Tenth special session
AD HOC COMMITTEE OF THE
TENTH SPECIAL SESSION
Agenda item 11

ADOPTION OF A PROGRAMME OF ACTION ON DISARMAMENT

Letter dated 12 June 1978 from the representatives of Belgium, Canada, Denmark, Germany, Federal Republic of, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretariat.

We have the honour to transmit herewith a memorandum dated 8 June 1978 entitled "Strengthening of the security role of the United Nations in the peaceful settlement of disputes and peace-keeping".

We would be grateful if you kindly circulate the memorandum as an official document of the tenth special session of the General Assembly under agenda item 11.

(Signed) George M. J. ELLIOTT (Belgium)  A. J. MEERBURG (Netherlands)
Harry JAY (Canada)  Malcolm TEMPLETON (New Zealand)
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ANNEX

Strengthening of the security role of the United Nations
in the peaceful settlement of disputes and peace-keeping

Memorandum of 8 June 1978 submitted by Belgium, Canada, Denmark,
Germany, Federal Republic of, Ireland, Italy, Japan, Luxembourg,
the Netherlands, New Zealand, Norway, Sweden, the United Kingdom
of Great Britain and Northern Ireland and the United States of
America

1. When the United Nations was established 32 years ago, the maintenance of
international peace and security was its primary purpose. Although the United
Nations has made much progress in the face of new demands, these achievements
cannot mask the fact that the Organization has fallen far short of expectations
in fulfilling its function to maintain peace and security. Parties to a dispute
have not observed their obligation to settle disputes by peaceful means, nor have
other Members of the United Nations used their rights under the Charter to bring
disputes to the notice of the United Nations with a view to preventing breaches of
the peace or promoting peaceful settlement.

2. The pursuit of disarmament over the years has brought with it a realization
that a necessary accompaniment must be a strengthening of institutions for
maintaining peace and settling international disputes. A strengthening of the
United Nations role in the peaceful settlement of disputes and peace-keeping will
not only contribute materially to the enhancement of international security, but
will be an encouragement to progress towards general and complete disarmament. A
viable alternative to the settlement of disputes by force, and a United Nations
capacity to deny the seeking of national advantage by force, is necessary to
create a climate of confidence which might encourage States to reduce or eliminate
their armaments, which is the common aim. The special session of the General
Assembly on disarmament provides an opportunity for Member States to emphasize the
crucial importance of the role of the United Nations in the peaceful settlement of
disputes and peace-keeping, and to give thought to ways of strengthening the
Organization's role in the future.

3. To this end, the General Assembly, at its special session, should emphasize
the importance of studying the existing facilities and mechanisms for the
promotion of peace, and possible ways in which the United Nations capacity might
be strengthened and Member States encouraged and assisted to fulfill their Charter
obligations. There are three major areas of peaceful settlement of disputes and
peace-keeping. The special session should call for further and intensified
efforts in these major areas in those organs of the United Nations system in which
such studies are being pursued, and the Assembly should give consideration to the
adequacy of existing studies with a view to supplementing them, as necessary.

4. A vital issue, which has been insufficiently considered by the United
Nations, is the question of crisis anticipation or, in the words of the Charter,
"prevention ... of threats to the peace" (Article 1). Much practical work is already under way in the United Nations system on ways of eradicating the underlying causes of conflict, which can arise from economic, social or political causes or from persistent violations of human rights. There is still, however, a need for action by those organs of the United Nations with responsibility for peace and security, primarily the Security Council, to consider ways in which it might act to anticipate threats to the peace and to promote peaceful solutions before such issues attain the nature of a dispute or conflict. Two factors can contribute to the avoidance or prevention of crises: information about the facts and consultation about the response. Further studies might usefully consider the ways in which facts about an incipient dispute could be collected and presented to the United Nations; and alternative methods of consultation which organs of the United Nations or the Secretary-General might then pursue with a view to recommending methods of promoting a peaceful settlement.

5. The second major area is peaceful settlement of disputes. The obligations of Member States under the Charter are clear in regard to the need to settle disputes by peaceful means and to refrain from the threat or use of force; but, in spite of these obligations and the numerous mechanisms available to States to facilitate the peaceful settlement of disputes, disputes and armed conflicts continue to devastate lives and property. With a view to assisting States and promoting the evolution of systematic machinery for the peaceful settlement of disputes between nations, it would be advantageous to enumerate the methods of peaceful settlement of disputes which are available (including those listed in Article 33 of the Charter), to identify existing mechanisms designed to facilitate the use of these various methods, and to analyse the reasons why these mechanisms have been rarely used. An analysis of the cases of international conflict where the United Nations has not been involved, which identifies factors which may have inhibited such involvement, would also be desirable.

6. The third major area is peace-keeping operations, whether of an observer or of operational nature. The existing system of peace-keeping has evolved as a response to the needs of the international community and with the consent of States involved. The Secretary-General and his staff have performed remarkable feats in assembling peace-keeping missions or forces at short notice, when called upon to do so, but such improvisation is not satisfactory as a long-term means of fulfilling this essential function of the Organization. Further studies in appropriate organs of the United Nations system might therefore consider measures which could be taken to facilitate the ability of the Secretary-General to mount effective peace-keeping operations at short notice, with particular reference to prior action which might be taken by Governments.

7. Vigorous action in these areas of study would serve to focus the attention of Member States on the potential of the United Nations in the matter of peaceful settlement of disputes and peace-keeping, and would provide a basis for progress towards an effective collective security system which anticipates crises, is actively engaged in settling disputes and is capable of expeditious and effective peace-keeping when all else fails. Progress in these areas will promote a climate of international confidence conducive to disarmament.

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8. For the above reasons, it is proposed that a paragraph be inserted in the Programme of Action to be adopted by the General Assembly at its tenth special session, under the heading "Other measures to strengthen international security and to build confidence", a/ as follows:

"In order to promote a climate of international confidence conducive to disarmament, the General Assembly calls for further and intensified efforts in the organs of the United Nations in which action is being taken or studies are in progress on peaceful settlement of disputes and peace-keeping. The Assembly will give further consideration to this matter at forthcoming sessions with a view to supplementing existing activities as necessary."

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