

THE UNITED NATIONS: NEW OPPORTUNITIES, NEW CHALLENGES

Address by Senator the Hon Gareth Evans QC, Minister for Foreign Affairs and Trade of Australia, to the Forty Seventh Session of the General Assembly of the United Nations, New York, 28 September 1992.

I congratulate you, Mr Ganev, on your election as President of this Forty Seventh Session of the General Assembly. You take this important position at a very challenging time for the UN and its Member States, not least your own country which is consolidating the gains of the democratisation process. The Australian Delegation looks forward to working closely with you as the session progresses.

I also extend, at the outset, Australia's very warm welcome to the thirteen states for whom this session will be their first as Members of the United Nations: Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgystan, Moldova, San Marino, Tajikistan, Turkmenistan, Uzbekistan, Croatia, Slovenia and Bosnia-Herzegovina. We have, I believe, in our own highly multicultural Australian population immigrants from every one of these states, and we already feel we know you well.

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In the past year we have seen the total collapse of the bipolar global structure which underpinned international relations since 1945. The risks of a global nuclear holocaust have receded almost to vanishing point. So too have the sterile ideologies of the past which so long set obstacles to the development of a new international system of co-operation under the authority of the United Nations and its agencies.

But while the opportunities for cooperation have never been greater, the challenges to the international community posed by regional conflicts, humanitarian crises and unresolved transnational problems have also never been greater.

Expectations of the UN system are now immense, but there is still a very big question mark over the capacity of our system to deliver.

In the past twelve months, the international community has had some conspicuous success in meeting some of these challenges. We have seen, for example, the signature of the Paris Agreements on Cambodia last October, the recently completed negotiation of a Chemical Weapons Convention text, the Rio UNCED Summit in June, movement forward in the Middle East peace process, and hopes for the resolution of the long standing-problems in Afghanistan, Cyprus and Western Sahara.

But a number of problems have to date been beyond the capacity of the UN, or international cooperative efforts more generally, to resolve in a timely and wholly effective way. The most significant and tragic of these have been the conflicts in the former Yugoslavia and Somalia. Equally, the world has failed so far in the efforts to strengthen and expand the liberal international trading system through the Uruguay Round of multilateral trade negotiations in the GATT, a failure of just as much concern to the developing nations as the developed.

This UN General Assembly gives us the opportunity of systematically reviewing where we have got to, and how far we still need to go, on the range of acute problems - political, economic and humanitarian - now confronting us around the globe. We are much assisted in this respect by the Secretary-General's report, *An Agenda for Peace*, on some key aspects of which I want to focus in this statement. The report, although concentrating specifically on the UN's role in peace-making, peace-keeping and related areas, was written very much against the background of the **total** challenge facing the UN international system, and in particular the critical importance of finding lasting solutions to the age-old problems of basic human survival and, in the words of the Charter, "better standards of life in larger freedom".

If we have learned anything from the passage of years about the sources of conflict and war, and what is necessary to achieve peace and security, it is that these problems have to be addressed at many different levels. Threats to security arise not only from military ambition and the race to acquire armaments, but from economic and social deprivation, from ignorance of countries about each other, from a failure to address problems that by their nature cross international boundaries, and from a failure by national leaders to trust the sense and judgment of their own people. An effective system of international cooperation to meet threats to peace and security itself has to operate at all these levels simultaneously.

The UN's Security Role: Intervention, Assistance and Prevention

In the first place, when unbridled aggression occurs across national frontiers, the international community has to have a credible collective capacity to resist that aggression. Chapter VII of the Charter provides such a **peace enforcement** function. So long rendered impotent by the veto in the Security Council, there is now in the post-Cold War era a manifest willingness in the international community to utilise interventionist Chapter VII functions in cases of overt aggression and other obvious cross-border threats to international peace and security.

Of course not every case of aggression, or the deliberate infliction of suffering, occurs across state borders or in such a way as to clearly and unambiguously constitute a threat to international peace and security. And there will be a number of such situations where the intervention of the international community could make a difference - so much so that there are large moral and political pressures upon us all to take action. It seems likely, unhappily, that the UN will be increasingly confronted by situations where the principle of non-intervention in internal affairs will be matched by a compelling sense of international conscience. It may be that our Charter will never be capable of formal amendment so as to precisely define those circumstances where such intervention is legitimate and those where it is not. But recent experience has shown that there is an emerging willingness - which my country has certainly shared - to accommodate collective intervention in extreme conscience-shocking cases, and it may well be that a body of customary precedent will emerge over time that will constitute its own source of authority for such intervention in the future.

The second level of necessary UN involvement in peace and security matters is **peace-keeping**: that activity which falls short of actual enforcement, but involves assistance on the ground in monitoring, supervising, verifying and generally securing the implementation of agreements once made. As the various peace-keeping operations now in place or planned for Cambodia, Africa, the Middle East and elsewhere amply make clear, an increasingly wide variety of activities, involving both military and civilian personnel, are being subsumed under this general umbrella: none of them are very clearly described in the letter of the UN Charter, but all of them are very clearly within its spirit.

Australia strongly endorses the call by President Bush on 21 September to

strengthen United Nations peace-keeping and related operations, and welcomes in particular the stated intention of the United States to look at ways of ensuring adequate financial support for these activities as well as for the UN's humanitarian activities. Financing and administration of UN peace-keeping operations are obviously key areas of UN activity where decisions are necessary at this year's General Assembly. It is a source of regret that we, the nations of the world, have still not given the UN Secretary-General the financial resources or flexibility needed to undertake UN peace-keeping operations expeditiously. For its part, Australia would support the Secretary-General's call in *An Agenda for Peace* for the establishment at this Session of a peace-keeping reserve fund, and for virtually automatic approval of one-third of the anticipated budget for a peace-keeping operation to enable it to be deployed speedily and efficiently. We would also recommend that the Secretary-General consider further structural changes in the Secretariat as a means of improving the administration of peace-keeping operations, including the relocation of the Field Operations Division into the Department of Peace-keeping Operations.

The third level of UN involvement in peace and security, and the most basic and important of all, is the **prevention of conflict** before it occurs. We in the international community should be working hardest through the United Nations to create conditions which minimise insecurity and threats to peace, and which enable specific high risk situations to be specifically addressed - before they get to the point of requiring either peace-keeping or, worse still, coercive peace enforcement responses.

The effective prevention of conflict and risk minimisation involves three quite distinct kinds of activity. In the first place, it involves addressing a variety of non-military threats to security; secondly, addressing the military risk to security posed by uncontrolled arms build-ups; and thirdly, putting in place the most effective possible preventive diplomacy and peace-making arrangements to deal at an early stage with specific high-risk situations. I want to concentrate my remarks on what we should be doing, in this General Assembly and beyond, in each of these areas in turn.

Non-Military Threats to Security

Among the gravest of all life-threatening non-military risks are those posed by humanitarian disasters, especially **famine**. The recurring tragedy of mass starvation in Africa - often made worse by accompanying military conflict, but

not wholly explained by that conflict - underlines the need for the United Nations system as a whole, and the Security Council in particular, to strengthen its capacity to meet the problems of potential famine.

Australia proposes the establishment of a group of senior officials from developed and developing countries and relevant UN agencies, supported by a strengthened Department of Humanitarian Affairs and comprehensive data base, which would convene regularly to conduct high level reviews of the global famine situation and identify emerging crisis situations. It would be responsible for turning pledges into timely, life-saving deliveries of food to people in need, and would seek to ensure that donor contributions were complementary, properly co-ordinated and well-targeted. That High Level Review Group would report regularly, with appropriate recommendations, to the Security Council.

Famine is only the most extreme example of a much more widespread global problem. The Secretary-General, in his address to the NAM Summit, identified our 'ultimate enemy' as **poverty**. He argued for the indivisibility of peace and prosperity, political and economic security, democracy and development, and environmental protection and sustainable development, making the point that unless we meet the threat posed by poverty it will undermine all the advances we have made elsewhere. We need to have this firmly in mind as we act for the rest of this decade and beyond to meet non-military threats to peace and security.

There are two issues in particular, which will have a crucial influence on our ability to prevail over these threats. One is the retreat to **protectionism** which could well result from a failure to reach agreement in the Uruguay Round, which will do untold damage to many economies around the world, particularly those of the poorest nations who would effectively be excluded from the benefits of an expansion in world trade. We cannot let pass the opportunity, provided by this Round of negotiations, to liberalise world trade and establish equitable disciplines for the new components of world trade. The recent NAM Summit illustrated beyond doubt that this is a view shared equally by developed and developing countries.

The other important need in this context is for prompt and effective follow-up to the outcomes of the UN Conference on Environment and Development, and in particular the creation of an effective Sustainable Development Commission. We cannot waste now the opportunity offered to us at Rio to make a serious attack on the elimination of global poverty, based on the principles of sustainable

development. Ignoring these will produce, at best, only short term solutions which will have little impact on our ability to secure the future of this planet. This places a particular onus on us at this Session. Our decisions and actions will have a crucial bearing on how the concerns identified at Rio are taken forward.

Natural disasters, acute poverty, famine and environmental degradation are all, along with war itself, major contributors to another great humanitarian problem (and by extension security problem) with which the international system is barely coping - unregulated population flows. Much important relief and rehabilitation work continues to be done for refugees and displaced persons by the relevant agencies, in particular the UNHCR. And some useful attention has been recently given to the problem by the General Assembly. But crises continue to escalate, and there are still problems evident in the coordination of responses between operating and supervising bodies. Those problems have to be addressed as a matter of urgency, and one obvious way to do so is, again, to strengthen the capacity of the new Department of Humanitarian Affairs.

There is at least one other non-military threat to peace and security that Australia hopes will get increased attention from this General Assembly, and that is the failure of governments to observe the fundamental standards of **human rights** as set out in the Universal Declaration and the more detailed Covenants to which so many of us have subscribed.

The Secretary-General in his Report, *An Agenda for Peace*, very properly emphasises in this context the question of the rights of minorities. It is understandable that, freed from the iron restraints of totalitarian regimes, some ethnic and linguistic groups have sought - and no doubt will continue to seek - to establish their own political entities. As has been all too graphically demonstrated in the states of former Yugoslavia, Iraq and elsewhere, there is no easy answer to these aspirations, particularly when self-determination would in such cases be synonymous with fragmentation and itself be a source of threat to international peace and security. War, particularly civil war, also engenders many of the greatest abuses of human rights.

The bulk of such aspirations to self-determination might, in fact, be met by stricter observance of human rights and guarantees of the rights of all minorities - ethnic, religious, linguistic or social - within democratic frameworks. The General Assembly will have before it at this Session a Declaration on the Rights of Minorities endorsed earlier this year by the Commission on Human Rights.

And the launch, later this Session, of the International Year of the World's Indigenous People - to which Australia is very strongly committed - will be a further indication of our concern in this regard.

Breaches of universal human rights standards remain, unhappily, all too common. In a country such as **Burma** the security of the state is based on a denial of fundamental human rights and the application of democratic processes. In **South Africa**, the promise of a peaceful, negotiated transition to majority rule continues to be put at risk by recurring violence of appalling intensity, itself an all too obvious legacy of the apartheid system.

These, and too many other examples which could be mentioned, show the dimensions of the problem still ahead of us. They confirm the importance of next year's World Conference on Human Rights in Vienna, particularly for those governments needing further encouragement to adopt human rights policies - founded not on so-called Western values but on internationally accepted, universal standards of practice. Discussion at this Session should play an important role in developing a consensus approach to the Conference. At the very least, I hope it will resolve the outstanding question of the Agenda which was left undecided at the recent preparatory meeting in Geneva.

This General Assembly might also usefully consider some other steps to consolidate respect for human rights. There is, for instance, a growing call by the international community for a mechanism to try individuals for breaches of international humanitarian law and other international crimes. Australia supports consideration being given to an **international criminal jurisdiction** to deal with such offences, and considers that the International Law Commission should continue its important work on this topic, specifically by drafting a statute for an international criminal court.

Arms Control and Disarmament

The end of the Cold War notwithstanding, a major preventive effort is still necessary by the international community in relation to the **military** threat to security posed by continuing arms build-ups. The climate for such an effort is certainly now encouraging. International endeavours in this field are finally producing results. After over 20 years, agreement has finally been reached on a Chemical Weapons Convention text. It is an historic achievement, and one for which Australia has worked particularly hard. Unanimous endorsement of this

Convention, with a recommendation for its universal signature and ratification, would be one of the major outcomes of this 47th Session of the General Assembly.

We should also build on the success we have had in concluding the Convention to reinvigorate our efforts to reach agreement on other elements of the multilateral disarmament agenda. The benefits to mankind of the end of the Cold War will be quickly lost unless progress made in bilateral arms control and disarmament negotiations between the United States and the former Soviet Union is carried into the multilateral arms control process.

We must re-double our efforts to achieve a world free from nuclear weapons, and the threat of nuclear war. We must work harder to obtain universal membership of the Nuclear Non-Proliferation Treaty and ensure its indefinite extension unamended in 1995. We should also continue the progress that has been made since the Gulf War to strengthen the IAEA nuclear safeguards system and tighten export controls on nuclear and nuclear-related dual-use items. We should build on the moratorium on nuclear testing advanced by Russia and France. And I urge Member States to support once again the Resolution Australia will co-sponsor at this Session on the Comprehensive Test Ban Treaty.

Increased transparency in military activities should continue to be a key objective for all Members of the General Assembly. I regard the UN Register of Conventional Arms Transfers established by UNGA 46 as an important step in this process. Australia welcomes the Secretary-General's report on the operation of the Register and supports its adoption.

At the recent Non-Aligned Summit in Jakarta, leaders expressed their deep concern over the negative impact of global military expenditure, and their support for the attainment of security at lower levels of armaments. We must all work to make good these pledges, thereby releasing sorely needed funds to help free the peoples of the world from want as well as from the fear of war and destruction.

Preventive Diplomacy and Peace-Making

Pursuing an effective arms control agenda, and addressing a variety of non-military threats to security, are all important ways of creating a general environment in which risks to security are minimised. So too are the "peace-building" strategies described in the Secretary-General's Report, many of which

are as much applicable to pre-conflict as to post-conflict situations. But the tools with the cutting edges in specific situations of conflict prevention and avoidance of conflict escalation are preventive diplomacy and peace-making.

In *An Agenda for Peace* the Secretary-General emphasised the importance of preventive diplomacy as a cost-effective means of avoiding the human and material costs of conflict and the burdens involved in using armed force to resolve conflicts. Indeed, if we examine the worst conflicts over the last twelve months - in the former Yugoslavia, Somalia, and Afghanistan - we could plausibly argue that, at least in the first two cases, more attention to preventive diplomacy may have avoided the catastrophes that befell those nations and peoples. Australia considers, therefore, that the challenge before the UN in the coming year will be to establish more effective processes for converting the promise of preventive diplomacy in all its aspects into reality.

Effective preventive diplomacy cannot be *ad hoc* or peripheral to the other activities of the UN. What is required is a strengthened capacity within the UN to encourage and assist parties to disputes to peacefully resolve their differences. The crucial elements in making preventive diplomacy work are timing, adequate resources and a willingness of Member States to invest the UN with the authority to use all the means available for its effective implementation.

In practice, the trigger for UN action, and the threshold for defining a situation as a threat to international peace and security, has tended to be the outbreak of armed hostilities. The earliest possible attention to potentially significant disputes is crucial if they are to be addressed before the parties have become committed and entrapped by their own rhetoric and actions.

This in turn calls for the formation of a permanent unit within the Secretariat with an enhanced capacity to gather, receive and analyse not only basic facts but information about the concerns and interests of the parties to a dispute, in order better to prepare recommendations on possible action. This requires a more systematic approach to information-gathering and analysis, for which a professionally dedicated support unit in the Secretariat is essential.

This will need in turn a sophisticated level of expertise and skill in the form of a nucleus of foreign affairs specialists and policy analysts experienced and knowledgeable in conflict resolution: the skills which are necessary to encourage parties to a dispute to improve communication, minimise inflammation, define

issues, and create innovative and imaginative ways of reconciling their conflicting interests. Regular and routine field visits should allow an improved capacity for fact-finding, early-warning information gathering, and the opportunity to quietly provide good offices. Staff should have the capacity to develop in-depth knowledge of emerging disputes and to gain the confidence of all parties at an early stage. An evaluation mechanism should be developed to collect, analyse and retain experience from such activities which could prove useful in other similar situations.

I therefore applaud the decisions Dr Boutros-Ghali has so far taken to create geographically-based divisions within the Department of Political Affairs whose tasks will include the collection of information on various regions and the early identification and analysis of possible conflicts, and I urge all Members to support the Secretary-General in further efforts to establish a professional and effective mechanism for preventive diplomacy.

There is also scope, in encouraging greater use of preventive diplomacy, for more extensive training in the principles underpinning the concept. It is good to hear, in this context, that the UN Institute for Training and Research (UNITAR), is planning to launch a new fellowship program in preventive diplomacy in 1993. I think it will be important for relevant UN Secretariat staff, and diplomats and officials from Member States, to participate in this fellowship program. I am pleased to announce today that Australia will contribute US\$50,000 (\$A69,000) to UNITAR to assist with the costs of the first year of the fellowship. I would urge that other Member States also consider a contribution, and participation by their officials.

A significant challenge to an enhanced Secretariat role in preventive diplomacy will, of course, be the deep reluctance of many states to accept any suggestion that a contentious bilateral issue be internationalised. While there will no doubt continue to be caution about too early resort to Articles 35 and 99 (which enable Member States and the Secretary-General respectively to bring disputes to the Security Council), there should not be the same degree of reluctance to have regard to Article 33, which requires parties to a dispute to first seek a solution by negotiation, mediation or the like. What has been lacking hitherto is any real institutional capacity within the UN system to respond to such approaches on other than a wholly *ad hoc* basis. The building of such a capacity for quiet diplomacy in the way I have been describing would be a major step forward, and help over time to increase members' confidence in other more formal UN

processes.

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I have today sought to give some substance, not just rhetorical support, to the proposition that the changed conditions of the post-Cold War world do call for new responses from the United Nations. The Secretary-General has shown us some new directions in his *Agenda for Peace*. What is needed now is action.

In nearly all cases no major new international machinery is called for or necessary, because the machinery is already there in the Charter - rusty, in some cases, but still serviceable. What is needed, however, in virtually every case is the lubrication of adequate financing, and re-structuring within the UN system to meet the increasing demands being made on it. One of the really fundamental tasks we need to move forward at this Session is continuation of the process of UN reform.

There is no single, or simple, enemy to peace in the contemporary world. The appalling situation in Somalia, and the looming crises in Mozambique and Sudan, are demonstrations - if any are needed - that problems do not come in neatly defined packages. The Somali situation involves, simultaneously, humanitarian assistance, peace-keeping and political negotiation, with no one of these elements being capable of delivery in isolation. The UN is now organising itself in Somalia to deliver these elements in an integrated way, although it has been a difficult and protracted process to get to this point. The task for the UN in the future is to learn from this experience and devote the necessary resources to achieving the kind of coordination between humanitarian and political strategies that is going to be increasingly necessary in the future if durable solutions are to be found to many real world problems.

More and more attention is going to focus, as indeed it has already in this General Debate, on the role and representativeness of the Security Council itself. As President Suharto said last week, speaking in this respect on behalf of the whole Non-Aligned Movement, the post-Cold War world is not the world as it was after World War II. Our guiding light should continue to be the present terms of the Charter. But it should be within our collective capacity to work out the changes in the composition and methods of decision of the Security Council that will ensure it can both fulfil its duty and command overwhelming consensus for its decisions in the years ahead.

In many respects the task ahead of us, and ahead of the United Nations, is daunting. It is clear that we are part of an evolutionary process, with both the world and the UN adjusting to new demands. We must draw strength from the success achieved in the last twelve months, and from the progress we have made in improving global co-operation.

But our success has not been uniform - we were not able to respond adequately to some key challenges. We must never lose sight of the goal ahead of us: a more stable and secure world, devoid of abject poverty, with all peoples able to enjoy basic rights and freedoms. And we must never avoid the responsibility we all have to achieve those goals.

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