote has been taken. Even this is minimized. The representative of the country chairing the European Ten will make a short statement in the name of the EEC. As a collective document taking into account the wide divergence of views in the Community, this is frequently couched in such vague terms as to make it almost devoid of political purpose. In the last few years, the Europeans have been trying to distance themselves more and more from the United States. In a case in which the United States

was expected to oppose a resolution, but at the last minute decided to abstain, an indignant European diplomat reproached his American colleague, saying that had he known the Americans were going to abstain, he would have supported the draft resolution. The principle, apparently, is to be slightly more supportive of the Third World than is the United States, irrespective of substance.

Statements by the Scandinavian group are generally more to the point, though on the whole they tend to be supportive of certain Third World demands, while deploring the language in which these demands are made.

The United States Delegations to General Assemblies invariably have sought to bring some semblance of political unity to the West, within the framework of the so-called Barton Group, consisting of the EEC, the Scandinavians, Austria, Australia, Canada, New Zealand, and the United States. This has proved a useful platform for the exchange of views, but the decision-making process of each of the twenty delegations making up the group often is too cumbersome for the swift action needed in the rapidly changing parliamentary situation in the General Assembly.

Whatever the direction of the General Assembly on any of a multitude of issues, clearly the political initiative lies with the countries of the Third World and frequently with the Soviet Union. The West is reduced to a defensive strategy of parrying blows as best it can.

The U.S. and the Blocs

The United States finds itself in a difficult role in the annual political drama performed on the stage of the General Assembly by the 157 Member States of the United Nations. The willingness of the Third World majority to support Soviet political goals in the United Nations, coupled with the apathetic resignation of its European allies, puts the United States in a situation where a choice must be made between becoming a spectator or persevering as an active participant. If it chooses the latter, the United States faces the certainty that sometimes it will be a loner; there have been several occasions, as on November 23, 1982, when the electronic scoreboard of the First Committee showed a sea of 99 green yes votes, with a peppering of 28 yellow abstentions, and only one glaring red light signifying the lonely opposition of the United States to resolution 36/18, "National Experience in Promoting the Cooperative Movement."

Again, the United States pursued a lone course in 1982, when it submitted the following amendment, in all committees, to draft resolutions that entailed expenditures:

Authorizes the Secretary General to implement the activities under the resolution only to the extent that they can be financed without exceeding the level of resources approved in the 1982-1983 Program Budget.⁹

⁹A/SPC/37 L.18 was one of many such amendments.

This amendment was often defeated, but it reminded the 89 Member States whose annual contributions do not exceed 0.03 percent that the United States is the sole member contributing 25 percent of the regular budget.

Similarly, the statements of U.S. delegates on such subjects as human rights, disarmament, colonialism, and global negotiations have demonstrated the new American policy, under Ambassador Jeane Kirkpatrick, to speak up for a clear and unambiguous political outlook, rather than to couch pronouncements in political platitudes and hidden reservations drafted with calculated vagueness. Given the parliamentary situation in which the U.S. delegation now finds itself in the General Assembly, the Kirkpatrick policy is the only logical course to take. It already has paid off in terms of respect for the American position, and has also allowed the U.S. to conserve its strength for political contests of real importance. Examples:

1) In 1982 the United States succeeded in preventing the expulsion of Israel from the General Assembly. For years the Arab states had been hoping that they would be able to expel Israel in a manner similar to the ouster of South Africa. In September 1982, they expected that, because of Israel's military intervention in Lebanon, the mood in the General Assembly would be strongly anti-Israeli.

The United States was determined to prevent Israel's expulsion. Apart from its opposition in principle to the suspension of Israel's right to participate in the General Assembly, there was additional reason to fear that Israel's ouster could endanger the conduct of diplomatic negotiations for the advancement of the Reagan Plan for a Middle Eastern solution. United States embassies in the Arab and Third World capitals were instructed to explain the seriousness with which the U.S. government would view such a move. "Action in capitals," as diplomats call such general instructions, was supplemented by similar moves in Washington and at the United Nations Headquarters. Reported the *New York Times*: "At a private meeting on October 18th, the Arab countries, persuaded by the other Moslem states, agreed to abandon their challenge to Israel's seat in the General Assembly, convinced that it would hurt their cause politically and tactically."¹⁰ When Iran forced the issue, the move to expel Israel was soundly defeated.

This episode indicates that, when the United States brings its full weight to bear at the bilateral level with Member States of the United Nations, the fog of political surrealism that so often obscures the proceedings lifts, and delegations vote in conformity with their own best national interests.

2) Similar was the case of Cuba's attempt to place the question of Puerto Rico on the Assembly agenda. The Cubans tried twice. The first

¹⁰*New York Times*, October 30, 1982.

time was at a meeting of the General Assembly's 28-member General (Steering) Committee, where the final agenda for the session is adopted. Six countries supported Cuba (Democratic Yemen, Ghana, Libya, Nicaragua, Poland, and the USSR); eleven countries opposed it (Austria, Brazil, Canada, France, Haiti, Jamaica, the Philippines, Turkey, United Kingdom, U.S., and Upper Volta). Cyprus, Kuwait, Mali, Nigeria, Qatar, Uganda, Yemen, and Zambia abstained, while the PRC and Congo preferred not to participate in the vote. Having failed in the General Committee, the Cubans tried again when the committee's report was submitted for final approval of the Plenary, and were again defeated by 70 countries who opposed the inclusion of the item, only 30 who supported it, and 43 who abstained.

In both these cases, the United States succeeded in putting out a brushfire, and the Soviets failed to get one going. The United States gained in prestige; the Soviet Union lost none.

The Soviet Union and its allies retained their political initiative in the 1982 General Assembly, even though they suffered occasional setbacks. More significantly, Moscow was embarrassed somewhat on the questions of Afghanistan and the use of chemical weapons in Southeast Asia by Vietnamese forces in Kampuchea.

The 1982 General Assembly resolution on Afghanistan was the third such resolution since 1980, when the General Assembly, by a majority of 104 to 18, with 18 abstentions, called "for the immediate, unconditional and total withdrawal of the foreign troops from Afghanistan" (Emergency Session/6-2). Yet the resolution's wording carefully avoided stating that it was Moscow's troops that had invaded Afghanistan. (See Appendix for contrast between this resolution and the one passed year after year on Namibia.)

On January 14, 1980, the essence of the deal engineered by U.S. Ambassador Donald McHenry with the Third World was that they would support a resolution on Afghanistan only if the Soviet Union were not accused by name. The representative of India was particularly active in recruiting Third World opposition to any specific mention of the USSR in this context.

Similar resolutions were adopted in 1981 and 1982, when the General Assembly, in operative paragraph 3 "calls for the immediate withdrawal of foreign troops from Afghanistan." The words "total" and "unconditional" were significantly dropped from the original 1980 text.

For the United States, it required less effort to have the old resolution on Afghanistan restated in a diluted form than to avoid the ouster of Israel or the discussion on Puerto Rico. Therefore, adoption of the diluted resolution represents a lesser American victory more than a setback for the USSR. The Soviets know very well that, once a resolution has been adopted in the General Assembly, it is likely to be repeated each year unless and until the Soviets pull out of Afghanistan.

The United States was more successful in getting the General Assembly to adopt, by a vote of 63 countries in favor, 20 against, and 31 abstaining, a resolution that would have the General Assembly declare that there is "circumstantial evidence" suggesting that chemical weapons might have been used against insurgents in Southern Asia. Again, neither the USSR, which almost certainly is producing and supplying the outlawed weapons, nor Vietnam were mentioned in the resolution. The Soviet Union and nineteen of its surrogates and allies opposed the resolution. Israel, Puerto Rico, Afghanistan, and the use of chemical weapons are only four resolutions out of the 300 or so annually adopted by the General Assembly. Though these examples indicate the fleeting willingness of some Third World countries to support the West, or at least to hold support from the Soviet Union and its allies, there are dozens of resolutions where the United States and other Western countries are to be accused of all kinds of misdeeds; and there has been no in the anti-Western rhetoric of representatives of those Third countries that maintain reasonably friendly relations with the 36th session of the General Assembly in 1981, the United States red in fourteen separate resolutions either alone or in com- other Western countries. The Soviet Union was not censured ven by the resolutions on Afghanistan or chemical warfare Asia. al battle waged in the General Assembly is no football ne can keep score; nor are General Assembly resolutions lows for one side or the other. The political reality gov- ide of Third World countries toward the United States, e volatile pronouncements of the General Assembly, is lex and in a constant state of flux.

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and voting in its favor. Frequently, more than one resolution is submitted and voted on in connection with the same item. No resolution, however, can be submitted unless it refers, even remotely, to a specific agenda item.

Frozen Agenda

There is much justification for the appearance of some items on the agenda every year. Take, for instance, item 54 in 1982 entitled: "Chemical and Bacteriological (Biological) Weapons." Negotiations for banning such weapons have been stalled for years because of the Soviet refusal to permit on-site inspections. It is proper, therefore, for the General Assembly to remind mankind of the dangers inherent in the manufacture, storage, and employment of such weapons by passing a relevant resolution each year. Other perennial items seem equally in order. There are the housekeeping problems of the Budget Committee, which, at times, have considerable political implication. Similarly, the Legal Committee proceeds slowly, as is the habit of legal institutions, in its consideration of items pertaining to international public law.

However, the so-called colonial items of the General Assembly typify the Frozen Agenda.¹ At the end of the 1950s and the beginning of the 1960s, the number of dependent territories (colonies) amounted to about sixty, ranging from enormously large countries such as Nigeria or the former Belgian Congo (now Zaire), to the Maldivé Islands with a population of only 100,000.

Now the British, French, Portuguese, Spanish, Dutch, and Belgian colonial empires are gone. All that remain are a few micro-islands still under British, French, or U.S. control simply because they are too small to exist alone. Yet, the agenda of the General Assembly makes it seem that the British Empire, in all its glory, still holds sway over much of Africa and Asia. The following excerpt from the Colonial Agenda of 1982 demonstrates this frozen issue in the General Assembly:

- | | <i>Page</i> |
|---|-------------|
| 96. Information from Non-Self-Governing Territories transmitted under Article 73 <i>e</i> of the Charter of the United Nations: | |
| (a) Report of the Secretary-General; | |
| (b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples | 310 |

¹Officially, these items are considered by the Fourth Committee. But they will be subsumed as work of the General Assembly, in order to avoid confusion with the work of the Committee of 24, which must be discussed here.

97. Question of East Timor:

- (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
- (b) Report of the Secretary-General 311

98. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa;

- (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
- (b) Report of the Secretary-General 313

99. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations:

- (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

It will be noted that in 96b, 97a, 98a, 99a (in four out of the six items dealing with colonial matters) there is mention of a report by a body called the "Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." This is the so-called Committee of 24² that was established to monitor the implementation of Khrushchev's resolution XV (1514) of 1960, which called for an end to colonialism. The United States and Britain later withdrew from the Committee, and the U.S. Representative, Ambassador Seymour M. Finger, described its workings:

Resolutions have normally been worked out by a group of communist members and anti-Western African and Arab States. The latter, being militant and persistent, dominate the twelve member Afro-Asian caucus of the committee. With the twelve Afro-Asian and four communist members committed, there is little disposition to compromise or negotiate within the committee. . . . Recommendations of the Special Committee of 24 have usually gone on to become resolutions of the Fourth (Trusteeship and Non-Self Governing Territories) Committee, and the General Assembly. If such resolutions are changed from one year to the next, the change has usually been in the form of adding or inflating adjectives, or inserting still more unattainable provisions.

The constant use of Soviet inspired cliches by the non-aligned nations

²The committee has recently been increased to 25.

had a somewhat hollow ring from the start. The main struggle against colonial oppression had actually been won before Khrushchev's resolution in 1960. Between 1945 and 1960, the end of colonial rule for approximately a billion people was brought about largely through nonviolent means, and, in most cases, with the acquiescence, ready or reluctant, of the colonial powers.³

As of January 1, 1983, the Committee of 24 was composed of Afghanistan, Australia, Bulgaria, Chile, China, Congo (Brazzaville), Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Norway, Sierra Leone, Syria, Trinidad and Tobago, Tunisia, USSR, Tanzania, Venezuela, and Yugoslavia. Of these, seven vote on strictly pro-Soviet lines: Afghanistan, Bulgaria, Congo (Brazzaville), Cuba, Czechoslovakia, Ethiopia, and of course the USSR. The PRC,⁴ Iraq, Iran, Mali, Sierra Leone, Syria, Tanzania, and Trinidad mostly support extreme Third World positions. Thus the USSR can count on a majority of 14 out of 25. India, Indonesia, and Yugoslavia, although belonging to the center of the Third World political spectrum, rarely put up strong resistance to Soviet initiatives in the Committee, though they sometimes moderate the language of draft resolutions. The pro-Western nations—Australia, Chile, Fiji, Ivory Coast, Norway, Tunisia, and sometimes Venezuela—are hopelessly outnumbered and can influence little the decisions of the Committee of 24.

Examples of the "Colonial" Issue

The Puerto Rico issue provides a practical illustration of the workings of the Committee of 24. A draft resolution demanding independence for Puerto Rico, and the inclusion for that purpose of an item on the agenda of the forthcoming General Assembly, was introduced in August 1982 by Afghanistan, Cuba, Iraq, and Syria. The representatives of Nicaragua (not a member of the Committee of 24) asked for and were granted permission to make a statement in support of the Cuban draft. The draft resolution was adopted by the Committee of 24 by 12 votes in favor, 2 against, and 9 abstentions.⁵ This anti-American resolution of the Committee of 24 is typical of the frozen agenda of the General Assembly. The first resolution on the subject of Puerto Rico was adopted by the Committee in August 1972; the exercise no doubt will be repeated each year.

Although the Committee of 24 failed this year, as in past years, to have the item of Puerto Rico included in the agenda, all of its other resolutions have been adopted by the General Assembly without changing a single

³*International Organizations*, Vol XXVI, No. 1, Winter 1972.

⁴The PRC frequently attacks Soviet initiatives in the U.N., but in colonial matters the Chinese like to demonstrate their support for the Third World by going along with the extremists in the Committee of 24.

⁵Report of the special "Committee on the Situation" (A/37/213, Part 1), October 18, 1982, pp. 31-34.

word of the original drafts. Simply put, the coalition of the 14 pro-Soviet, or extreme Third World, countries of the Committee of 24 in fact dictates the text of resolutions on so-called colonial matters to the majority of 157 Member States of the United Nations.

Referring to colonial matters as “so-called” is intentional. Very few territories remain under British, U.S., Australian, and New Zealand administration. The U.K. administers Bermuda, British Virgin Islands, Brunei, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, St. Helena, St. Kitts-Nevis, and Tucks and Caicos Islands. The U.S. administers American Samoa, Guam, and the U.S. Virgin Islands. Australia rules the Cocos (Keeling) Islands, and New Zealand rules Tokelau.

Inhabiting the Cocos Islands in 1964 were 684 men, women, and children; the population of Bermuda in the mid-sixties was 48,000. However, year in and year out the Committee of 24 pronounces itself on the subject of Bermuda in resolutions such as the draft that includes the following paragraph:

The Special Committee reiterates the view that such factors as territorial size, geographic location, size of the population and limited natural resources should in no way delay the speedy exercise by the people of the territory of their inalienable rights in the Declaration contained in the General Assembly Resolution #1514 (XV) [i.e., independence] (General Assembly Resolution 36/62, November 25, 1981).

In another paragraph of the resolution the position is clarified even further by saying that the Administering Power (i.e. Britain) is asked to create conditions to allow the people of Bermuda to exercise freely their rights to independence.

The Issue of Self-Determination

The Committee of 24 sides with Algeria in that country's dispute with Morocco over the formerly Spanish Sahara. Therefore, that territory is designated as non-self-governing, and the Algerian, Libyan, and Soviet backed Polisario movement enjoys the status of a liberation movement whose representatives testify before the Committee of 24.

Carl Gershman of the United States delegation to the U.N. has analyzed the General Assembly's treatment of the question of self-determination in a statement before the Third Committee on October 15, 1982.⁶ Gershman notes that the General Assembly has a tendency “to view the principle of self-determination as relevant chiefly, if not exclusively, to the process of decolonization and to issues that emerge in a racial context.”⁷ In other words, if some delegation in the General Assembly wished to raise the right of the peoples of the formerly independent and

⁶Press Release USUN 83, 1982.

⁷*Ibid.*

now Soviet controlled republics of Lithuania, Latvia, and Estonia to determine their political future, the General Assembly, in all likelihood, would refuse to consider their right because it did not fit into any of the categories established by the Committee of 24.

The implicit double standard was noted in 1961 by Lord Home, who asked the General Assembly: "Is there to be one principle for Asia and Africa and another for Europe? One rule for the British Commonwealth and another for the Russian Empire? I thought if a principle was anything it was universal."

Gershman also asks "whether independence is the only acceptable outcome, or is it just one of several outcomes of the right to self-determination?"⁸ This is a relevant question. In fact, Third World extremists have succeeded in having the General Assembly limit the right of self-determination solely to the right of independence. If a community of peoples, in a free plebiscite, determine that they wish to remain associated with the metropolitan power—as have the inhabitants of Bermuda, Puerto Rico, Gibraltar, and the Falkland Islands—their decision is rejected by the Committee of 24 as "reactionary," and therefore, invalid. Gershman continues:

The identification of self-determination with independent statehood . . . has invariably affected the methods used to bring it about. . . . The new approach was revolutionary not evolutionary. Independence was to be achieved immediately by whatever means necessary. . . .

Increasingly, this led to the acceptance of the alternatives to elections and plebiscites, in particular to the recognition of 'national liberation movements' as the true bearers of the right to self-determination and the sole legitimate—though not democratically elected—representatives of the people concerned.⁹

Although, formally, Gibraltar is a Crown Colony, the conflict between Great Britain and Spain is not a colonial matter because it concerns a territorial dispute between two European powers over an area situated in Europe. Because the Soviet Union wants Britain and the Royal Navy to stop guarding the strategic Straits, the Committee of 24 has taken the position that this is a colonial issue and it supports Spain.

The Special Cases of Namibia and East Timor

Southwest Africa (Namibia) takes up most of the Committee's time, in spite of the parallel consideration of that problem by other Committees in the General Assembly. Every year throughout the last decade or so, the General Assembly has discussed Namibia in the Plenary debates and in the Council for Namibia (sometimes extraordinary meetings of the Council take place outside New York); in various seminars, such as

⁸*Ibid.*

⁹*Ibid.*

the Seminar in Legal Issues concerning Namibia; by holding special conferences, such as the Paris Conference on Sanctions; by holding "Namibia Day" ceremonies, and the "Week of Solidarity with the People of Namibia"; by the establishment of a U.N. Fund for Namibia, a Nationhood Program for Namibia; by a U.N. Institute for Namibia, and by Educational, Social, and Relief Programs for Namibia. (For an example of these continuing resolutions on Namibia, see Appendix.)

The question of East Timor appears on the agenda of the Committee of 24 and of the General Assembly. The resolution proposed by the Committee of 24 in 1981 was automatically adopted by the General Assembly.

The situation in East Timor undoubtedly deserves the attention and concern of the world community. Indonesia is an enormous group of islands. Until 1949, it was a colony of the Netherlands, with the exception of the island of Timor, which was divided into West Timor (Dutch) and East Timor (Portuguese). When Indonesia became independent in 1949, West Timor was absorbed into Indonesia. The Portuguese, however, remained in their half of the island until the collapse of their colonial empire in 1975. The Indonesians then marched into East Timor claiming the right of the "successor state." However, under Portuguese rule, a left-wing liberation movement called FRETILIN had risen in opposition to Indonesian rule. There is little doubt that the Indonesians suppressed the movement with considerable brutality.

If the General Assembly were an institution that concerned itself with breaches of human and political rights wherever they occur, the preoccupation of the Committee of 24 with East Timor would have been commendable. However, considering the deafness of the Committee to the outcry of the Kurds for the right of self-determination in the face of Iraqi oppression, of the Ibos of Nigeria, the Sikhs of India (the list is very long), the Committee's unexpected championship of the cause of the people of East Timor against the claims of Indonesia, a member of the so-called Movement of the Nonaligned, deserves closer scrutiny.

It seems that FRETILIN enjoys the support of Angola, Mozambique, and Cape Verde, the three Marxist ex-colonies of Portugal. The representative of the Soviet Union in the Committee of 24 is reported to treat the spokesmen for FRETILIN with special warmth and courtesy. Gen. Suharto, Indonesia's leader, moreover, is quite pro-Western. This probably is enough to make Indonesia a target of the Committee's criticism.

In the September 3, 1982, Report of the Committee of 24, much space is devoted, as in previous years, to the discussion of a draft resolution entitled:

Activities of Foreign Economic and other interests which are Impeding the Implementation of the Declaration on the Granting of Independence to Colonial Peoples in Namibia, and in all other territories under colonial

domination and efforts to eliminate colonialism, apartheid, and racial discrimination in Southern Africa (UN Document A/37/23, Part 111).

Southern Africa includes South West Africa (Namibia), Angola, Mozambique, and Zimbabwe. The Committee of 24 seems to overlook the stark fact that, with the exception of Namibia, all of Southern Africa already is independent and has joined the U.N.: Mozambique, September 16, 1975; Angola, December 1, 1976; Zimbabwe (Rhodesia), August 25, 1980. Nevertheless, the rules of the frozen agenda dictate that once an anti-Western term, such as "Southern Africa," is used by the General Assembly, it continues to be used regardless of its relevance.

Other Committee of 24 "Concerns"

Foreign economic interests can sometimes be harmful and sometimes extremely beneficial. However, this is not the way the allies of the Soviet Union in the Committee of 24 analyze the role of foreign capital in the development of the Caribbean and Pacific Islands. A draft resolution submitted by the Committee of 24 states: "*Concern* about conditions in other colonial territories, including certain territories in the Caribbean and Pacific regions, where foreign economic, financial and other interests continue to deprive the indigenous populations of their rights over the wealth of their countries . . . etc." (UN Document A/37/23, Part 111 Add 1). This reads like *Pravda* or *Izvestia*, of course, but has become so much the normal parlance of the U.N. that delegations of countries which make enormous efforts to invite foreign capital to their own shores automatically vote in favor of such resolutions without thought.

These repetitious resolutions of the General Assembly and its subsidiary organs are symptoms of political sterility. But words and ideas are powerful. The Committee of 24 recognizes this in its report to the General Assembly when it speaks of "the need to mobilize world public opinion" of "the role played by nongovernmental organizations," and the dissemination of information about its work through United Nations Information Centers. The resolutions spawned by the Committee of 24 do not sound quite so sterile or repetitious when they are treated seriously in classes by professors of political science.

Israel, the Whipping Boy

A good part of the frozen agenda is taken up by the annual consideration of the Israel-Arab dispute. The 37th session of the General Assembly in 1982 passed 44 resolutions on the subject; 35 dealing directly with Israel and nine mentioning Israel in resolutions concerning totally different issues. By comparison, this same General Assembly passed one resolution on Afghanistan (without mentioning the USSR) and one resolution on the war between Iraq and Iran.

The 1980 and 1981 sessions adopted a similar number of resolutions on Israel (over 40) but only one resolution on Afghanistan and none on

the military conflict between Iraq and Iran, although the war between the two countries was seriously destabilizing the fragile balance of power in the region and endangering “peace and security,” according to the definition in Article 2(3) of the Charter.

The resolution adopted by the General Assembly in 1982 on Afghanistan and the Iraq-Iran war had nine and five operative paragraphs respectively. In contrast, the two resolutions on the Israel-Arab dispute (the Middle East and Palestine) contained 68 operative paragraphs.

However, a numerical comparison does not truly portray the political volume of the annual onslaught on Israel in the General Assembly that is orchestrated by the twenty-one Arab States, the Soviet Union, and its Third World allies. It has been estimated that approximately 25 percent of all the speeches made in the course of the three months of a General Assembly session concern the Israel-Arab conflict both in the seven Main Committees and in the Plenary. Describing a session of the Security Council, Ambassador Kirkpatrick notes that:

Usually Israel is cast as villain and victim in political melodramas played out in the Security Council, but in this past week, in the Nicaraguan matter, the United States was the intended victim of what has become an all-too-familiar scenario that features one victim, many attackers, a great deal of verbal violence and a large number of indifferent and/or intimidated onlookers. . . . The goal is isolation and humiliation of the victim—creation of an impression that ‘world opinion’ is united in condemnation of the targeted nation. The enterprise more closely resembles a mugging than either a political debate or an effort at problem solving. . . .

Although this carefully orchestrated drama, now as stylized as a Chinese opera, was perfected in the campaign to delegitimize Israel, it has been used three times against the United States during the past year. . . .¹⁰

The political manners of the General Assembly affect sooner or later most other U.N. bodies, even the august Security Council. The Arab States and the Soviet Union see to it that few major issues under review of the General Assembly remain untouched by the Arab hostility toward Israel. The items on the agenda dealing with disarmament are a case in point.

However vacuous and inadequate the Assembly’s annual debate on disarmament may be, a tacit understanding has always been observed that no one country be specifically singled out for blame and that no resolution be adopted on the basis of one country’s allegation against another. Thus, for thirty-three years the Assembly’s resolutions on disarmament had maintained some political detachment. This ended in 1978 when the Iraqis introduced a draft resolution accusing Israel of a buildup in conventional arms and of developing a nuclear potential. The First Special Session on Disarmament refused to consider the Iraqi ini-

¹⁰*New York Times*, March 31, 1983.

tiative and at the regular session of the General Assembly a majority, including many Third World countries, attempted to postpone the consideration of the Iraqi proposal. The Iraqis persisted and eventually, with Soviet help, managed to push through a resolution censuring Israel. Thus was broken an honorable tradition that had permitted the General Assembly to deal with disarmament as a world problem without entering into contentious dispute among Member States.

The Stockholm International Peace and Research Institute (SIPRI) echoed the general feeling in its International Peace and Research Institute Yearbook of 1979 by noting that the overwhelming feeling among U.N. representatives was that the highly controversial Iraqi resolution "would diffuse the focus of the session and undermine the consensus on the Final Document of the First Special Session on Disarmament."

One of the paragraphs of the Iraqi resolution censured Israel for not having signed the Treaty of Non-Proliferation of Nuclear Weapons. Israel opposed the resolution, pointing out that it amounted to a discriminatory singling out of Israel from a list of more than fifty Member States, (nearly one third of the membership of the United Nations) that had either not signed or signed but not ratified the Treaty, or had not complied with the Full Scale Safeguards agreement. Among those states, thirteen are in the Middle East. Of the thirty-four cosponsors of Resolution 34/89 censuring Israel, twenty, in one way or another, have not done what they asked Israel to do.

From 1979 on, the First Committee (Disarmament) of the General Assembly embarked on a predictable course, dictated by the rules of the frozen agenda, insuring that once an anti-Israel motion is adopted it is perpetuated and repeated every year, quoting the previous decisions as a justification for the adoption of yet another anti-Israel resolution of the General Assembly. First an accusation, however discriminatory, is railroaded through the General Assembly; later the authors of the slander need only quote a United Nations resolution to substantiate, as it were, their original discriminatory allegations.

To justify the inordinate amount of time spent on vilifying Israel the ruling majority of the General Assembly has to ascribe to Israel a military, economic, and political power that it simply does not possess. For instance, in Resolution 37/69 on South Africa, the General Assembly expresses its deep concern over "the continued nuclear collaboration by the United States of America and some other Western countries and Israel with the apartheid regime." This sentence implies that Israel possesses a military and industrial capability comparable to the United States or to all other Western states put together. The General Assembly even adopted Resolution 37/69F, entitled "Israel and South Africa," saying that Israel's collaboration with South Africa "is a serious hindrance to international action for the eradication of apartheid." Yet there is no special resolution condemning the United States or any of the

Western European states or Japan for their relations with South Africa; and this in spite of normal trade exchanges running into tens of billions of dollars which South Africa maintains, not only with the United States, Great Britain, France, Germany, other Western countries, and Japan, but also with Arab countries, the Soviet Union, and many African countries south of the Sahara. Israel's trade with South Africa toward the end of the seventies was but two-fifths of one per cent of its total foreign trade.

Another example of the misuse of U.N. procedures is the invocation of rule 63 of the Rules of Procedure, which provides for the convening of Emergency Special Session. Until a few years ago such sessions were convened rarely—only when an international emergency of the first magnitude demanded the Assembly's immediate attention. Such Emergency Special Sessions would last for a couple of weeks and conclude by adopting a resolution. Thus in January 1980, after the regular session of the General Assembly had adjourned in December of the previous year, a Special Emergency Session was convened to discuss the Soviet invasion of Afghanistan. It adopted one resolution and disbanded, in spite of the continued occupation of Afghanistan by the Soviet Union.

Not so when Israel is the focus of the Assembly's scrutiny. The Seventh Emergency Special Session was convened on July 22, 1980, adopted a resolution, adjourned for almost two years, and reconvened again on April 20, 1982; the same session was again resumed June 25, August 16, and September 24, 1982; each time the Emergency Special Session on the Question of Palestine adopted a resolution and decided to "adjourn the Seventh Emergency Special Session temporarily and to authorize the President of the latest regular session of the General Assembly to resume its meetings upon request from Member States." Formally the Seventh Emergency Special Session of the General Assembly is still in session and can be reconvened whenever the Arab, Third World, and Soviet majority of the Assembly desire.

Third World representatives often privately express disgust with a political situation that compels them to vote against their conscience and their country's long-range political interests. African diplomats, especially, have remarked that the Arabs and Soviets use the African bloc as expendable political cannon fodder against Israel, which in the recent past has contributed generously to the development of Africa south of the Sahara. Above all, Asians and Africans seem to recognize that the real loser is the United Nations system, because once the General Assembly discriminates against one of the Member States, a dangerous precedent has been set that threatens the future of the United Nations as a whole.

The anti-Israel campaign has a corruptive influence on the manner in which the General Assembly conducts business, whatever the subject under review. If Rules of Procedure are repeatedly bent to allow an anti-

Israel resolution to pass, it is the principle of due process that is fatally damaged. Thus, in the late sixties, when—to facilitate the adoption of an anti-Israel resolution—the General Assembly decided to disregard a rule that required a resolution involving “important questions” to have the support of a two-thirds majority, the result was a de facto abolition of Article 18 of the Charter. This action later affected decisions on questions unrelated to Israel.

If the General Assembly President permits delegates attacking Israel to use pejorative terms more suitable to the marketplace than to an assembly of diplomats, a political climate is created that ultimately poisons the whole U.N. system. At the end of a five-day Security Council debate on Nicaragua’s complaint in March 1983, Britain’s Sir John Thomson, speaking as the Council’s President,

delivered an unusual rebuke to the debaters. He said participants . . . ‘have used unhelpfully strong language which went beyond the bounds of civility.’ He complained of an ‘excess of vituperation or irrelevance’ and ‘extreme and wild accusation.’ All this, he said, undermined the Council’s role as a deliberative and decision-making body to maintain peace.¹¹

The same can be said of the General Assembly, and it all began with the language employed by Soviet and Third World delegates in their annual onslaught against Israel.

The Absent Agenda

Upon joining the United Nations, each Member State undertakes to accept the obligations contained in the Charter. The principal obligation, as stated in Article 2(4), is to refrain “from the threat of use of force against the territorial integrity or political independence of any state . . .” Since the signing of the Charter in San Francisco on June 28, 1945, approximately 135 armed conflicts have erupted involving U.N. Member States. The remarkable fact about many of those conflicts is that many of them were totally disregarded by the General Assembly. Among those overlooked are:

Yemen vs. Aden, 1957–1959; Indo-Pakistani War, 1965; the Egyptian intervention in Yemen, 1965–1966; the Soviet invasion of Czechoslovakia, 1968; the war in Biafra, 1967–1970; Indo-Pakistani War, 1971; Angolan Civil War, 1975–1976; Ethiopia vs. Somalia, 1978–1979; Vietnam vs. Cambodia, 1978–1979; China vs. Vietnam, 1979; South Yemen vs. Yemen, 1979; Iraq-Iran, 1980–still continuing.¹²

The Ethiopia-Somalia war, for instance, has caused enormous suffer-

¹¹*New York Times*, March 30, 1983.

¹²Having disregarded the conflict for two years, the General Assembly finally passed in 1982 an innocuous resolution which requests the Secretary General to continue his efforts to achieve a peaceful settlement (37/3).

ing to the peoples of both countries, created one of the worst refugee problems on that continent, and because of the strategic significance of Soviet control over the Horn of Africa, truly endangers the "peace and security" of the world. If ever a local war had global implications it is the conflict in the Horn of Africa. Yet the General Assembly in the course of the last four years has not found it necessary to spend an hour's debate on the subject. Instead, the 35th, 36th, and 37th Sessions of the General Assembly debated such topics as the recommendations of the Committee of 24 that Bermuda be granted independence. Lip service was paid by the General Assembly to the plight of hundreds of thousands of refugees in the Horn of Africa by the passage of the very brief and mild Resolution 36/161 urging the High Commissioner of Refugees " . . . to continue his efforts to mobilize humanitarian assistance for the large numbers of voluntary returnees . . ." (U.N. Document A/37/420).

The double standard applied by the General Assembly to humanitarian concerns is apparent when this resolution is compared to the strident tones of the lengthy resolutions annually adopted by the General Assembly on the question of Arab refugees, who are being taken care of, at the cost of hundreds of millions of dollars, by a special U.N. Agency, United Nations Relief and Work Agency (UNRWA). In terms of the General Assembly agenda, some refugees are more equal than others.

And absent from the agenda like most conflicts, that in Ethiopia and Somalia will most likely be resolved outside the General Assembly.

The General Assembly's Importance to the Soviet Union, the West, and the Third World

The Soviet Union and the General Assembly

In 1945, the Soviet Union regarded with misgivings the preparations for the establishment of the United Nations and feared being isolated in the General Assembly. It was to allay these fears that President Roosevelt bowed to Stalin's demands that two "Republics" of the Union of Soviet Socialist Republics, Ukraine and Byelorussia, be granted the status of independent sovereign members of the United Nations,¹ each with a vote in the General Assembly. By now, this anomaly is so much taken for granted that many Third World representatives in the General Assembly would be hard put to define the difference in legal status between the Ukraine and a member of the Soviet bloc, such as Bulgaria. Even North Americans need reminding that, if one were to apply the same yardstick to the U.S., California and New York would be eligible for membership in the United Nations.

The initial Soviet fears of isolation in the General Assembly turned out to be valid. Because of Soviet behavior in Eastern Europe, the division of Europe by the Iron Curtain, the Berlin Blockade, and Moscow's role in triggering the Korean War, the Soviet Union was isolated in the General Assembly during the early and middle fifties.

The process known as decolonization, decisions taken in London, and later in Paris, to grant independence to former colonies or to set target dates for their independence, allowed the Soviet Union to break out of its isolation in the General Assembly by coming to the foreground of the anticolonial rhetoric conducted in the late fifties, principally by Yugoslavia, India, and Mexico. To be sure, what British Prime Minister Harold Macmillan called decolonization's "wind of change" had begun to blow throughout the African continent, not as the result of anticolonial speeches in the General Assembly, but as an aftermath of the unilateral decision of the British Government in 1957 to grant indepen-

¹Originally, the Russians demanded a vote in the General Assembly for each of the fifteen Soviet republics.

dence to the Crown Colony of the Gold Coast, which then became Ghana. This occurred three years before Khrushchev's famous resolution on Colonialism (1514 XV) of 1960, in which the General Assembly stated for the first time that possessing colonies was contrary to the Charter and that it constituted a denial of fundamental human rights.

Although more than a billion people already had been granted independence, Khrushchev's resolution accorded the Soviet Union enormous prestige and influence in what was to be known as the Third World. By unfurling the banner of anticolonialism, the Soviet Union assumed a position in which the tenets of its ideological creed coincided completely with its political, economic, and military goals.

However, it is doubtful that the Soviets could have foreseen, in the late fifties, the full extent of the rout of the West in the General Assembly; nor could the Soviets have hoped to leave so profound an imprint on the political culture of the world body. Today, however, it is obvious that multilateral diplomacy offers the Soviet Union enormous advantages, while it is unfavorable to the pursuit of Western political interests. The Western bloc's disunity in the General Assembly and its numerical weakness enable Soviet surrogates in the Third World to discourage occasional pro-Western tendencies on the part of some countries of Africa and Asia from developing into serious political initiatives in the General Assembly.

Multilateral diplomacy also serves to obliterate Soviet setbacks in the Third World and to minimize the political and economic importance of certain Western countries for the future welfare of some Third World states. Conference diplomacy provides the Third World majority of the General Assembly with a distorted and exaggerated view of both Western weakness and Soviet might.

The General Assembly and conference diplomacy overall also provide an advantage to the Soviet Union in perpetuating and institutionalizing the fiction of Western (especially American) responsibility for lack of development, conditions of poverty, and every other ill that besets the Third World. Somehow, the Soviet Union has managed to maneuver the General Assembly into excluding the developed communist industrial nations from any responsibility for contributing to the transfer of wealth and know-how to the developing South.

Nevertheless, whenever the Soviet Union is seriously interested in negotiations affecting its vital interest, it shows considerable distaste for the active participation of a multitude of Third World nations. This applies especially to disarmament and diplomatic initiatives of specific importance to the Soviet Union.

In disarmament, the Soviet Union, though paying pious lip service to the United Nations, sees to it that the Geneva based Committee on Disarmament is deprived of any significant role in the negotiation of agree-

ments on arms control. The Soviet Union is similarly averse to using the General Assembly as a platform for serious diplomatic initiatives.

Are the General Assembly of the United Nations or other arenas of multinational gatherings essential to the Soviet Union for the attainment of its political goals? The answer: highly useful but not essential. For one thing, the General Assembly magnifies disproportionately Western weaknesses and enables the Soviet Union to maneuver Third World countries into taking anti-Western attitudes. Soviet diplomacy has been greatly strengthened by the rhetoric and resolutions of the General Assembly. For another thing, the General Assembly has become, from the Soviet point of view, an unexpectedly effective vehicle of Soviet political philosophy. The fundamental principle of the Charter of the United Nations (the renunciation of force as an acceptable instrument of policy)² goes against the very essence of Marxism-Leninism, which endorses and encourages the right of the "toiling masses" to employ violence to throw off the yoke of the "exploiting bourgeoisie." With the help of the colonial issues and the Committee of 24, the General Assembly began to adopt resolutions that gradually became more and more explicit in the recognition of armed struggle as a justifiable means for achieving independence. This, of course, is in direct conflict with the Charter which, in Chapters XI and XII, saw the road to self-government or independence as a gradual process of political emancipation.

By now all the colonial situations in Africa, except for South West Africa (Namibia), which is not classically colonial, have been resolved by the attainment of independence of the former colonies. Yet the General Assembly continues yearly to restate the principle that violence is a permissible form of political struggle in colonial situations. For example, the 36th session of the General Assembly adopted six resolutions on Namibia, on December 10, 1981 (Resolution 36/121, A-G). Resolution A states, *inter alia*:

The General Assembly reaffirms the inalienable right of the people of Namibia to self-determination, freedom and independence in a united Namibia . . . and the legitimacy of their struggle by all means at their disposal, including armed struggle, against the illegal occupation of their territory by South Africa.³

The importance to the Soviet Union of the General Assembly's legitimization of the employment of force in certain cases goes far beyond the specific situation of Namibia. This legitimization can be applied to any situation which the Soviet Union and its surrogates in the General Assembly declare as being colonial in character, or in which "progressive forces" are engaged in a struggle against "reaction"—*vide* Central America.

²Except in self-defense, as stated in Article 51 of the Charter.

³A similar resolution was adopted by the 37th General Assembly in 1982.

In the language of the General Assembly, these progressive forces are called “liberation movements,” and are the “sole and authentic representatives” of the downtrodden masses. If there are several movements fighting the colonial establishment, as was the case in Angola, only one, the MPLA, Popular Movement for the Liberation of Angola, which enjoyed Soviet support, was recognized by the General Assembly as the “sole legitimate representative of the Angolan people,” even though it represented a minority of the indigenous population.

Again, the General Assembly’s readiness to accept the Soviet ruling, instead of mandating free elections as to which liberation movement represented the true wishes of the Angolan people, had far wider implications than the specific case of that former Portuguese colony. Once a principle is established in the General Assembly, it is likely to be applied to other situations on other continents.

These decisions on the part of the General Assembly are later translated into popularly written monographs and information materials, which are circulated throughout the world by the United Nations Information Centers and are often accepted by well-intentioned people as an objective and detached view of a situation that obtains in Africa or Central America. Thus, the value of the General Assembly to the Soviet Union extends beyond the day-to-day preoccupations of multilateral diplomacy.

The West and the General Assembly

The United Nations was founded with Europe in ruins and tens of millions of Europeans dead. When the drafters of the Charter of the United Nations wrote in its preamble: “We the people of the United Nations, determined to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrows to mankind. . . .” they had principally Europe in mind. Since then, about 135 wars have erupted, all outside Europe. The United States took part in two of these wars—in Korea and Vietnam. Both the pacification of Europe and the multitudes of armed conflicts among Third World countries would have taken place without the United Nations.

Since the first General Assembly in 1945, the countries of Western Europe and the United States have had to face numerous political, military, and economic problems. These were tackled either within the framework of the European Economic Community, or NATO, or a series of Western summit conferences. It would not have occurred to any of the Western states to bring these problems to the attention of the General Assembly because countries of the Western Alliance were interested in solutions, not in debates that tend to exacerbate rather than solve conflicts of interest.

For more than 35 years Western democracies have been engaged in a power struggle with the USSR in the course of which a number of agree-

ments, principally on arms control, have been reached between the two sides. These agreements were the result mostly of bilateral negotiations conducted between the U.S. and the USSR outside the framework of the United Nations.⁴ Debates in the General Assembly neither contributed nor obstructed the conclusion of these agreements.

In terms of political warfare between the democracies and the communist states, the General Assembly has become a venue that serves to distort the relative importance of the USSR and the West to the latter's disadvantage. For example, on a bilateral level the Federal Republic of Germany is a country that could be of great help, if it so desired, to a Member State such as Sri Lanka, while Cuba's ability to help is practically nonexistent. However, in the arena of the multilateral diplomacy of the General Assembly, Cuba could be in a position to harm or help Sri Lanka by successfully promoting or blocking the candidacy of a Sri Lanka representative for election to a post in a U.N. body, while West Germany would be powerless to do either. It is obvious, therefore, that the General Assembly does not serve the political interests of the Western alliance.

Although the United Nations and the General Assembly are the creations of the West, their continued existence is of only marginal importance to the United States or Western Europe. As a superpower, the United States does not need the United Nations to defend its interests or further its diplomatic goals. The European Economic Community, its enormous bureaucracy with headquarters in Brussels, and the European Parliament consume most of Europe's diplomatic efforts on a multilateral level. If the General Assembly were to cease its annual deliberations, neither Europe nor the United States would stand to lose politically, nor would the absence of the General Assembly cause the West to change its diplomatic aims or methods.

The Third World and the General Assembly

The Third World's Many Guises

To understand the importance of the General Assembly to the Third World is to understand the meaning of an amorphous term that has come to signify countries of Africa, Asia, and Latin America, including the Caribbean. Whenever these states present a unified front in the General Assembly on economic matters, they are called the Group of 77, even though their number amounts to approximately 120. Ninety-nine (plus the South West Africa People's Organization and the Palestine Liberation Organization) of them are members of the Organization of Nonaligned

⁴Though the SALT Treaties, the ABM Treaty, and some others were negotiated between the U.S. and the USSR, the United Kingdom was a cosignatory to the Partial Test Ban Treaty of 1963 and the Threshold Test Ban Treaty of 1974; it would be a party to a Comprehensive Test Ban Treaty, were it ever concluded.

Countries; some also belong to regional and ethnic groupings, such as the Organization of American States, the Organization of African Unity, and the Arab League. Most, but not all Member States in these organizations, belong to the nonaligned.

There is no regional organization that unites all countries of Asia. Japan, in spite of its geographical location, is generally regarded as belonging to the West. India is a prominent member of the Organization of Nonaligned Nations. Burma quit at the summit in Havana in 1979 because, in the view of its government, the countries calling themselves nonaligned pursue policies in contradiction to their professed stance of nonalignment between East and West.⁵ The five island states of the Pacific Ocean—Fiji, Papua New Guinea, Samoa, the Solomon Islands, and Vanuatu—do not belong to any definite regional or political group. These are also some countries that are difficult to classify, while others belong to two or more groups at the same time. Thus Egypt, Morocco, Libya, Algiers, Tunisia, Sudan, Somali, and Djibouti belong both to the Organization of African Unity and to the League of Arab States. Of the countries of ASEAN, Singapore, Indonesia, and Malaysia belong to the Organization of Nonaligned, while the Philippines has “observer” status, and Thailand does not participate at all.

As far as the General Assembly is concerned, it is the Organization of the Nonaligned Countries that has an overwhelming impact on its proceedings and decisions. Of the 99 members, the majority of the U.N., only Yugoslavia is a European country, while the PLO and SWAPO enjoy the rights of full membership as if they represented sovereign states. The African National Congress (South Africa), the Afro-Asian Solidarity Organization, the Pan-Africanist Congress of Azania (also South Africa), the Socialist party of Puerto Rico enjoy only “observer” status. In addition, some states attend the organization’s meetings as nonvoting observers: Barbados, Brazil, Colombia, Costa Rica, Dominica, Ecuador, El Salvador, Mexico, the Philippines, St. Lucia, Uruguay, and Venezuela. Belize enjoys a special status, including the right to speak.

The Organization of Nonaligned Countries includes Soviet surrogates who invariably support the USSR in the General Assembly: Afghanistan, Angola, Cuba, North Korea, Democratic Yemen, Laos, Mozambique, and Nicaragua.⁶ In addition, Third World radicals, who mostly side with the Soviet Union, are members of the nonaligned: Algeria, Benin, Congo, Ghana, Grenada, Iran, Iraq, Libya, San Tome and Principe, and Syria. Together, the Soviet surrogate and Third World radicals total nineteen Member States of the United Nations General Assembly.

⁵“Burma went to Havana with hopes that the principles which inspired the founding of the movement could be preserved and given new life. What happened at the Conference only disappointed and disillusioned us.” Statement of U Myint Maung, A/34/P.V.14.

⁶Most of the Soviet surrogates are bound to the USSR by formal agreements.

Ministers of foreign affairs of the nonaligned generally meet on the eve of the opening of the General Assembly of the United Nations. The Coordinating Bureau of the nonaligned functions at the United Nations headquarters in New York, and members of the nonaligned movement are represented there by their resident Ambassadors, i.e. Permanent Representatives of that country to the United Nations.⁷ In effect, the U.N. headquarters is also the nonaligned headquarters. This makes good sense, because the United Nations conferences, and especially its General Assembly are the main, if not the only, arena of the activities of the nonaligned movement.

Nonaligned conferences are entirely U.N. oriented; at their meetings they discuss their strategy for the General Assembly or the meetings of other U.N. bodies. They do not discuss whether or not united diplomatic negotiations should be undertaken with Washington, Moscow, or London; they think only in terms of multilateral diplomacy with the General Assembly as their principal venue, knowing full well that if they attempted a plan of action directed at one particular great power, instead of the multinational platform of the General Assembly, the inherent differences among them would split the movement into at least three factions: nineteen hard-line pro-Soviet states, ten or so vaguely pro-Western, and the 70 middle-of-the-roaders that vote with the majority because of political expediency and an acquired political habit, but without ideological commitment and not necessarily in accordance with their national interests.

In watching the voting board of the General Assembly register a 100 or more majority of the countries associated with the so-called nonaligned movement in support of some draft resolution, it is just as well to bear in mind both the force of political habit and the political herd instinct that determines much of their rhetoric and their voting patterns. Both have been cultivated over the last twenty years at their conferences in Belgrade, Cairo, Lusaka, Algiers, Colombo, and Havana.⁸ And to understand the full extent of the importance of the General Assembly to countries of the Third World, organized under the roof of the nonaligned movement, one only has to glance at the decisions taken at their conferences and compare them with the resolutions of the General Assembly.

Third World Rhetoric

The Final Document of the Meeting of the Heads of State of the Non-aligned Nations at Havana in 1979 contains 94 pages. "The declarations,

⁷Composition of the Coordinating Bureau: Africa, 17 seats; Asia, 12 seats (includes Arab States); Latin America, 5 seats; Europe, 1 seat (Yugoslavia).

⁸Flora Lewis, describing the recent Conference of Third World Countries in Delhi, made the following observation: "Of course, there is still a double standard. For some it stems from ideology. But all the huffing and puffing at the 101-member nonaligned conference here over how to phrase the verbose declaration makes it clear why others go along.

"It is a sense of helplessness. Words form the bulk of their arsenal in the struggle to fill independence with more than mere self-congratulation" (*New York Times*, March 14, 1983).

decisions and resolutions adopted in Havana, whatever the subject, are repetitive to a point of gruesome monotony and resemble more the dogmatic incantation of liturgical chants than political documents.”⁹ The tradition of expressing political censure by a standardized set of pejoratives is an old communist tradition that dates back to the internecine ideological warfare of the early emigré groups in Europe and later the right-wing and left-wing diversionists of the Stalin era. It was used extensively by Soviet representatives in the General Assembly in the colonial debates of the fifties, copied by pro-communist representatives in the Committee of 24, and finally became the accepted phraseology of the nonaligned movement.

In the Final Document of the Meeting of Heads of State of the Non-Aligned Nations at Havana in 1979 the following passage, with slight variations, appears 28 times:¹⁰

The search for world peace and peaceful coexistence among all States is intrinsically linked with our struggle against imperialism; colonialism; neocolonialism; apartheid; racism; including Zionism; and all forms of foreign occupation, domination, interference and hegemony. It implies political, moral and material support for the national liberation movements and joint efforts to eliminate colonial domination and racial discrimination. To this end, it has become increasingly necessary to strengthen the United Nations as an instrument of the international community in its efforts to end the arms race and to achieve general and complete disarmament and the dismantling of military pacts and alliances.

The above quotation is from paragraph 27 of the Introduction to the Final Document. There follows a subheading entitled: “Imperialism, colonialism, neo-colonialism, racism, Zionism and other forms of domination.”

Most, but not all, of the representatives of the 99 countries that participated in the Havana Conference in 1979 use such phraseology in their speeches in the General Assembly. In enumerating the crimes of the West in a mechanical way, they speak rapidly, obviously as bored as their listeners by the repetitious phraseology.

Is this just harmless political ritual or does it have a more serious side? The answer lies in the phrasing, not just of the speeches of some representatives, but of the actual resolutions of the General Assembly, which sometimes repeat almost word for word the resolutions previously adopted by the nonaligned at their meetings. Sometimes, of course, the nonaligned text is more outspoken, and a more palatable watered-down version of it is submitted for adoption by the General Assembly of the United Nations.

The Camp David Agreement can be used as an example. A resolution

⁹Arieh Eilan, “Soviet Hegemonism and the Non-Aligned,” *Washington Quarterly*, Winter 81, p. 98.

¹⁰Final Declaration. Conference of Heads of State or Governments of the Non-Aligned Countries; 3-7 September 1979, Cuba. NAC/Conf6/Doc/Rev. 3, p. 13.

of the 36th General Assembly of 1981, condemning the Camp David accord, was adopted by a majority of 94 countries (mostly Third World and communist) voting in favor, 16 against, and 28 abstaining.

In this case, the General Assembly of the United Nations, whose main task is, supposedly, the pacific settlement of disputes, went on record censuring the only peace agreement ever reached between Israel and an Arab state in the following terms: "Rejects all partial agreements and separate treaties in so far as they violate the recognized rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem. . . ." (Resolution 36/226'A').

The "mother resolution" adopted by the Conference of the Heads of State of the Nonaligned at Havana in 1979 reads: "Condemns energetically all the partial agreements and separate treaties which constitute a flagrant violation of the rights of the Arab nations and of the Palestinian people, etc. . . ." In the next paragraph the resolution adopted at the Nonaligned Conference spells it out more directly than the resolution of the General Assembly by saying: "condemns the Camp David Agreements and the Treaty between Egypt and Israel."¹¹

The original draft of the resolution of the General Assembly was closer to the nonaligned version, but was changed somewhat to enlist the support of some of the "floating" vote of the General Assembly.

The adoption by the General Assembly of an anti-Camp David resolution similar to one previously passed by the Conference of Heads of State of the Nonaligned is an example of many such instances when the General Assembly is forced to echo the wishes of an organization whose goals are inimical to the West and favorable to the Soviet Union.

The full implications of the General Assembly's becoming a mirror of the conferences of the so-called nonaligned is more serious than it may appear. Decisions at such conferences are not arrived at by a democratic vote, but through a system known as "democratic centralism" or "friendly persuasion." Soviet allies, like Cuba, Algeria, Syria, and Vietnam, though a minority, are particularly adept in the art of manipulating texts of resolutions, exhausting their opponents in lengthy night sessions, and placating them by marginal concessions. The outcome is always a "consensus." Even the registration of a country's reservations (the word opposition is taboo) is seen as a last resort, not to be encouraged, and invoked only when all persuasion has failed.

The Final Declaration of the Havana Conference of the Nonaligned states clearly in a section entitled: "Methods of Promoting Consensus, subparagraph (a)": "Open confrontations between opposing views threatening to disrupt the Movement should be avoided, but discussion may be necessary in order to overcome differences."¹²

¹¹Final Declaration, p. 35.

¹²Final Declaration, Annex 1, p. 8.

Thus the decision-making process that produces many resolutions of the General Assembly is not parliamentary in character, but operates through methods of pressure and persuasion, and does not necessarily reflect the views or even the best interests of all the nonaligned Member States who support it. However, it is the almost inevitable adoption by the United Nations of resolutions sponsored by the nonaligned that provides them with a democratic fig leaf and gives them the authority, respectability, and juridical status they lacked when they were merely decisions reached at nonaligned conferences.

The General Assembly as a Third World Forum

While the General Assembly is a useful instrument in the Russian diplomatic armory, it has not been essential for the attainment of Soviet geopolitical goals. As for the Third World, however, such organizations as the nonaligned exist only because of the annual convening of the General Assembly of the U.N. The U.N. headquarters is their only home. It is where their Coordinating Bureau has its permanent seat. The debating chambers of the General Assembly are the main venue of their political activity. The resolutions of the General Assembly, in repeating the decisions adopted at their conferences, give them the political respectability they would otherwise lack. Only at the General Assembly can countries of the Third World make some sort of impact, however marginal, on world public opinion.

If the General Assembly were to cease deliberations, the Third World would become actors with neither theatre nor stage. It would therefore be reasonable to assume that since their political cohesion depends so much on the United Nations and its General Assembly, countries of the Third World would be anxious to exercise restraint and act with a maximum of political prudence. This, however, is not the case. And the West, especially the U.S., is to some extent responsible for the present-day political behavior of Third World countries in the General Assembly.

Between 1960 and 1966, 35 newly independent countries of Asia, Africa, and the Caribbean joined the United Nations. When they first appeared in the world arena of the General Assembly they behaved, except for a few, with circumspection and restraint. They were obviously desirous of acquainting themselves with the ground rules of the political game playing before choosing sides. The exceptions were countries such as Algeria and Guinea (originally French Guinea), whose representatives and leaders unleashed a series of attacks on the West that surpassed in ferocity and extremism anything said by a Soviet representative at the height of the Cold War.

To the surprise of most newcomers from Africa and Asia, the West either failed to respond to these attacks or was so meek in doing so as virtually to invite further demonstrations of anti-Western rhetoric. The So-

viets and the still small group of their Third World allies exploited the situation; if the new Third World countries were in a quandary as to how to vote and what to say, the Russians were happy to provide guidelines.

American public opinion and the media welcomed the new arrivals from Africa and Asia and the United Nations in the sixties with sincere good will and a genuine desire to be of assistance; they readily forgave them for what were considered to be the understandable excesses of youth. Their representatives were lionized by New York society, and were misled into believing that the surest way to gain an American heart was to accuse the United States of being responsible for most of the ills that beset the world.

Some of the politically more sophisticated delegates to the General Assembly from West African countries were clearly worried about the future, and were known to have suggested privately to the Americans and Europeans that the West should take a firmer stand. As one delegate put it: "The Russians are pushing us from the left, and unless the West pushes us from the right we will not be able to sit up straight." His apprehensions were well founded.

Insistent Soviet manipulation of Third World delegations, with the help of the Committee of 24, combined with Western apathy and resignation, have created a political mold over the years that delegations from Africa and Asia would have found difficult to break, had they so wished. Thus the anomaly: the countries that most need the General Assembly behave politically in a manner bound to assure the General Assembly's loss of prestige and influence throughout the world.

Special Concerns

Decolonization was the main concern of the General Assembly from the late fifties through the seventies. Although anticolonial slogans are still religiously repeated in resolutions stemming from its frozen agenda, they are devoid of topical substance since very few colonial dependencies remain on the map.

The economic claims of the Third World have become the focal point of the resolutions of the General Assembly. These demands for transfer of capital and technology from the developed countries (North) to the developing countries (South) are expressed in a blueprint called the New International Economic Order. Disarmament and human rights also occupy a center stage position in the Assembly's deliberations. Although the countries of the Third World are not particularly preoccupied with these two topics, they cannot disregard them because of their worldwide importance.

Recently, information has come to occupy more and more of the Assembly's time. The Third World would like to be in a position to control the free flow of information into and out of the countries of Asia, Africa, and Latin America. Because the world's media have paid scant attention to the General Assembly, many if not most of the resolutions now passed emphasize a need for the text of these resolutions to be publicized as widely as possible with the aid of the U.N. Department of Information.

North-South Relations

The Economy as a Problem

In the General Debate of the 1982 General Assembly, the foreign ministers of the developing countries addressed themselves principally to economic issues. The ritual themes, such as colonialism, neocolonialism, racism, and imperialism, were mentioned in passing, of course, but prominence was given to one main subject: the lamentable state of Third World economies. The *New York Times* noted: "In a sharp break with tradition, the scores of foreign ministers and other notables who ad-

dressed the General Assembly have put the world economic crisis, rather than war and peace, at the heart of their concern.”¹

Among the most clamorous voices asking for an international effort to aid the Third World were the so-called new influentials, a term coined in Washington a few years ago to describe countries like Algeria, Mexico, and Nigeria, those large Third World states, rich in natural resources (mostly oil), which have been particularly prominent in demanding the establishment of a New International Economic Order. The *New York Times* went on:

... None of the Third-World speakers acknowledged that any of their problems were home-grown. They rejected contentions of some Western economists that several Third World countries have recklessly piled up debt to finance poorly planned projects, that African nations frequently overvalue their currencies to import Western consumer goods cheaply at the cost of export earnings, that some have catered to urban elites by holding down food prices and thus discouraging farm output at home.²

Subsequently, some of the resolutions of the 1982 General Assembly on economic matters began to reflect reality. At the 37th Session it was decided that twenty-one countries were in urgent need of assistance, and the following resolutions were passed: “Assistance for the Reconstruction, Rehabilitation and Development of the Central African Republic”; “Assistance to Sao Tome and Príncipe”; “Assistance to the Drought-Stricken Areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda”; “Assistance to Botswana”; “Assistance for the Development of Liberia”; “Assistance to Democratic Yemen”; Special Assistance to Benin”; Assistance to Cape Verde”; Assistance to Djibouti”; “Assistance to Comoros”; “Special Economic Assistance to Chad”; “Special Economic Assistance to Guinea-Bissau”; “Assistance to Nicaragua”; “Assistance for the Development of Sierra Leone”; “Assistance to Gambia”; “Assistance to Lesotho”; “Assistance to Mozambique”; “Assistance to Uganda”; “Assistance for the Reconstruction and Development of Lebanon”; “Assistance to Tonga”; “Implementation to the Medium-Term and Long-Term Recovery and Rehabilitation Program in the Sudano-Sahelian region” (Resolutions 37/145–37/165).

Where does the money come from for this assistance?

Each of these resolutions has an operative paragraph that begins with the word “Requests. . . .” In the case of Mozambique, for instance, the relevant paragraph reads: “Requests the appropriate organizations and programs of the United Nations system—in particular, the United Nations Development Program, the Food and Agriculture Organization, the International Fund for Agricultural Development, the World Food Program, the World Health Organization, and the United Nations Chil-

¹*New York Times*, October 13, 1982.

²*Ibid.*

dren's Fund maintain and increase their current and future programs to Mozambique. . . .”

The funds that these U.N. agencies can draw on for assistance in a case like Mozambique are made up either of compulsory contributions by Member States, in accordance with an agreed scale of assessment, or are the result of voluntary contributions by members, as in the case of the main source of help for developing countries, the United Nations Development Program (UNDP). As to the latter, the Soviet bloc contributes either its own unconvertible currency or locally produced goods and services. In the case of the Specialized Agencies, or the regular budget of the U.N., most of the money comes out of Western pockets, principally the United States.

The NIEO

Beyond the demands for aid for specific developing nations, the General Assembly has endorsed a comprehensive strategy for assessing the entire industrial world for what is supposed to be the benefit of the Third World. This strategy is called the New International Economic Order. Though it had been discussed for many years, it received a great boost from the energy crisis of 1973 and the subsequent quadrupling of oil prices. The Group of 77 regarded this as a victory for the developing countries; Third World radicals and the representatives of the Soviet bloc in the General Assembly welcomed the move of the Arab oil-producing states as a crushing blow to the Western economic establishment and assertion of the power of the economic underdog for the benefit of the whole Third World.³

Though it did not take long for some of the Group of 77 to realize that the non-oil-exporting developing countries, rather than the West, were going to be the prime victims of the increases in the cost of energy, the psychological climate was ripe for proclaiming the end of Western domination of the world economy and the birth of a new world order. As the Third World exists primarily in the voting chambers of the General Assembly, it was there that the tenets of the new economic order were proclaimed at the Sixth Special Session of the General Assembly in May 1974, and called “The Declaration of the Establishment of the New International Economic Order” (Resolution 3201 (S-VI)).

The resolution “called for replacement of the existing international economic order, which was characterized by inequality, domination, dependence, narrow self-interest and segmentation. . . .” The principles of the new order were to be:

- a. Effective control over natural resources;
- b. Regulation of activities of transnational corporations;

³The USSR as the largest oil producer in the world gained enormously from the energy crisis of 1973. The seven-fold increase in the price of a barrel of oil enabled the Soviet Union to finance much of its grain purchase from the United States.

- c. Just and equitable prices for primary commodities and other exports of developing countries;
- d. Reforms in the realm of money and development finance;
- e. Access to markets by products of developing countries;
- f. Strengthening the science and technology capacities of developing countries (United Nations A/S-11/5).

To achieve all this, the Special Session also evolved a "Program of Action on the Establishment of a New International Economic Order" (Resolution 3202-S-V1). The proposed measures encompass considerable shifts in the structure of global production, consumption, and trade, entailing a transformation of the economics of the developing countries so as to give those countries a substantial share in world industry and trade in manufactured products. The "Program of Action" demands the enhancement of the collective bargaining power of the developing countries with transnational corporations. In brief, it calls for structural changes in the international economic framework geared to the sole aim of strengthening Third World economies by mandating a transfer of resources without compensation from the developed countries.

The Declaration was later expanded in the "Charter of Economic Rights and Duties of States" (Resolution 3281-XXIX). This resolution reinforced the call for new rules of the game, particularly with respect to the exercise of sovereignty over natural resources. Both the Declaration and the Charter included the notion of "substantive" equality, and reaffirmed the authority of states over economic agents operating in their territory. They developed legal precepts regarding the rights of nationalization of natural resources and of instruments of production.

Basically, the Group of 77 was drawing up a blueprint for an international economic order governed by intergovernmental fiats, tailored to static economies responding to the edicts of a central authority. The most active spokesmen for the new order have been the delegations of Algeria and Mexico, two oil-producing states. (Neither country can be said to have as yet succeeded in organizing its own economy well enough to serve as an example to other Third World countries.)

Transnational corporations (TNCs) are the whipping boys of the New International Economic Order, seen as the main agents of Western economic domination of the Third World. For years the General Assembly and its associated bodies have been castigating the TNCs as primarily responsible for the backwardness of the developing countries. A Commission on Transnational Corporations was established by the General Assembly to monitor their activities and to draft a code of conduct to guide their relations with the developing countries. The Economic and Social Council adopted a resolution in 1980 entitled: "Progress made towards the establishment of the new international economic order and

obstacles that impede it: the role of transnational corporations” (Council Resolution 1980/60).

The Committee on Transnational Corporations, the Department of Economic and Social Affairs in the U.N. Secretariat, the Council on Namibia, and the Department of Public Information annually issue a great number of publications depicting the TNCs as the principal cause of the economic ills of the Third World. Yet not all Third World leaders agree. The former Foreign Minister of Singapore, Mr. Rajaratnam, in addressing the General Assembly in 1977, said: “... The thesis that is clearly projected to the developing countries is that transnational corporations are all right for developed rich countries but bad for developing countries. However, to judge by the experience in my own country, transnationals have on balance been economically beneficial. They have brought new jobs, higher earning capacity, increased skills and management expertise which we would not have been able to acquire on our own.”⁴

TNCs can be either harmful or beneficial to Third World countries, depending on circumstances. But to portray them as the main cause of the backwardness of the Third World is factually mendacious and clearly reveals an obvious ideological basis.

Declarations, Programs of Action, Charters, Decades for Development are all part of the usual General Assembly terminology. As a rule, these proclamations are accompanied by special conferences, working groups, seminars, and the establishment of new subsidiary bodies charged with advancing the aims of General Assembly resolutions.

In the case of economic reform, however, Third World countries realized that the usual process of declaratory diplomacy would not do much to advance their cause. There would have to be negotiations, preferably in a forum where their collective strength counted, i.e., the General Assembly.

Thus, the Eleventh Special Session was convened in 1980 to launch Global Negotiations; it ended in total failure because the North and South could not even agree on the agenda. The procedural debates, however, as often happens, helped to clarify the substantive differences that prevent North-South negotiations. As far as the North was concerned, there was understandable resistance to demands for change in their control over the decision-making process of the International Monetary Fund (IMF) and the World Bank. The Group of 77 rightly has been accused of wanting to turn them into lending institutions controlled by borrowers.

The Third World is unlikely to change the tone or substance of its demands for Global Negotiations and the establishment of the NIEO. Therefore, the text of the resolutions on economic matters during the

⁴A/32/P.V. 27, p. 506.

1983 General Assembly sessions are expected to be similar to those adopted previously.

Possible Developments

The refusal of the communist countries to participate in the North-South dialogue, although openly and frequently stated by Soviet representatives, is totally disregarded by world public opinion. While the Soviet Union poses as the champion of Third World causes, it refuses to participate in Global Negotiations. And this occurs without the faintest murmur of protest among progressive circles in Europe and America.

How do Third World countries view the Soviet evasion of its economic responsibilities toward the developing countries? As far as the General Assembly is concerned, no clear call has yet been made to the Soviet Union by a representative of the Third World urging it to play its part in the Global Negotiations.⁵

There are signs, however, that some Africans are beginning to be critical of Soviet tactics. The former Secretary-General of African Trade Union Unity, Mr. A'Kumo, said that, "... while the socialist countries are less generous to developing countries, particularly in Africa, they insist on buying African minerals like gold, at the same imperialist manipulated prices."⁶ It can also be assumed that after some twenty years of experience with Soviet aid and trade agreements, and above all, with the penny-pinching proclivities of Soviet negotiators, most Third World countries would rather have the USSR stay out of the Global Negotiations.

This is the reality of the situation, none of which is reflected in the resolutions of the General Assembly of the United Nations. The interdependence of North and South is indisputable. This was recognized outside the framework of the General Assembly at the Cancún, Mexico, summit conference of the major economic powers. If, in a decade or so, the economic map of the world has changed for the better, it likely will have happened as a result of the enlightened and pragmatic self-interest displayed by the North through such institutions as the IMF and the World Bank, rather than as a result of Global Negotiations conducted within a forum established by the General Assembly of the United Nations.

Disarmament

Though many look to the General Assembly to rid the world of the danger of nuclear disaster, disarmament was not regarded a principal

⁵At the meeting of the nonaligned in Delhi in March 1983, at the insistence of the Yugoslavs the words "developed countries" (meaning the West) were substituted for "industrialized," an oblique reference to Soviet co-responsibility to join in a common effort to help the Third World.

⁶Report of a statement made by Mr. A'Kumo in a broadcast by Radio Accra, April 12, 1981, *African Currents* (24), July 1981.

task of the United Nations in its Charter. Compared to that of the Covenant of the League of Nations, the Charter's reference to disarmament is less homogenous and less imperative. Neither the Preamble nor Article 1, entitled "Purposes and Principles," mentions disarmament.

The difference between the Covenant and the Charter of the U.N. on this subject reflects very different attitudes prevalent in Europe at the end of the two World Wars. After 1918, it was widely believed that World War I was, to a large extent, the result of an arms race, notably between Germany and Great Britain, in the field of naval armament. After 1945, on the other hand, the outbreak of World War II was ascribed to the lack of military preparedness on the part of the Allies and the USSR, which was supposed to have goaded Hitler into risking a military solution. In other words, after the Second World War, the drafters of the Charter tacitly assumed the inevitability of the existence of armaments among Member States, but saw in the balance of power a prerequisite for the introduction of arms control and, finally, disarmament.

The Charter sees the concept of security, not disarmament, as the *raison d'être* of the organization, and the phrase "international peace and security" appears thirty-two times.

The Charter, however, was drafted in the pre-nuclear age. The first atomic bomb was exploded three weeks after the Charter was signed, and on August 6, 1945, six weeks after the termination of the San Francisco U.N.-forming Conference, the bomb fell on Hiroshima.

The first General Assembly responded to the challenge of the nuclear age by establishing the United Nations Atomic Energy Commission (UNAEC) with the urgent task of formulating specific proposals to eliminate nuclear weapons from the arsenals of Member States. The Commission was a failure; and soon after its last meeting on July 29, 1949, the Soviets exploded their first atomic bomb.

It is safe to assume that, had the drafters of the Charter been able to foresee the nuclear age, specific references to nuclear disarmament would have been included in the Charter. It is doubtful, however, that the central concept of collective security would have been changed or more authority given to the General Assembly or Security Council to achieve nuclear disarmament.

In addition to the potential danger of unilateral reductions of armament on the part of the British in the 1930s, the drafters of the Charter also were influenced by utter disillusionment with the League as an effective instrument for negotiation. The World Disarmament Conference, convened in 1932 after years of debate, petered out with nothing to show for its efforts. Believing as he did in the role of the "Four Policemen" (the major powers), President Franklin Roosevelt quite likely would have insisted on special provisions in the Charter for their role in curbing, perhaps eradicating, but certainly in preventing the proliferation of nuclear weapons. This is, of course, what has happened anyway

without the behest of the Charter of the United Nations. Various agreements to limit the dangers of nuclear war have been concluded between the U.S. and the U.K. on the one side and the USSR on the other. All of them were negotiated outside the framework of the General Assembly.

The more significant of these agreements are: Partial Test Ban Treaty, 1963 (banning nuclear weapons tests in the atmosphere, in outer space, and under water); Threshold Test-Ban Treaty, 1974 (limiting the yield of underground tests to 150 kilotons, followed by another more detailed agreement on the same subject signed in 1976 but not ratified); Strategic Arms Limitation Talks (SALT I and SALT II not ratified by the U.S.). Even the Treaty on the Nonproliferation of Nuclear Weapons (NPT), 1968, which was intended to be signed by every Member State of the United Nations, large or small, was negotiated outside the General Assembly and outside the Committee on Disarmament by the three Depository Governments, the USSR, the U.K., and the U.S.

While the United States tacitly subscribes to the obvious conclusion that a multinational forum is no place for negotiations of any kind, it does not cover its tracks (as the Soviets try to) by placing on the agenda a multitude of meaningless resolutions purporting to demonstrate its belief in the U.N.

The story of the Committee on Disarmament typifies Soviet tactics vis-à-vis disarmament in the General Assembly. In 1961, the General Assembly endorsed an agreement between the U.S. and the USSR for the establishment of a new negotiating body, the Eighteen-Nations Committee on Disarmament. From the start, the Soviets made it clear to their American colleagues that they did not envisage a serious role for this Committee. The Committee was renamed the Conference of the Committee on Disarmament in 1969, and was eventually enlarged to thirty-one members under the dual chairmanship of the U.S. and the USSR. In 1979, the USSR, after considerable pressure from Third World countries, reluctantly agreed to a further increase to forty members and to a rotating system of chairmanship, in effect abolishing the principle of great power leadership.

The body is now called the Committee on Disarmament, but throughout its history and under whatever name it functioned, the Soviet Union quietly and persistently prevented its exercising any influence on the conduct of arms control negotiations. Soviet obstructionism is conducted in a manner of highly technical objections and diplomatic procrastinations, thus avoiding a clear-cut conflict that might catch the attention of the media.

The Soviet conception of the General Assembly as an important tool of Soviet propaganda, especially among the leftist Western intelligentsia, has led Moscow to propose a World Disarmament Conference. A similar conference in the thirties was a flop. However, as the Russians clearly distinguish between real negotiations and the use of conference

diplomacy for propaganda purposes, they persist with tenacity to demand the convening of such a conference.

As a compromise between the Soviet demand for a World Disarmament Conference, and Western objections to it, some Third World countries proposed a special session of the General Assembly devoted exclusively to disarmament. This convened as the Tenth Special Session of the General Assembly in May 1978. It renamed the Conference of the Committee on Disarmament as the Committee on Disarmament. In addition, a Disarmament Committee was established and designated to be a deliberative body, while the Committee on Disarmament was to become a negotiating unit.

At the best of times, even when a genuine desire to arrive at an agreement exists, negotiations are a tricky business whether between management and a labor union, two business corporations, or two sides in a potential armed conflict. The presence at a negotiating table of the two parties directly concerned, plus thirty-eight other states, some of whom have no actual interest in the outcome of the negotiations, makes the process well nigh impossible. This is understood by all, and yet the pretense continues. A special committee was appointed by the General Assembly to study the institutional arrangements relating to the process of disarmament, and the Secretary-General dutifully presented its findings to the 36th Session of the Assembly in 1981 (A/36/392). As one representative on the First Committee remarked:

Indeed, in the light of the United Nations record in the field of machinery for disarmament, it can be argued that almost every possible structural and functional option has been explored and exhausted. Numerous bodies with a variety of functions and different procedures have been established, enlarged, merged, reformed, dismantled or revived. Composed of from two Members to the full United Nations membership, these bodies have held thousands of meetings and their proceedings are recorded in an immense body of United Nations documentation. It remains an open question whether or not organizational proliferation has influenced the substance of disarmament negotiations. It seems that sometimes bureaucratic reforms were initiated simply as a cosmetic maneuver to compensate for the lack of real progress.⁷

Few subjects related to military matters have aroused such a prolonged and bitter debate in the European and American media as the controversy over the desirability of deploying the Pershing II intermediate-range missile in response to the Soviet deployment of their SS20. But for more than four years, 1978 to 1981, the General Assembly failed to address the issue in any of its hundreds of resolutions.

In May 1982, hundreds of thousands of Americans converged on the United Nations in New York to demonstrate against what they called

⁷A/C.1/36 P.V. 24, pp. 43-45.

the arms buildup. At that time the Second Special Session of the General Assembly on Disarmament was taking place. One wonders how many of the demonstrators took note of newspaper reports a few weeks later that the Special Session ended in a complete fiasco; it could not even induce the 157 Member States to set their signatures on as modest a document as the Final Declaration of the First Special Session on Disarmament in June 1979.

Following this disaster, the regular session of the General Assembly, meeting in September of the same year, compensated by passing sixty, instead of the usual forty to fifty, resolutions on disarmament.

Conventional Arms

While most people's minds are occupied with the dangers of the nuclear arms race, the very real dangers inherent in the spread of sophisticated conventional arms has been largely overlooked. Two aspects of the conventional armament race are particularly alarming: the maximum lethality of conventional arms has grown dangerously near the minimum lethality of nuclear weapons; and, in pre-World War II days, the arms race involved only a small number of European countries, but the modern arms race in conventional weapons engulfs much of the globe. "Conventional arms and armed forces consume about 80% of the estimated \$500 billion currently spent annually on the military. . . . Furthermore, the conventional arms race involves more countries than the nuclear arms race. . . ."⁸

"Since 1960, military expenditures of developing nations (i.e. Third World nations) have risen fourfold (estimated in constant prices), while those in developed countries have gone up a modest 44%."⁹ Yet Nigeria, speaking in the name of Third World countries, opposed the inclusion of more specific references to conventional arms transfers in the Final Declaration of the First Special Session on Disarmament.

There has been considerable reluctance on the part of the General Assembly to deal with the issue, and a Japanese initiative for conventional arms control was so strongly discouraged, principally by Third World countries, that Tokyo decided not to proceed with it.

The United Nations deliberated on the subject within the Disarmament Committee, and the General Assembly predictably passed a resolution asking for a study on "all aspects of the Conventional Arms Race" (Resolution 35/36).

The reluctance of the General Assembly to deal with arms control of conventional weapons mainly stems not from opposition of the supplier states but from Third World countries. In the General Assembly, many

⁸*The United Nations Disarmament Yearbook*, 1980, p. 329.

⁹Ruth Leger Sivard, "World Military and Social Expenditures," p. 7, quoted by Dr. Avi Becker in *Disarmament and Disorder*, a doctoral thesis with New York University, soon to be published.

nonaligned states, including Egypt, India, Nigeria, Pakistan, and Sierra Leone, have stressed that conventional disarmament must not interfere with the rights of states to security or the right of peoples under foreign or racist domination to use the means available to them to realize their freedom and self-determination. This stand was actively supported by the Soviet Union.

Chemical Weapons

The universal abhorrence of the use of chemical weapons was the result of their employment in World War I, which resulted in 1,300,000 casualties, 100,000 of which were fatal. The Geneva Protocol of June 17, 1925, prohibited the use in war of asphyxiating, poisonous, or other gases. This is the only international treaty in force on the subject, but because of scientific developments, it is regarded as out of date. No chemical weapons were used in World War II, and the General Assembly and its subsidiary bodies dealing with disarmament have debated for thirty years on the need for the conclusion of a treaty forbidding the use of chemical weapons that is appropriate to the state of the art.

Whenever the two superpowers fail in bilateral negotiations on arms control, and are convinced that no resolution of their differences is close at hand, they seem happy to let the General Assembly and the Disarmament Committee cope with it. On the Committee's table are four draft treaties on chemical weapons. The U.S. and the USSR are also negotiating the matter, but Moscow refuses to accept on-site inspections. While seismographical means can be used to determine (without much exactitude) the force of underground nuclear explosions, and satellite surveillance can determine with considerable accuracy the deployment of ballistic missiles, there is no substitute for on-site inspections to verify a country's compliance with the terms of a treaty prohibiting the manufacture of chemical weapons; there is, in fact, no telling from the air above if a plant is producing a washing detergent or a deadly chemical weapon, or both.

American charges that the Soviet Union and Vietnam have been using chemical weapons in Afghanistan and Kampuchea add new urgency to the need for an international agreement prohibiting the use of such weapons. However, the refusal of the country accused of using chemical weapons to allow satisfactory verification in an agreement prohibiting their use bodes ill for a satisfactory end to the bilateral negotiations, and of course, makes the consideration of the subject by the General Assembly completely useless.¹⁰

¹⁰The U.S. took the initiative and proposed to the Disarmament Committee in Geneva on February 10, 1983, the outline of an international convention that would provide for a "complete and verifiable" ban on chemical weapons. *The New York Times* of February 11, 1983, quoted Ambassador Louis G. Fields of the U.S. stating that the first priority was to agree on "the systematic international on-site inspection" arrangement to

The Third World and Disarmament in the General Assembly

During the 1960s and the middle 1970s, the Third World showed little interest in the debates of the General Assembly on disarmament. True, the original members of the Bandung Conference (1955), especially India, were faithful to the old ideals of total disarmament, at least in proclamatory terms. The new states of Africa, however, felt the disarmament issue was strictly an East-West problem that did not concern them. Also, the armed forces of many of the new countries possessed only the most rudimentary arms, and their representatives felt out of place whenever resolutions were discussed in the First Committee, urging the U.S. and the USSR to limit the deployment of their intercontinental ballistic missiles.

A change of Third World attitude toward disarmament took place in the early 1970s with the emergence of the concept of a New International Economic Order (NIEO), and the simultaneous idea that there is a link between disarmament and development, i.e., that developing countries would benefit if Washington, in scrapping the plans for building one destroyer, would transfer the funds to a developing country.

The politics of the NIEO have dramatically changed the substance of the debates in the General Assembly. Thus, disarmament is no longer approached as a political issue with direct bearing on international security, but as an instrument for the reallocation of economic resources. In their summit meeting in Colombo in 1976, the nonaligned made it clear that their major preoccupation is the NIEO, and disarmament is just a means to achieve that goal.

Because of their command of votes in the General Assembly, the link between disarmament and development received formal recognition in the Final Document of the Special Session on Disarmament of 1978.

Even United Nations officials, such as Bradford Morse, the Administrator of the United Nations Development Program, cautioned Member States on the tendency to oversimplify the linkage between disarmament and development. Practically, he said, one cannot guarantee that resources saved by disarmament among developed countries would be converted to supporting development. Nor is it safe to assume, as experience has shown, that developing countries would use this transfer, if it were to happen, for economic growth rather than growing military programs.

Gunnar Myrdal, a theorist on development in Third World countries, said:

All general and speculative theories about the relations between economic progress of underdeveloped countries and peacefulness are utterly void of

police the proposed plan. Fields also reminded the committee that a Soviet refusal to accept on-site inspection had prevented progress so far. The U.S. tackled the core of the problem by demanding that international inspectors should be allowed to verify legitimate chemical plants that could be diverted to military ends.

true knowledge and of relevance for the problem of peace and war and rebellion within the countries.¹¹

The call made by Third World countries in the General Assembly for the disarmament of the developed countries must, therefore, be seen not as a quest for a better world but as part and parcel of a demand for transfer of capital and technical know-how, including military, from North to South.

Further, though General Assembly resolutions on disarmament speak in neutral terms, the call for establishment of a New International Economic Order is plainly addressed to the democracies of the North, thus absolving the communist regimes of the North from any obligation to help the South. If the two demands for economic aid and disarmament are linked, it becomes clear that the call to disarm is directed principally at Washington, Paris, and London but not at Moscow or Peking.

The attitude of the Third World toward the issue of nuclear weapons is deeply contradictory. On one hand, there is fear of a nuclear holocaust, and on the other, resentment that control of nuclear weapons remains in the hands of the big powers. The Treaty for the Nonproliferation of Nuclear Weapons (NPT) is often cited as the best hope of controlling the spread of nuclear weapons. Yet in terms of the NIEO, the NPT is viewed by the Third World as a major obstacle since it limits the transfer of nuclear technology.

Thus, while most Third World countries pay perfunctory tribute to the ideals of NPT in their statements in the General Assembly, whenever they can they also make known their dislike of the Treaty. One such occasion was the Second Review Conference of the NPT held in Geneva in 1980, which ended in failure without the participants being able to agree on even the most modest text of common understanding to strengthen the future operations of the Treaty. Although the Third World was able to prevent a consensus in the Second Review Conference of the NPT, it had nothing to offer as a viable alternative.

A Modest Role for the General Assembly

To be sure, the General Assembly as an institution cannot be held responsible for the world's inability to curb the arms race of nuclear or conventional weapons. Agreements for arms control can be reached only through a lengthy, complicated process of consultation and negotiation, primarily by the superpowers or other powers on a regional basis. Neither the First Committee nor the Committee on Disarmament, consisting of 157 and 40 representatives respectively, can ever be a useful venue for negotiations. Multinational forums are inherently unsuitable for the give and take so essential to the process of negotiations.

¹¹Quoted in Bert V. A. Roling, *Disarmament and Development* (Rotterdam: the Netherlands Foundation Reshaping the International Order, 1979), p. 66.

In light of the Soviet Union's cynical abuse of the forum of the General Assembly for propaganda purposes and the demands made by the nonaligned, which do not augur well for the cause of arms control, it is perhaps the West that is principally at fault by allowing itself to be drawn into a diplomatic parlor game where the cards are so heavily stacked against it. Instead of sixty resolutions of the First Committee of the General Assembly, six would have done as much for the cause of disarmament. If united, the West could achieve it easily by refusing to participate in votes unless and until the number and length of resolutions are reduced to manageable proportions.

No one would deny that, however remote the chances of success, the General Assembly is morally bound to continue its debate on disarmament. Nor would one want to discourage the efforts of the Disarmament Center in the U.N. Secretariat, which publishes material on disarmament. But even though some of the officials of the Disarmament Center strive to be objective, the political reality of the United Nations leaves them no choice but to succumb to the prevailing atmosphere of an anti-American and anti-Western bias.

This does not, however, give license to numerous Nongovernmental Organizations accredited to the U.N. to claim to their constituents all over the United States and countries of the West that the General Assembly is "the only hope we have to achieve disarmament." This pretense has accomplished little in the past, nor will it further the cause of arms control in the future. What can be done will be achieved in bilateral negotiations between the two superpowers and regional arrangements by Member States for arms control in conflict situations.

Human Rights

Together with disarmament and economic assistance to the Third World, human rights is a main concern of the United Nations and of the General Assembly with, however, a substantial difference. The role of the General Assembly in disarmament and global negotiations between North and South is marginal. The negotiations between the U.S. and the USSR on arms control are taking place outside the framework of the U.N., as probably will be the case if ever the global negotiations reach the negotiating table.

Human rights on the global level has no home outside the U.N. True, the follow-up conferences of the Helsinki Accords in Belgrade and Madrid dealt extensively with the human rights clauses of the Final Act of the Helsinki Agreement, but they apply only to Europe. The Universal Declaration of Human Rights of 1948 as well as the two 1966 International Covenants, on Economic, Social, and Cultural Rights and on Civil and Political Rights, were initiated, debated, and concluded in the General Assembly.

Although maintenance of peace and security is the principal aim of the United Nations, it was clear even in 1948 that, because of the Cold War, the mainstay of the U.N. system of collective security, the agreement among the great powers, had been irreparably damaged. The proclamation and defense of human rights, however, seemed in 1948 to be one field at least in which the General Assembly might conceivably play an important part.

Had this hope been realized, had the General Assembly done nothing but become an international venue for an objective adjudication of the maintenance of human rights the world over, it would have justified its existence, warts and all.

The USSR-Third World Coalition

However, even in 1948 when the Universal Declaration was adopted by the General Assembly's session in Paris, seeds of future discord were being sowed by the Soviet Union. Having obtained several changes in the wording of the Declaration, the six members of the Soviet bloc abstained on the vote, as did South Africa and Saudi Arabia.

Soviet reservations were dictated by ideology and practical considerations which still guide the USSR's attitude toward human rights. The Universal Declaration was, in effect, an international version of the U.S. Bill of Rights, aimed at protecting the rights of the individual against the encroachment of governmental powers. According to the Soviet rationale, the socialist state is a positive creator and protector of human rights; there is therefore no need for further protection against their infringement.

On a more practical political level, the Soviets rightly foresaw the possibility that investigative machinery would be established with the right to examine allegations of breaches of human rights by Member States of the United Nations. Stalin's Russia in 1948 was as loathe to accept the right of U.N. bodies to investigate Soviet internal practices as is Andropov's Russia today.

By the late 1960s, a natural community of interests had emerged between the Third World and the USSR as to the manner in which human rights were to be defined and interpreted and breaches thereof condemned by the General Assembly. This convergence of views between the USSR and the Third World on human rights was more an accident of history than the result of ideological affinity. The newly emerging nations were opposed to the Western, Anglo-Saxon view that the protection of human rights was principally a matter of law. To them, colonialism, which was a political phenomenon, appeared to be the most obvious obstacle to the enjoyment of human rights by nations still under colonial tutelage. Thus a simplistic equation—political independence equals human rights—became the credo of the Third World in the General Assemblies of the 1960s.

This suited the Soviets well. Khrushchev's resolution 1514 of 1960, which declared colonialism to be counter to the Charter, was therefore presented by the Soviets and accepted by the Third World as a *prima facie* human rights document. If the chief aim of the General Assembly's deliberations of human rights were to be the attainment of political independence by colonial peoples, there would be no further use, in the view of Third World countries, for the Universal Declaration, once independence had been achieved. According to one observer:

It was never the intention of the Soviet Union to set the United Nations on a general course of protecting Human Rights. The Soviets were opposed in principle to the idea of a supernational organization overseeing the practices of states. The Soviet Union preferred to limit the field of action to colonial situations. . . . The Soviets believed that once a nation became independent, the principle of non-intervention in domestic affairs barred further inquiry. After independence, it was each state's responsibility to protect the human rights of its citizens.¹²

Overlooking Human Rights Violations

The diversion of General Assembly deliberations from infringements of human rights by a Member State against individuals or groups, wherever they may occur, into debates and resolutions that deal principally with the problems of colonialism, or its effects, has profoundly changed the U.N. perception of what constitutes human rights. It has paved the way for a palpable selectivity in matters of moral concern that has permitted the General Assembly to disregard grave breaches of human rights committed by Third World countries.

By the end of the 1960s and throughout the 1970s, the Third World was seething with unrest and rebellions, which often were crushed brutally. Just as many of these Third World armed conflicts were totally ignored in the General Assembly, so were numerous breaches of human rights in the Third World.

Examples: The Universal Declaration of Human Rights, and particularly the right to life, liberty, and the security of persons, was not deemed by the General Assembly to apply to the Chinese minority in Indonesia, slaughtered by Sukarno's regime in the tens of thousands; nor to the genocide of Tibetans by the People's Republic of China in the 1960s.

In 1960, at the initiative of Ireland, the General Assembly adopted a resolution on Tibet, greatly diluted through Indian and Third World pressures. However, the matter has not been pursued in the manner typically used when the General Assembly wishes to keep an issue alive. No special Rapporteur was appointed to monitor the human rights situa-

¹²Theresa D. Gonzales, "The Political Sources of Procedural Debates in the United Nations: Structural Impediments to Implementation of Human Rights," *New York University Journal of International Law and Politics*, Winter 1981, p. 430.

tion in Tibet and report to subsequent sessions, thus insuring the General Assembly's continuous consideration (as, for instance, in the case of Chile), nor was a Special Committee on Tibet established, like the one on Namibia, even though the violations of human rights in Tibet have been incomparably more serious.

The General Assembly disregarded the slaughter of Bengalis by the Punjabis in what was to become Bangladesh in 1975, the extermination of whole Kurdish villages in Iraq and Iran in the late 1960s and again in 1975. The maniacal mass murder of three million Kampuchians by the Pol Pot regime was occasionally criticized in the statement of some delegates, but was never the subject of censure by a resolution of the General Assembly.

Breaches of the Universal Declaration of Human Rights, and later of the Covenant of Human Rights, were nowhere as widespread and as gruesome as in some of the newly independent states of Africa. More than half a million Africans were brutally murdered by other Africans in the war of the Sudanese Moslems against the Christian and animist Bantus of the South in the middle 1960s; the suppression of the revolt of the Ibos in the Biafra war in Nigeria in 1967-1970; in Burundi against the Hutus in 1972-1973; in Uganda by Idi Amin's rule of terror, where whole tribes were exterminated; and in the Central African Empire,¹³ where tens of thousands of innocent people were put to death at the whim of a crazed leader.

One of the most horrible reigns of terror completely disregarded by the General Assembly, and by most of the world, occurred in Equatorial Guinea, a former Spanish colony. There, Francisco Macias, supported by Cuban troops (the Soviets had designs on naval servicing facilities in Fernando Po), ruled the country with extraordinary brutality until he was deposed in 1979.

The estimates of the excesses of the repression apparatus range from 1000 to 35,000 political executions, some conducted at public circuses in a quasi-Neronian style. Yet, one of the most devastating consequences of the prevalent brutality was the emigration of about half of the best able citizens. A nascent nation with a grave need for hands and talent was whimsically deprived of its best assets: its human resources.¹⁴

The Soviet Union supported Third World resistance to allowing any General Assembly debate of their breaches of human rights. In support of their position, the Soviets cited the provision of Article 2(7) of the Charter which stipulates that: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state. . . ."

¹³Now known as the Central African Republic.

¹⁴Rolando A. Alum, Jr., "The Political System of Equatorial Guinea," I.R.C.I. International Research Consultants, Inc., No. 11, June 1982 (first revision, July 1982).

Soviet legal experts were in a bit of a quandary when South Africa cited this same article to fend off debates about the policy of apartheid, but soon were relieved of their worries when Third World countries declared the South African situation to be one of colonialist oppression, i.e., covered by Khrushchev's 1960 resolution against colonialism. For the same juridical reason, Soviet diplomats were said to have hesitated before joining the anti-Chilean witch hunt conducted by the General Assembly. Obviously political considerations, such as support for Cuba and the opportunity of censuring the United States, prevailed over whatever legal reservations they might have entertained.

Silence of the West

Western diplomacy in the General Assembly failed to exploit the contradictions of the Soviet position throughout the 1960s and 1970s. The common understanding between the Soviet Union and the Third World on what constituted a breach of Human Rights was tacitly accepted by the West as a fact of life that could not be challenged. Not until the appointment of Ambassador Daniel Patrick Moynihan,¹⁵ and later of Jeane Kirkpatrick, did the U.S. begin its assault on this selectivity in moral concern on the part of the Third World.

Since the adoption in 1948 of the Universal Declaration of Human Rights, the Soviet Union has feared the establishment of an investigative machinery to conduct inquiries into allegations of breaches of human rights. The Soviets were right in fearing that, once such machinery came into being, it might acquire a momentum difficult to stop, and might be used to probe Soviet compliance with various international instruments relating to human rights.

The General Assembly and the Economic and Social Council (ECOSOC) indeed have established subsidiary bodies dealing with human rights, and much of the political battle is fought in the Commission on Human Rights and its subcommission on Prevention of Discrimination and Protection of Minorities. This 26-member body consists of experts ostensibly free of governmental control and from time to time, various working groups. Its task is not only to undertake studies and make recommendations with regard to the prevention of breaches of human rights, but also to examine human rights violations wherever they occur. As far as the Soviets are concerned, the existence of this body is the thin end of a very dangerous wedge, which could cut right into the carefully constructed legal and political precedent that allows the censure of breaches of human rights in pro-Western regimes, but protects the Soviets and their friends from similar scrutiny.

¹⁵Because of his short tenure in office, Ambassador Moynihan's very effective role left no lasting impression.

The Continued Challenge to Western Efforts

The politicization of the General Assembly on human rights issues comes into full perspective if one compares the action taken by the General Assembly, however reluctantly, on behalf of a single individual with the failure of the Commission on Human Rights to deal with the case of the mass murder of hundreds of thousands in Uganda. Although the subcommission on minorities had in its possession full and detailed documentation, attested by witnesses and nongovernmental organizations including the International Commission of Jurists, concerning mass execution and tortures in Uganda committed by Idi Amin's army and secret police, the Commission on Human Rights dismissed the entire case out of hand in 1976, because of Soviet and Third World opposition.

The Third Committee demonstrated the same selectivity toward breaches of human rights during 1981 and 1982. Neither the 36th nor 37th Sessions of the General Assembly expressed concern over the denial of human rights to the citizens of Poland.

Senator Robert W. Kasten, Jr., of Wisconsin, who was a U.S. Representative in the Third Committee, said in his speech on December 6, 1982:

Solidarity's only so-called crime was to demand those human rights to which the Polish government committed itself in international agreements; free trade unions; freedom of expression; the reduction of censorship; an end to political trials; and honest information about Poland's past and present.¹⁶

But this was only a speech. The United States does not possess sufficient influence in the General Assembly to cause it to adopt a resolution deploring the suppression of liberties in Poland.

In contrast to its total silence on Poland, the General Assembly adopted three resolutions on Latin America referring to the "situation of human rights and freedoms" in Chile, Guatemala, and El Salvador. States the resolution on Chile in operative paragraph 2:

The General Assembly reiterates its grave concern at the persistence of serious and systematic violations of Human Rights in Chile, as described by the Special Rapporteur, in particular for the subversion of the traditional democratic legal order and its institutions, through the maintenance and widening of emergency and exceptional legislation and the promulgation of a Constitution which does not reflect a freely expressed popular will and whose provisions suppress, suspend or restrict the enjoyment and the exercise of human rights and fundamental freedoms. (U.N. Document A/37/745, Resolution A/C.3/37/L 53).

While urging the government of Guatemala "to ensure that human rights be fully respected . . . ," the General Assembly was more explicit

¹⁶Press Release, USUN 166 (82), December 6, 1982.

with reference to El Salvador. In a resolution containing preambular and thirteen operative paragraphs, the General Assembly also

strongly urges the government of El Salvador to fulfill its obligations towards its citizens and to assume its international responsibilities in this regard by taking the necessary steps to insure that human rights and fundamental freedoms are fully respected by all its agencies, including its security forces and other armed organizations operating under its authority or with its permission (1A/C3/37/L 77).

Almost every word in the Chile and El Salvador resolutions could be applied to the situation in Poland. However, no Western delegation has challenged the tacit understanding that protects the communist states of Eastern Europe from censure by resolution for violations of human rights.

This tacit understanding was established by the gradual erosion of Western political morale. The weight of the overwhelming majorities at the disposal of the Soviet-Third World alliance seems to have crushed the will of Western delegations to dissent by the introduction of their own initiatives. Most of the politically important resolutions on the question of human rights in the Third Committee during the 37th session of the General Assembly in 1982 were introduced by the Soviet Union's Eastern European and Third World allies. The Western Europeans confined themselves to introducing politically uncontroversial resolutions. The United States did not introduce a single draft resolution.

The creation of a certain political mold by the force of continuous repetition, the constant use of derogatory political cliches and semantics to encase opposition to the Western conception of human rights became accepted, after a time, as self-evident and perhaps—incredibly—true, even by representatives of Western governments in the General Assembly.

This ambience must be kept in mind to understand fully the importance of the American challenge, since 1981, of the accepted norms of the debate and resolutions on human rights in the Third Committee.

There is no better way to describe this challenge than to quote from a speech made by the U.S. permanent representative in the Third Committee, Carl Gershman.

The very idea of human rights has become clouded by interpretations that confuse and mislead and do not contribute to the expansion of human freedom but justify, however subtly, its contraction and the rule of force.

There is, for example, the distinction between individual and so-called collective rights. Implicit in this distinction is the view that liberty, meaning political and civil rights, is counterposed to equality, meaning social and economic development, and that some systems emphasize and seek to advance one as against the other. From this flows the view that under to-

talitarian systems people have equality even if—in fact, precisely because—they are deprived of liberty. . . .

Liberty . . . is not an obstacle to development but a precondition for it. If it is given a preeminent place in a system of rights and values, it is not merely because freedom is a precious treasure without which life is empty, but also because it is the condition within which other values and goals, including economic and social progress, can be fulfilled.

In a word, the party of liberty does better by equality than the party of equality. The pursuit of so-called collective rights at the expense of liberty will not lead to more equality but less, regardless of the ideological justifications that are advanced in their behalf.

Yet these ideological justifications are advanced, invariably on behalf of an idea of justice that is so warped that it calls despotism a form of liberation and sanctifies armed struggle as the means to achieve this blessed state. . . .¹⁷

Gershman was referring to Cuba.

This and other American statements in the Third Committee have not changed a single vote on a single draft resolution. Votes of delegations depend on instructions from home, and those are given in accordance with predetermined political considerations. These considerations, in the case of most Member States, are not ideological but purely tactical.

The way the cards are now stacked on human rights questions in the General Assembly, a representative of a middle-of-the-road Third World country does not have to take the U.S. position into account on a given issue, before recommending a course of action to his government.

In the past two decades certain political habits have taken hold in the General Assembly, and they will not be easy to break. It may take several years of sustained effort, not only by the United States, but also by the other seventeen Western representatives, before “instructions from home” to these Third World representatives, whose votes could make the crucial difference, will include the request to ascertain the U.S. position before pronouncing themselves on resolutions relating to human rights.

Information

Public relations has of late become a prime concern of the General Assembly. Over the past decade, it has sought the widest possible coverage of its proceedings and decisions. This was not necessary in the past when the international media considered the United Nations, and especially the General Assembly, a rich source of news. Toward the end of the 1960s, however, world interest in the General Assembly began to wane. Although most of the important newspapers and agencies contin-

¹⁷Press Release, USUN 185 (82), December 9, 1982.

ued to maintain offices in the U.N. building, with a few exceptions more and more of them were run by a skeleton staff.

The fact is that the United Nations and its General Assembly now make poor copy. The length and redundancy of the resolutions adopted every year are not calculated to intrigue serious-minded editors. This is particularly true of the annual resolutions adopted by so many of the Assembly's Main Committees: on apartheid, Namibia, Israel, Chile, the transnational corporations, colonialism, the New International Economic Order.

Better Coverage for the General Assembly

To combat the free world's lack of interest in the United Nations, the General Assembly decided to enter the information business on its own. Many resolutions of the General Assembly end with a plea for wider dissemination of information. Resolution 36/57 on the "Activities of Foreign Economic and Other Interests Which Are Impeding the Process of Decolonization" states in its operative paragraph 23 that it:

Requests the Secretary-General to continue through the Department of Public Information of the Secretariat, a sustained and broad campaign with a view to informing world public opinion of the facts concerning the pillaging of natural resources in colonial territories and the exploitation of their indigenous populations by foreign monopolies and the support they render to the colonialist and racist regimes.

The Department of Public Information of the Secretariat has become of late the main executive arm of the General Assembly. Unable to secure compliance with its resolutions, ignored by the world media, the General Assembly, or rather its Soviet-Third World majority, has turned to the department for aid in finding a receptive audience for its annual pronouncements. It is headed by an Under-Secretary-General responsible for some 30 divisions in New York, including Radio and Visual Services, Radio Services, Feature Production Section, Press and Publication Division, External Relations Division. At the headquarters and abroad, the department employs a staff of approximately 900 people.

The operational end of the department is its 50 or so Information Centers in Europe, North and South America, Africa, Asia, the Middle East, and Australia. Information material in print or in audio-visual form is distributed to the centers, which in turn disseminate them through their mailing lists.

The political realities that dictate the workload of a U.N. Information Center depend greatly on its location. An Information Center in a European capital has its regular mailing list consisting of public libraries, educational institutions, U.N. Societies, and organizations that are registered with the U.N. as NGOs (nongovernmental organizations). Some 700 of these are registered with ECOSOC and about 150 with the De-

partment of Public Information. Most of the NGOs are bona fide associations. However, there are also the usual batch of societies known to be Soviet-front organizations, for example, the World Peace Council (WPC).

Organizations such as the WPC have representatives at headquarters in New York, as well as national chapters in many parts of the world. If a pamphlet on Namibia or the transnationals, for instance, is about to be dispatched from New York to the U.N. Information Centers, the national chapters of WPC are alerted by their New York office and are instructed to request as many copies as possible. These are then distributed through their mailing lists to political sympathizers.

If one reviews the whole process from the genesis of a resolution in the General Assembly to its ultimate destination in the hands of either a communist sympathizer in a European university or some well-meaning individual unfamiliar with the political realities of the General Assembly, the reasons for the insistence on publicity by, for instance, the Committee of 24, become apparent. First, the Committee of 24 drafts a highly biased resolution, then the usual majority railroads it through the voting process of the U.N., and finally, NGOs politically sympathetic to the aims of the Committee of 24 see that it receives the widest possible circulation.

A cursory glance at the slick booklets and pamphlets distributed by the Department of Public Information reveals such titles as:

International Year of Mobilization for Sanctions against South Africa, 1982

United Nations Council for Namibia Meetings at Panama City, Panama 1982, International Year of Mobilization for Sanctions against South Africa—the Case for Sanctions against South Africa.

Plunder of Namibian Uranium

Seminar on the Military Situation in and relating to Namibia

The Berlin Declaration and Appeal to the Mass Media—International Year of Mobilizations for Sanctions against South Africa

Paris Declaration of Sanctions against South Africa—Adopted by the International Conference on Sanctions against South Africa, Held in Paris in May, 1981

From 1980 through 1982, the General Assembly also passed three resolutions related to the Soviet invasion of Afghanistan. The Office of Public Information, however, has not found it necessary to acquaint its Centers of Information with the significance of these resolutions by printing special information about them.

The department itself is not to be blamed for the political selectivity of its publications. It merely does what the General Assembly orders. With the growing importance of the department, the Soviet Union naturally is

vitaly interested in having representatives of countries friendly to the USSR working in the department in New York, and above all, directing and supervising the flow of information to the U.N. Information Centers.

The Committee on Information

The public's lack of interest in the U.N. and the U.N.'s tarnished image inspired the Third World-Soviet majority in the General Assembly to establish a Committee on Information, composed of 67 Member States including the U.S. and USSR. In its annual report for 1982, the committee deals with a great many subjects, such as: the need to increase the struggle against information imperialism, and the domination of Western information agencies in developing countries;¹⁸ measures to strengthen the capacity and enhance the role of the United Nations Information Centers; radio service; the use of U.N. facilities in short-wave broadcasts; and so forth.

The recommendations of the Committee on Information are transmitted to the Special Political Committee or the General Assembly for deliberation and approval. On the strength of this report the General Assembly adopts every year a resolution on Information. The 1982 resolution (A/37/94) spells out both motives and goals with clarity. It mentions the need for a "better balanced dissemination of information" and asks for "a guarantee of the diversity of the sources of information"—code words for less reliance on Western media. The resolution stresses the need to change "the dependent status of developing countries in the field of information and communications," demands the establishment of a New World Information and Communication Order, and even considers the need for a Global Satellite Project "as a positive step towards reducing the existing imbalance in global information flow." The resolution calls for an all-out effort by the Department of Public Information to achieve a "more comprehensive and realistic image of the activities and potential of the United Nations system . . ."

The message is: the United Nations must educate the world to accept the standards of political equity as defined by the General Assembly.

In 1982, a group of Third World countries caused the General Assembly to adopt a resolution (A/37/92) and a set of principles governing the use of earth satellites by Member States for direct broadcasting, a new technique that transmits satellite broadcasting directly to homes without a ground receiving station. This may become possible only in the early 1990s, but already worries the Third World and Soviets. Said Charles M. Lichenstein, the resolution would "... afford every state, including totalitarian states, an unconditioned veto over this form of broadcasting." Although the sponsors were mainly middle-of-the-road

¹⁸Report of the Committee on Information, General Assembly, Official Records. Thirty-Seventh Session, Supplement N 21 (A/37/21).

Latin, African, and Asian countries, the Soviet Union and its surrogates expressed their unequivocal support of the resolution. Here again, a natural confluence of interests between the Soviet Union and the Third World countries is evident in the need for restrictions on the freedom of information and protection for the political system from the intrusion of "foreign" ideas.

The Western vote on this resolution was characteristically split, as it is on many issues. The resolution was adopted by 107 countries voting in favor, 13 against, and 13 abstaining. It was opposed by Belgium, Denmark, West Germany, Iceland, Israel, Italy, Japan, Luxembourg, The Netherlands, Norway, Spain, the U.K., and the U.S. Western countries abstaining were Australia, Austria, Canada, Finland, France, Greece, Ireland, New Zealand, Portugal, and Sweden (plus Lebanon, Malawi, Morocco).

Although there is little likelihood of the resolution having practical consequences in the foreseeable future, it demonstrates the opposition of many Third World countries to exposure of their citizens to ideas from abroad and also, possibly, to incoming information about their own countries, which may have been suppressed by their state controlled media.

The New World Information and Communication Order

In practical terms the General Assembly is asking the Department of Public Information to perform a dual task: (1) to help the U.N. Educational, Scientific, and Cultural Organization (UNESCO) establish a New World Information and Communication Order; (2) to strengthen its own information activity and by doing so give wider publicity to decisions of the General Assembly which the Western media find too repetitious to be newsworthy.

The New World Information and Communication Order has been the subject of years of debate in UNESCO and has met with Western opposition to its central idea, which is to permit the control of news by the powers that be. It developed into an open confrontation in the debates of a committee of UNESCO in Paris, in November 1982, and the *New York Times* reported the Western position as follows:

Western delegates, including James Daniel Phillips speaking for the United States . . . expressed concern that UNESCO . . . was getting involved in sweeping declarations of principle that could later be used as justification for government action to prevent objective reporting and block the flow of information.

He charged that proposals for the 'protection of journalists' could easily lead to 'state control over journalists' and that by giving governments the right to concern themselves with the 'content' of news messages, UNESCO would provide them with a justification for censorship.

Speaking for the International Press Institute, a private organization,

Max J. Snijders, an editor from the Netherlands, warned that it would be fatal to give the press a responsibility for making a contribution to the solution of major world problems such as are disarmament or understanding between nations. 'We refuse to have the media enlisted in tasks that belong to the states,' he said. 'If we accept, the states will claim control over the media.'¹⁹

In fact, the New World Information and Communication Order remains a blueprint. The West and the communist countries disregard it for opposing reasons, and most countries of the Third World find it cheaper to subscribe to Western news agencies, and censor the news at home to suit their political taste, than to embark on costly new ventures. One such venture, already in existence, is the Pool of Nonaligned News Agencies. Ostensibly created to balance the "bias of Western News Agencies," the pool was first situated in Belgrade. It has recently been moved to Tunis, but is still managed by the official Yugoslav news agency TANJUG. This new instrument of Third World dissemination of news, however, has run into a strange problem. In accordance with its internal regulations, the pool receives from each of the participant Third World countries a report of the day's news, which, together with news received from other participant countries, it is supposed to distribute among all its members. However, the regulations of the pool forbid the editing of raw news thus received to make it more understandable to readers a continent away. Thus, what happens is that a speech by the Minister of Agriculture of Sierra Leone has to be transmitted in toto to every subscriber. A newspaper in Brazil may be forgiven if it decides to ignore the whole story.

The Department's Report

The main task of the Department of Public Information is not so much to establish the New World Information and Communication Order, as it is to improve the public perception of the United Nations system. With this end in view, the Administrative Committee on Coordination presented a Report of the Joint United Nations Information Committee on August 5, 1982 (ACC/1982/22). The report was intended to be classified, but a publication of some of its conclusions in the *New York Times*²⁰ caused Secretary-General Perez de Cuellar to describe its contents as "unfortunate and ill considered."²¹ In actual fact, sections of the report that had caused Western protests were very much in line with the tone of many General Assembly resolutions deriding the West and, by implication, praising the Soviet Union. The sole difference was that the Secretariat was involved in the preparation of the report, and it,

¹⁹*New York Times*, November 28, 1982.

²⁰*New York Times*, October 15, 1982.

²¹*New York Times*, November 2, 1982.

therefore, was more vulnerable to Western criticism than are resolutions of the General Assembly, which have come to be regarded by many Western delegations as immutable acts against which there is no appeal.

Speaking of the West, the report notes that: "Influential sectors of the mass media in the developed countries have pictured the United Nations system as an irrelevant, inefficient, and swollen bureaucracy." The report compares this with the attitude of the press in communist countries by saying that:

In the Socialist countries, the mass media report regularly on the United Nations activities, particularly in the political field. It would appear that there is continuing support in these countries for United Nations efforts directed towards international cooperation. Certainly, the governments of these countries take such a position. At the same time, the Socialist countries tend to limit their involvement in activities concerning international financing for development, believing that the problems that such financing seeks to alleviate are not of their making (ACC/1982/22).

The report is only a symptom of the General Assembly's new emphasis on information as one of its most important functions. In addition to the efforts to strengthen the Department of Public Information, special conferences and seminars are being held in Paris and Berlin on Israel, Namibia, the transnationals, and other perennial items on the agenda of the General Assembly in an attempt to attract not only the European media, but above all the radical left in Europe, which usually pays scant attention to the United Nations. This is an ideological challenge to Western democracies and has to be understood in those terms.

Suggestions for Change

As it now functions, the General Assembly offers little hope for the future of parliamentary diplomacy. The founders of the United Nations, whatever their political views or ideologies, assumed that accredited representatives of Member States would show due regard for the Rules of Procedure, use the carefully weighted language of diplomacy in drafting resolutions, and show at least formal respect for the views of a minority. In the predictable conformity of their decisions, however, the General Assemblies of the 1970s and 1980s have come to resemble the proceedings of a semi-totalitarian legislature, rather than those of international gatherings of sovereign states holding divergent views.

Little can be done about the substance of the debates or resolutions. The United States and the West, however, could cut back on procedural excesses, the duplication of items on the agenda, the establishment of numerous subsidiary bodies whose main function seems to be the perpetuation ad nauseam of themes inimical to the West, the holding of special conferences and seminars ostensibly devoted to the usual topics of apartheid, Israel, transnational corporations, Chile, and Namibia, and the use of the Department of Public Information by the General Assembly as an instrument for anti-Western and obliquely pro-Soviet propaganda. Because of its growth, the International Secretariat has become, in its present form and size, a bloated, useless, and inefficient machinery, as well as a hotbed of cut-throat international rivalry and intrigue.

To achieve reforms it is essential to concentrate first on the source of much of the U.N. malaise—the General Assembly itself. Changes need not be radical; in the main, they would be procedural but calculated to curb some excesses and misuse of the United Nations for partisan political aims.

One obvious and much needed organizational change, however, would be the elimination of the General Assembly's Fourth Main Committee (Trusteeship and Non-Self-Governing Territories). With the end of the colonial era, this committee has no purpose, and such isolated items as remain on its agenda can be dealt with easily in Plenary.

A Blueprint for Procedural and Organizational Changes

1. To make its proceedings more efficient and less wasteful, the General Assembly will have to trim drastically the time allowed for debates and curtail the ever growing proliferation of useless documentation. These restrictions will also serve as a salutary reminder to Member States that the budget of the organization is not a bottomless barrel. The time allotted to the General Assembly Meeting should be reduced from thirteen to five weeks. This would allow, as before, three weeks for the general debate in Plenary in which heads of state, ministers of foreign affairs, and other dignitaries annually state their country's foreign policy. The time given to the Main Committees, however, would be greatly curtailed. These endless debates over the exact wording of draft resolutions identical, almost word for word, with those adopted at previous sessions take up most of the time of the delegates, without contributing one iota to the cause they profess to pursue. If anything, these debates exacerbate existing political conflicts and create new tensions where none existed before (see above, "How the General Assembly Functions").

To enable the Main Committees and the Plenary to accomplish their tasks in shorter span of time, certain changes would have to be introduced in the Rules of Procedure with regard to debates and the submission of draft resolutions.

Introduction of the following rules should be considered:

- a. Similar items on the agenda should be merged to avoid unnecessary and expensive duplication. Example: Two items have been listed for many years—"Palestine" and "The Situation in the Middle East." Both in fact refer to the Israel-Arab dispute.
- b. Repetitive items on the agenda that have been discussed year in year out for more than five years should be referred to subsidiary organs, which would inform the General Assembly once every two years of the progress of discussions. Example: Apartheid could be discussed annually by the Economic and Social Council and the Commission on Human Rights and referred back to the General Assembly every two years as a part of the Council's report. Similarly, an item entitled "General and Complete Disarmament" should remain under the review of the Committee on Disarmament in Geneva and sent back to the General Assembly every other session.
- c. Resolutions of the General Assembly on the same subject adopted by various ones of its seven Main Committees should be merged into one draft resolution not exceeding three printed pages. In 1979, 20 percent of all substantive resolutions on which the 34th session voted directly related to South Africa. This kind of excess does little to combat racial discrimination, but contributes considerably to the low esteem in which the U.N. is now held.

- d. Subsidiary bodies, established by the General Assembly, performing essentially the same tasks should be merged. Their reports to the General Assembly should be restricted to the mention of whatever changes, if any, these subsidiary bodies recommend to the resolution submitted by the same committee on the same subject to the previous General Assembly.
- e. Speeches in Plenary or in a Main Committee on items that have appeared on the agenda for three consecutive years should be limited to five minutes. If a representative of a Member State exceeds that limit, the country he represents will have to bear the additional expenses involved in having the statement printed, translated, and simultaneously interpreted into six languages.

2. The Rules of Procedure will have to undergo certain revisions to reflect more accurately the new political reality that prevails in the General Assembly. If the Western minority is to play a constructive role in the decision making of the world body, new rules will have to be instituted to protect the West against the railroading of resolutions in total disregard of its political views.

- a. To eliminate the situation in which the West is intimidated by the ruling majority's threat of amendments that would radically alter the nature of the original Western draft resolution, the Rules of Procedure should contain a new provision stating that: "the Plenary, or any of the Main Committees of the General Assembly cannot take action on amendments intended to alter substantially the purpose or the character of the draft resolution to which the amendment is submitted." If a difference of opinion exists in the Plenary or in a Main Committee as to whether or not an amendment is intended to change substantially the purpose or character of the draft resolution to which the amendment is submitted, the President of the General Assembly or the Chairman of a Main Committee would be encouraged to suggest to the sponsors of the amendment that they submit a separate draft resolution in the spirit of their amendment.

These two measures would enable the United States, for instance, to submit a draft resolution, knowing that it would not pass, but that it would demonstrate political intent without fear of being disfigured by hostile amendments.

- b. In order to prohibit the abrogation of the Rules of Procedure under the rubric, "The General Assembly is a master of its own procedure," a specific new provision should be included in the Rules of Procedure stating that this rubric can be applied only with the consensus of all present and voting.
- c. At the request of any Member State, the voting on any subject

must be conducted by secret ballot. This rule would be particularly important for some middle-of-the-road Third World countries needing the protection of secrecy against the intimidation of the more radical states.

- d. Amend Article 18 of the Charter, and Rule 83 of the Rules of Procedure (which define the type of questions demanding the support of two-thirds of those present and voting) to stipulate "all questions put to the vote of the General Assembly require a three-quarter majority of the total membership of the U.N., unless the five Permanent Members of the Security Council decide otherwise."

If this rule were to be introduced, it would mean that, with the help of some Third World countries (preferably voting in secret ballot), the West would stand a chance, sometimes, of commanding the "blocking quarter" to prevent the adoption of hostile draft resolutions.

3. Separation of powers between the Security Council and the General Assembly must be restored, through strict compliance with Article 12 of the Charter, which stipulates a division of powers and function between the General Assembly and Security Council. This article states that "while the Security Council is exercising in respect of any dispute or situation . . . the General Assembly shall not make any recommendations with regard to that dispute or situation unless the Security Council so requests." As related in Chapter 2, this provision of the Charter has recently been completely ignored.

This disregard of Article 12 of the Charter by the General Assembly, as controlled by a Third World majority, means the negation of the Charter's primary axiom: that the members of the United Nations "confer on the Security Council primary responsibility for the maintenance of international peace and security. . . ." To deny this is tantamount to rewriting the Charter, an exercise that would be objected to categorically, not only by the U.S., but also by the Soviet Union.

The Uniting for Peace loophole, which enables the majority of the members of the Security Council to demand a debate in the General Assembly on a resolution vetoed by one of the Permanent Members of the Council, would not have to be abolished. Experience has shown that this procedure cannot be applied easily, and that it requires considerable diplomatic pressure to get most of the ten nonpermanent members to agree to circumvent the Council.

If Article 12 of the Charter were to be strictly observed, an occasional circumvention of it by the Uniting for Peace process would be tolerable; the present procedural and political anarchy, which permits the General Assembly to adopt resolutions on issues that are, so to speak, *sub judica* of the Security Council, would be greatly restrained.

4. The establishment of additional U.N. bodies must be restrained.

- a. The proclivity of the General Assembly to establish new bodies, financed out of the regular U.N. budget, must be stopped. A new rule could be instituted requiring the unanimous agreement of the five largest contributors to the regular budget before the General Assembly could establish a new body, *ad hoc* or regular.
- b. Subsidiary bodies that have been in existence for three years must be reviewed every year. Their continued existence should require the approval of a five-sixths majority of the U.N. membership, voted by secret ballot.

5. The conflict of competence in General Assembly resolutions must be eliminated.

Many resolutions of the General Assembly have references in their preambular section such as: "Recalling the Final Declaration of the Sixth Conference of Heads of State of Governments of Non-Aligned Countries," or "Recalling the relevant provisions of the Final Act of the Conference on Security and Cooperation in Europe signed at Helsinki on 1 August 1975," or "Recalling the decision of the Organization of African Unity," and so forth.

In other words, all Member States are asked to support resolutions based on decisions adopted outside the United Nations system, in a framework that does not include all Member States. Not all members belong to a group of nonaligned states, are co-signatories of the Helsinki Agreement, or are members of the Organization of African Unity. Reference to a decision taken by an outside organization is irrelevant to Member States who do not belong to it, and they have no reason to accept it as a basis for a draft resolution submitted for adoption by the entire General Assembly.

This is particularly important with reference to decisions taken in conferences of the so-called nonaligned. It has been noted that a majority of Member States are under a political obligation to induce the General Assembly to adopt resolutions previously agreed on at conferences of organizations that do not belong to the United Nations system, are not ruled by the Charter, and do not employ democratic methods in arriving at decisions. To avoid a conflict of competence, the Rules of Procedure should include a paragraph expressly prohibiting reference in draft resolutions to decisions taken by bodies outside the framework of United Nations organizations.

6. Convening Special Emergency Sessions of the General Assembly must be restrained.

- a. Restrictions must be introduced on the rules governing the convening of Special or Emergency Sessions of the General Assembly. Special or Emergency Sessions are now convened at the request of a majority of Member States. This rule should be amended to state that no Special or Emergency Session of the General Assembly can

be convened unless five-sixths of the Member States agree to it, and provided the Security Council is not seized of the problem within the meaning of Article 12 of the Charter (unless the General Assembly is convened by means of a Uniting for Peace resolution of the Security Council).

- b. The adoption of a resolution should signify the end of a Special or Emergency Session; it cannot perpetuate itself by deciding that it should formally remain in session and reconvene whenever circumstances so demand. Any Special or Emergency Session should come to an end automatically at the beginning of a Regular Session.

The Chances for Reform

In 1970, the General Assembly appointed a Special Committee on the Rationalization of the Procedures of the General Assembly, and approved its recommendations in the following year (2837 [xxvi], 17 December 1971). Even twelve years ago the need was felt acutely to bring some order into the proceedings of the General Assembly. This Special Committee recommended to Member States the elimination of agenda items that had lost their relevance or urgency. But in fact, all items connected with the Israel-Arab dispute, even if referring to a specific one-time event that has long ago lost its topicality, are kept on *ad infinitum*. The Special Committee also recommended that some subsidiary organs of the General Assembly be merged. This could have meant, for instance, that the Special Committee against Apartheid would include the Ad Hoc Committee on Drafting an International Convention against Apartheid in Sports; needless to say, this was never even considered. The committee's recommendations were marginal, on the whole, and whenever they interfered with the new political culture of the Third World, they were completely disregarded.

And today, for example, most of the activity of the Department of Public Information is devoted to giving maximum publicity to issues arising out of resolutions adopted by the General Assembly in the face of Western opposition. At the same time, most of the funds that allow the Department of Public Information to function come from Western sources. Why is the West under an obligation to finance the demolition of its own political philosophy?

As a start toward change, the United States and other concerned Western countries could present a formal statement to the Secretary General demanding that the Department of Public Information distribute material only on subjects deriving from General Assembly resolutions adopted by universal consensus.

If the General Assembly is to change its ways, it will happen as the re-

sult of a political crisis, not of the recommendations of a committee. If the Third World countries had to finance the General Assembly “show” out of their own national purses, they might agree to some far-reaching changes.

Conclusions

The function of the General Assembly was ill defined from the start, partly because the authors of the Charter did not endow it with much importance. The Security Council, acting on the basis of agreement among the great powers, was to become the main instrument for the maintenance of peace and security throughout the world. However, the Cold War paralyzed the Council, and the General Assembly increasingly became the central stage for U.N. political activity.

The experiment with majoritarianism did not augur well for the future of the General Assembly. The inequality in size, importance, and degree of direct involvement in world issues of the various members made the one state-one vote system of arriving at decisions an empty ritual, devoid of direct political significance. The swelling of the ranks with the addition of the newly emerging states of Africa and Asia radically changed the nature of the agenda of the General Assembly. Instead of dealing with conflicts, wherever they occurred, and issues of concern to all Member States, the Assembly occupied itself only with items that were acceptable to the new majority of emerging Afro-Asian states. This led to the "Frozen Agenda" syndrome, which accorded exaggerated importance to certain issues, while disregarding conflict situations and violations of human rights that the Third World preferred to conceal.

This new majority effectively destroyed the Rules of Procedure of the General Assembly and disregarded the provisions of the Charter that forbade Assembly debate of issues under review by the Security Council. By threatening destructive amendments to Western draft resolutions, the Third World countries relegated the West to the role of a dispirited onlooker, allowed to initiate only noncontroversial resolutions.

Whether or not it is in total agreement with all the tenets of the so-called nonaligned movement, the Soviet Union greatly benefits from that group's pronounced anti-Western bias and seeks to encourage it.

During the 1970s and 1980s, the General Assembly has been forced to accept decisions taken by the majority of its Member States at conferences of the nonaligned. The method of decision making at these conferences is not by vote, but by a method described as democratic centralism or consensus. Consequently, the Assembly is reduced, in practice, to

rubberstamping decisions taken outside the U.N. framework, which have been arrived at in an undemocratic manner.

While the West can expect only occasional passive resistance to Soviet manipulation on the part of the Third World's only too silent majority, Moscow can rely on a small but effective band of well-disciplined surrogates to carry out its wishes.

The Assembly's ruling majority sees to it that the Department of Public Information of the U.N. is furnished with the financial and technical means to give the decisions of the General Assembly as wide publicity as possible. The policy of public information and its implementation is formed and executed by what U.S. Ambassador Jeane Kirkpatrick has called in another context the "iron triangle," consisting of nongovernmental organizations, Third World radicals, and ideologically sympathetic left-wing international bureaucrats. Thus the United Nations has become the spokesman for an ideology that is profoundly anti-democratic and anti-Western. The result: the United States and its NATO allies, by contributing 50 percent of the regular budget of the United Nations, are in fact financing the propagation of views aimed at the destruction of their own political systems, their economic and military power.

Possibilities for Change

The United States and other NATO countries have the choice of several courses of action.

1. *To do nothing, in the hope that in the course of time the internal divisions among Third World countries will cause them to change their political direction and political rhetoric.*

One theory has it that the end draws near of the postcolonial period, characterized by anti-colonial and anti-Western attitudes. The former colonies, having experimented with Soviet assistance, have found it economically inefficient and its military aid dangerous to their independence. The argument continues that the Cubans overplayed their hand at the September 1979 Conference in Havana and are unpopular and distrusted. The more moderate Yugoslavs and Indians, founders of the nonaligned movement, having regained control, succeeded at the Meeting of Foreign Ministers in Nicaragua in February 1983 and subsequently in March at the Conference of Heads of State and Government in New Delhi in toning down the text of some of the resolutions adopted by the nonaligned. The proponents of this theory urge the United States to give this process enough time to allow Third World countries to equidistance themselves from both East and West and thus to play a truly constructive role in world affairs.

This is too optimistic. The resentment of Third World countries was

directed at the Cubans more for their strong-arm tactics and arrogance than for the policies Havana was advocating. Although India, Yugoslavia, and Egypt have succeeded during the course of the past year in slightly moderating the language of Third World pronouncements, the change is more in style than in substance.

There were a number of reasons for this change. Dislike of the Cubans was one of them; assertion by India of its role as a leader was another. The Indians are guided more by their own policy toward the Soviet Union than by abstract principles of neutrality between the USSR and the U.S. After twenty years of a close relationship with the Soviet Union, the signing of a Treaty of Friendship and Cooperation, and dependence on the USSR for much of its military hardware, India has cautiously begun to disengage itself from the Russian Bear.

Again in New Delhi, as on previous occasions, the Cubans and their allies managed to exhaust other Third World representatives in marathon all-night sessions to obtain an anti-American slant on draft resolutions; however, at New Delhi they did not succeed in manipulating the conference as they had done at meetings in Havana and Colombo.

Finally, the crushing reality of a world economic slump dampened the enthusiasm of the conference for the "accuse and demand" strategy used in the past against industrialized countries.

Consequently, the Final Document of the Seventh Conference of Heads of State or Governments of Nonaligned Countries held at New Delhi in March 1983, is a more respectable document. Still, in its economic section, the nonaligned have again failed to name the Soviet Union and its Eastern European allies as being responsible parties to North-South negotiations. And, though more restrained than that of Havana, the Final Document nevertheless chastises the United States eleven times, and mentions the USSR by name only once, and this in the context of a common appeal to the USSR and the U.S. to hold talks on the demilitarization of the Indian Ocean.

The Final Document of New Delhi remains a declaration of political hostility on the part of Third World countries toward the democracies of the West. The State Department expressed its official regrets; Moscow cabled congratulations. The General Assembly of the United Nations at its 1983 session will no doubt obediently echo the decisions taken in New Delhi.

Thus, if the West decides that it is preferable to do nothing, it must also understand that there are no indications for significant change in the political climate of the General Assembly in the near future.

- 2. The United States and some NATO countries may consider withdrawing from participation in the General Assembly, without leaving the U.N. The U.S. and its Allies would continue to take an active part in the meetings of the Security Council and other U.N.*

bodies, but would boycott, for a while at least, the sessions of the General Assembly.

If this were accomplished by a concomitant reduction, even temporary, of the United States contribution to the regular U.N. budget, it would doubtless cause a severe crisis in the U.N. and pave the way for negotiations for changing the structure and rules of deliberation of the General Assembly.

- 3. The third alternative is, in a way, a combination of the first and second suggestions. It would allow for a period of testing the effects of the new American diplomacy on the General Assembly, with the understanding that the United States was seriously appraising the usefulness of further participation in the Assembly deliberations.*

To understand the meaning of the third alternative, some observations should be made about the stewardship of Ambassador Jeane Kirkpatrick as the Permanent Representative of the U.S. to the U.N.

Since coming to the U.N., Ambassador Kirkpatrick and her delegation have managed to convey to its cynical and jaded diplomatic community the impression that the United States is now seriously taking stock of its position in the world body, and is reviewing that body's relevance to the world situation. It is of the utmost importance that this perception of the new American position continue to guide the representatives of the Third World in their choice of political options.

In October of 1981, Ambassador Kirkpatrick addressed a letter to each of 64 Third World delegations who had previously signed their names to an extremely anti-American communiqué of the nonaligned. Fifty of them replied, giving various reasons for their censure of the United States. The impact of this letter proved to be far-reaching. For the first time, Third World representatives had to face political accountability for their statements.

With the exception of half a dozen of the Soviet surrogates, who are well aware of what they are doing, the majority of Third World countries have been allowed, even encouraged, to function schizophrenically in their world of two political realities. One: the humdrum economic difficulties at home, oppression by home-grown despots, the social ills resulting from rapid urbanization. Two: the glamorous world of the General Assembly and gatherings of the nonaligned where the blame for one's own shortcomings and misfortunes could be laid at the door of long-departed colonial masters or the United States; where the transfer of wealth and technology from North to South could be demanded as a matter of right; where solutions to a multitude of highly complex international problems were simplified by the annual denunciation of South Africa, Israel, Chile, the United States, and the transnational corpora-

tions. The General Assembly is also a place where it has become wise to overlook Soviet violations of the Charter.

At home in the Third World, however, an enormous effort is made to convince the transnational corporations to invest in the local economy, to develop friendly relations with the ambassadors of Western countries, and in certain instances, even to do a brisk trade with the Republic of South Africa. This political schizophrenia does untold harm, not only to the General Assembly, but also to each of the countries engaged in the practice.

Can this duality on the part of Third World countries be changed so that their political behavior in the General Assembly is adjusted to their real national, even collective, interests? The answer is—perhaps, but it will be a gradual process. Political habits are as difficult to break as personal ones.

The Soviet-Third World marriage of convenience has cast the political semantics of the Third World in the Assembly into a mold that cannot be broken overnight. However, the votes in 1982 over the expulsion of Israel from the General Assembly and the question of Puerto Rico proved that reality can reassert itself, even in the United Nations.

In addition to the vote of many Third World countries on these two issues, there was a marked improvement in the day-to-day diplomatic contact between representatives of the United States and their Third World counterparts during the 1982 General Assembly. It certainly appears that Ambassador Kirkpatrick's letter of 1981 and the American countermoves in Third World capitals prior to the votes on Israel and Puerto Rico, far from adversely affecting the relations between the United States and Third World countries, actually improved them.

What Needs To Be Done

Perhaps the road toward a gradual change in the political climate of the General Assembly lies in the direction taken by the new American diplomacy in the United Nations. A real change will come about, however, only if and when the seriousness of American intentions has been etched unmistakably in the Third World mentality, not only of their U.N. representatives, but of their governments at home as well. If, for example, the United States were to stay away from one session of the General Assembly as a warning of a possible withdrawal, and coupled this with an intense diplomatic campaign in Third World capitals, the groundwork might be laid for negotiating reforms along the lines suggested in Chapter 6.

Somehow or other, it must be conveyed to Member States that, just as they fear an attack on the Soviet Union in the General Assembly would

endanger their relations with Moscow, so would an anti-American move have repercussions on their bilateral relations with Washington.

In addition, if the United States ever were to consider embarking on a change of course in the General Assembly, public opinion and the media would have to be made fully aware of Washington's motives.

The reality of the anti-American, anti-Western, and anti-democratic political culture of the General Assembly is known to relatively few Americans. But this situation exists and should be well publicized. The peculiar political constellation and its institutional framework that metes out condemnation of the democratic West and assigns to it the role of eternal culprit must be consistently opposed. If the General Assembly continues to spend its time celebrating the demise of the ideals of democracy, the general public should be so informed.

An interdependent world needs a universal focal point. The specialized agencies, such as the World Health Organization, the Food and Agricultural Organization, and UNICEF, if depoliticized, could do excellent work and there are other possibilities for good.

The Third World may come to realize that enlightened self-interest on the part of both the North (capitalist and communist) and the South demands cooperation in a world economy that is undergoing profound changes; and that this cooperation can be best achieved not by edicts issued by the General Assembly, but by allowing the international forces of supply and demand to create new economic realities for the benefit of all.

It is important that the United States public fully comprehend that the General Assembly, as it now functions, is not an instrument for international conciliation, but quite the opposite. There, existing conflicts are often exacerbated—political tensions created where none had existed before.

If the General Assembly were to continue on its present course, it would, over the years, become an instrument for the perpetuation of an anti-American attitude throughout the world. For its political climate is as against capitalism and free enterprise as it is inimical to the principles behind the First Amendment of the U.S. Constitution. The apostles of the new order in the General Assembly may find it more expedient to attack the transnational corporations than the Bill of Rights; however, both are violently opposed by the advocates of the New International Economic Order, and the New World Information and Communication Order.

Therefore, the American public should not assess the General Assembly with the same ideological yardstick used to measure domestic issues.

A realistic appraisal would admit that, even under the most fortuitous circumstances (no Cold War and no Soviet-Third World partnership), the General Assembly never could have become an effective instrument for world peace. At its best, the General Assembly might have spoken for the conscience of mankind. It also might have become an ineffective,

but harmless, international gathering, worth maintaining for the sake of a yearly convocation of representatives from most of the world's nations to pledge allegiance to the ideals of the Charter. The General Assembly has evolved, however, into an arena for the propagation of political intentions and the employment of political methods that are inimical not only to the interests of the West, but more important, to the elementary ideals of democratic freedom.

To save the United Nations, the General Assembly must undergo urgent reforms.

Resolutions of the General Assembly on Afghanistan and Namibia: A Study in Contrasts

37/37. *The situation in Afghanistan and its implications for international peace and security*

Date: 29 November 1982

Vote: 114 Yes-21 No-13 Abstaining (recorded)

Meeting: 82

Draft: A/37/L.38 and Add.1

The General Assembly,

Having considered the item entitled "The situation in Afghanistan and its implications for international peace and security",

Recalling its resolutions ES-6/2 of 14 January 1980, 35/37 of 20 November 1980 and 36/34 of 18 November 1981, adopted at the sixth emergency special session, the thirty-fifth session and the thirty-sixth session, respectively,

Reaffirming the purposes and principles of the Charter of the United Nations and the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any State,

Reaffirming further the inalienable right of all peoples to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever,

Gravely concerned at the continuing foreign armed intervention in Afghanistan, in contravention of the above principles, and its serious implications for international peace and security,

Noting the increasing concern of the international community over the continued and serious sufferings of the Afghan people and over the magnitude of social and economic problems posed to Pakistan and Iran by the presence on their soil of millions of Afghan refugees, and the continuing increase in their numbers,

Deeply conscious of the urgent need for a political solution of the grave situation in respect of Afghanistan,

Taking note of the report of the Secretary-General,¹

Recognizing the importance of the initiatives of the Organization of the Islamic Conference and the efforts of the Movement of Non-Aligned Countries for a political solution of the situation in respect of Afghanistan,

1. *Reiterates* that the preservation of the sovereignty, territorial integrity, political independence and non-aligned character of Afghanistan is essential for a peaceful solution of the problem;

2. *Reaffirms* the right of the Afghan people to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever;

3. *Calls* for the immediate withdrawal of the foreign troops from Afghanistan;

4. *Calls upon* all parties concerned to work for the urgent achievement of a political solution, in accordance with the provisions of the present resolution, and the creation of the necessary conditions which would enable the Afghan refugees to return voluntarily to their homes in safety and honour;

5. *Renews its appeal* to all States and national and international organizations to continue to extend humanitarian relief assistance, with a view to alleviating the hardship of the Afghan refugees, in co-ordination with the United Nations High Commissioner for Refugees;

6. *Expresses its appreciation and support* for the efforts and constructive steps taken by the Secretary-General in the search for a solution to the problem;

7. *Requests* the Secretary-General to continue these efforts with a view to promoting a political solution, in accordance with the provisions of the present resolution, and the exploration of securing appropriate guarantees for non-use of force, or threat of use of force, against the political independence, sovereignty, territorial integrity and security of all neighbouring States, on the basis of mutual guarantees and strict non-interference in each other's internal affairs and with full regard for the principles of the Charter of the United Nations;

8. *Requests* the Secretary-General to keep Member States and the Security Council concurrently informed of the progress towards the implementation of the present resolution and to submit to Member States a report on the situation at the earliest appropriate opportunity;

9. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

¹A/37/482-S/15429.

Date: 20 December 1982

Votes: Section A—120 Yes-0 No-23 Abstaining

B—129-0-17

C—139-0-8

D—127-0-20

E—141-0-5

Meeting: 113

Report: A/37/24 [Part II] and Corr. 3

A

Situation in Namibia resulting from the illegal occupation
of the Territory by South Africa

The General Assembly,

Having examined the report of the United Nations Council for Namibia² and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,³

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, as well as the Advisory Opinion of the International Court of Justice of 21 June 1971,⁴ delivered in response to the request addressed to it by the Security Council in its resolution 284 (1970) of 29 July 1970,

Recalling also its resolutions 3111 (XXVIII) of 12 December 1973 and 31/146 and 31/152 of 20 December 1976, by which it, *inter alia*, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

Further recalling its resolutions ES-8/2 of 14 September 1981 and 36/121 B of 10 December 1981, by which it called upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it in the political, economic, military and cultural fields,

²*Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24).*

³*Ibid.*, Supplement No. 23 (A/37/23/Rev.1), chaps. I-VI and VIII.

⁴*Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

Recalling the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia, adopted by the International Conference on Sanctions against South Africa, held in Paris from 20 to 27 May 1981,⁵

Taking into consideration the Arusha Declaration and Programme of Action on Namibia,⁶ adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Arusha, United Republic of Tanzania from 10 to 14 May 1982,

Strongly reiterating that the continuing illegal and colonial occupation of Namibia by South Africa, in defiance of repeated General Assembly and Security Council resolutions, constitutes an act of aggression against the Namibian people and a challenge to the authority of the United Nations, which has direct responsibility for Namibia until its independence,

Stressing the grave responsibility of the international community to take all possible measures in support of the Namibian people in their liberation struggle under the leadership of their sole and authentic representative, the South West Africa People's Organization,

Reaffirming its full support for the armed struggle of the Namibian people under the leadership of the South West Africa People's Organization to achieve self-determination, freedom and national independence in a united Namibia,

Indignant at South Africa's refusal to comply with repeated resolutions of the Security Council, in particular resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978 and at its manoeuvres aimed at perpetuating its brutal domination and exploitation of the Namibian people, as repeatedly manifested in the course of the consultations for the implementation of the United Nations plan for the independence of Namibia,

Commending the front-line States and the South West Africa People's Organization for the statesmanlike and constructive attitude which they have displayed throughout the consultations to implement Security Council resolution 435 (1978),

Strongly condemning South Africa's continued illegal occupation of Namibia, its brutal repression of the Namibian people and its ruthless exploitation of the people and resources of Namibia, as well as its attempts to destroy the national unity and territorial integrity of Namibia,

Strongly condemning the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes,

Deeply concerned at the increasing militarization of Namibia, the

⁵ See A/36/319-S/14531, annex I. For the printed text, see *Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981*.

⁶ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24)*, para. 767.

forceful conscription of Namibians, the creation of tribal armies and the use of mercenaries for internal repression and external aggression,

Noting with grave concern that, as a result of the Security Council's failure on 31 August 1981,⁷ on account of the veto of the United States of America, to exercise its responsibilities, unprovoked massive armed aggression against Angola continues,

Expressing its strong condemnation of South Africa's continuing acts of aggression against independent African States, particularly Angola, which have caused extensive loss of human life and destruction of economic infrastructures,

Reaffirming that the resources of Namibia are the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the illegal colonial administration, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia,⁸ enacted by the United Nations Council for Namibia on 27 September 1974, and in disregard of the Advisory Opinion of the International Court of Justice of 21 June 1971, is illegal and contributes to the maintenance of the illegal occupation régime,

Deeply deploring the continued collaboration with South Africa of certain Western countries, in particular the United States of America, as well as that of Israel, in disregard of the relevant resolutions of the General Assembly and the Security Council,

Deeply concerned at the continued assistance rendered to the racist Pretoria régime by certain international organizations and institutions, in particular the International Monetary Fund, in disregard of the relevant resolutions of the General Assembly,

Indignant at the continuing arbitrary imprisonment and detention of political leaders and followers of the South West Africa People's Organization, the killing of Namibian patriots and other acts of brutality, including the wanton beating, torture and murder of innocent Namibians, and the arbitrary inhuman measures of collective punishment and measures designed to intimidate the Namibian people and to destroy their will to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia,

Noting with grave concern that the Security Council has been prevented on several occasions from taking effective action against South Africa in the discharge of its responsibilities under Chapter VII of the Charter on account of the vetoes cast by one or more of the Western permanent members of the Security Council,

⁷ See *Official Records of the Security Council, Thirty-sixth Year, 2300th meeting.*

⁸ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.*

Commending the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it under the relevant resolutions of the General Assembly as the legal Administering Authority for Namibia until independence,

1. *Approves* the report of the United Nations Council for Namibia,⁹
2. *Reaffirms* the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI) and in subsequent resolutions of the Assembly relating to Namibia, as well as the legitimacy of their struggle by all means at their disposal, including armed struggle, against the illegal occupation of their territory by South Africa;
3. *Reiterates* that, in accordance with General Assembly resolution 2145 (XXI), Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory and for this purpose, reaffirms the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence under resolution 2248 (S-V) and subsequent resolutions of the General Assembly;
4. *Reaffirms* that the South West Africa People's Organization, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people;
5. *Solemnly reaffirms* that the genuine independence of Namibia can be achieved only with the direct and full participation of the South West Africa People's Organization in all efforts to implement resolutions of the United Nations relating to Namibia and further reaffirms that the only parties to the conflict in Namibia are, on the one hand, South Africa, as the illegal occupying Power, and, on the other, the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative;
6. *Strongly condemns* the South African régime for its continued illegal occupation of Namibia in defiance of the resolutions of the United Nations relating to Namibia;
7. *Declares* that South Africa's illegal occupation of Namibia constitutes an act of aggression against the Namibian people in terms of the Definition of Aggression contained in General Assembly resolution 3341 (XXIX) of 14 December 1974 and supports the armed struggle of the Namibian people, under the leadership of the South West Africa People's Organization, to achieve self-determination, freedom and national independence in a united Namibia;
8. *Reiterates* that, in accordance with the resolutions of the United Nations, in particular Security Council resolution 432 (1978) of 27 July

⁹*Ibid.*, *Thirty-seventh Session, Supplement No. 24 (A/37/24)*.

1978 and General Assembly resolutions S-9/2 of 3 May 1978 and 35/227 A of 6 March 1981, Walvis Bay and the offshore islands of Namibia are an integral part of Namibia and that all attempts by South Africa to annex them are therefore illegal, null and void;

9. *Reaffirms* that Security Council resolution 435 (1978), together with Council resolution 385 (1976), is the only basis for a peaceful settlement of the Namibian question and calls for its immediate and unconditional implementation without modification or qualification;

10. *Firmly rejects* the manoeuvres by one member of the Western contact group aimed at undermining the international consensus embodied in Security Council resolution 435 (1978) and at depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation;

11. *Expresses its appreciation* to the front-line States and the South West Africa People's Organization for their constructive and statesman-like attitude throughout the consultations to implement Security Council resolution 435 (1978);

12. *Strongly condemns* South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and for its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia;

13. *Denounces* all fraudulent constitutional and political schemes through which the illegal régime of racist South Africa may attempt to perpetuate its colonial domination in Namibia and, in particular, calls upon the international community, especially all Member States, to continue to refrain from according any recognition or extending any cooperation to any régime which the illegal South African administration may impose upon the Namibian people in disregard of the present resolution, of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and of other relevant resolutions of the General Assembly and the Council;

14. *Strongly urges* the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of the South West Africa People's Organization, for self-determination and national liberation, as well as at negating the achievements of their just struggle;

15. *Declares* that all so-called laws and proclamations issued by the illegal occupation régime in Namibia are illegal, null and void;

16. *Calls upon* Member States and the specialized agencies and other international organizations associated with the United Nations to render sustained and increased support as well as material, financial, military

and other assistance to the South West Africa People's Organization so as to enable it to intensify its struggle for the liberation of Namibia;

17. *Deeply deplotes* the increased assistance rendered by certain Western countries to South Africa in the political, economic, military and cultural fields and expresses its conviction that this assistance should be exposed before the world public at large and demands that such assistance to immediately terminated;

18. *Strongly condemns* South Africa for its military build-up in Namibia, its introduction of compulsory military service for Namibians, its recruitment and training of Namibians for tribal armies and the use of mercenaries to suppress the Namibian people and to carry out its military attacks against independent African States, its threats and acts of subversion and aggression against those countries and the forcible displacement of Namibians from their homes;

19. *Strongly condemns* South Africa for its persistent acts of subversion and aggression against Angola, including the occupation of a part of its territory, and calls upon South Africa to cease all acts of aggression against and withdraw all its troops from that country;

20. *Calls upon* the international community to extend, as a matter of urgency, full support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the repeated acts of aggression by South Africa;

21. *Requests* the Secretary-General to continue to develop, in consultation with the United Nations Development Programme, a comprehensive programme of assistance to States which are neighbours of South Africa and Namibia, on the understanding that such assistance should not only envisage the overcoming of short-term difficulties but be designed to enable those States to move towards complete self-reliance, and requests the Secretary-General to report to the General Assembly at its thirty-eighth session on the development of this programme;

22. *Reiterates* its call upon all States to take legislative and other appropriate measures to prevent the recruitment, training and transit of mercenaries for service in Namibia;

23. *Strongly condemns* the illegal South African administration for its massive repression of the people of Namibia and their national liberation movement, the South West Africa People's Organization, with the intention of establishing an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian people a political arrangement aimed at undermining the territorial integrity and unity of Namibia as well as perpetuating the systematic plunder of the natural resources of the Territory;

24. *Demands* that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary mea-

tures, whether such Namibians have been charged or tried or are being held without charge in Namibia or South Africa;

25. *Demands* that South Africa account for all “disappeared” Namibians and release any who are still alive and declares that South Africa shall be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;

26. *Strongly condemns* the collusion by the Governments of certain Western and other countries, particularly those of the United States of America and Israel, with the racist régime of South Africa in the nuclear field and calls upon France and all other States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium or other nuclear materials, reactors or military equipment;

27. *Strongly condemns* the activities of all foreign economic interests operating in Namibia under the illegal South African administration which are illegally exploiting the resources of the Territory and demands that transnational corporations engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately refraining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;

28. *Requests once again* all Member States to take all appropriate measures, including legislation and enforcement action, to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia;¹⁰

29. *Declares* that, by their depletive exploitation of natural resources and continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating at present in Namibia constitute a major obstacle to its political independence;

30. *Requests* the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium-enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco;

31. *Deeply deplores* the continued collaboration of the International Monetary Fund with South Africa, as exemplified by the recent grant of a credit of one billion special drawing rights in disregard of General Assembly resolution 37/2 of 21 October 1982, and calls on the Fund to put an end to such collaboration;

32. *Reiterates* its request to all States to take legislative, administrative and other measures, as appropriate, in order effectively to isolate

¹⁰Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolutions ES-8/2 and 36/121 B;

33. *Requests* the United Nations Council for Namibia to continue to follow the implementation of the provisions of paragraph 32 above on the basis of information received from States as well as other sources;

34. *Requests* the United Nations Council for Namibia, in implementation of paragraph 15 of General Assembly resolution ES-8/2 and of the provisions of Assembly resolution 36/121 B, to continue to monitor the boycott of South Africa and to submit to the Assembly at its thirty-eighth session a comprehensive report on all contracts between all States and South Africa, containing an analysis of the information received from Member States and other sources on the continuing political, economic, financial and other relations of States and their economic and other interest groups with South Africa and of measures taken by States to terminate all dealings with the racist régime of South Africa;

35. *Requests* all States to co-operate fully with the United Nations Council for Namibia in the fulfilment of its tasks concerning the implementation of General Assembly resolutions ES-8/2 and 36/121 B and to report to the Secretary General by the thirty-eighth session of the Assembly on the measures taken by them in implementation of those resolutions;

36. *Declares* that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policies of *apartheid* and its development of nuclear weapons constitute a serious threat to international peace and security;

37. *Strongly urges* the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions, as provided for in Chapter VII of the Charter of the United Nations;

38. *Requests* the Secretary-General to report to the General Assembly at its thirty-eighth session on the implementation of the present resolution.

B

Implementation of Security Council resolution 435 (1978)

The General Assembly,

Reaffirming the imperative need to proceed without any further delay with the implementation of Security Council resolution 435 (1978) of 29 September 1978, which, together with Council resolution 385 (1976)

of 30 January 1976, is the only basis for a peaceful settlement of the question of Namibia,

Taking note of the consultations which have been held with a view to achieving the implementation of Security Council resolution 435 (1978) and also noting that those consultations have so far failed to bring about its implementation,

Condemning the attempts to link the independence of Namibia with totally extraneous issues, in particular the withdrawal of Cuban troops from Angola, an issue which falls within the exclusive domestic jurisdiction of a sovereign Member State,

1. *Reaffirms* the direct responsibility of the United Nations for Namibia pending its achievement of genuine self-determination and national independence;

2. *Reiterates* that Security Council resolution 435 (1978), in which the Council endorsed the United Nations plan for the independence of Namibia, is the only basis for a peaceful settlement of the question of Namibia and demands its immediate and unconditional implementation without qualification or modification;

3. *Firmly rejects* the persistent attempts by the United States of America and South Africa to establish any linkage or parallelism between the independence of Namibia and any extraneous issues, in particular the withdrawal of Cuban forces from Angola, and emphasizes unequivocally that the persistence of such attempts would only retard the decolonization process in Namibia as well as constitute interference in the internal affairs of Angola;

4. *Requests* the Security Council to exercise its authority for the implementation of its resolution 435 (1978) so as to bring about the independence of Namibia without further delay.

C

Programme of work of the United Nations Council for Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia,¹¹

Reaffirming that Namibia is the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence in a united Namibia,

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence,

Taking into consideration the Arusha Declaration and Programme of

¹¹ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24).*

Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982,¹²

Convinced of the need for continued consultations with the South West Africa People's Organization in the formulation and implementation of the programme of work of the United Nations Council for Namibia as well as in any matter of interest to the Namibian people,

Recalling paragraph 18 of its resolution 36/121 C of 10 December 1981, by which it requested the Secretary-General, after consulting the United Nations Council for Namibia regarding its assessment of the situation pertaining to Namibia, to carry out preparatory work with a view to organizing, at an appropriate time, an international conference in support of the struggle of the Namibian people for independence,

Deeply conscious of the urgent and continuing need to press for the termination of South Africa's illegal occupation of Namibia and to put an end to its repression of the Namibian people and its exploitation of the natural resources of the Territory,

Bearing in mind the constructive results achieved by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977,¹³

1. *Approves* the report of the United Nations Council for Namibia, including the recommendations contained therein, and decides to make adequate financial provision for their implementation;

2. *Expresses its strong support* for the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it both as the legal Administering Authority for Namibia and as a policy-making organ of the United Nations;

3. *Requests* all Member States to co-operate fully with the United Nations Council for Namibia in the discharge of the mandate entrusted to it under the provisions of General Assembly resolution 2248 (S-V) and subsequent resolutions of the Assembly;

4. *Decides* that the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, shall:

(a) Continue to mobilize international support in order to press for the speedy withdrawal of the illegal South African administration from Namibia in accordance with the resolutions of the United Nations relating to Namibia;

(b) Counter the policies of South Africa against the Namibian people and against the United Nations, as well as against the United Nations Council for Namibia as the legal Administering Authority for Namibia;

¹²*Ibid.*, para. 767.

¹³See A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see *Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977*.

(c) Denounce and seek the rejection by all States of all fraudulent constitutional or political schemes through which South Africa may attempt to perpetuate its presence in Namibia;

(d) Ensure non-recognition of any administration or entity installed at Windhoek not issuing from free elections in Namibia conducted under the supervision and control of the United Nations, in accordance with the relevant resolutions of the Security Council;

(e) Undertake a concerted effort to counter the attempts to establish any linkage or parallelism between the decolonization of Namibia and extraneous issues;

5. *Decides* that the United Nations Council for Namibia shall:

(a) Consult Governments in order to further the implementation of United Nations resolutions on the question of Namibia and to mobilize support for the cause of Namibia;

(b) Represent Namibia in United Nations conferences and intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be adequately protected;

6. *Decides* that Namibia, represented by the United Nations Council for Namibia, shall participate as a full member in all conferences and meetings organized by the United Nations to which all States or, in the case of regional conferences and meetings, all African States are invited;

7. *Requests* all committees and other subsidiary bodies of the General Assembly and of the Economic and Social Council to continue to invite a representative of the United Nations Council for Namibia to participate whenever the rights and interests of Namibians are discussed and to consult closely with the Council before submitting any draft resolution which may involve the rights and interests of Namibians;

8. *Reiterates* its request to all specialized agencies and other organizations and conferences of the United Nations system to grant full membership to Namibia, represented by the United Nations Council for Namibia, so that the Council may participate as the legal Administering Authority for Namibia in the work of those agencies, organizations and conferences;

9. *Reiterates* its request to all specialized agencies and other organizations of the United Nations system that have not yet done so to grant a waiver of the assessment of Namibia during the period in which it is represented by the United Nations Council for Namibia;

10. *Again requests* all intergovernmental organizations, bodies and conferences to ensure that the rights and interests of Namibia are protected and to invite Namibia, represented by the United Nations Council for Namibia, to participate as a full member whenever such rights and interests are involved;

11. *Welcomes* the recent admission of Namibia, represented by the United Nations Council for Namibia, as a full member of the Interna-

tional Atomic Energy Agency and of the International Telecommunication Union, as well as Economic and Social Council decision 1982/110 of 16 April 1982 to grant membership to Namibia, represented by the United Nations Council for Namibia, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees;

12. *Takes note* of the accession by the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, to the International Convention on the Elimination of All Forms of Racial Discrimination¹⁴ and the International Convention on the Suppression and Punishment of the Crime of *Apartheid*¹⁵ and requests the Council to accede to the Geneva Conventions of 12 August 1949¹⁶ and the Additional Protocols thereto¹⁷ and to such other international conventions as it may deem appropriate;

13. *Takes note* of the signing by the United Nations Council for Namibia, on behalf of Namibia, of the United Nations Convention on the Law of the Sea¹⁸ and the Final Act of the Third United Nations Conference on the Law of the Sea;¹⁹

14. *Decides* that the United Nations Council for Namibia shall:

(a) Review the progress of the liberation struggle in Namibia in its political, military and social aspects and prepare periodic reports related thereto;

(b) Consider the compliance of Member States with the relevant United Nations resolutions relating to Namibia, taking into account the Advisory Opinion of the International Court of Justice of 21 June 1971;²⁰

(c) Consider the activities of foreign economic interests operating in Namibia with a view to recommending appropriate policies to the General Assembly in order to counter the support which those foreign economic interests give to the illegal South African administration in Namibia;

(d) Continue to examine the exploitation of and trade in Namibian uranium by foreign economic interests and report on its findings to the General Assembly at its thirty-eighth session;

(e) Notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations;

(f) Send missions of consultation to Governments whose corporations have investments in Namibia in order to review with them all possible action to discourage the continuation of such investments;

¹⁴ General Assembly resolution 2106 A (XX), annex.

¹⁵ General Assembly resolution 3068 (XXVIII), annex.

¹⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

¹⁷ A/32/144, annexes I and II.

¹⁸ A/CONF.62/122 and corrigenda.

¹⁹ A/CONF/62/121.

²⁰ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, *I.C.J. Reports 1971*, p. 16.

(g) Contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis on which they are operating in the Territory;

(h) Contact specialized agencies and international institutions associated with the United Nations, in particular the International Monetary Fund, with a view to protecting Namibia's interests;

(i) Draw the attention of the specialized agencies to Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,²¹

(j) Take all measures to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including consideration of the institution of legal proceedings in the domestic courts of States and other appropriate bodies;

(k) Conduct hearings, seminars and workshops in order to obtain relevant information on the exploitation of the people and resources of Namibia by South African and other foreign interests and to expose such activities;

(l) Organize regional symposia on the situation in Namibia with a view to intensifying active support for the Namibian cause;

(m) Prepare and publish reports on the political, economic, military, legal and social situation in and relating to Namibia;

(n) Secure the territorial integrity of Namibia as a unitary State, including Walvis Bay and the offshore islands of Namibia;

15. *Requests* the Secretary-General to complete, in accordance with the guidelines established by the United Nations Council for Namibia, the preparation of an indexed reference book on transnational corporations operating in Namibia;

16. *Decides* to make adequate financial provision in the section of the programme budget of the United Nations relating to the United Nations Council for Namibia to finance the office of the South West Africa People's Organization in New York in order to ensure appropriate representation of the people of Namibia through the South West Africa People's Organization at the United Nations;

17. *Decides* to continue to defray the expenses of representatives of the South West Africa People's Organization, whenever the United Nations Council for Namibia so decides;

18. *Requests* the United Nations Council for Namibia to continue to consult with the South West Africa People's Organization in the formulation and implementation of its programme of work, as well as in any matter of interest to the Namibian people;

19. *Requests* the Secretary-General, in order to facilitate financial reporting to the United Nations Council for Namibia, to ensure that, within the section of the programme budget of the United Nations relat-

²¹ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24)*, vol. I, annex II.

ing to the Council, the accounts shall reflect closely the activities of the Council as described in the report of the Council to the General Assembly at its thirty-seventh session;

20. *Further requests* the Secretary-General to ensure the establishment of an appropriate accounting system which will enable the Council, in its capacity as the legal Administering Authority for Namibia, to receive speedy and comprehensive financial data on projects for which the Council is directly responsible;

21. *Requests* the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to review the requirements of personnel and facilities of all units which service the Council so that the Council may fully and effectively discharge all tasks and functions arising out of its mandate;

22. *Requests* the Secretary-General to provide the Office of the United Nations Commissioner for Namibia with the necessary resources in order for it to strengthen, under the guidance of the United Nations Council for Namibia, the assistance programmes and services for Namibians, the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, the preparation of economic and legal studies and the existing activities of dissemination of information undertaken by that Office;

23. *Requests* the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia, to hold plenary meetings away from Headquarters whenever it deems it necessary, and requests the Secretary-General to defray the cost of these meetings and to provide the necessary staff and services for them;

24. *Decides* that an International Conference in Support of the Struggle of the Namibian People for Independence shall be held at the headquarters of the United Nations Educational, Scientific and Cultural Organization in Paris during 1983;

25. *Requests* the Secretary-General to organize the above-mentioned Conference in co-operation with the United Nations Council for Namibia and in consultation with the Organization of African Unity and, to this end to appoint, in consultation with the United Nations Council for Namibia, a Secretary-General of the Conference and provide other necessary staff and services for the Conference.

D

Dissemination of information and mobilization of international public opinion in support of Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia,²²

²²Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24).

Recalling its resolutions 36/121 A to F of 10 December 1981 and all other relevant resolutions and decisions of the United Nations on the question of Namibia,

Taking into consideration the Arusha Declaration and Programme of Action on Namibia,²³ adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982,

Stressing the urgent need to intensify efforts to mobilize international public opinion on a continuous basis with a view to assisting effectively the people of Namibia, under the leadership of the South West Africa People's Organization, in their legitimate struggle for self-determination, freedom and independence in a united Namibia;

Recognizing the important role that non-governmental organizations are playing in the dissemination of information on Namibia and in the mobilization of international public opinion in support of the Namibian cause,

Reiterating the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the United Nations Council for Namibia and mindful of the pressing need for the Department of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia in accordance with policy guidelines formulated by the Council,

1. *Requests* the United Nations Council for Namibia, in pursuance of its international campaign in support of Namibia, to continue to consider ways and means of increasing the dissemination of information relating to Namibia;

2. *Requests* the Secretary-General to ensure that the Department of Public Information of the Secretariat, in all its activities of dissemination of information on the question of Namibia, follows the policy guidelines laid down by the United Nations Council for Namibia as the legal Administering Authority for Namibia;

3. *Requests* the Secretary-General to direct the Department of Public Information, in addition to its responsibilities relating to southern Africa, to assist, as a matter of priority, the United Nations Council for Namibia in the implementation of its programme of dissemination of information in order that the United Nations may intensify its efforts to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia, particularly in the Western countries;

4. *Requests* the Secretary-General to give the widest possible publicity to the forthcoming International Conference in Support of the Struggle of the Namibian People for Independence, convened pursuant to paragraph 24 of resolution C above, through all the means at his disposal, including special publications, press releases and radio and television broadcasts;

²³*Ibid.*, para. 767.

5. *Decides* to intensify its international campaign in support of Namibia and to expose and denounce the collusion of certain Western countries with the South African racists and, to this end, requests the United Nations Council for Namibia to include in its programme of dissemination of information for 1983 the following activities:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters and on the question of the territorial integrity of Namibia;

(b) Production and dissemination of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films, film-strips and slide sets on Namibia;

(f) Production and dissemination of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia;

(h) Production and dissemination of a comprehensive economic map of Namibia;

(i) Preparation and wide dissemination of booklets, containing:

(i) Official declarations of the Council;

(ii) Joint communiqués and press releases issued by missions of consultation of the Council;

(iii) Resolutions of the General Assembly and the Security Council on the question of Namibia, together with relevant portions of Assembly resolutions on the question of foreign economic interests operating in Namibia and on military activities in Namibia;

(j) Publicity for and distribution of an indexed reference book on transnational corporations involved in Namibia;

(k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia,²⁴ enacted by the Council on 27 September 1974;

(l) Acquisition of books, pamphlets and other materials relating to Namibia for further dissemination;

6. *Requests* the United Nations Council for Namibia, on the occasion of the International Conference in Support of the Struggle of the Namibian People for Independence to organize, in co-operation with the Department of Public Information, an international seminar of media

²⁴ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24)*, vol. I, annex II.

leaders with a view to alerting the mass media to the need to increase publicity on the question of Namibia, particularly in its political, economic and military aspects;

7. *Requests* the Secretary-General to allocate, in consultation with the United Nations Council for Namibia, sales numbers to publications on Namibia selected by the Council;

8. *Requests* the Secretary-General to provide the United Nations Council for Namibia with the work programme of the Department of Public Information for the year 1983 covering the activities of dissemination of information on Namibia, followed by periodic reports on the programmes undertaken, including details of expenses incurred;

9. *Requests* the Secretary-General in the section of the programme budget for the biennium 1984-1985 relating to the Department of Public Information, to group under a single heading all the activities of the Department related to dissemination of information on Namibia;

10. *Requests* Member States to broadcast programmes on their national radio and television networks and to publish material in their official news media, informing their populations about the situation in Namibia and the obligation of Governments and peoples to assist in the struggle of Namibians for independence;

11. *Calls upon* the United Nations Council for Namibia to enlist the support of non-governmental organizations in its efforts to mobilize international public opinion in support of the liberation struggle of the Namibian people and of their liberation movement, the South West Africa People's Organization;

12. *Requests* the United Nations Council for Namibia to organize at the conclusion of the International Conference in Support of the Struggle of the Namibian People for Independence, a workshop for non-governmental organizations concerned with the question of Namibia at which those organizations will consider their contribution to the implementation of the decisions of the Conference;

13. *Requests* those non-governmental organizations and support groups that are actively engaged in supporting the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, to intensify, in co-operation with the United Nations Council for Namibia, international action in support of the liberation struggle of the Namibian people, including assistance to the Council in the monitoring of the boycott of South Africa called for in General Assembly resolution ES-8/2 of 14 September 1981;

14. *Decides* to allocate a sum of \$US 200,000 to be used by the United Nations Council for Namibia for its programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of conclusions of such conferences and support to such other activities as

will promote the cause of the liberation struggle of the Namibian people, subject to decisions of the Council in each individual case on the recommendation of the South West Africa People's Organization.

E

United Nations Fund for Namibia

The General Assembly,

Having examined the sections of the report of the United Nations Council for Namibia relating to the United Nations Fund for Namibia,²⁵

Recalling its resolution 2679 (XXV) of 9 December 1970, by which it decided to establish the United Nations Fund for Namibia,

Recalling also its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United Nations Council for Namibia trustee of the United Nations Fund for Namibia,

Recalling its resolution 31/153 of 20 December 1976, by which it decided to launch the Nationhood Programme for Namibia,

Further recalling its resolution 34/92 A of 12 December 1979, by which it approved the Charter of the United Nations Institute for Namibia,

1. *Takes note* of the relevant sections of the report of the United Nations Council for Namibia;

2. *Expresses its appreciation* to all States, specialized agencies and other organizations of the United Nations system, governmental and non-governmental organizations and individuals that have made voluntary contributions to the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia, and calls upon them to increase their assistance to Namibians through those channels;

3. *Decides* to allocate as a temporary measure to the United Nations Fund for Namibia a sum of \$US 1 million from the regular budget of the United Nations for 1983;

4. *Urges* the organizations of the United Nations system to waive programme-support costs in respect of projects in favour of Namibians financed from the United Nations Fund for Namibia and other sources;

5. *Requests* the Secretary-General and the President of the United Nations Council for Namibia to intensify appeals to Governments, intergovernmental and non-governmental organizations and individuals for generous voluntary contributions to the General Account of the United Nations Fund for Namibia and to the Trust Funds for the Nationhood Programme for Namibia and the United Nations Institute for Namibia and, in this connection, emphasizes the need for contributions

²⁵*Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), part two, chap. X and chap. XI, sect. B.*

in order to increase the number of scholarships awarded to Namibians under the United Nations Fund for Namibia;

6. *Invites* Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;

7. *Decides* that the United Nations Fund for Namibia, including the Trust Funds for the Nationhood Programme for Namibia and the United Nations Institute for Namibia, shall be the primary source of assistance to Namibians;

8. *Decides* that Namibians shall continue to be eligible for assistance through the United Nations Education and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;

9. *Requests* the specialized agencies and other organizations and bodies in the United Nations system, when planning and initiating their new measures of assistance to Namibians, to do so within the context of the Nationhood Programme for Namibia and the United Nations Institute for Namibia;

10. *Requests* the specialized agencies and other organizations and bodies within the United Nations system, in the light of the urgent need to strengthen the programme of assistance to the Namibian people, to make every effort to expedite the execution of Nationhood Programme projects and other projects in favour of Namibians and to execute these projects on the basis of procedures which will reflect the role of the United Nations Council for Namibia as the legal Administering Authority for Namibia;

11. *Expresses its appreciation* for the efforts of the United Nations High Commissioner for Refugees to assist Namibian refugees and requests him to expand these efforts in view of the substantial increase in the number of Namibian refugees;

12. *Decides* that the United Nations Council for Namibia shall:

(a) Continue to formulate policies of assistance to Namibians and co-ordinate assistance for Namibia provided by the specialized agencies and other organizations and bodies in the United Nations system;

(b) Continue to act as trustee of the United Nations Fund for Namibia and, in this capacity, administer and manage the Fund;

(c) Continue to provide broad guidelines and formulate the principles and policies for the United Nations Institute for Namibia;

(d) Continue to co-ordinate, plan and direct the Nationhood Programme for Namibia in consultation with the South West Africa People's Organization, with the aim of consolidating all measures of assistance by the specialized agencies and other organizations and bodies of the United Nations system into a comprehensive assistance programme;

(e) Continue to consult with the South West Africa People's Organization in the formulation and implementation of assistance programmes for Namibians;

(f) Report to the General Assembly at its thirty-eighth session on activities in respect of the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia;

13. *Approves* the amendments to the Charter of the United Nations Institute for Namibia adopted by the United Nations Council for Namibia at its 391st meeting, on 10 November 1982;²⁶

14. *Commends* the United Nations Institute for Namibia for the effectiveness of its training programmes for Namibians and its research activities on Namibia, which contribute substantially to the struggle for freedom of the Namibian people and to the establishment of an independent State of Namibia;

15. *Requests* the United Nations Council for Namibia to complete the preparation of and publish at an early date, through the United Nations Institute for Namibia, a comprehensive reference book on Namibia covering aspects of the question of Namibia as considered by the United Nations since its inception, in accordance with the outline prepared by the Council;

16. *Commends* the progress made in the implementation of the pre-independence components of the Nationhood Programme for Namibia and requests the United Nations Council for Namibia to elaborate and consider in due course policies and contingency plans regarding the transitional and post-independence phases of the Programme;

17. *Requests* the United Nations Institute for Namibia to prepare, in co-operation with the South West Africa People's Organization, the Office of the United Nations Commissioner for Namibia and the United Nations Development Programme, a comprehensive document on all aspects of economic planning in an independent Namibia, and requests the Secretary-General to provide substantive support through the Office of the United Nations Commissioner for Namibia for the preparation of that document;

18. *Requests* the United Nations Council for Namibia to carry out, in consultation with the Office of the United Nations Commissioner for Namibia, a demographic study of the Namibian population and a study of its educational needs;

19. *Urges* the specialized agencies and other organizations and bodies of the United Nations system to co-operate closely with the United Nations Institute for Namibia in strengthening its programme of activities;

20. *Expresses its appreciation* to those specialized agencies and other organizations and bodies of the United Nations system that have contributed to the Nationhood Programme for Namibia and calls upon them to continue their participation in the Programme by:

²⁶See *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24)*, annex IV.

(a) Implementing projects approved by the United Nations Council for Namibia;

(b) Preparing new project proposals at the request of the Council;

(c) Allocating funds from their own financial resources for the implementation of the projects approved by the Council;

21. *Expresses its appreciation* to the United Nations Development Programme for its contribution to the financing and administration of the Nationhood Programme for Namibia and calls upon it to continue to allocate, at the request of the United Nations Council for Namibia, funds from the indicative planning figure for Namibia for the implementation of the projects within the Nationhood Programme and to increase the indicative planning figure for Namibia;

22. *Requests* the Secretary-General to continue to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of the responsibilities entrusted to it by the United Nations Council for Namibia as the co-ordinating authority in the implementation of the Nationhood Programme for Namibia.

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U. N. Studies

The General Assembly: Can It Be Salvaged?

The General Assembly of the United Nations has proved itself irrelevant as a decision-making body of the world community and useless even as a forum for constructive international consultation, writes Israeli diplomat Arieh Eilan in his comprehensive study of the General Assembly.

Eilan, a veteran of seventeen General Assembly sessions, draws on his long experience to detail how Soviet and Third World blocs came to dominate the body and transform it into what one U.S. representative called the "theater of the absurd."

The U.S., often voting alone or able to garner only 8 of 157 votes, almost has given up trying to introduce resolutions. Third World and Soviet blocs, on the other hand, hammer away at their "special concerns" and clog the agenda with anti-Western resolutions, many repeated verbatim year after year. Among these concerns: the so-called New International Economic Order that would force developed nations to distribute the wealth they have earned to poorer countries, and the alleged human rights violations of Israel and South Africa, with no censure of the massacres in Kampuchea and the use of chemical weapons on civilians in Afghanistan. The priorities of the General Assembly can be seen in the 38th session just ended. The U.S. rescue mission to Grenada was "deplored" vigorously; the Soviet Union's downing of an unarmed Korean airliner was not mentioned at all.

A turnabout may be possible, says Eilan. The U.S. delegation to the U.N. must insist firmly on procedural and organizational changes—much in the fashion of Ambassador Jeane Kirkpatrick's recent initiatives, which Eilan considers the most hopeful steps in decades. He recommends that the clear separation of Security Council and General Assembly functions mandated in the U.N. Charter be reinstated. Other important changes would halt one-sided use of the Department of Public Information, convening of nonproductive Emergency Sessions, and reiterating resolutions year after year.

If the groundwork for these reforms can be laid, there is hope that the General Assembly may yet be salvaged.

Arieh Eilan is former Ambassador at Large of Israel.

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