Thirty-eighth session
Agenda items 66 and 126

REVIEW OF THE IMPLEMENTATION OF THE DECLARATION
ON THE STRENGTHENING OF INTERNATIONAL SECURITY

REPORT OF THE SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF
THE PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS

Letter dated 10 October 1983 from the Chargé d'Affaires a.i. of the
Permanent Mission of Mongolia to the United Nations addressed to
the President of the General Assembly

With reference to General Assembly documents A/36/388 of 20 July and A/36/586
of 12 October 1981, and in response to the queries and clarifications requested by
Member States with regard to the proposal of the Mongolian People's Republic to
conclude a convention on non-aggression and non-use of force in relations between
the States of Asia and the Pacific, I have the honour to transmit herewith the text
of the Memorandum of the Mongolian Government.

It would be greatly appreciated if the text could be circulated as an official
document of the General Assembly under agenda items 66 and 126.

(Signed) L. ERDENECHULUUN
Acting Permanent Representative of the
Mongolian People's Republic
to the United Nations

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Annex

MEMORANDUM OF THE GOVERNMENT OF THE MONGOLIAN PEOPLE'S REPUBLIC

The present course of events in Asia and the Pacific Ocean region is a cause for serious concern to the peoples of the Asian continent and world public opinion as a whole. This situation is also reflected in the current general debate at the thirty-eighth session of the United Nations General Assembly.

The mounting tension in the continent is linked primarily with the actions of the imperialist forces, which are seeking to establish their domination in this part of the globe. Here, they are creating new - and rekindling old - sources of conflict. Certain parts of the continent have been arbitrarily declared "zones of vital interests" and have become the "responsibility" of the rapid deployment forces of intervention. With the operations involving the deployment of American nuclear weapons in certain parts of the continent, the doctrine of so-called "limited nuclear war" has recently acquired real force in respect of Asia.

Such a dangerous turn of events rightly calls for decisive joint action on the part of all countries of Asia and the Pacific with a view to achieving a reliable guarantee and the strengthening of peace and security in this vast area of the globe. It also furnishes ever-increasing evidence of the need for practical measures to avert aggression and the use of force in inter-State relations and to strengthen mutual trust among the countries and peoples of this region.

The Mongolian People's Republic, striving to do its part, as the world knows, in the maintenance and strengthening of peace and security, particularly in the Asian continent, in 1981 took the initiative to propose the elaboration and conclusion of a convention on mutual non-aggression and non-use of force in relations among the States of Asia and the Pacific, with the participation of all five States permanent members of the United Nations Security Council. To that end, it was proposed that a special international conference should be convened at the appropriate time.

The considerations which guided Mongolia in taking that initiative were set forth in the Appeal by the Great People's Khural of the Mongolian People's Republic to the parliaments of the countries of Asia and the Pacific dated 29 June 1981 (A/36/388) and in communications from Yumzhagiin Tsedenbal, Chairman of the Great People's Khural, to the Heads of State or Government of the countries of the region and of the permanent members of the United Nations Security Council.

The idea underlying our proposal has been received with understanding and support on the part of many peace-loving States and of the broad public opinion of Asia and the other continents. In his letter dated 7 October 1981 in reply to the communication from the Chairman of the Presidium of the Great People's Khural of the Mongolian People's Republic, the United Nations Secretary-General welcomed our initiative as being one aimed at strengthening international peace and security.
The Mongolia's initiative is in line with many concrete proposals and initiatives of other States for the solution of substantive problems by peaceful means, for the enhancing of trust and the development of good-neighbourly relations both in Asia and in the other parts of the world. The implementation of such well-known proposals as the adoption of confidence-building measures in the Far East, the establishment in South-East Asia of a zone of peace, stability and co-operation, the transformation of the Indian Ocean into a zone of peace, the peaceful settlement of the situation in West Asia and the area of the Persian Gulf, the convening of an international conference for a just and comprehensive settlement of the problem of the Middle East, and other such proposals, would make an invaluable contribution towards a radical improvement of the situation in Asia and the world as a whole.

It is against this background that the Mongolian Government attaches great importance to the proposal of the States members of the Warsaw Treaty for the conclusion between the members of the Organization of the Warsaw Treaty and of the North Atlantic Treaty Organization (NATO) of an agreement on the mutual non-use of military force and the maintenance of peaceful relations between those countries.

It should be noted that the idea behind our initiative is also in keeping with the spirit of the Political Declaration of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, in which the Non-Aligned Movement once again specifically reaffirmed the need for strict adherence to the principles of non-intervention and non-interference in the internal and external affairs of States and the settlement of disputes by peaceful means.

With regard to the substance of the above-mentioned convention, Mongolia proposes that, in the light of the present conditions of heightened international tension and the marked increase in the danger of armed conflicts, renunciation of the use or threat of force, as a fundamental principle of contemporary international law which is embodied in a general form in the United Nations Charter, should be concretized and expanded by genuine legal provisions, becoming an immutable law in relations among the countries of this region.

In proposing the conclusion of a convention on non-aggression and non-use of force in relations among the States of Asia and the Pacific, Mongolia takes the position that the general provisions of the Charter concerning the prohibition of aggression and the non-use of force can and must be concretized, developed and strengthened, account naturally being taken of the experience and specific circumstances of the region of Asia and the Pacific.

As is clear from Article 52, the Charter not only envisages the advisability of, but even presupposes the need for, the conclusion of regional agreements on matters relating to the maintenance of international peace and security. In putting forward its initiative, Mongolia was also guided by existing international practice, which is replete with examples of the further elaboration and concretization of the general principles of the Charter in the form of important international legal instruments both of a universal and of a regional nature. In that regard, the principle of the non-use of force is no exception.
On the contrary, the entire 38 years of activity of the United Nations vividly testify to the importance which the international community continues to attach to the need to enhance the effectiveness of that cardinal principle of contemporary international relations. Taking examples from recent years, mention may be made of the Declaration on the Strengthening of International Security, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the General Assembly resolution of 29 November 1972 entitled "Non-use of force in international relations and permanent prohibition of the use of nuclear weapons", the 1974 Definition of Aggression, the 1982 Manila Declaration on the Peaceful Settlement of International Disputes, and many others.

In acknowledging the need to enhance the effectiveness of that important principle on a global scale, the General Assembly in 1977 established a Special Committee to consider that question.

Mongolia, like all other peace-loving States, welcomed the establishment of the Special Committee of the General Assembly and, as a member of that Committee, actively participates in its work. It will continue to do its utmost to further the speedy conclusion of the Committee's work in the near future.

Mongolia, together with other peace-loving States, considers that the implementation of all the above-mentioned initiatives will make an important contribution to improving the international climate and to strengthening peace and international security as a whole, and that the conclusion of a convention on mutual non-aggression and non-use of force in relations among the States of Asia and the Pacific will serve as a political and legal guarantee to prevent aggression and the use of force, and to strengthen mutual understanding, trust and co-operation in relations among the countries of the region.