

THE UNITED NATIONS AND SOUTH AFRICA

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Fifty years ago, with the fall of Berlin and the surrender of the fascist allies across the European theatre of war, the guns in the battlefields of Europe fell silent. Still to be written as the last chapter of this conflict were the atomic bombs that fell on Hiroshima and Nagasaki — an epilogue which was, at the same time, the prologue to a new and continuing discussion on the great issues of war and peace.

Quite correctly, as peace descended on Europe, the cities, towns and villages of this continent and other parts of the world erupted in a festival of triumph and celebration. But as those joyful sounds wafted across the face of the globe, they did so over a world darkened by the terrible consequences that emanated from the destructive fury of the Second World War.

The European, Asian and African continents had acquired new historical monuments in the form of mass graves of those who were martyred by the armed conflict. Europe was also home to other mass graves, those containing Jews, Slavs and others who had been slaughtered as a result of a demented racism that resorted to genocide and ethnic cleansing as a matter of policy.

Millions of those who had survived the destruction — refugees and displaced persons — tramped the earth, tormented by their wounds, by disease and by hunger. They searched for solace and comfort among the ruins of their homes, their factories, their farms, hospitals and schools; which wanton destruction was the heritage of the titanic battle that had just been concluded.

As all humanity surveyed the spectre of death and misery, those who had the time to reflect on the past could not fail to remark upon the failure of the League of Nations to prevent the genocide, the war and the destruction imposed on the peoples by Nazi tyranny.¹

Then a new sun dawned to give hope to the peoples of the world. The United Nations was born. It was created to succeed where the League of Nations had failed. And so those who could set about establishing a new world of freedom, peace and prosperity. Those important documents, the UN Charter and the Universal Declaration of Human Rights,² were adopted, as was the Statute of the International Court of Justice, to give meaning to a law-governed world. The eminent leaders of the day went on to establish the Bretton Woods Institutions as instruments to repair the destruction of the war, create wealth and attend to the improvement of the quality of life of humankind. Significant

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¹ See generally *The League of Nations in Retrospect — Proceedings of the Symposium* (1983).

² GA Res 217A, 3 UN GAOR 135, UN Doc A/810 (1948).

among these, was the appropriately named International Bank for Reconstruction and Development, the World Bank.³

Great expectations indeed.

South Africa's involvement with the United Nations goes back to its inception. The then Prime Minister of South Africa, Field-Marshal J C Smuts, helped to draft the Preamble of the UN Charter. In the Preamble many lofty ideas were expressed, among which the following objective is stated:

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.

It is ironic that the then South African Government was party to such a noble vision, while in South Africa itself the dispossession and oppression of the vast majority of our people was ruthlessly intensified. This indeed was the experience of many countries in Africa, Asia and Latin America.

This and the limited capacity of the United Nations in practical terms 'to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small', might explain why, even today, 50 years later, the world is still seeking answers to issues of war and peace, arms proliferation, gross violations of human rights, lack of democracy, discrimination against women, intolerance, ethnic cleansing, racism and mass poverty.

The question remains: why have we not been able to create a mechanism, as was originally intended, that would rejuvenate the world and free it from the human tragedy we witness today? What went wrong and how do we correct it? The observance of the 50th anniversary of the United Nations demands that we seek answers to these questions and make the necessary transformations for the realisation of the noble vision of the founders of the United Nations.

During his opening speech at the World Cultural Diversity Conference earlier this week, Australian Prime Minister Paul Keating correctly observed that 'despite the complications and set-backs of the following half century, the United Nations managed to notch up substantial achievements. Not enough of them, ... but many more than some of its critics allow.' He went on to say: 'But fifty years on, the Cold War is over and there has never been a better time to ask ourselves if the United Nations we now have is what we now need. And what we will need in the 21st century.'⁴

³ The World Bank was established by the Bretton Woods Conference of July 1944. The other Bretton Woods Institution is the International Monetary Fund. A Bennett, *International Organizations: Principles and Issues* (2nd ed, 1980) 43; See generally Raymond Mikesell, *The Bretton Woods Debates: A Memoir* (1994).

⁴ Paul Keating, *Opening of the Global Cultural Diversity Conference*, Ministerial Document Service, Number 172/94-95, (27 April 1995) 5977.

In order to answer this question we need to determine the objectives of the United Nations today. We believe that the principal objective of the United Nations remains the maintenance of international peace and security.

While a Third World War has been prevented, we are confronted by the reality that many wars have been fought in the Third World. Even now, we continue to experience violent conflicts in various parts of the world — the vast majority of which are not inter-state but intra-state. On a daily basis, we are exposed to the stark reminders of horrific events in places such as Angola, Burundi, Rwanda, Somalia, Afghanistan, the former Yugoslavia and the former Soviet Union. The challenge to us is to address the root causes of this. Among these, all of us surely agree, are under-development, poverty and hunger, lack of democracy, injustice, religious extremism and ignorance.

Originally, the United Nations mechanisms were created to deal with inter-state but not intra-state conflicts. It would therefore seem obvious that a re-assessment of these mechanisms must be urgently undertaken, taking into account the practical experience of half a century. Today important objectives of the United Nations must be preventive diplomacy, peacemaking, peacekeeping and peace-building. The Secretary-General's *Agenda for Peace*⁵ and *Agenda for Development*⁶ are an attempt to deal with this challenge.

All of us have a serious responsibility to consider these and other initiatives to enable us to ensure that the United Nations Organisation lives up to the great expectations that its founding inspired. We are also of the view that regional organisations must also play a greater role to enable the United Nations to achieve this objective. The recent creation by the Organisation of African Unity (OAU)⁷ of the Mechanism for Conflict Prevention, Management and Resolution is Africa's initial step in this direction.

The African continent is unfortunately the recipient of the majority of United Nations peace operations. Preventive action will be increasingly necessary to address the burning question of conflict on this continent. As a member of the OAU, South Africa is actively playing a role in the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution. In the sub-region of Southern Africa, plans are well advanced for the formation of the Association of Southern African States. The purpose of this Association will be to respond rapidly and effectively to any threat to peace, security and democracy in the Southern African region.

The United Nations review initiatives must take these new developments into consideration. It would seem obvious to us that in this context the issue of national sovereignty has to be revisited. Is it possible, for instance, to speak of preventive diplomacy while subscribing to a doctrine of the absolute sovereignty of nations? Are the interventionist positions spelt out in Chapter VII of the

⁵ Boutros Boutros-Ghali, *An Agenda for Peace* (1992), UN Doc A/47/277; s/24111 (1992).

⁶ Boutros Boutros-Ghali, *An Agenda for Development* (1994), UN Doc A/48/935 (1994).

⁷ See generally Zdenek Cervenka, *The Organisation of African Unity and its Charter* (1969); Amadu Sesay, Olusola Ojo and Orobola Fasehun (eds), *The OAU after Twenty Years* (1984).

United Nations Charter sufficient to cope with what the last 50 years have taught us about the prevention of conflict? And yet, it is equally true that this matter cannot be addressed outside of the consideration of the similarly important issue of the democratisation of the system of international relations.

Another important objective which the United Nations must surely pursue is the abolition of weapons of mass destruction and restrictions in the growth and proliferation of conventional weapons. As you are aware, South Africa is the only country in the world that voluntarily destroyed its nuclear weapons capacity. South Africa has become a state party to the Nuclear Non-Proliferation Treaty (NPT)⁸ and is actively involved in the development of an African Nuclear Free Zone Treaty. However, there are still countries intent on obtaining weapons of mass destruction. We must not only take steps to stop this, but we must also ensure that those countries that possess weapons of mass destruction move decisively towards complete disarmament.

It is for these reasons that we favour the indefinite extension of the NPT. However, we must also state very firmly that the five nations that acknowledge having nuclear weapons have to adhere to disarmament and security principles as well as a review process that would meet the concerns of many countries without such weapons.

Pivotal to all the efforts of the international community to maintain peace and stability is the fundamental need to promote and consolidate democracy throughout the world. President Mandela has correctly said that '[o]ur common humanity transcends the oceans and all national boundaries. It binds us together in a common cause against tyranny, to act together in defence of our very humanity. Let it never be asked of any one of us — what did we do when we knew that another was oppressed.'

This underscores our view that the United Nations should become the instrument for the democratisation of societies throughout the world. This will also necessitate continued support for societies undergoing the difficult process that accompanies democratisation. As we said at the important Sydney Conference on Global Cultural Diversity, our own experience shows that we can no longer describe democracy merely in terms of regular, multi-party elections. We believe that it is impossible to bring peace and stability to divided societies unless the conditions are created for democratic, open and meaningful participation by all role players, however small, in the determination of the destiny of the country.

We in South Africa have evolved towards the view that we must exploit the opportunity to establish a new democracy, to construct our democratic system in such a manner that it entrenches popular participation in the decision-making processes and thus bring us closer to the realisation of the concept that 'the people shall govern'.

The success we seek in our own country depends not only on the opening of democratic space. It rests also on our ability to create a situation in which there

⁸ Treaty on the Non-Proliferation of Nuclear Weapons, opened for signature 1 July 1968, 729 UNTS 161 (entered into force 1970).

is an equitable access to material resources both for the individual and the community, to address any sense of grievance that some are discriminated against and to work towards the situation in which the inalienable dignity of the individual is not compromised by poverty and deprivation.

I believe that what is applicable to us in South Africa has relevance internationally, without in any way suggesting we can transpose our experience to other countries. We merely speak in these terms to underscore the reality that the new world order of democracy, human rights, peace, stability and prosperity cannot be achieved in a world in which a handful of countries (20%) are rich while the vast majority of countries (80%) are fighting to achieve sustainable economic growth, and where the masses of people live in abject poverty and deprivation.

In these circumstances, it is surely appropriate that we all take another look at the Bretton Woods institutions to seek an answer to the questions that Prime Minister Keating posed — whether what we have is what we need and what we will need in the 21st century.

Development and environmental protection should go hand-in-hand in order to ensure that forthcoming generations are not condemned to an environmental wasteland created by the relentless search for economic success. The Rio Conference on the Environment⁹ was an important development in getting international consensus on the vexed issue of the environment. Many important decisions were taken and resolutions adopted. It is necessary for us to determine how many of the decisions that were taken have in fact been implemented.

Similarly, we must assess the International Conference on Population and Development held in Cairo, the recent World Summit on Social Development held in Copenhagen as well as the Conference on Gender Equality.

On the basis of our assessment we must then consider whether the existing United Nations mechanisms are in fact adequate to implement the decisions taken. The challenges that we face, as outlined above, necessitate that we vigorously pursue the debate that has already started at the United Nations about the reform of that body and its specialised agencies. In this respect let me briefly comment on two aspects.

Firstly, it is necessary to work for the revitalisation of the Economic and Social Council, especially with regard to its role as program coordinator. Some progress has been made in the fields of economic and social development, human rights and the environment, but more needs to be done to bring the strands together for maximum effectiveness.

Secondly, in regard to the reform of the Security Council, our own position is that the institutionalisation of the balance of power at the end of World War II in the composition of the Security Council should be addressed. Modern developments have led to a situation where out-dated *realpolitik* should be replaced with inclusive international consensus, reflecting the further democra-

⁹ United Nations Conference on Environment and Development (Rio de Janeiro), 31 ILM 814, UN Doc A/Conf 151/26 (Vol I-III) (1992).

tisation of international relations. This, we believe, could be more readily obtained through a more representative and democratic Security Council. This should include the enlargement of the Security Council to meet the principles of more equitable geographical representation and transparency.

Today we live in a global village characterised, *inter alia*, by economic and political blocs and the increasing trend towards a global market, an information revolution that transcends borders, the universal impact of environmental degradation, the necessity to establish early warning systems to enable the international community to deal effectively with conflict prevention, management and resolution, and the necessity for international intervention where gross violations of human rights and genocide occur. These developments bring into sharp focus the need to revisit long established notions of the sovereignty of nations and non-interference in the internal affairs of states.

I sincerely hope that our continuing deliberations on these issues will help all of us to reach a new consensus on the way forward. The global village must transform itself into a global neighbourhood.