

THE UNITED NATIONS AT FIFTY

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The United Nations' debt to Australia goes back to the creation of the world Organisation. This country helped to draft the UN Charter fifty years ago. Its contributions did much to shape the Organisation. The role of Dr Evatt was instrumental. Australia's representatives have recognised that the UN must play a key role in a world which has changed drastically, and will continue to do so. Today, this country continues to help shape the dialogue on the world Organisation's future. I would like to mention the outstanding contributions of Foreign Minister Gareth Evans, and Ambassador Richard Butler, as examples of Australia's great tradition.

This far-sighted approach is more important now than ever. Five decades after the creation of the United Nations, a new era in international cooperation has begun. We must renew the instrument that we have inherited.

The Preamble to the United Nations Charter established the four basic points of the compass that have guided international cooperation for half a century. These are: the prevention of war; the protection of 'fundamental human rights'; fostering an environment that supports international law; and the promotion of economic and social development. Within each area, the United Nations set standards for progress. The universality of the world Organisation gave these standards unique moral authority. And by drawing upon the enormous experience represented by its Members, the United Nations found practical ways to reach these standards.

Over the past fifty years, the United Nations made a real difference in the lives of the world's citizens. It helped to end wars. It fed the hungry. It fought terrible diseases. And through these efforts, the world Organisation helped to create a new understanding of international relations. It transformed the way we perceive the State. It forged a recognition of the existence of a 'common good' at the global level. It fostered a philosophy that national interests could not be allowed simply to compete, but that they must be reconciled, for the benefit of all.

So we have much to celebrate as we mark the fiftieth anniversary of the United Nations. But we must also take this occasion to embark upon a new exploration of global cooperation.

Today, we see vast new opportunities for States to work together. The world no longer is divided into two opposed camps. Technological changes have made global cooperation practically possible to an unprecedented degree. But the end

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of the Cold War has also led to an era of physical, social and political imbalance.

Today, we face urgent problems of scarce resources, environmental degradation and natural disasters. Mass migrations, disease and economic instability defy the ability of individual States to control them. The States that face the most severe effects of change are no longer perceived as central to a global strategy. They find themselves more isolated than ever.

This is also a time when many have sought security in narrow ethnic identities. The result has been a terrible rise of conflict within States, rather than between States. Intolerance seems to have grown. The terrible evidence can be seen in headlines every day. In this context, we have a twofold task. We must preserve the achievements of the past. And we must prepare for the challenges and the changes of a new era.

When the United Nations was created, as the Second World War was ending, the fragility of peace was clear. In the preamble to the Charter, the founders' primary objective was 'to save succeeding generations from the scourge of war' through cooperation among States.

The reality that followed was not true peace, but restrained hostility. Collective security could not take the form provided by the Charter. But the United Nations pursued international stability through practical means that remain useful today, in a very different political landscape.

In the field of diplomacy, the United Nations became an invaluable channel of communication between States. When dialogue was impossible elsewhere, it could take place in the United Nations. The good offices of the Secretary-General could be used. At the time of the Suez and Cuban crises — and many other occasions — the United Nations helped preserve or restore international stability.

In the field of security, the Cold War years produced the United Nations' best-known invention — peace-keeping. The use of an impartial multi-lateral force to monitor a ceasefire was unprecedented. It does not appear explicitly in the Charter, but peace-keeping became a fundamental instrument for the maintenance of international peace and security.

Today, peace-keeping operations continue to play a vital role. This is shown by the increase in mandates undertaken by the United Nations. But peace-keeping has changed dramatically. Peace-keepers today discharge a far greater variety of tasks. These include civilian police work, election monitoring and human rights work. Even in cases where peace cannot be restored, peace-keeping missions have made a vital contribution to the well-being of the civilian population suffering in war.

Missions face greater danger than before. The structure of authority is often fractured. The consent of warring parties is sometimes impossible to obtain. More than one mission may be required in a single area. The United Nations may need to authorise others to take action. A variety of cooperative arrangements with regional organisations may be called for.

In the field of human rights, Member States, through the United Nations, have arrived at a new consensus. International standards have been set through a series of conventions: the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights,² and the International Covenant on Economic, Social and Cultural Rights.³ Other important conventions call for an end to all forms of discrimination based on race, sex or religious beliefs.⁴

Machinery to realise these standards include the Human Rights Commission,⁵ which monitors international compliance with human rights standards. The Center for Human Rights in Geneva provides advice and technical assistance. These enable the international community to work for human rights on a global scale.

Today, this machinery has been supplemented with new instruments to protect human welfare in situations of immediate threat. The Office of the High Commissioner for Human Rights offers a way to rapidly investigate cases of abuse. The Department of Humanitarian Affairs was created to rapidly respond in situations of crisis. The concept of 'humanitarian diplomacy' is taking shape. It can include the establishment of relief corridors, the care and sheltering of refugees, and the protection of civilian population centres.

In the field of international law, the United Nations has sought to create an environment where international relations can be governed by the rule of law. Conflicts between States were once decided in a version of the medieval trial by battle. In our time we must try to replace superior force with legal superiority. With the adoption of the Statute of the International Court of Justice,⁶ international law took a major step towards gaining the respect that only national legal systems had been able to attain. The creation of the International Court of Justice brought a philosophical revolution in the way the world may consider international dispute resolution.

Today we are building upon the legacy of international law to strengthen the protection of individual rights in extreme situations of conflict. The international tribunals for Rwanda and the former Yugoslavia are exploring new territory. Their creation sends the message that the existence of war can never justify the abuse of human rights. The international community is considering the creation of an International Criminal Court, which could offer general

¹ GA Res 217A(III), 3 UN GAOR 135, UN Doc A/810 (1948).

² Opened for signature 16 December 1966, 999 UNTS 171 (entered into force 1976).

³ Opened for signature 16 December 1966, 993 UNTS 3; 6 ILM 360 (entered into force 1976).

⁴ See, eg, International Convention of the Elimination of All Forms of Racial Discrimination, opened for signature 7 March 1966, 60 UNTS 195; 5 ILM 352 (entered into force 1969); International Convention on the Political Rights of Women, concluded 31 March 1953, 193 UNTS 135 (entered into force 1954); International Convention on the Crime of Apartheid, concluded 30 November 1973, 9 ILM 50 (entered into force 1976); International Convention on the Elimination of Discrimination Against Women, concluded 18 December 1979, 19 ILM 33 (entered into force 1981); General Assembly Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religious Belief, GA Res 36/55, UN Doc A/Res/36/55 (1981).

⁵ Established pursuant to the International Covenant on Civil and Political Rights, above n 2.

⁶ Established pursuant to UN Charter art 92.

protection against a wide range of transnational crimes, including the crime of genocide.⁷

Within the field of social and economic development, the world faces a long-term effort to improve global living standards. From its earliest years, the United Nations helped to focus global attention on major areas of need. As with global agreements on human rights and international law, the evolution of a consensus on development cooperation has helped to create a *lingua franca* between States. And through such agencies as UNICEF, the world Organisation has bettered the lives of children in the poorest and most neglected parts of the world.

In the last few years the search for development has taken on a new urgency. It now is more clear than ever that development is crucial for peace. During my tenure as Secretary-General, the United Nations has embarked upon a series of international conferences. These conferences are a continuum. They link the old problems with new problems. They are multi-dimensional. And each conference relates to and enhances the work of the others.

At Rio de Janeiro, the international community sought ways to ensure a sustainable environment to support development.⁸ At Cairo, questions of population and development were considered. In Copenhagen, the international community elaborated a strategy to fight unemployment, poverty and social disintegration. And in Beijing, the world will consider the role of women in peace and development.

Through these conferences, the international community can exchange knowledge and can work together to foster global prosperity. It can fight the economic and social inequities that so frequently lead to conflict. But perhaps the most significant new area for United Nations' effort is in the field of democratisation.

Like peace-keeping, work for democracy is not mentioned explicitly in the Charter. But the genius of the Charter is that it can accommodate these contributions to the achievement of its Purposes and Principles.

The demand for democracy has increased as nations around the world have emerged from a paralysis projected upon them by the cold war. Many are making independent choices about their future for the first time. They look to democracy to lay the foundations for lasting progress. Democracy supports stability within societies by mediating between competing points of view. It fosters respect between States, reducing the chances of war. It creates responsive government that respects human rights, and legal obligations. It favours the creativity and cooperation that permit social and economic progress.

⁷ See generally Report of the Working Group on a Draft Statute for an International Criminal Court, UN Doc A/49/10 (1994).

⁸ United Nations Conference on Environment and Development, 31 ILM 814 (1992).

The Electoral Assistance Division⁹ provides logistic and technical support for elections. The Department of Development Support and Management helps establish a public sector that is supportive of good governance. The United Nations Development Programme¹⁰ helps empower the elements of civil society and make democracy secure.

United Nations' work in this area will increase. States that seek to change, and States who are supporting such change, need to view democratisation in a new and broader perspective. Free and fair elections are essential, but they alone do not make a democracy. They are only a starting point. The international community will need to work with a new attitude and with new instruments in order to help build the political, judicial and cultural institutions that democracy must have in order to endure.

Indeed, we of the family of nations today need a new vision of the international system — of the role of the citizen within the State, and of the State within the international community. Fifty years ago, when old ideas and procedures were found lacking, Member States of the United Nations created a new understanding of international relations. Today, it is equally urgent that we find a conceptual framework in which all human society can thrive.

New forms of cooperation need to be explored, where individuals can find a sense of belonging without turning toward ethnic exclusivity. New ways to safeguard the protection of minorities need to be developed. New models of confederation must be discovered. Every sector of society has a role in this effort. Individuals and small communities can express their needs. Non-governmental organisations, unions, businesses and academics can bring their experience to this debate. Parliamentarians can transmit the views of their constituents and offer fresh solutions.

The United Nations stands ready to help any way that it can. This is a job for everyone. There is a new world to be constructed. Every hand and mind will be needed for the task. I thank you for this occasion to share my views and hopes with you. I ask you for your support and ideas. The United Nations is your instrument — you decide how it will be used.

⁹ Established pursuant to Guidelines for Member States Considering the Formulation of Requests for Electoral Assistance, UN Doc A/47/668/Hold.1 (1992).

¹⁰ GA Res 2029 (XX), UN Doc A/Res/21/2029 (1966).

WELCOME FROM THE REPUBLIC OF PALAU*

STEVEN KANAI†

His Excellency Boutros Boutros-Ghali, Senator Gareth Evans, His Excellency Colin Keating, Honoured Guests, Ladies and Gentlemen.

On behalf of the Honourable Kuniwo Nakamura, President of the Republic of Palau and on behalf of all the people of Palau, I would like to express our deepest appreciation to the Australian Government and the organisers of this historic conference for inviting Palau to join with you to commemorate the 50th Anniversary of the world's largest and leading international organisation, the United Nations.

The anniversary of the United Nations is always a special day for Palauans. We actually celebrate October 25th, the date of the founding of the UN, as a legal national holiday. This is because Palau has had a very special and unique relationship with the United Nations for almost a half century.

On 18th July, 1947, only two years after the inception of the United Nations' Charter, the United Nations signed an agreement with the United States of America entrusting the daily lives and the future of the people of Palau to the United States as administrator of the Trust Territory of the Pacific Islands. Simultaneously, the United Nations maintained its obligation under Article 75 of the Charter to ensure the well being and promotion of a better future for the Palauan people.

To provide an oversight for the United States obligations under the agreement and to offer a forum for the Palauan people to voice their concerns, the United Nations Trusteeship Council for five decades. Throughout those years, Palau became an integral part of the United Nations and developed a very close relationship with the United Nations.

We, the people of Palau, have been deeply influenced and touched by the wisdom, the caring, and the vision of the United Nations. Forty-eight years ago, the United Nations envisioned that Palau would become fully capable of self-government and would be able to contribute to world peace and security. And only six months ago, on 1st October, 1994, the United Nations realised this vision by having Palau enter into free association relationship with the United States and declared independence. That is why, we in Palau believe that an independent and sovereign republic of Palau is a lasting example of one of the greatest achievements of the United Nations.

* At the time of the conference, the Republic of Palau had recently been admitted as the newest member of the United Nations.

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Having said this, it is not that difficult to understand Palau's decision to join the United Nations as the organisation's 185th member on 15th December, 1994. Because of Palau's close experience with the United Nations, it is our sincere belief, despite the scepticism of some, that United Nations can and does achieve more than what nations apart could, and we would like to strengthen that by joining the United Nations. And, particularly because of our experience during the second World War, we seek to be a part of the United Nations crusade for world peace and security and protection of basic human rights.

For Palau, becoming a member of the United Nations also represents a clear acknowledgment of the fact that Palau is at last an independent nation. Joining the United Nations means, of course, more than just recognition. As a newly developing nation, Palau's eligibility to utilise the assistance from many suborgans of the United Nations is particularly useful.

Perhaps even most importantly is Palau's ability fo have equal voice in the family of nations just as valid as that of any other member nation. This is especially meaningful to the Palauan people after over a century of foreign dominance.

Finally, as the newest member of the United Nations, Palau seeks to join with all other member nations in facing the new challenges of the 21st century.

In closing, on behalf of the President of the Republic of Palau, The Honourable Kuniwo Nakamura and on behalf of the people of Palau, I would like to convey our sincerest thanks to the Security Council of the United Nations and the United Nations as a whole for its indispensable role in the creation of our nation.