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New York

President: Mr. Essy . . . . . (Côte d'Ivoire)

In the absence of the President, Mr. Biegman (Netherlands), Vice-President, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 11

Report of the Security Council (A/49/2)

The President: I call on the President of the Security Council to introduce the report of the Security Council.

Sir David Hannay (United Kingdom), President of the Security Council: I am delighted to have this opportunity to address the General Assembly as President of the Security Council, albeit on the last day of my presidency, and to introduce the annual report of the Council covering the period from 16 June 1993 to 15 June 1994 (A/49/2).

The members of the Security Council attach the very greatest importance to the timely preparation and submission of the annual report to the General Assembly, as provided for in Articles 15 and 24 of the United Nations Charter. In presenting this annual report to the Assembly, I have sought to follow the practice established last year by the Permanent Representative of Brazil. That is to say, the draft of this annual report was issued to all Member States and was adopted at a public meeting of the Security Council, not at a closed meeting, as in the past.

Consideration of the Council's report by the General Assembly constitutes an important occasion for a substantive dialogue and interaction between these two principal organs of the United Nations, a dialogue which will, I hope, touch not just on the nature of the report presented to the Assembly today, but also on the substance of the issues before the Security Council.

As has been the case with past reports, the report I am introducing this year reflects the heavy workload of the Council in responding to problems related to the maintenance of international peace and security. As the report notes, during the period under consideration the Council held 153 formal meetings, adopted 87 resolutions and agreed 68 statements by the President. In addition, Council members held 252 consultations of the whole, totalling some 353 hours. Other members of the Council participating in this debate may wish to comment on the substance of that work. It is not for me, as President of the Security Council, to do so, except perhaps to note, as our Brazilian colleague did last year, that the voluminous content of the document before the Assembly reflects the varied and complex nature of the challenges posed to international peace and security and the justified expectation of Member States that the Security Council should respond to them.

The members of the Security Council listened carefully to the proposals made in the debate in this Hall last year upon the Council's report, and also to debates

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elsewhere in this Organization, on how the work of the Council can be made more transparent and more accessible to non-members of the Council. In June 1993 the Council established an informal Working Group on documentation and other procedural matters. That Working Group has met regularly — virtually on a monthly basis — and a number of steps have been taken following recommendations by the Group. First and foremost among them are the changes to the annual report itself. The introduction to the report has been made more substantive and, like last year, the appendices listing resolutions and presidential statements now provide cross-references to the relevant chapter, section and sub-section of the report for each resolution and presidential statement. Further changes remain under consideration by the Working Group. While I would not wish to stand here and tell the Assembly that this is a user-friendly document, I would suggest that it is a slightly less user-unfriendly document than the reports of two or three years ago.

In addition, the Council decided in March 1994 that draft resolutions in their "blue", or provisional, form would be made available for collection by non-members of the Council as soon as they were circulated. Also, in July 1993 the Council decided to make available to all Member States the tentative forecast of the programme of work of the Council for each month. This year the practice has been instituted of annexing to the forecast a list of forthcoming reports by the Secretary-General as requested by the Council as well as the schedule of forthcoming reviews or renewals of mandates of peace-keeping operations and of sanctions regimes. Also, as part of the effort to improve the documentation of the Council and make its work more accessible, the Working Group has been reviewing the list of matters of which the Council is seized. This year a large number of items has again been removed from the list. Items are removed only after extensive consideration and appropriate consultation. Neither the removal of a matter from the list nor its retention carries any implication for the substance of the matter. But the exercise is a necessary one of rationalization.

The Working Group has also given consideration to the important question of ways of briefing Member States on the progress of informal consultations without prejudicing the confidentiality and the efficiency of the consultations system itself, and the first informal presidency briefing of non-members on the current work of the Council was held on 27 October 1994.

Finally, there has been much consideration this year in the Council of ways to enhance consultations and exchanges of information with troop-contributing countries regarding peace-keeping operations, including their planning, management and coordination, particularly when significant extensions of an operation's mandate are in prospect. The presidential statement of 3 May 1994 made certain recommendations in this regard. It also committed the Council to keeping under review arrangements for communication with non-members of the Council. This month, consideration is being given to further steps to improve these arrangements for consultation, involving Member States, troop-contributing countries, members of the Security Council and the Secretariat. I should just say that this morning we made substantial progress towards decisions on this matter, which will, I hope, not be long delayed.

As indicated in the introduction to the Security Council's report, the report is not intended as a substitute for the official records of the Security Council, which provide a more substantive account of its deliberations. Thus the report should be read, for the purposes of this discussion in the General Assembly too, in conjunction with other official documents of the Council, to which it constitutes a reference guide.

In conclusion, I would just say that the members of the Security Council will, I am sure, listen attentively to the debate we are holding here today. They welcome this opportunity for a substantive dialogue; I hope that members of the Assembly will see by the way we have responded in the past year that this is not just a polite phrase that we use. We are listening, and we will take into consideration points that are put forward in this debate.

The President: I wish to propose that the list of speakers in the debate on this item be closed at 4 p.m. today.

It was so decided.

Mr. Wisnumurti (Indonesia): It is a distinct honour and privilege for me to deliver this statement on behalf of the non-aligned countries on the agenda item before us, namely, the report of the Security Council to the General Assembly, to which we attach great importance.I should like at the outset to commend the President of the Security Council, Ambassador David Hannay, for his lucid introduction of the Council's annual report.

The report highlights, among other things, a number of procedural methods adopted by the Council with a

view to enhancing the efficiency of its work. We hope that these could constitute a basis upon which to build our endeavours to strengthen its efficacy further. I also share Ambassador Hannay's view that the consideration of the report provides an opportunity, not only for a meaningful dialogue on the nature of the report, but also on the substantive issues considered by the Council.

Recent developments in world affairs have placed the Security Council in a position of pre-eminence which has ramifications for the work of the United Nations and beyond it. Numerous circumstances have also contributed to an unprecedented number of activities undertaken by that august body. The steady expansion of peace-keeping operations in various parts of the world has seized the Council of an active agenda. We note with interest that the cooperative spirit prevailing among the members of the Council has facilitated the adoption of unanimous positions on some complex disputes, while we are also cognizant of its failure to resolve certain critical issues effectively. The Council has thus reached a critical turning-point and Member States look forward to its more effective role as the obstacles which paralysed it for so long continue to be removed.

It is in this context that the countries of the Non-Aligned Movement views the report of the Security Council to the General Assembly in document A/49/2. As in the past, the Council provides a comprehensive account of its activities during the preceding year and describes its task in the context of its ever-increasing responsibilities. It also contains a compendium of communications and other documents, as well as a listing of decisions and actions taken on the issues that were brought before it.

It cannot, however, be denied that the hopes expressed by an overwhelming majority of the international community that the report would be transformed from a descriptive account to a document that would analyse the issues dealt with by the Security Council have been disappointed. It is particularly regrettable that the report does not contain an evaluation of the issues considered by the Council and a detailed account of the work of its special committees. Despite its voluminous nature, the report is not a document of a substance commensurate with the greatly expanded role of the Security Council. It is, therefore, the considered view of the members of the Non-Aligned Movement that the annual report mandated in Article 24, paragraph 3, of the Charter must be more than a mere description of activities and a reproduction of resolutions already known. It should instead contain analyses and an assessment of the decisions taken on various issues in order to meet the need for greater clarity and understanding of the Council's reasonings and motives in adopting decisions.

The non-aligned countries take the view that the attainment of these objectives would be further promoted by the strict implementation of Article 15, paragraph 1, and Article 24, paragraph 3, of the Charter pertaining to special reports of the Security Council, in particular, on the measures that it has decided upon or taken to maintain international peace and security.

The Movement of Non-Aligned Countries has also adopted a forthright position on a number of issues pertaining to the functioning and operation of the Security Council, especially those relating to equity, equality and democratization in the decision-making process, the Council's relationship with the other principal organs of the United Nations and its procedures and practices. The communiqué issued by the Ministerial Meeting of the Non-Aligned Countries held at Cairo last June reiterated the need for the faithful observance of the Charter provisions concerning the role of the Security Council in order to achieve a better balance with the other principal organs of the United Nations, especially the General Assembly. Article 24, paragraph 1, of the Charter states, in part, that the Members of the United Nations:

> "confer on the Security Council primary responsibility for the maintenance of international peace and security and agree that...the Security Council acts on their behalf."

Hence, the Security Council, in carrying out its duty under this provision, is accountable to the general membership.

The Cairo communiqué further stressed the importance of enhancing the effectiveness and efficiency of the Council by adopting a number of measures geared to reforming its working methods and procedures, particularly in the context of an improved relationship with the General Assembly and non-members of the Council.

With regard to greater transparency in the Council's decision-making processes the Cairo communiqué called for an increased number of both formal and informal meetings prior to the adoption of decisions, thereby allowing for wider participation. Other measures include the participation of non-members in informal consultations, full and informative press releases and the

provision of tentative monthly programmes that will keep Member States fully informed of the nature and scope of the Council's activities.

An effective and timely flow of information can also be facilitated through, *inter alia*, the institutionalization of consultations between the Presidents of the General Assembly and the Security Council. In this connection, we urge the President of the General Assembly to propose appropriate ways and means to facilitate an in-depth discussion by the Assembly on matters contained in the reports submitted to it by the Security Council, as mandated by General Assembly resolution 48/264.

Yet another aspect of transparency is the need for institutionalizing an appropriate mechanism for direct consultations between the Security Council, the Secretariat and interested States, especially the troop-contributing countries, on the establishment and conduct of peace-keeping operations. Equally important in this regard is the participation of interested non-members in any subsidiary organs established by the Council to monitor developments in various parts of the world.

It is also pertinent to recall that both the Cairo Conference and the Ministerial Meeting of the Non-Aligned Countries held in New York early this month reaffirmed the view of the Jakarta Summit Meeting that the exercise of veto, which guarantees an exclusive and dominant role for the permanent members of the Security Council, is incompatible with the aim of democratizing the Council. The right of veto was accorded as a result of exceptional historical circumstances that no longer prevail. The Council as a body purports to act on behalf of all Member States, and its decisions are binding. Hence, none of its members should negate the majority view or frustrate the achievement of consensus. We are aware that this prerogative is rarely used in recent times, but there are no assurances that it will not be used again with negative repercussions. The veto provision should therefore be reviewed.

In short, the non-aligned countries are committed to a truly representative, transparent and democratized Security Council which would reflect the current configuration of membership.

The non-aligned countries note the positive response of the Security Council in implementing proposals relating to its working methods and procedures, including the adoption and timely submission of reports to the General Assembly and the inclusion of its provisional agenda in the *Journal*. We also foresee the possibility of the adoption by the Council of further concrete measures that would strengthen its role in the maintenance of international peace and security. In the same spirit, we remain hopeful that it would be responsive to change both in its composition and in its procedures and practices. In these endeavours, the Non-Aligned Movement is fully committed to rendering the Council more responsive in meeting emerging challenges and opportunities.

Finally, the non-aligned countries propose that this agenda item be kept open until such time as the President has concluded his consultations as called for in resolution 48/264 and has informed the General Assembly of the results of those consultations.

Mr. Razali (Malaysia): May I first welcome with great appreciation the presence and effort of the President of the Security Council, Sir David Hannay, who has come here to present the report of the Security Council. We see his presence as indicative of future prospects and of a progressive understanding of the need to establish a basis of dialogue between the General Assembly and the Security Council.

My delegation would like to express our appreciation to the President of the General Assembly for deferring consideration of this important agenda item from 26 October to 31 October. This decision was necessary because the Council's 552-page report (A/49/2) was made available to delegations only on 24 October. The increasing number of speakers on this agenda item makes clear the significance delegations attach to the work and functioning of the Council. The general membership is sending the message that it is both interested in examining and has the right to examine the affairs of the Council.

The Chairman of the Non-Aligned Movement has just conveyed the views of the Movement on this report. The Malaysian delegation fully supports his statement. My delegation would now like to highlight and reiterate some of our views on the issues under consideration.

The four-part report begins with an introduction, which rightly recalls the legislative basis for the submission of the report: namely, Article 24, paragraph 3, and Article 15, paragraph 1 of the Charter of the United Nations. From the viewpoint of the General Assembly, it is equally necessary to emphasize that the debate on this item is consistent with Article 10, which says:

> "The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters."

Our deliberations today should focus on the decisions and actions of the Council. After all, in Article 24, paragraph 1, it is recognized that the Members of the United Nations have conferred

> "on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."

As the Working Group on the expansion and reform of the Council proceeds, many of us will seek to utilize the full implications of this Article to bring into being not only an equitably expanded Council, but also one that truly reflects the moral and political authority of the international community.

As in the past, the report contains a compendium of communications and other documents as well as a listing of decisions and actions taken by the Council. In this regard, the request of the vast majority of Member States for an analytical and substantive report has not been met. The Council has also failed to submit special reports, as provided for in Article 15, paragraph 1, of the Charter, to the Members of the United Nations. The General Assembly should have benefited from special reports on issues such as those concerning Rwanda or Bosnia and Herzegovina. The States Members of the United Nations have a legitimate right to full details of the Council's actions on various issues.

Part I of the report, entitled "Questions considered by the Security Council under its responsibility for the maintenance of international peace and security", identifies specific issues and the decisions it took on them. For the purposes of our debate today, my delegation would like to address the decisions of the Council pertaining to two issues: "The situation concerning Rwanda", as reflected in pages 180 to 211, and "Items relating to the situation in the former Yugoslavia", from pages 67 to 161.

According to the report, on the issue of "The situation concerning Rwanda" the Council had 12 meetings, adopted eight resolutions and issued four presidential statements. Yet, among all these resolutions and presidential statements, there is no explanation as to how the Council could have countenanced the death and maiming of thousands of people, generally considered genocide by the vast majority of mankind. Between the adoption of resolution 872 (1993) of 5 October 1993 and the adoption of resolution 918 (1994) of 17 May 1994, thousands of innocent people in Rwanda died, before the Council decided to strengthen United Nations peace-keeping operations there. The initial decision to reduce the United Nations presence in Rwanda could be interpreted, with the benefit of hindsight, as having contributed to the calamity that befell that country.

The crisis in Rwanda has been acknowledged as the most tragic humanitarian crisis of our time. During the bloodletting the General Assembly received no special reports from the Council. In essence, the United Nations, representing the international community, cannot avoid some kind of responsibility for failing to prevent the killing of so many thousands of people and the huge influx of refugees into the countries around Rwanda. The debate on Rwanda and the failure of the United Nations role there must be properly reflected, and lessons must be learned, not only in the Council, but also in the General Assembly.

In the case of the situation in the former Yugoslavia, the report carries a number of sub-items, which include "The situation in the former Yugoslav Republic of Macedonia", "Applications made under Article 50 of the Charter", "The situation in the Republic of Bosnia and Herzegovina", "United Nations Protection Force", "Conference on Security and Cooperation in Europe (CSCE) Missions", "Establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia" and "The situation in Croatia".

The Council considered the issue at 35 meetings and adopted 16 resolutions, and 18 presidential statements were made, during the period under review. It is all too evident that, despite all this activity, aggression against Bosnia and Herzegovina and "ethnic cleansing" have not ceased. Indeed, in the case of Bosnia and Herzegovina, not only has the Council not enforced its own decisions and resolutions, but it has impeded Bosnia and

Herzegovina's exercise of its inherent right to self-defence.

The issues of both Rwanda and Bosnia and Herzegovina underline the importance of, and the special need for, the Council's seeking wider consultations. Such an approach would help arrest — or, at least, moderate — a tendency on the part of certain influential members to consider issues before the Council purely through their own political prism. It will be increasingly untenable to maintain that the Council is above the rest of the United Nations and that the five permanent members can individually or collectively continue with their actions in the Council with no means of making these actions accountable, to any extent, to the general membership. We have also had situations in which permanent members, despite initial qualms and reservations, chose to go along in order to maintain the cohesion of the five permanent members. In the days of the cold war the actions of the Council were checkmated by the East-West pull and counter-pull. Now, in the name of cohesion of the five permanent members, the Council is becoming an "omni" organization, a cabal of five, protected by the Charter from being answerable to the general membership.

An overall assessment of the work of the Council would indicate that the Council remains locked in paralysis, with some influential members weighing the political, financial and manpower costs of getting involved in crises. The Council's unwillingness to enforce its own resolutions and respect the General Assembly, as in the case of Bosnia and Herzegovina, could definitely undermine the credibility and faith placed in the Council and the concept of United Nations collective security.

As the body which, under the Charter, has the primary responsibility for international peace and security, the Security Council, in carrying out its responsibilities on behalf of the Members of the United Nations, must act in conformity with the provisions of the Charter, particularly Article 24. In this regard, the Council, before taking major decisions or action, is duty-bound to consult regional groups, troop-contributing countries and the general membership.

My delegation notes with appreciation the positive changes instituted by the Council with regard to its work and documentation. The release of the tentative forecast and the availability of some documents have created a sense of positive responsiveness, on the part of the Council, to the Members of the United Nations. Indeed, last Thursday the President of the Council organized a briefing for delegations. Welcome as they are, however, these changes remain inadequate. They must be broadened, accelerated and institutionalized. It is not the intention of my delegation to dwell on details at this stage. We shall go into detail in the Working Group on the expansion and reform of the Security Council.

The Members of the Organization must have unimpeded access to the Council for the purpose of addressing it in open public meetings to make their pronouncements on major and current issues impacting on international peace and security. Those of us who sought to participate in the Council debate immediately after the massacre at Hebron, for instance, are no doubt fully aware of the tactics employed to dissuade Member States from making such pronouncements. The practice of preventing a debate, without even the use of the veto, must be rejected in no uncertain terms.

The General Assembly's resolution 48/264 invited its President

> "to propose appropriate ways and means to facilitate an in-depth discussion by the Assembly of matters contained in the reports submitted to it by the Security Council". *(resolution 48/264, para.4)*

In line with that resolution, discussion of this agenda item should remain open to enable appropriate follow-up action.

Mr. Mishra (India): The report of the Security Council to the General Assembly (A/49/2) follows the familiar pattern. It is a valuable compendium of the papers that emanated from the Security Council during the period 16 June 1993 to 15 June 1994, with a bland narration of the sequence of events. Historians and researchers will find it an excellent reference manual — a guide to the activities of the Council, as the report itself claims. They will have the advantage of having in one place all the material necessary to learn about the breadth of the activities of the Security Council during the period in question.

However, the question being asked, particularly in recent years, is whether the report really fulfils the obligations imposed on the Security Council by the Charter, in Article 24, paragraph 3, and whether the General Assembly has been enabled to carry out its own responsibility under Article 15 of the Charter to receive and consider the report. It is not by accident that the reference to the annual and special reports of the Security Council to the General Assembly is made in Article 24.

That Article, in an earlier paragraph, speaks of the relationship between the Security Council and the General Assembly. It states clearly that "in carrying out its duties under this responsibility" — namely, the maintenance of international peace and security — "the Security Council acts on their" — that is, Member States' — "behalf".

There is, therefore, an integral link between the Security Council's role in the maintenance of international peace and security and its obligation to report to the General Assembly once a year, if not more often. Similarly, the General Assembly, under Article 15, shall receive and consider

> "an account of the measures that the Security Council has decided upon or taken to maintain international peace and security."

We are grateful to the President of the General Assembly for readily agreeing to the request made by the non-aligned countries this year to postpone the debate on this item to enable those countries at least to look through the 552 pages with which the Security Council has provided us. Originally, as will be recalled, the debate was to take place within 48 hours of the report's having been made available to delegations. It appeared as though this debate was a mere ritual and as though the contents of the report were of no relevance or consequence. This year we have made the point that there should be time for delegations to study the report and to comment on it after due deliberation. The point to be stressed is that timely submission is important if the report is to receive the consideration to which it is entitled under the Charter.

In considering this year's report, we have the advantage of having heard the views of Member States on reform of the Security Council, expressed in the Open-ended Working Group of the General Assembly. Many delegations, including mine, emphasized the importance of the report's becoming a true instrument of interaction between the Security Council and the General Assembly. This can be achieved only if the report is made more substantive, more elaborate and more analytical. It should provide an insight into the informal process that led to decision-making so that we can make informed judgements which, in turn, will generate inputs that are of benefit to the Security Council itself. This is the very essence of the relevant provisions of the Charter that I mentioned earlier, which were designed to give the general membership a sense of participation in the Council's decision-making, which has serious implications for them. A sense of participation would greatly enhance the credibility and moral authority of the Security Council.

Another purpose that an analytical report can serve is to demonstrate the extent to which the Charter's provisions concerning the division of work have been followed. The Charter envisages a careful balance between the principal organs of the Organization, especially the General Assembly and the Security Council. A balanced relationship between the Council and the Assembly is of paramount importance, and this can be achieved only if the need for strict observance of their respective roles, as stipulated in the Charter, is kept in mind. The General Assembly has to remain watchful to ensure that issues that are extraneous to the mandate of the Security Council do not get dragged into it.

We are aware that in recent years the Security Council has brought about some improvements in its working methods — for example, listing in the daily *Journal* the subjects for informal consultations; distribution of the monthly programme to the general membership; and briefings by the President. These are small steps, but they do go in the right direction, and the Council should be encouraged to take more innovative steps to enhance transparency and democratization. Interestingly, though, even the improvements that the Council itself has authorized do not figure in its report.

One area in which the immediate interests of Member States that are not members of the Council are affected is peace-keeping. The considerable increase in the number of operations and the fact that most troop-contributing countries are not members of the Council make it imperative that the non-members, particularly troop-contributors, be involved in the decision-making on peace-keeping. This is particularly important when decisions relating to the size, mandate and other aspects of the existing major operations are taken.

While speaking of reform of the Security Council with a view to enhancing its credibility and authority, one cannot miss the point that the most important reform required is to make the Council truly representative, in terms of numbers as well as of the global power structure, of present-day realities. Together with other like-minded countries, India proposed in 1979 that this matter should be examined. Today, there is general recognition that both the permanent and the non-permanent categories of membership of the Council should be expanded. While criteria are established for non-permanent members, no such criteria exist for permanent members. We have

already spelt out some relevant criteria in our statement in this year's general debate. These should be developed and adopted before nominating any country for permanent membership.

In conclusion, I would like to stress that the report of the Security Council should be more analytical in future and, more important, we should set in place a regular system of exchange between the General Assembly and an appropriately expanded Security Council. An effective mechanism is required for this if the general membership is to be reassured that the Council is accountable to the Assembly and is confining itself to the maintenance of international peace and security by acting in strict conformity with the provisions of the Charter.

Mrs. Hassan (Egypt) *(interpretation from Arabic):* At the outset, the delegation of Egypt wishes to thank the President of the General Assembly for having deferred consideration of the report of the Security Council to the General Assembly thus making it possible for a larger number of delegations to study and examine the report and to consider all its contents.

The delegation of Egypt wishes also to extend its appreciation to the Permanent Representative of the United Kingdom, this month's President of the Council, for introducing the report to the Assembly. This practice, which started last year when the Permanent Representative of Brazil introduced the report to the General Assembly, is a step in the right direction towards more progress in the implementation of the provisions of the Charter with regard to the responsibility of the Security Council *vis-à-vis* the General Assembly. The practice also reflects a new spirit of cooperation which deserves appreciation.

The annual debate that takes place in the General Assembly when the Assembly considers the report of the Security Council, which is submitted to it in accordance with Articles 15 and 24 of the Charter, affords all Members of the Organization the opportunity of exchanging views regarding the development of the Security Council's activities, to take note of the Council's achievements and its attitudes on certain complex issues while taking note, at the same time, of any shortcomings in the Council's handling of other issues. The debate is also an occasion that makes it possible for conducting the necessary dialogue and vital interaction between the General Assembly and the Security Council. Such dialogue and interaction are bound to support and strengthen the respective roles of the General Assembly and the Security Council in discharging their mandates with regard to maintaining international peace and security in accordance with the provisions of the Charter. In addition, the debate is a significant occasion that highlights the accountability of the Security Council to the General Assembly and reflects the proper balance between these two main bodies of the United Nations.

The consideration by the General Assembly of the Security Council's report acquires special and increasing significance from the vital role of the Security Council in the international arena, especially in view of the increasing complexity of the international situation and the deterioration of peace and security in several regions in a manner that has redoubled the Council's activities and greatly increased its responsibilities. This has led to a great deal of justified interest in the Security Council's activities on the part of the Member States in particular and the international community in general.

Mr. Seniloli (Fiji) Vice-President took the Chair.

Egypt's delegation welcomes the report submitted by the Security Council to the General Assembly this year, in document A/49/2. In fact, the submission of this report periodically, on time, is in line with the responsibility and the mandate conferred on the members of the Security Council by the Member States of the Organization in accordance with Article 24 and the requirements of Article 15 of the Charter.

We also welcome the adoption of the report in an open meeting of the Security Council and its issuance as a limited circulation document before it is considered and adopted as is the case in all the other bodies of the United Nations. We also encourage the continued distribution of the monthly work programme of the Council to all United Nations missions as this contributes to the flow of information and welcome the listing of the Council's meetings in the Journal. All these measures, by themselves, constitute a step in the right direction towards the aim of increased transparency. However, such measures, for all their positive nature, do not rise to the level of our expectations.

There is an urgent need for further measures. This requires the members of the Security Council to continue to work for the adoption of additional measures to improve the Council's procedures in a manner that would meet the expectations and respond to the views and proposals of the Members of the General Assembly in this respect.

On many occasions, Egypt has called for the report of the Security Council to give an objective and analytical account of all the activities undertaken by the Council in discharging its responsibilities, particularly at a time when those responsibilities are increasing qualitatively and quantitatively. This means that the General Assembly, in its capacity as the world body, should be fully informed of the essence of the Council's work. This is a particularly urgent requirement in view of the fact that the Council, in conducting its business, resorts as a matter of routine to informal consultations, a practice which makes it difficult for the full membership of the Organization to obtain timely and open information on the Council's work.

Unfortunately, the Security Council's report under review this year is a conform copy of previous reports, with the exception of a more detailed introduction and two appendices: appendix VII containing communications from the President of the Security Council or the Secretary-General during the period covered by the report; and appendix VIII containing the reports of the Secretary-General issued during the period covered by the report.

Apart from these two innovations, which do not rise to the level of expectations of the majority of Member States, the report, regardless of its bulkiness, is not, in our estimation, a substantive or objective document that could be described as commensurate with the increasingly important role performed by the Security Council. Simply stated, the report is a compilation of the resolutions adopted, and various communications and documents issued during the period it covers, all of which are common knowledge as everyone has already seen and perused them. The report, on the other hand, is devoid of any analysis or evaluation of the resolutions adopted on the many disputes the Council has dealt with nor does it include any hint at any explanation that would shed any light, even a generalized sort of light on the closed informal consultations. Consequently, the report, in our opinion, falls short of satisfying the desire of the overwhelming majority of Member States for more clarity and understanding of the Council's thinking and motives. Therefore, it is not possible to analyse the Council's activities properly. Having said this, we must say that we stress this point because it is closely linked with the whole question of the representative nature of the Council and its political responsibility *vis-à-vis* the General Assembly. We all know that the first paragraph of Article 24 of the Charter states that the Security Council acts on behalf of the Member States and we realize that it is from this conferred responsibility that the Council derives its legitimacy.

The increased activity of the Security Council puts a great responsibility on the United Nations, a responsibility that is shared by all the Member States of the United Nations, not only from a political standpoint, but also in a material context. Consequently, the very least the Member States expect from the Council is a flow of objective and timely information. This leads us to highlight a few points which, unfortunately, have not been covered in the report: First, the activities of the subsidiary bodies of the Security Council, activities which are of interest to a large number of Member States; second, the implementation of the Council's resolutions on the issues it has dealt with; and third, an evaluation of peace-keeping operations. All these are important issues which, because of their impact on a large number of countries, should not be absent from a report that genuinely reflects the activities of the Security Council.

The dialogue between the General Assembly and the Security Council is vital and essential if these two main bodies are fully to discharge their responsibilities with regard to the maintenance of international peace and security. In this connection, it may be appropriate to recall that Article 11 of the Charter makes the maintenance of international peace and security a shared responsibility of the two bodies. The General Assembly is empowered to consider the general principles of cooperation in the maintenance of international peace and security, to discuss questions relating to such questions and to make recommendations with regard to any such questions to the Member States or to the Security Council or to both. It follows from this that the special responsibility vested in the Security Council with regard to the maintenance of international peace and security detracts not at all from the mandate of the General Assembly in this respect. Hence the importance of the indispensable balanced relationship between the two bodies if they are fully to discharge their responsibilities in a coordinated fashion.

In this connection and in view of the importance of such balance, the delegation of Egypt wishes to stress the following points.

First, there is a need for more transparency in the decision-making process in the Security Council. In order to achieve this, it is proposed that a greater number of formal meetings be held before decisions are taken. This would ensure the widest possible participation. Also, the countries directly concerned should be allowed to take part in the Council's informal consultations. A comprehensive information system should be set up to

provide all Member States with information. This could include the circulation of bulletins to brief the Member States with regard to the informal consultations of the Security Council, together with any other practical measures that would ensure the flow of information.

Second, a more dynamic relationship should exist between the Security Council and the General Assembly. In this respect, the reports submitted by the Security Council to the General Assembly should be full of objective and timely information on the activities of the Council and of its subsidiary bodies. Exchange of views between the two bodies should be promoted through the institutionalization of consultations between the President of the General Assembly and the President of the Security Council. Furthermore, regular direct consultations between the Security Council and the troop-contributing countries should also be institutionalized with regard to the taking of decisions on the setting up and management of peace-keeping operations. The ideal means of guaranteeing the effectiveness of the Council's resolutions and ensuring their legitimacy can be found only in expanding the basis of participation by those States that are not members of the Security Council. In this connection, a number of initiatives have been made and we wish to support the joint initiative put forward by Argentina and New Zealand.

Finally, I wish to refer to the question of equitable representation on and increase in the membership of the Security Council. Egypt has taken part in the debate held on agenda item 33 regarding the membership of the Security Council and in the work of the Open-ended Working Group and will continue to participate in trying to rectify the existing imbalances with the aim of enhancing the Security Council's effectiveness and credibility.

In conclusion, we wish to state that the spirit and letter of the Charter make it essential that the General Assembly's consideration of the Security Council's report should not be limited simply to taking note of the report without making the necessary recommendations. It is our hope that, in future, things will happen somewhat differently.

Mr. Kalpage (Sri Lanka): My delegation has listened with considerable interest to the introductory remarks of the President of the Security Council, Sir David Hannay, Permanent Representative of the United Kingdom. His introduction of the report of the Security Council before the General Assembly follows a welcome precedent, which we hope will also be a regular feature in future.

The list of speakers for this item this year is longer than that of last year. This indicates the growing interest the report of the Council is evoking. The debate should not be seen as an opportunity to pillory the Council. On the contrary, interest in the report reflects the strong desire among all Members to enhance the effectiveness and efficiency of the Council.

This is due to a number of factors: First, the United Nations, particularly through the Security Council, not only is now involved more deeply in fulfilling its traditional functions, but is entering into uncharted areas of activity which profoundly affect all States. Secondly, in the current international situation, which has, overall, been categorized as positive, a healthy feeling prevails that transparency is vital to promote effectively the purposes and principles of the Charter. Thirdly, the wider is the extent of understanding about Council decisions, the greater will be their acceptance and the better the prospect of decisions being efficiently and effectively implemented.

Apart from this, there is the basic but rather obvious fact that the membership of the United Nations has risen from 113 in 1965, when the present composition of the Council took effect, to 184 in 1994. The need to increase the membership of the Council has received near universal acceptance.

The report of the Council in document A/49/2 is a highly detailed compilation of decisions, resolutions and communications. It provides much useful documentary material. As Sir David Hannay himself said:

> "... in conjunction with other official documents of the Council ... it constitutes a reference guide." *(supra, p. 2)*

If nothing else, it illustrates the extent of the Security Council's range of activity, which has obviously been matched by a correspondingly wide interest in its work.

The report also briefly — all too briefly — refers in Chapter 28 to certain innovative procedures and working methods followed by the Council in recent months, particularly to increase transparency to enable non-members of the Security Council to have a fuller insight into its decision-making rationale. These need now to be formalized. The Open-ended Working Group on the Security Council has also discussed vital issues relating to needed increases in the Council's membership.

The report of the Security Council covers a 12-month period ending 15 June 1994. Discussions in the Working Group on the Security Council continued well beyond this date, its report being adopted only on 14 September 1994. For this reason, it may not have been possible for the Security Council to comment in its report on the conclusions of the Working Group. It could also be argued that the Security Council report is primarily meant to cover decisions which have been taken within its own Chamber. Yet, in the view of my delegation, it would be particularly appropriate if the Council found it possible in future reports to take cognizance of the considered views of the general membership of the United Nations, including the permanent members of the Council.

Related to the Council's report is another matter. Resolution 48/264, in its operative paragraph 4,

> "Invites the President of the General Assembly, following consultations, to propose appropriate ways and means to facilitate an in-depth discussion by the Assembly of matters contained in the reports submitted to it by the Security Council."

This resolution was adopted by consensus after long and difficult negotiations on the revitalization of the work of the General Assembly. We hope that the President of the Assembly will initiate consultations on this subject within the framework of the present agenda item, so that the Assembly can hold a constructive discussion on matters dealt with in the report submitted by the Council. We would suggest, as the Chairman of the Non-Aligned Movement did, that this item — item ll — be kept open to permit such consultations.

My delegation is certain that the Security Council would see the interest displayed in its report as being motivated by factors other than purely academic curiosity. We believe the Security Council should encourage, not disparage, this healthy interest in its work and provide in its future reports "a clear and informative account of its work" (*resolution 48/264, para.3*) to the fullest extent consistent with the Charter which, it bears repetition, has enjoined the Council to act on behalf of the entire membership of the United Nations.

Organization of work

The President: I should like to inform delegations that the Assembly will consider agenda item 39, "The situation in Bosnia and Herzegovina", on Thursday, 3 November 1994 in the morning, instead of on Wednesday, 2 November 1994 as previously scheduled.

Agenda item 11 (*continued*)

Report of the Security Council (A/49/2)

Mr. Sardenberg (Brazil): The delegation of Brazil wishes to express its appreciation to Sir David Hannay, President of the Security Council for the month of October, for having introduced the report of the Security Council (A/49/2) to the General Assembly, covering the period from 16 June 1993 to 15 June 1994.

It is very gratifying for the delegation of Brazil to note that the practice which was inaugurated last year, when we were occupying the presidency of the Council for the same month, has been aptly continued by the delegation of the United Kingdom this year. We thank the President of the Council for the kind references he made to the initiative of my delegation and to myself. Likewise, I wish to thank other speakers who made similar references. It is our expectation that such a practice will be maintained and further improved in the coming years.

The submission of the annual report by the Security Council in accordance with Article 24, paragraph 3, of the Charter and its consideration by the General Assembly, in pursuance of Article 15, paragraph 1, represent a fundamental constitutional requirement enshrined in the Charter, which provides a privileged occasion for a comprehensive and in-depth dialogue between these two crucially important organs of our Organization.

In this regard, we welcome the call made in his introductory remarks by the President of the Council for

> "a substantive dialogue and interaction between these two principal organs of the United Nations, a dialogue which will, I hope, touch not just on the nature of the report presented to the Assembly today, but also on the substance of the issues before the Security Council". *(cf. supra., p. 1)*

It was precisely this very objective that inspired my delegation to introduce the report last year. In answer to this call, my delegation will gladly address today both the formal and the substantive aspects of the report of the Security Council.

With regard to the format of the report, the delegation of Brazil has always underscored the need to make the paperwork and procedures of the Council less opaque and more user-friendly *vis-à-vis* the membership at large of the Organization. In line with these concerns, during its mandate in the Council for the biennium 1993-1994, Brazil has been actively participating in the Informal Working Group on Documentation and Other Procedural Matters, whose efforts were instrumental in improving some of the working methods of the Council, and which have been referred to both in the statement made by the President of the Council and in the introduction of the report. We note with satisfaction that, as another step in enhancing the flow of communication between the Council and the General Assembly, the President of the Council started the practice of regularly briefing orally non-member delegations at a pre-arranged time and place. My delegation welcomes these improvements and encourages the Working Group earnestly to continue its endeavours to further make the documentation and procedures of the Council more transparent to the membership of the Organization.

While taking note of the disclaimer that the Security Council's report is not intended as a substitute for the official records of the Council, and that it rather constitutes a reference guide to its work, we cannot fail to underline its fundamental deficiency, namely that it only reports on the official proceedings of that body. In this connection, we point out that the introduction of the report mentions, for the first time, the frequency of informal consultations during the period, noting that the Council held 153 formal meetings, adopted 87 resolutions and issued 68 presidential statements, as against 252 informal consultations totalling some 353 hours of deliberations.

While this first and timid acknowledgement of the existence of informal consultations is a positive sign, it highlights a paradox — namely, that the report of the Security Council dedicates more than 500 pages to describing official proceedings, a great part of which is constituted by formal and formalized meetings lasting no more than five minutes each, whereas no indication is given about the contents of the 353 hours dedicated to 252 informal consultations, during which most of the truly substantive discussions were conducted. We therefore consider it essential that some appropriate format be devised to reflect the contents of the informal consultations in the Council's report in order to preserve the substance of these deliberations in some authoritative form.

My delegation is not oblivious to the need for a certain degree of confidentiality and informality in the deliberations of the Council in order to expedite its proceedings. However, recourse to such methods should be had with due criteria and not pushed to such extremes that could compromise the accountability and legitimacy of the Council *vis-à-vis* the membership of the Organization, on whose behalf it bears the primary responsibility for the maintenance of international peace and security.

More transparency does not necessarily mean less efficiency. While a smaller decision-making circle could perhaps arrive at conclusions more rapidly than a wider collegiate, hastily taken decisions do not necessarily translate into effective results. The responses to the complex challenges currently before the Council should be based on careful assessments and balanced measures. With the demise of the period of automatic alignments within and without the Council, different perspectives and contributions should be properly taken into account in the deliberations of the Council if it is to attain fair and lasting solutions.

The views of my delegation concerning ways and means to improve the reporting system of the Security Council have been presented on many previous occasions, in particular in our statement during the debate on agenda item 33. We intend to continue contributing to the improvement of the working methods of the Council, both here in the General Assembly and in the Security Council during our remaining period in that organ.

Having been elected during the forty-seventh session of the General Assembly to occupy one of the non-permanent seats of the Security Council for the period 1993 to 1994, Brazil has endeavoured to respond to the confidence bestowed by the international community. Our positions on the issues before the Council have been founded on respect for the principle of non-intervention, the upholding of the sovereignty and territorial integrity of States, the permanent search for the peaceful and negotiated settlement of disputes, the prevalence of the rule of law in the international public order, the observance of human rights and fundamental freedoms, and active contribution to peace-keeping operations and other relevant activities of the Organization.

We have endeavoured to participate constructively in the deliberations of more than 20 situations placed before the Council during the period covered by this report. Moreover, our participation in the work of the subsidiary bodies, in particular the sanctions committees, was guided

by a concern firmly to implement the relevant resolutions and decisions of the Council, without losing sight of the need to avoid unduly aggravating the situation of vulnerable populations and innocent third countries. We point out, in this regard, that the Committee on Yugoslavia alone, which is presided over by Brazil, has had to deal with more than 34,000 communications in 1993 and more than 45,000 communications so far in 1994, as reported by the Secretary-General in his annual report on the work of the Organization.

In the field of peace-keeping, we have participated in the activities of the United Nations Observer Mission in El Salvador, the United Nations Angola Verification Mission, the United Nations Operation in Mozambique, the United Nations Protection Force and the United Nations Observer Mission in Uganda-Rwanda, and we are actively considering further participation in other operations. We should like to take this opportunity to pay tribute to all the selflessly dedicated and courageous personnel participating in the numerous peace-keeping operations of the Organization, many of them operating under extremely difficult and dangerous conditions.

In this regard, my delegation believes that the growing number and complexity of peace-keeping operations has made imperative a thorough rethinking on the principles and practices observed by the United Nations in this field. I point out, for instance, that while the Security Council is the organ competent for establishing such operations the great majority of Member States whose personnel take part in them are not represented on the Council. Moreover, the mandates set for many of these complex operations, involving a delicate imbrication of peace-keeping activities with humanitarian, electoral and development assistance, need to be more carefully considered by all parties concerned. This is undoubtedly a crucial area in which substantive dialogue and close interaction between the Security Council and Member States are required. We note with satisfaction that this month, at the initiative of the delegations of Argentina and New Zealand, the Council has considered useful steps to improve consultations between troop-contributing countries, members of the Security Council and the Secretariat. It is the expectation of my delegation that these steps will be implemented soon and further improved as necessary, and we stand ready to continue to cooperate in this regard.

Without addressing each of the situations contained in the Council's report, I should like to underscore some of the concerns that have guided our delegation during the deliberations in which it has participated.

First, my delegation has always advocated the need for the Council to explore all possible avenues for negotiation before resorting to enforcement actions under Chapter VII. By their exceptional nature, these enforcement actions should be used only in extreme cases and cannot constitute a precedent for any other situation. At the same time, when issuing warnings to parties in conflict, the Council should exercise utmost restraint in employing language making implicit or explicit reference to coercive measures of dubious effectiveness. We would rather prefer to see the Council making fuller use of its diplomatic tools, such as special missions, rapporteurs and other creative measures, in order to play a more proactive role alongside the mediation activities of the Secretary-General.

Secondly, we continue to hold that the authority of the Security Council is not self-constituted. It originates from a delegation of powers conferred to it by the whole membership of the Organization, in accordance with paragraph 1 of Article 24 of the Charter, as has been mentioned several times during this debate. For this reason, its powers and responsibilities under the Charter should be strictly construed and cannot be created, recreated or reinterpreted, creatively or otherwise, by decisions of the Council itself. The competence of the Council should not be extended to matters not directly linked to the maintenance of international peace and security, in particular when it involves legal and judicial principles. Not being a judicial organ, there is no way the Council could claim a jurisprudence or a system of precedents for its decisions. It is our considered view that the Security Council should not invoke Chapter VII of the Charter to take decisions in matters that would amount to amending the Charter itself by extending its field of competence.

Thirdly, we firmly hold that all decisions and resolutions of the Council must be strictly complied with by all parties and by the Council itself. The Council should not allow selective implementation of its resolutions nor adopt decisions only on selected situations. It should demand full compliance with the terms of its relevant resolutions as well as undertake to fulfil promptly its own obligations under these resolutions. Above all, for the sake of its credibility, the Council should refrain from reinterpreting its own terms at different moments at its convenience.

Fourthly, the Council should avoid the proliferation of instances in which it delegates enforcement actions to third parties without clear mechanisms for the control of

and accountability for such actions. Cooperation, coordination and other arrangements with relevant regional organizations are to be encouraged, but they cannot constitute a substitute for the fulfilment of the Council's own primary responsibility in the maintenance of international peace and security in accordance with the Charter.

Last but not least, the Council must act and be seen as acting impartially in the performance of its responsibilities. It should be ready to take measures against parties that fail to comply with its resolutions and to support those who comply. In particular, it should avoid a purportedly balanced approach that would eventually only favour those who seek to postpone the fulfilment of their obligations.

These were some, though not all, of the main considerations that guided my delegation in addressing the different situations described in the report of the Security Council, and we hope this will clarify for the Members of the Organization the positions adopted by Brazil.

In closing, my delegation would like to underscore once again the critical importance of substantive dialogue and interaction between the Security Council and the General Assembly. Such exercise should not be restricted to the occasion of the formal consideration by the General Assembly of the Security Council's annual report but should be an ongoing, in-depth exercise stemming from the constitutional responsibilities of these two organs in pursuance of their respective functions and powers as enshrined in the Charter.

In January 1995, there will be a second Summit-level meeting of the Security Council to review the international situation from the perspective of its competence. In October 1995, there will be a Summit meeting of all States Members of the Organization to assess the realization of the purposes and principles of the United Nations throughout its 50 years of activity. It is our expectation that these occasions will create further momentum for the intensification of the dialogue and interaction between the Security Council and the General Assembly, with a view to strengthening the Organization as a whole for the benefit of all its Member States.

Mr. Mumbengegwi (Zimbabwe): Let me at the outset lend my delegation's support to the statement delivered by the Permanent Representative of Indonesia on behalf of the Movement of Non-Aligned Countries.

The report before us in document A/49/2 is prepared in accordance with Article 15, paragraph 1, and Article 24, paragraph 3, of the Charter of the United Nations. Paragraph 1 of Article 15 provides that the General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security. Paragraph 3 of Article 24 provides that the Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Clearly, the intention in the Charter of our Organization is that the Security Council should be fully accountable to the General Assembly through annual reports or, where necessary, through special reports. In fact, paragraph 1 of Article 24 of the Charter makes it abundantly clear that the general membership confers on the Security Council primary responsibility for the maintenance of international peace and security "in order to ensure prompt and effective action by the United Nations". Thus, in carrying out its duties under this responsibility, the Security Council acts on behalf of the general membership.

The mandate is clearly given to the Security Council under the Charter solely in order to ensure prompt and effective action by the United Nations. The authors of the Charter correctly recognized that urgent matters of international peace and security could not be expeditiously dealt with by a large and universal body such as this General Assembly. Thus the annual and special reports of the Security Council were meant to give the General Assembly the opportunity to assess and evaluate the work of the Security Council and provide guidance as might be required.

Regrettably, the report of the Security Council to the General Assembly remains a compendium of documents and resolutions that have passed through the Security Council. It is completely lacking in transparency and totally devoid of analysis. This report, as those who have spoken before me have also indicated, can be of use only to historians, librarians, archivists and academic researchers, and certainly not to this General Assembly.

The format and content of this report might have made sense during the cold war years, when it was difficult for the Security Council to agree on anything of substance and in some cases even of procedure. However, we now have to accept that in this post-cold- war era,

where it is now possible for the Security Council to reach consensus on a wide range of issues, the report before us is not only anachronistic but also an unacceptable relic of the past.

A report of the Security Council to the General Assembly should, in our view, contain a background of the issues on which the Security Council has deliberated; a record of developments on each of these issues as they unfolded; the nature of the informal deliberations of the Council; and the reasons behind each decision that the Council took. We know that all too often Security Council decisions are arrived at through informal consultations among Council members, from which the general membership, on whose behalf the Security Council acts, is barred. It is therefore most disappointing to receive, year after year, a report that fails to shed any light on the basis of action of the Security Council.

The format and content of the report of the Security Council to the General Assembly underline the urgent need for the reform and restructuring of the Security Council so as to ensure equality and democracy in its composition, procedures and practices. Its decision-making process must display greater transparency through wider participation of the general membership both in informal consultations and at formal meetings. We believe that once this shroud of secrecy is lifted from the work of the Security Council it will be much easier for the Council to present to the General Assembly the report expected under the Charter, which underlines the accountability of the Security Council to the general membership.

We note with concern that some of the provisions of Article 15, paragraph 1, remain a dead letter. In accordance with that Article, the Security Council should submit, in addition to the annual report, special reports on issues affecting international peace and security. I cannot recall that in the years I have represented Zimbabwe here at the United Nations there has been a single special report on issues affecting international peace and security; yet there have been numerous upheavals and crises in various parts of the world during this period.

Perhaps if the Security Council had provided the General Assembly with a special report on Rwanda before the events of April this year, collaboration between the General Assembly and the Security Council might have averted a tragedy of the magnitude we subsequently witnessed. My delegation was appalled by the manner in which the Security Council handled the question of Rwanda, and it believes that the Security Council's apparent selectivity and double standards in addressing the various issues on its agenda should be avoided in the future. Indeed, there could well have been compelling reasons for the Council to act as it did; if so, one would expect a full account in the annual report so that the Assembly could try to find ways and means of avoiding similar catastrophes in future. Regrettably, after reading the report of the Security Council to the General Assembly we are no wiser.

The General Assembly must commend the Security Council on the tenacity it has displayed in dealing with the intractable problems of the former Yugoslavia. Despite the many setbacks and the complexity of this conflict as well as the continued lack of agreement among the parties, the Security Council has not thrown up its hands in despair, nor has it threatened to leave the parties to consume themselves in internecine civil war. We know that the achievement of peace requires patience, resources and an unwavering will on the part of our Organization.

In this regard, it is of great concern that the Security Council does not seem to have applied itself with the same tenacity, unwavering will or generosity with peace-keeping resources with regard to the conflicts in Angola, Somalia, Liberia and Rwanda. It appears that in regard to those conflicts resolutions emanating from the Council constantly threaten the imminent withdrawal of international assistance. The general membership expects explanations from the Security Council. Where would one expect to find them if not in the annual report of the Security Council to the general membership? Regrettably, after reading the report we are no wiser.

My delegation would like to underline, as others have done, that it is better to commit scarce resources to preventing conflicts or addressing them in their infancy than to be compelled to do so when they have reached catastrophic proportions, when even greater resources are invariably required.

Mr. Laclaustra (Spain) (*interpretation from Spanish*): The Security Council is today submitting to the General Assembly the report on its work from 16 June 1993 to 15 June 1994. This report was adopted by the Council on 18 October last. The President of the Security Council, Sir David Hannay, has introduced the report on behalf of the members of the Council and has pointed out some innovations that were made in drafting it. In our view, these innovations have contributed to improving and enhancing the text.

In this year's consideration of the report we are continuing the process, embarked on last year, of making improvements in the drafting and publication of the report with a view to enhancing the transparency of the Council's activities and the level of awareness of those activities by Members of the Organization.

In this regard, the Working Group on documentation and other procedural questions, a subsidiary body of the Council which was established in June 1993 and which has been meeting regularly since then, has played a very positive role, in conjunction with the Secretariat, whose concrete effect can be seen in this year's report.

Last year we endorsed the expansion of the descriptive content of the introduction to the report. Now we have observed further improvements in the same direction which should make it easier to study the report on the Council's work. I am referring to accounts of the formal meetings of the Council, systematically grouped by agenda items, together with resolutions and statements adopted with respect to these items, as well as the inclusion of information on the activities of the Council's subsidiary bodies.

Also included, as appendices to the report, are communications by the Secretary-General and the President of the Security Council, as well as reports of the Secretary-General issued during the period under consideration.

In addition, the rationalization of the Council's agenda has continued. The list of issues submitted to the Council contained 215 items on 15 June 1993 as opposed to 150 on 15 June 1994, even though the Council had to address 17 new items during that period.

It is only fair to acknowledge the improvements I have mentioned, which offer genuine grounds for satisfaction. However, the Council is aware that there is a need to continue working to ensure that these innovations and improvements become more substantive.

It is clear that from a procedural standpoint the formal meetings of the Council are the place and the occasion for the production of its records, in the context of its mandate of peace-keeping and maintenance of international peace and security. At the same time, we must acknowledge that the Council does a great deal of its work in informal consultations. In fact, matters of great practical importance, such as the review of the various sanctions regimes imposed under Chapter VII of the Charter, are not the subject of a formal decision by the Council when the result of those deliberations involves no change in them.

It would therefore be appropriate — in terms of both the transparency and the faithful, realistic description of the Council's work — to speak in the report, at least in statistical terms, of the Council's informal consultations and the items discussed in them. This would add nothing that could give rise to misinterpretation, as the agenda of informal consultations is set out daily in the *Journal of the United Nations*.

Thus far we have been speaking of a report on the work of the Security Council. It includes descriptions of records, of the Council's meetings, of the communications sent to or by the Council, and of the items of which it is seized. One might consider how the Council could put this information together in analytical form and convey to the General Assembly its assessment of its own work. This would have two advantages. It would enhance the quality, not just the quantity, of the information provided by the Council, and it would yield a sort of authoritative interpretation of the Council's activities by the very body that carried them out. Thus, other interpretations would have to use the Council's own assessment as a point of reference, which would limit biased perceptions at variance with the actual work of the Council.

Those issues are part of a broader debate aimed at enabling all Members of the United Nations — on whose behalf, under the terms of Article 24 of the Charter, the Council acts — to participate more in the work of the Council. Specifically, it is a question of broadening the machinery and procedures for consultations to take into account the views of States contributing to peace-keeping operations in situations that affect them directly, as those views are a most important part of the very conception of an operation. The Security Council is currently considering this question on the basis of the proposal submitted by the delegations of Argentina and New Zealand; in the view of the Spanish delegation, this is of the greatest interest.

Moreover, last week the President of the Security Council began the practice of reporting weekly to Members of the Organization on the Council's informal consultations on the matters before it. We view this as a positive step, and consider that the Working Group on Documentation and Procedural Matters could continue its consideration of the quantitative and qualitative augmentation of the flow of information to Member States not members of the Security Council.

The Council has considerably expanded its activities in recent years, addressing issues that increasingly affect all States Members of the Organization. Increasing the degree to which non-members are informed about and participate in the Council's decisions would only bolster the legitimacy of those decisions and improve the prospects of their implementation. During its term as a member of the Council over the past 22 months, Spain has tried to make a constructive contribution to that end, and will continue to do so until the end of its tenure.

Mr. Bagatsing (Philippines): At the outset, my delegation joins other delegations in thanking the Permanent Representative of the United Kingdom, in his capacity as President of the Security Council, for introducing the annual report of the Council and for presenting the various measures the Council has taken to make its work more transparent and accessible to non-members.

My delegation received the latest annual report of the Security Council to the General Assembly just in time for this debate, and we thank the members of the Council for their efforts. Nevertheless, the situation would have been much more encouraging if the report had been received earlier so that delegations and the General Assembly could have had more time to consider its substance and content and adequately prepare for the debate.

More important, however, in paragraph 4 of its resolution 48/264, the General Assembly invites the President of the Assembly to propose appropriate ways and means to facilitate an in-depth discussion by the Assembly of matters contained in the reports submitted to it by the Council. This would be particularly relevant in the case of the annual report. We therefore urge the President to undertake such consultations with delegations at the earliest possible date with a view to enabling the General Assembly, in line with resolution 48/264, to conduct such an in-depth discussion on matters contained in the report, particularly on those of an urgent character or those commanding wide or general interest. It is particularly for this reason that we fully support the proposal to keep this item open after today's debate.

As it stands now, even if we desired to conduct either a meaningful exchange of views or the in-depth discussion called for in resolution 48/264, the present organizational set-up for our debate is not conducive to such discussion and does not provide sufficient time for it. We believe that a more appropriate mechanism should be established, to give delegations and the General Assembly sufficient time to express their views on the matters in the report and, where appropriate, to translate them into recommendations.

The format for considering the report is one aspect of this issue. The other pertains to its content. Although we welcome the recent efforts of the Council to improve the presentation of its annual report, we believe that the possibility of having a substantive debate on the report would be considerably enhanced and facilitated if certain improvements in content and presentation were made by the Security Council.

In this regard, in paragraph 3 of resolution 48/264, the General Assembly encourages the Council, in its submission of reports to the Assembly, to provide a clear and informative account of its work. We believe that this could be accomplished by presenting a more substantive and explanatory annual report, and not just what is essentially a compilation of official proceedings and decisions. In other words, the report should include, among other things, and in an appropriate format, the substance or a summary of the closed informal consultations of the whole on the key matters covered in the report, especially those informal consultations of the whole which led to the adoption of a decision or course of action on those key matters.

What is most important in this matter would be information on the reasons why and the circumstances under which a particular issue was placed on the Council's agenda, and the elements or factors which led to a specific course of action on that issue. This would, in our view, enable the General Assembly and the membership at large to conduct a more meaningful exchange of views on the issues in the report, as a clearer appreciation would be gained of the Council's deliberations and of the thinking of its members which led to decisions or actions on these critical issues.

We also believe that the annual report could include a section containing an outline or preliminary forecast of the annual work programme of the Council, particularly on issues identified in the current report as requiring the Council's continued debate or further action.

The period covered should also be timely, as stated in resolution 48/264. Current and urgent issues should be particularly highlighted so that the Assembly could, if it desires, focus its discussions on matters under consideration by the Council.

The Council should also seriously consider providing more frequent special reports to the General Assembly in accordance with Article 15 of the Charter. This would, among other things, provide the General Assembly with a continuous, up-to-date and authoritative source of information on the Security Council's decisions and activities, and would facilitate any debate on them.

Finally, we look forward to having in the near future a truly substantive debate on the issues in the Council's annual report, as envisioned in resolution 48/264, not only as a means of revitalizing debate on this item but also as a convincing manifestation of the accountability of the Security Council to the general membership, as set forth in the Charter.

Mr. Azwai (Libyan Arab Jamahiriya)(*interpretation from Arabic*): The annual report of the Security Council to the General Assembly was the subject of considerable criticism at the last two sessions. This criticism stemmed from the fact that the report is a copy of already known resolutions and decisions and is merely a narrative, one that does not deal with a considerable part of the Council's work.

With the aim of reforming the working methods and procedures of the Council, many proposals have been put forward. Today, as the General Assembly examines the Council's report to this session, we note that the Council has paid some attention to such proposals. However, we still find that what has been done does not rise to the level of expectations of the Member States. My country's delegation wishes to stress the need for the Council to carry out all the proposed reforms, and the need for its reports to be substantive and to respond fully to all that has been called for by Member States as clearly set forth in General Assembly resolution 48/264.

The submission by the Security Council of its annual report to the General Assembly is stipulated by Article 24 of the Charter, with the aim of enabling the Members of the United Nations, which agreed that the Security Council should act on their behalf, to consider the report, to study it and to make whatever comments they may deem proper. The aim of that provision is also to enable the Member States to ascertain whether or not the Security Council, in carrying out its functions, strictly acts within its competence under the Charter and whether or not, when dealing with international questions, it takes into consideration the views and positions of the Member States.

As in the past, the Security Council report to the present session, which is now before us in document A/49/2, contains all the resolutions, decisions, and statements adopted by the Council in the course of the year. Nevertheless, the report is neither comprehensive nor detailed. It does not show, even in brief terms, the motives underlying those decisions and resolutions and does not make clear how they were arrived at, particularly those resolutions adopted under Chapter VII of the Charter, which originate from the wishes of certain States — especially the United States of America - which would exploit the Council to serve their own aims and purposes. In order for future reports to be comprehensive and to truly reflect all the activities of the Security Council, my country's delegation believes that the Council should remedy all these lacunae.

In addition, the report should set forth in detail the results of the work of the Council's subsidiary bodies and should set forth the discussions that take place in its informal consultations, since we assume that the Council has nothing to hide with regard to what takes place in such consultations. If such is indeed the case, then the Security Council's report should contain what goes on in those informal consultations. Furthermore, such informal consultations should not be the rule but the limited exception in order for the Council to revert to the fundamental rule of its work, namely, more formal and open meetings. That would enable Member States to make clear their positions on matters before the Council prior to and not after the start of the decision-making process, as is the current practice, so that the Member States will not continue to face a *fait accompli* over which their views have no influence whatever.

The end of the cold war ushered in a new era of cooperation in the international arena, which aims, *inter alia*, at better balance between the activities of the organs of the United Nations and at ensuring that those organs, especially the Security Council, should exercise their functions in a democratic fashion within the competence set forth in the Charter, without any hegemony or influence by any State. Although these demands have been repeated and reconfirmed on many occasions in many forums — including the General Assembly, which expresses the will of all Member States — we are concerned that some Security Council actions show that it has observed neither those demands nor the terms of its own competence. A look at the Council's activities during the period covered by its current report reveals that the Council has increasingly tended to encroach on the functions of other United Nations organs. This is an

unacceptable tendency, because it is unacceptable for the Security Council to use the definition of what constitutes a threat to international peace and security as a pretext for encroaching on the competence of other bodies, as is the case with regard to human-rights issues.

It is also untenable for the Council to act in haste or to continue to adopt resolutions on questions that are still being considered by other United Nations bodies. As a case in point, we must mention what has come to be known as the Lockerbie problem, which is still before the International Court of Justice. The International Court has yet to rule on the problem. Libya has had recourse to the Court as the question is purely legal, and not political, contrary to the United States insistence and its forcing the Security Council to accept that view. The United States has pressured the Council into adopting resolutions against Libya which, to say the least, are arbitrary, unjust, run counter to the Charter of the United Nations and are in flagrant breach of international law and international conventions, in particular, the Montreal Convention, which is the only instrument dealing with questions of international civil aviation and whose provisions are quite clear.

To add insult to injury, the United States of America has insisted on dealing with the question under Chapter VII of the Charter, which concerns threats to international peace and security. My country finds it really strange to pick out Chapter VII and apply it to this incident, which is nothing more than a legal dispute, at a time when others who violate and refuse to implement Security Council resolutions, and whose actions, to say the least, can be qualified as real threats to international peace and security, are exempt from the application of that Chapter. We are, of course, speaking here of the Israelis, who are exempt from action under Chapter VII because of the hegemony of the United States and its pursuance of a policy of double standards with regard to the questions dealt with by the Security Council.

While the Charter of the United Nations encourages the settling of disputes by peaceful means, it is worth noting that one of the resolutions mentioned in the Security Council's report under review, namely resolution 883 (l993), was adopted in continuation of a case that was dealt with under Chapter VII of the Charter, before the mechanism provided for in Chapter VI had been properly used. It also bears noting that the rule of holding consultations with the States concerned was not applied. We know that in a specific case, namely the Lockerbie question, the Security Council ignored the need to engage in such consultations and turned a deaf ear to the views voiced by my country and to the positions taken by international and regional organizations on how best to deal with this question. As a result of the intransigence of three of its permanent members, the Council had to deal with this question through the imposition of coercive unjustified measures that run counter to many of the General Assembly's resolutions, including resolution 44/2l5, which calls for refraining from applying restrictions, blockades and embargoes against developing countries as a form of political and economic coercion that affects their economic and social development and aims at forcing such countries to change their internal and foreign policies in line with the wishes of major Powers that would impose their tutelage on the world. My country's position is that these dangerous trends should not be ignored or acquiesced in.

It is imperative to stand up to attempts by certain permanent members of the Security Council to transform it into something like their own exclusive club, by excluding other members and by conducting most of the Council's business among themselves, with the aim of using the Council to achieve their own political objectives through the obstruction of the settlement of disputes by peaceful means and by dealing with certain differences through the adoption of coercive measures.

Furthermore, my delegation believes that there is an urgent need to reconsider the working methods of the committees established by the Security Council, especially those established by means of resolutions adopted under Chapter VII of the Charter, including the Committee established under resolution 748 (1992) which has become a Committee devoted to hurting and punishing the Libyan people.

At a time when many Libyans are dying daily because of serious illnesses and road accidents, a member of the Committee, namely the delegation of the United States of America, is reluctant even to respond to requests for approval of organizing flying ambulances, which are exempted from the air embargo. That delegation uses the innovation of the Committee's taking decisions by consensus to intentionally delay its replies to many medical treatment requests, without giving any reasons. This procrastination has deprived many Libyan intensive-care patients of the chance of treatment abroad. As a matter of fact, this new type of "veto" has caused the death of many patients, including two little girls, Rima Saleh Abdel Rahman and Safaa Ali Abdel Rasool, as well as other children, old men and pregnant women. In

addition, it is really surprising that, through its procrastination and delays in answering requests submitted to it for authorizing the arrangement of flights for Heads of State and Government who wish to visit the Jamahiriya using their own private planes, the Committee is trying to impose more restrictions on Libya and hamper its attempts at enhancing cooperation with other countries.

In discharging its main responsibilities in maintaining international peace and security, the Security Council should neither set itself apart from the other bodies of the United Nations nor set itself above them as if it were superior to all those other United Nations bodies. The sound approach should be consonant with the fact that members of the Council, in exercising their functions, are expected to transcend their national affiliations and keep in mind always that they act not only on behalf of the groups they represent but also on behalf of the Members of the United Nations as a whole. In order for the members of the Council to guarantee that the resolutions it adopts and enumerates in its annual report truly reflect the collective will of the international community, they should credibly make sure that in its dealings, the Council applies the principles of the Charter consistently, not selectively, and addresses international problems fairly and objectively. They should always keep in mind the statement of the Secretary-General in paragraph 82 of his report entitled "An Agenda for Peace" (A/47/277):

> "The principles of the Charter must be applied consistently, not selectively, for if the perception should be of the latter, trust will wane and with it the moral authority which is the greatest and most unique quality of that instrument."

The practices of the Security Council have in many aspects been strange indeed. In our view, they do not really reflect the position of the Member States, on whose behalf the Council acts. These are extremely dangerous precedents. The crash of an American plane and the accusation that two people from a certain country have something to do with this crash has been referred to the Security Council, which is forced into considering the matter, though it has nothing whatsoever to do with the Council's mandate and functions, as we have already stated.

In addition, we see major Powers that are permanent members of the Security Council and, as such, are supposed to bear more responsibility for the maintenance of international peace and security pressurize the Council into violating the Charter and infringing on the independence of the country of the two suspects, asking that they be surrendered to be tried before the courts of those Powers, which is a dangerous precedent that encroaches on the independence of all small countries, not only Libya. In addition, pushing the Council into adopting a resolution to invade an independent country to restore to power a deposed President under the pretext of protecting democracy is a very dangerous and unprecedented act, a flagrant intervention in the internal affairs of a State and an act of contempt for the freedom of peoples. Would the Security Council return every President deposed by his people, anywhere in the world, or was it the emigration problem that prompted the United States to use the Security Council and the United Nations as camouflage to stem this emigration by occupying its source?

My country wishes to alert all the countries of the world gathered together here in this Hall to the grave nature of such practices. Unless the world stands up to such excesses, the major Powers, especially the United States of America, will not hesitate to use the Security Council for realizing their own objectives, regardless of the fact that this is bound to undermine trust in the United Nations and its impartiality and steer it, sooner or later, towards the fate of the League of Nations. This is a fate we, the small peoples, do not wish for our world Organization in which we have placed all our hopes for the protection of our sovereignty and independence and for preventing the powerful from preying on us while using the United Nations as a cover for their excesses.

Mr. Khoshroo (Islamic Republic of Iran): My delegation has reviewed the report (A/49/2) of the Security Council to the General Assembly covering the period from 16 June 1993 to 15 June 1994. It is a matter of regret that it took more than four months for the Council to adopt its report and present it to the General Assembly, leaving the entire membership only a few days to evaluate the way in which the Council handled its responsibilities during the past year.

As a principal organ of the United Nations, entrusted with the primary responsibility for the maintenance of international peace and security, the Security Council should act on behalf of Member States in carrying out its duties, as is provided for in the United Nations Charter. As the Secretary-General stated in his report on the work of the Organization, the increased participation in the consideration in the General Assembly of the item now before us proves that Member States are justifiably interested in the work of the Security Council. The question of the Council's accountability to the entire membership is therefore the foremost element in the

smooth functioning of the Council. If the Council ignores this very fact its credibility will face serious damage. Moreover, although the role and agenda of the Security Council have been expanded in the post-cold-war era, the Council needs to be more accountable to the general membership.

Article 15 of the Charter gives the General Assembly the responsibility of receiving and considering reports from the Security Council. Moreover, Article 24 provides that the Security Council shall submit annual reports to the General Assembly for its consideration. Both Articles underline the importance of the Security Council's obligations in regard to proper submission of its reports. It is repeatedly emphasized by a great majority of Member States that the annual reports of the Security Council should be characterized by a comprehensive and integrated analysis of the issues on its agenda and of the approaches that the Council adopts in addressing matters of substance.

Unfortunately, the Council's present report still lacks any explanation of its decisions and any assessment of its actions. Rather, it is a compilation of symbols, resolutions and chronologies of issues already available to Member States, and omits the proceedings of the Council in informal consultations, as well as of its subsidiary organs. Such reports cannot meet the minimum expectations of those Member States that are not represented in the Council. The submission of a report that fails to address matters of substance, together with the Council's current practice of holding more closed meetings than formal meetings, has aggravated the lack of transparency in its work. There is no doubt that the introduction of transparency into the Council's activities and democratization of its decision-making process would enhance the credibility of the United Nations system as a whole. In fact, the Council should attempt to gain the confidence and trust of the general membership so as to be able to act on its behalf. With regard to the convening of informal briefings by the President of the Council, my delegation hopes that these will go beyond procedural matters and touch the substance of the issues being discussed in the Council.

Prince Sisowath Sirirath (Cambodia), Vice-President, took the Chair.

It is important that any consideration of the work of the Security Council include a review of the Council's approach to threats to international peace and security. Unfortunately, the Council's adoption of selective approaches and its application of double standards have not only undermined its credibility, but have also prevented it from dealing effectively with clear cases of aggression. Furthermore, lack of political will on the part of some Powers has created situations in which the Council has been unable to implement its own resolutions.

In conclusion, I should like to emphasize — as my delegation has done previously — the importance of implementing resolution 48/264 on the revitalization of the work of the Assembly, in which, among other things, the President of the General Assembly is invited to propose ways and means of facilitating an in-depth discussion by the Assembly of matters contained in the reports submitted to it by the Security Council. In this context, we firmly believe that consultations should be undertaken so as to continue consideration of this agenda item.

Mr. Sucharipa (Austria): Austria highly appreciates the fact that this report of the Security Council to the General Assembly, like the last one, was introduced by the Member State currently holding the presidency of the Council. This follow-up to the initiative taken by the delegation of Brazil during its presidency in October 1993 is a clear manifestation of the political will to enhance the relationship between the Security Council and the membership of the United Nations at large, pursuant to and in accordance with Article 24 of the Charter. By presenting the report, the President of the Security Council, on behalf of the Council's members, demonstrates awareness of the Council's particular position *vis-à-vis* the General Assembly, as well as readiness to enter into a dialogue with the Assembly.

The work accomplished by the Security Council during the period under consideration deserves high appreciation. The voluminous document in front of us speaks for itself. The Security Council has become what the founding fathers of this Organizations wanted it to be — the cornerstone of all efforts to maintain and restore international peace and security. Heavy political demands on the Council often lead to more and more resolutions, declarations or statements on issues before the Council, which then all too soon find their way into the archives without having had a real impact on political developments. Thus — to sound a note of caution — a more selective approach might enhance the authority of the Security Council.

Security Council resolutions are effective only when they gain political relevance outside this building, when parties to a conflict not only take note of them, but also abide by them — in short, when, through Security

Council decisions, concrete contributions can be made to facilitate a political solution or to stabilize a volatile situation.

Legitimacy and representativeness are important values for a Council acting on behalf of all States Members of the Organization in carrying out its primary responsibility for the maintenance of international peace and security. These values call for increased interaction, wherever appropriate, between the Security Council and States that are not members of the Council. We listened with great interest to the relevant remarks made today by the President of the Council.

In this context two main elements should be taken into account.

Certainly, in order to ensure the necessary privacy for constructive discussions and negotiations, deliberations in closed meetings will remain necessary. However, in the interest both of the Security Council and of the entire membership, a certain balance between privacy and transparency has to be achieved in order to pave the way for a possible feedback from the international community, as represented in the General Assembly, on the Security Council's work.

We therefore welcome the recent steps taken by the Council towards better accessibility to information. In this context, we appreciate the initiative taken by the British presidency last week for briefings on a regular and more formal basis.

Furthermore, Council members should continue to ensure an increased and intensified informal information-flow towards other Members of the General Assembly, and especially towards Members from respective regions on issues of particular concern to them.

As the second element in the context of an improved flow of information, delegations with a special interest in particular political situations dealt with by the Security Council should, at an early stage of the Security Council's decision-making process, have and make use of the possibility of offering their views and making an input into the Council's work. This is especially true for countries which, due, *inter alia*, to their regional proximity, are politically concerned by a given conflict.

Furthermore, during the discussion of agenda item 33 some delegations stressed that it is important to have consultations when economic sanctions and comparable preventive and enforcement measures are considered. This process should include an advance assessment of possible negative effects on the economies of neighbouring countries and an analysis of possible means to counteract them. They should not, however, impede the decision-making as such, whenever the imposition of sanctions is required in accordance with the Charter of the United Nations.

Austria, as a country with a long-standing tradition in United Nations peace-keeping, has a special interest in a closer cooperation and dialogue between the Security Council, the Secretariat and troop-contributing countries. We therefore welcome the statement made by the President of the Security Council on 3 May 1994 in which it was stressed that:

> "The Security Council is conscious of the need for enhanced consultations and exchange of information with troop-contributing countries regarding peace-keeping operations, including their planning, management and coordination, particularly when significant extensions in an operations's mandate are in prospect." (*S/PRST/1994/22, p. 3*)

Having witnessed some improvements recently, my delegation appreciates initiatives which have been taken in this context, in particular by the delegations of New Zealand and Argentina, and we are glad to hear that these initiatives are about to yield concrete results. We would again like to stress the importance we attach to strong and sustainable working relations with troop-contributors.

My delegation is fully aware of the work that had to be done by the Secretariat to prepare the report before us. We also appreciate certain changes which have been introduced in order to make the information contained in the annual report more easily accessible. The report contains a very accurate listing of official documents issued by the Security Council during the period under consideration and, as such, it is certainly a helpful tool for delegations, and perhaps even more for students of current history.

Finally, I should like once again to assure the members of the Security Council, and in particular the President, of our appreciation for their dedication to the highly sensitive work done by the Council throughout the year and for their contribution to this debate — a debate which we consider to be of great importance because it constitutes a dialogue between the General Assembly and the Security Council and will certainly enhance and

strengthen the relationship between the two organs in the interest of us all.

Mr. Albin (Mexico) *(interpretation from Spanish)*: We attach particular importance to the report submitted by the Security Council to the General Assembly under Articles 15 and 24 of the Charter. We consider this to be the essential link in communications between the Security Council and the most universal body of the United Nations in the fundamental issue of the maintenance of international peace and security.

We are pleased that this was the second time the report was adopted in an open meeting of the Council. We also express our gratitude to Sir David Hannay, Permanent Representative of the United Kingdom and President of the Security Council this month, for his introduction of the report to the Assembly. We believe that these two features, initiated last year under Brazil's presidency, are contributing to wider dialogue between the two organs.

This year's report contains a more extensive introduction, in which we note a determination to improve the organization and presentation of issues that the Council has discussed or deliberated on. We find the brief account of the activities of the Council's subsidiary organs quite helpful, particularly those dealing with the sanctions Committees, whose importance has recently increased. We also appreciate the effort to incorporate in the report two new appendices — appendix VII, listing the communications from the President of the Security Council or the Secretary-General; and appendix VIII, listing the reports of the Secretary-General issued during the period covered by the report.

These efforts have no doubt contributed to improving the channels of communication between the General Assembly and the Security Council. However, a great deal remains to be done. In our view, presentation of the report should not be simply a formal fulfilment of an obligation. Rather, its objective should be to provide complete information to the Assembly. We would like the document before us to contain elements of an evaluation that would enable us to grasp the basis of the Council's decisions and actions. We acknowledge that additional information is provided in the introduction, but the present document still does not enable the General Assembly to consider the matter fully.

In the period covered by the report — that is, from 16 June 1993 to 15 June 1994 — a number of important events have remained on the international scene, and many of them have been considered by the Security Council. Given the number and substance of the items on the Council's agenda, the States Members of the United Nations have a pressing need to analyse and assess the actions taken and the decisions adopted by the Council on their behalf. It is only natural that we should be increasingly interested in its work and in the way it functions, as well as in the rationale for its decisions.

Enhancing the transparency of the Security Council's methods of work and strengthening the effectiveness of its decisions are among the fundamental issues to be addressed by the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council. This is reflected in the efforts being made to ensure more direct, transparent and timely communication between the Council and the Assembly.

Last year as we addressed this item we suggested that it would be useful to have the United Nations *Journal* indicate items to be taken up in private informal consultations of the Council. We are now convinced that this has been most useful for all delegations and has proved to be a sound practice adopted by the Council. The fears of certain parties were unwarranted and this has in no way affected the work of the Council.

An exchange of information between the Council and delegations has been taking place but in a disorderly fashion and with great difficulty. After private consultations of the Council we believe that delegations should be informed of what has happened in an organized way as they seek daily to follow up the work of that body. The Council should in the interests of all adopt measures to strengthen communication links. It is precisely for this reason that we welcome the fact that last Thursday the President of the Council, Sir David Hannay, held an informal meeting with delegations to report on the activities of the Council, and he added that there was a wish for this exchange to take place periodically. We encourage the Council to continue to adopt further practical measures so as to enhance dialogue and interaction with other Members.

Another proposal we mentioned earlier refers to the effective presentation of special reports as provided for in the Charter. There are issues of great interest to all about which we would like to have more information and on which the Security Council could report to the General Assembly in greater detail and in a more timely fashion. Furthermore, we believe that the submission of quarterly

reports could help to expand communication channels. A special rapporteur of the Council appointed to report to Member States would also improve cooperation between Members and the Council.

We would also like to see a deepening of the fruitful exchanges between the President of the Security Council and regional groups. We are all aware of the complexity of peace-keeping operations, and for that reason we endorse enhanced communication between troop- and personnel-contributing countries and the Council as proposed recently by Argentina and New Zealand. We are aware of the impact of the imposition of sanctions on third countries and therefore believe that a dialogue between them and the Council, as provided in Article 50 of the Charter, would enhance the effectiveness of that organ's decisions.

The annual report of the Security Council must cease to be a mere formality. It is clearly out of step with the new circumstances surrounding matters relating to international peace and security. The full potential of paragraph 3 of Article 24 and paragraph 1 of Article 15 of the Charter must be given a chance to develop. Members have entrusted the Security Council with the primary responsibility for the maintenance of international peace and security. This in turn implies the accountability of the Council to the Assembly.

We sincerely hope that in the near future we will be able to engage in an exercise of renewed dialogue and communication between the Security Council and the General Assembly. This will undoubtedly require a report containing substantive elements and analysis of the decisions and activities of the Council. The maintenance of international peace and security, after all, is a purpose common to all States Members of the Organization.

Mrs. Fréchette (Canada): As we approach the fiftieth anniversary of the United Nations this year's report of the Security Council underscores to all of us, if such a reminder is necessary, the tremendous challenges faced by the international community in efforts to maintain peace and security. The wide-ranging number of conflicts the Security Council currently deals with demonstrates that after 49 years we remain far from achieving global peace, one of the Organization's central objectives. However, while there are problems, the Council's experience over the last year also shows that only a concerted and determined effort on the part of the international community can solve them.

The Council's record also reaffirms that the nature of many of the conflicts we are now confronted with has changed. In the post-cold-war period essentially intra-State conflicts, with numerous and complex origins, dominate the Council's deliberations. In the face of this emerging dynamic, Canada answers "Yes" to those who ask whether the United Nations, and particularly the Security Council, should be involved in resolving them. The international community cannot stand aside as conflicts which imperil the lives of millions of innocent people and threaten their most fundamental rights, fester, degenerate and eventually explode.

Just as it is clear that the challenges facing the international community are both changing and daunting, it is also evident that the Security Council is no Merlin, who in one stroke can bring them to a peaceful outcome. That is expecting too much. The Council's record over the past year represents a transition. From a period of euphoria, when belief in the Council's abilities to prevail remained high, Council members, indeed all of us, are today keenly aware of the limitations of its influence.

This realization notwithstanding, the Council should avoid retreat. Far from diminishing, the need for firm, decisive and united action remains essential. The Security Council has a unique role to play in the preservation of international peace and security. In responding to new challenges, the Council is on the right track and moving forward, even though the steps it has taken have not always proved capable of solving all the problems.

As a major contributor to peace-keeping operations with close to 2,800 soldiers and police officers serving in eight missions, Canada is deeply interested in and often directly affected by the Council's decisions. Looking back at the Council's record over the past year we wish to offer a few observations which we hope the Council will take into account in its future deliberations.

In developing mandates for peace-keeping operations, or modifying them in mid-course, the Council should aim to spell out objectives and priorities as clearly as possible. This is essential for those who are left to implement them. Where there are multiple components to a mandate, prioritization is necessary to increase clarity. This year in Somalia, the United Nations Operation in Somalia (UNOSOM II) was operating under sometimes conflicting direction from the Council. The less mandates are open to ambiguity, the better the chances costly mistakes can be avoided and overall goals achieved.

It is equally important for the Security Council to resist incrementalism in revising tasks for peace-keeping operations. Adding responsibilities to operations to deal with new challenges without clearly refocusing the objectives of a mission or providing it with adequate additional resources to handle new tasks, muddies the water and makes it difficult for those on the ground to carry out their jobs effectively.

At the same time, the Security Council needs to avoid sending mixed signals about what operations can or are meant to achieve. Doing so can lead to false expectations and damage the credibility of an operation.

The situation in Bosnia and Herzegovina illustrates both problems. Canada was and is in the forefront of those contributing to the United Nations Protection Force (UNPROFOR). That Force continues to be a vital requirement of life for over a million Bosnians. However, the Council's decision to give additional tasks to UNPROFOR, and ambiguous messages about its mission, have led many to confuse this operation with a force both equipped and mandated to impose peace upon warring parties. It is neither, but the Security Council's actions have at times contributed to this misperception.

The Security Council is most effective when its actions are guided by clear and agreed goals, purposefully and resolutely pursued, and involve measured actions. The Council's management of the Haitian crisis is an outstanding example. Throughout the crisis, the Council did not waver in its unity of purpose — the restoration to office of President Aristide. With this objective, the Council's response to the continued intransigence of the de facto regime was consistent and graduated. Only when one action proved inadequate did the Council move to the next, more serious stage, culminating in the authorization of a multinational coalition under the auspices of the United Nations to carry out the Council's objectives. The result achieved in Haiti demonstrates how common objectives matched with determined and measured action can translate into success for the Council.

(spoke in French)

Consultations with troop contributors are an essential factor in ensuring the success of a peace-keeping operation. We welcome the presidential statement of 3 May 1994 (S/PRST/1994/22), in which the Council recognized the need to consult the troop-contributing countries when a change or extension in an operation's mandate is in prospect. The meetings currently chaired by the Secretariat, to which Council members are invited, are useful and welcome. However, in their present configuration, they do not entirely meet the need for the Council to consult with troop contributors. As we have already said in the debate in the reform of the Security Council, we hope that the Council will follow up on its 3 May 1994 statement by fully committing itself to engaging in a substantive and direct dialogue with troop contributors when renewing or modifying mandates. This can be done without in any way challenging the Council's final responsibility for deciding on the nature of a peace-keeping mandate.

Finally, there has been much comment on the Council's inability to respond effectively to conflicts that rapidly worsen. It is not that the Council does not have a sense of what should be done; rather, the problem is the absence of a rapid-intervention capability. We hope that the anticipated Council summit next January will be an occasion to give further consideration to rapid-response mechanisms.

The Security Council needs to remain fully engaged in dealing with new circumstances and addressing new challenges. The last 12 months have made it clear that the Council is still seeking the most appropriate ways of doing so. Through constructive observations and suggestions, we can all help to ensure that the Council is equipped to carry out its responsibilities. We are convinced that its members will heed the lessons both of this year's setbacks and of its successes.

Mr. Lamamra (Algeria) *(interpretation from French):* First of all, I should like to thank the President of the Security Council, Sir David Hannay, for introducing the Council's report, which covers the period from 16 June 1993 to 15 June 1994. This is a continuation of the welcome practice which was so appropriately inaugurated last year by the Permanent

Representative of Brazil, Mr. Sardenberg, then President of the Council. It is to be hoped that this practice will be sustained by a new spirit of cooperation between the General Assembly and the Security Council and will have a profound impact on the actual content of future reports.

The Algerian delegation also welcomes the fact that the Council's report, for the second consecutive year, was adopted in a public meeting of the Council. We are pleased, too, that the monthly programme of Council activities continues to be disseminated, and that the United Nations *Journal* announces the agendas for public meetings. We can also note with satisfaction that this year's report contains a more detailed introduction and two new appendices containing, respectively, a list of communications from the President of the Council and the Secretary-General and a list of the reports of the Secretary-General issued during the period covered by the report. However, these innovations, which we welcome, should not conceal the essential point at issue, which continues to be how to improve the information given to States that are not members of the Council — an objective on which, unfortunately, there has not been any particularly positive development in the past year. We cannot refrain from expressing the fear that there has been something of a retreat from the relative openness of last year, since it can easily be seen when we read the Security Council's report for this year that the hopes and the comments made a year ago on this matter are as urgent and relevant today as they were then. They have not yet been sufficiently taken into account, with respect either to the form and the content of the report, or to transparency in the Security Council's work, or to relations between the General Assembly and the Council. I therefore do not need to repeat here observations that have been supported by an ever-growing wave of opinion within the United Nations.

The interest displayed by the States members of the General Assembly in the Security Council's report is not only legitimate but indeed legal, because it stems from the actual provisions of the Charter. It is true that the Security Council bears the primary responsibility for the maintenance of international peace and security. But it is equally true that this is the result of a kind of delegation of authority on a contractual basis, which was granted to the Council so that the Organization's action in this area could be both prompt and effective, and on condition that, in exercising this responsibility, the Council acted on behalf of all the Members of the Organization. Quite clearly, we see the existence here of a dynamic link between the General Assembly and the Security Council, a link intended by the founders of the Organization to ensure that these two principal organs would have relations of cooperation based on complementarity and mutual respect for each other's prerogatives. It was naturally also understood that general coordination would be undertaken by the single plenary organ which is the very centre of the institutional edifice of the Organization — that is, the General Assembly, on which, in addition, Article 10 of the Charter confers the right to discuss

> "any questions or any matters...relating to the powers and functions of any organs provided for in the present Charter"

and to

> "make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters."

In fact, the mechanism of annual and special reports provided for by the Charter as one of the umbilical links between the Security Council and the General Assembly is a clear, if incomplete and imperfect, expression of the need for the deliberative organ, which represents the collective will of the Member States, to monitor the Council's actions, since the participants in the San Francisco Conference noted that the soul of any democracy is control. If one needs convincing, all one need do is refer to the documents of the founding Conference to find that a great deal of thought was given to the institutional life of the United Nations with the aim of forearming it against certain dysfunctions which practice has, unfortunately, brought to light in abundance.

Thus, Belgium urged in San Francisco that lessons be learned from the failure of the League of Nations, stressing that the most representative organ of the Organization, the General Assembly, must have sovereign competence to interpret the Charter. Venezuela, invoking the future Article 24 of the Charter, expressed the belief that such delegation of powers as the Article provided for could be accepted if the General Assembly was given the necessary oversight powers and if the Member States were able to have recourse to them.

This demand for control is gaining in force and relevance now that the disturbances caused by the cold war in the normal functioning of United Nations bodies has stopped and it has been established that general support for the Security Council's actions is the basis of their legitimacy and strengthens their effectiveness.

This means that the structure and content of the Security Council's annual report to the General Assembly must be improved and that the introduction of special reports should be seriously considered. It also offers the opportunity to reaffirm resolution 48/264, adopted by consensus on 29 July, which, *inter alia*, encourages the Security Council to:

> "provide in a timely manner a clear and informative account of its work, including its resolutions and other decisions, including its resolutions and other decisions, inclusive of measures taken under Chapter VII of the Charter". (resolution *48/264, para. 3*)

Lastly, it implies that the Security Council's work, which embodies the hopes and frustrations of a great many States and a large sector of public opinion, would benefit from greater concertation and explicitness, particularly in the context of this debate, which should be the highpoint in efforts to affirm the collective responsibility of States Members of the United Nations for maintaining international peace and security.

From this viewpoint, my delegation supports the proposal made by the Chairman and other members of the Non-Aligned Movement during this debate that this agenda item remain open, allowing the consultations recommended by resolution 48/264 to take place.

Mr. Graf zu Rantzau (Germany): We appreciate the presentation of the report of the Security Council to the General Assembly. The report is very extensive and its compilation was extremely work-intensive, reflecting the vast agenda the Security Council had to deal with during the past 12 months, without, however, providing us with much insight into and analysis of, the Council's deliberations.

In his report of 2 September 1994 on the work of the Organization, the Secretary-General pointed out that until last year consideration of the report of the Security Council in the General Assembly attracted only limited attention, while at the forty-eighth session numerous delegations made statements on it. This year, too, many delegations are commenting. We see two reasons for this growing interest: the enhanced activities of the Security Council and the ongoing discussion on Security Council reform.

We have stated repeatedly, and we say it again today: the Security Council's effectiveness is based on its credibility, and its credibility depends largely on both the representative character of the Council and whether United Nations Member States feel that it acts on their behalf, as demanded by Article 24 of the Charter. It is therefore essential that there be a free flow of information between Council members and the general membership. In the past — and we can attest to this from our own experience — the general membership has often felt locked out of and excluded from the Council's deliberations and decision-making.

In our view, two fundamental issues must be addressed to improve this situation. First, non-members of the Security Council must have sufficient access to information about the Council's work. "Sufficient", in this context, means a degree of information which satisfies the needs of individual Member States. It is natural that, depending on the item under discussion, Member States will have varying degrees of interest. Geographic nearness to a conflict, historic or economic ties, or the fact that troops were contributed to a specific peace-keeping operation, are factors which will most likely increase a Member State's need to know in detail and without delay what is being discussed and decided. Secondly, non-members of the Security Council should have the opportunity to contribute their views and information, whenever appropriate, to the Security Council's deliberations.

Throughout our debate about the question of equitable representation on and increase in the membership of the Security Council, as well as in the discussions of the Working Group for the revitalization of the work of the General Assembly, various ideas have been put forward as to how these objectives could best be achieved. In the meantime, certain steps have been taken by the Security Council to improve the situation. My delegation, for instance, highly appreciates the publication of the agenda of informal meetings in the United Nations *Journal* and the briefings on informal Security Council meetings established last week by the Council's presidency on a trial basis. Another example in this regard is the attempt to react to demands for improving the Security Council's report to the General Assembly. As President of the Security Council, Ambassador Sardenberg of Brazil introduced the report personally at the forty-eighth session, as did the Permanent Representative of the United Kingdom today. Furthermore, attempts have been made to obtain more regular and substantive input into the Council's work, in particular from troop-contributing countries. My delegation welcomes these initiatives.

However, more steps still need to be taken. A majority of Member States seem to agree that a certain number of closed informal meetings are necessary for the Council's efficient and effective functioning. At the same time, we agree with the representative of France, who, during the debate on agenda item 33 two weeks ago, expressed support for an enhanced dialogue between the Security Council and the general membership in formal meetings. For the remaining informal meetings, it should be assured that non-members of the Council can follow the events. Furthermore, it is often difficult, particularly for small Member States with limited resources, to be present when the Security Council calls an ad hoc meeting. A mechanism should be established to notify all Member States about meetings called at short notice.

Consultations with troop-contributing countries are crucial for the effectiveness of the Security Council's work. Decisions cannot be implemented and peace-keeping operations cannot be carried out if those who do the on-site work feel that they lack information or cannot make their voice heard. Germany therefore clearly supports proposals to establish a mechanism for coordination between the Security Council and troop-contributing countries. Argentina and New Zealand, encouraged by Denmark, Finland, Norway, Sweden, Belgium, Luxembourg, the Netherlands and Uruguay, have made a useful proposal. We appreciate that in its deliberations this morning the Security Council has discussed this proposal and that there appears to be widespread support for it.

With regard to transparency and openness, the Security Council has introduced improvements. The ills have been identified and some promising remedies have been administered, but we are still somewhat short of a cure. A large number of Member States have expressed the view — which is fully supported by my delegation — that an expansion of the Security Council can be only one aspect of our attempt to improve the Council's credibility and thus its effectiveness. Increasing its transparency, facilitating the flow of information between the Council and non-members of the Council and therefore reassuring the general membership that its views are adequately represented by the Security Council are of equal importance.

My Government is confident that agreement can be found on the necessary further steps to improve the Security Council's transparency as part of an overall package that will mark the end of our discussion about how to make the principal organ of the United Nations for the maintenance of peace and security compatible with both an increased membership and changed world realities.

Agenda item 8 (*continued*)

Adoption of the agenda and organization of work: reports of the General Committee

Third report of the General Committee (A/49/250/Add.2)

The President (*interpretation from French*): The third report of the General Committee concerns two requests for the inclusion in the agenda of the current session of additional sub-items submitted by the delegations of Rwanda and Zaire.

I first draw the attention of representatives to paragraph 1 (a) of the report.

The General Committee recommends the inclusion in the agenda of the current session of an additional sub-item under item 37 — "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance" — entitled "Emergency international assistance for a solution to the problem of refugees, the restoration of total peace, reconstruction and socio-economic development in war-stricken Rwanda".

May I take it that the General Assembly decides to include this additional sub-item in its agenda?

It was so decided.

The President (*interpretation from French*): In paragraph 1 (b) of the report, the General Committee recommends that the sub-item be considered directly in plenary meeting.

May I take it that the General Assembly adopts this recommendation of the General Committee?

It was so decided.

The President (*interpretation from French*): I should like to inform members that this sub-item becomes sub-item (f) of agenda item 37.

Next, I draw the attention of representatives to paragraph 2 (a) of the report.

The General Committee recommends the inclusion in the agenda of the current session of an additional sub-item under item 37 — "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance" — entitled "Special assistance to countries receiving refugees from Rwanda".

May I take it that the General Assembly decides to include this additional sub-item in its agenda?

It was so decided.

The President (*interpretation from French*): In paragraph 2 (b) of the report, the General Committee recommends that the sub-item be considered directly in plenary meeting.

May I take it that the General Assembly adopts this recommendation of the General Committee?

It was so decided.

The President (*interpretation from French*): I should like to inform members that this sub-item becomes sub-item (g) of agenda item 37.

The General Assembly will consider agenda item 37 as a whole on Wednesday, 23 November.

The meeting rose at 6.30 p.m.