

“Do We Need the United Nations?”
Address Before the Students’ Association

COPENHAGEN

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IN THE ADDRESS that follows Hammarskjöld presented one of his best definitions of the values and limitations of the United Nations both as a negotiating organ and as an executive organ, with special reference to the Berlin situation.

As will be seen in this speech and in subsequent press conference comments at Copenhagen, Geneva, and New York, on May 4, 8, and 21, he rejected as constitutionally and politically impossible any suggestions for a UN Force with garrison duties in West Berlin or for civilian administrative tasks requiring political decisions. However, he left open the possibility for a more limited UN presence, perhaps an observer function in relation to traffic to and from Berlin, if the big four should reach agreement on such a role.

On the question of how to negotiate, he was careful not to press directly for more recognition by the big four of the general United Nations interest in a peaceful outcome of the dispute. However, he made evident his readiness to respond if his advice was requested and his hope that if the foreign ministers’ session were to lead on to a summit meeting, this might take place within the framework of the Security Council as had almost happened ten months before (pages 146-150).

We are in the midst of a period of intense international negotiations. Every day, the press brings news about conferences among leading statesmen, correspondence between governments, and meetings of various political organs such as the NATO council of ministers. It may appear as though the significant developments we are witnessing were taking place entirely outside or independently of the United Nations. One may well ask where the Organization is in this puzzle. Since it is not visible, one may wonder what role it plays in world politics. Has it been sidetracked by other organs? Have difficulties and failures broken its ability to make contributions of value? In attempting to answer these questions, it may be natural to tie the answers in with the present international discussion and some of the problems it poses.

Let me begin by making some distinctions which may help clarify the problem. The United Nations is, on the one hand, an *organ of negotiation*, and, on the other, an *executive organ* with practical functions. These functions can be of various kinds: military functions, police functions, diplomatic-political, or administrative functions. In appraising the need for the United Nations in the present situation, it is necessary to keep apart the tasks of the Organization in connection with negotiations and its possible executive functions along the lines I have just mentioned.

It is true, as I have already said, that so far the United Nations has not entered the picture as a forum for those international negotiations concerning Germany and the European security problem which have dominated events during the past months. But this means neither that the Organization has been without importance in the current negotiations, nor that those forms of negotiation which it offers may not play a crucial part later on.

In the United Nations, representatives meet face to face, not only from countries with a direct interest in the German question and the European security problem, but also from the many states for whom the outcome of the international deliberations may indirectly have a vital importance. Of course, something similar takes place, although in varying degrees, wherever the majority of states have diplomatic representation. There is, however, a qualitative difference between New York and these capitals. Over the years, the diplomatic representatives accredited to the United Nations have developed a cooperation and built mutual contacts in dealing with problems they have in common, which in reality make them members of a kind of continuous diplomatic conference, in which they are informally following and able to discuss, on a personal basis, all political questions which are important for the work of the Organization. These continuous informal deliberations do not lend themselves to publicity, and they receive none. But it would be a grave mistake to conclude from this that they are unimportant. On the contrary, the flexible and confidential forms in which these discussions can be pursued have given them a particular value as a complement to other diplomatic contacts and to all the various conferences and public exchanges about which we are being informed through the press and which constitute the normal operation procedures in a more traditional diplomacy.

In these circumstances, it is natural that contacts concerning the security problem and European questions have developed of late at United Nations Headquarters, too. My own experience is that, in this informal

way, the Organization has become the framework for important exchanges between member states about the questions simultaneously dealt with at foreign minister's meetings, in the NATO council, etc. It is all the more natural that such has been the case, since it is within the realm of the possible that the United Nations will be given certain functional tasks later on or will be used as a central negotiating organ concerning some special facet of the European problems.

While the negotiations on the official level have so far predominantly been conducted among the powers on one side or the other in the international conflict, the unofficial contacts within the United Nations have naturally not been similarly restricted. Public debate in the United Nations is dominated by the same differences among the parties as international political life as a whole. But behind closed doors these differences are diluted. The human factor carries more weight there, and confidential exchanges are possible even across frontiers which otherwise appear impassable.

One illustration of the position of the Organization is that it serves as host to the foreign ministers' meeting in Geneva about a week from now. This, of course, does not mean that the meeting takes place under the auspices of the United Nations, or that the Organization is in any way a party to the deliberations. But it does mean that it has been found that the United Nations can offer a framework within which it is natural that such discussions between the two sides take place. This is more than a purely formal relationship. It reflects the fact that, should the parties find themselves in need of the kind of assistance the Organization can render in any other respects, they can ask for such assistance and will get it. To begin with, this means only various practical arrangements, but the assistance can go further without changing the basic situation, which is that the foreign ministers' conference as such is independent of the Organization, and that the United Nations at the present stage neither has nor can have any policy position as a party to the conference.

It is easy to minimize the importance of the manner in which the United Nations enters the negotiating picture in these respects. For my part, I do not want to exaggerate, but I know that the Organization facilitates or can facilitate impending diplomatic operations of such a degree of difficulty that even the relatively modest support they can gain from the United Nations as an external framework for negotiation or as a kind of unofficial sounding board must be highly valued.

There is no reason for me to prophesy about the future, but in this

context it is worth recalling that when a meeting at the level of heads of government was discussed last year, the intention was to have it take place on the basis of, within, or in intimate connection with the Security Council. Should present plans also develop in the same direction, it would mean that the functions of the Organization which I have already mentioned would reach their full development. The Organization, in that case, would become not only the framework of an unofficial exchange or the unofficial support for formal deliberations between the governments, but the forum of the ultimate negotiations which are the aim of all the extensive diplomatic preparation.

The reasons which last year led to preliminary agreement that the meeting of heads of government should take place within the framework of the Security Council, illustrate the possible role of the Organization in such negotiations. Not only would the Security Council have provided a firm procedural foundation for the planned discussions between the heads of government; more important, it would have provided them with a clearly defined legal frame and would have eliminated elements of uncertainty concerning purposes and principles which easily might complicate deliberations in other forms, unless far more extensive preparations had been made than are required for a meeting of the Security Council.

When a meeting is formally held within the framework of the Organization—even if this occurs in circumstances which lend it a relatively independent character—it means that the United Nations Charter as a whole emerges as the background of the deliberations. It means that the negotiating parties, without its having to be openly stated, accept as guiding them those basic rules of international coexistence of which the Charter is an expression. Before this body, I need hardly recall the most important of these principles: the obligation to find a peaceful solution of emerging conflicts, the respect for the integrity and independence of each member state, the right of collective self-defense in case of armed aggression, etc.

In characterizing the three different respects in which the Organization enters into the present picture as an organ of negotiation—or, rather, the three degrees in which it is possible to visualize the utilization of the possibilities of the Organization as an organ of negotiation—I have left aside the role in possible negotiations which would devolve upon it rather automatically, in case the conclusion should be that the cooperation of the United Nations as an executive organ is needed in some respect or other. A decision providing such cooperation can only be made by the

General Assembly or the Security Council. Should there be agreement about requesting the assistance of the Organization for certain practical tasks in the field, this question would thus have to be referred to those main organs for a decision. In this situation, the United Nations would obviously become a party to the negotiation.

Chapter VII of the United Nations Charter authorizes, in certain circumstances, the Security Council to use military force to maintain peace. It is important to realize what this means. This is not collective security of a kind which a defensive alliance can provide. The Charter expressly permits the formation of such alliances, but the United Nations itself is something else again. The possibilities of the Organization to use military force are limited to acts of coercion in the name of the world community against a nation which violates the peace. Such an action requires unanimity of the great powers. This unanimity has a twofold significance. Without it a military police action lacks the foundation necessary to be fully effective. And without it the United Nations would also, in contrast to the fundamental idea on which it is built, be capable of transformation into an instrument of military force in a conflict between the great powers—with all that this might mean for the other member states. The rule of unanimity in combination with the right to form defensive alliances defines the position of the Organization. It has never been meant as an organ of collective security of the alliance type, but it is aimed at a universal system for the maintenance of peace which may have, as a natural complement, defensive alliances.

The circumstances in which the Organization has functioned during its first thirteen years have made so far a dead letter of the provisions in Chapter VII about recourse to military force. Instead, the executive functions of the Organization for the peaceful solution of conflicts, under Chapter VI of the Charter, have developed along a much broader front. Under this Chapter, the General Assembly has even created a quasi-military organ of the United Nations when it found this necessary for that very purpose—peaceful solution—in a situation where the unanimity rule had rendered the Security Council incapable of action. As you know, this measure was taken under the so-called *Uniting-for-Peace* resolution which has established procedures for the exercise by the General Assembly of certain functions when the Security Council fails. The resolution has not changed the Charter. If the General Assembly decides to create a quasi-military organ of the United Nations, it has therefore been found that such an organ, irrespective of the form of the decision, can have only

tasks which are in substance compatible with the provisions of the Charter on the peaceful solution of conflicts under which the General Assembly has acted. Experience has shown that such a military organ of the United Nations, even if, like UNEF, it has no military tasks in the conventional sense, can be a decisive factor in preventing hostilities and restoring calm in a troubled area.

For the General Assembly or the Security Council to create such an organ as UNEF to represent the United Nations in helping to maintain peace is an extreme case. It turned out to be necessary and useful in the case of Gaza, but it would have been too extreme a measure for Lebanon, and it would have been out of the question in Jordan—to name two other current instances of executive operations. In Lebanon, an observation group was formed, which at its peak numbered about five hundred. It was recruited from the officer corps in a score of countries, but no matter how useful their military training was, the group did not even have those military functions accorded to UNEF and, of its three leaders, two were civilians. In Jordan, where many expected the United Nations to form a military organization, it was decided to station a purely civilian organization of very limited size, which has turned out to fill the need extremely well.

The instances I have recalled—I might of course have named others—are interesting because they show how the United Nations may fill vital needs in maintaining peace by executive measures. In these respects there is at present no substitute and no alternative for the Organization. The tasks of this kind which it has assumed could not have been fulfilled outside the United Nations framework by any single country or group of countries. These are security needs in the widest sense, which can be met only on the basis of universality and neutrality in the sense of freedom from partisan interests. Whatever role may be accorded to defensive alliances and similar arrangements, experience shows that there are essential tasks in the maintenance of peace which fall, and must fall, entirely outside the province of such groupings.

In various public statements and in what has been published about deliberations on Germany and related problems, there have been hints that, without any commitments about what should be done, the possibility of using the United Nations for functional tasks has also received attention. What has emerged has naturally been quite vague, since more concrete proposals require a far clearer picture of the political solutions which may be reached than it has been possible to obtain until the prin-

cial parties have met in common deliberations. The ideas seem to have been exclusively focused on some form of what has come to be called, in international parlance, a "United Nations presence," a common term used to designate all the various forms of functional representation which have been tried or may come up under Chapter VI. The possibilities existing under Chapter VII have, of course, had no place in the debate.

In this connection, let me say that in my view practical considerations alone prevent even the kind of quasi-military arrangements which are possible under Chapter VI and which fall within the competence of the General Assembly, from being used except to a very limited extent, if at all. Nor do I find it reasonable to envisage civilian tasks for the United Nations that would assume an ultimate constitutional responsibility for any one of the main organs of the Organization exceeding what they are equipped or ready for. This excludes the imposition in this case of executive authority on the United Nations for administrative tasks which require political decisions. The possibilities I have thus written off still leave a wide area within which the United Nations could lend assistance, should such assistance be requested by the negotiating parties.

It is interesting to discuss the role and the capabilities of the United Nations in the relatively narrow perspective you get when applying them, as we have now done, to an actual international complex of problems. But there is good reason to consider the matter in broader terms, too. It is one thing to try to form an opinion about the importance of the United Nations in bringing a critical situation under control. It is another to examine the preventive capabilities of the Organization, how it may be used to forestall the emergence of conflicts requiring specific actions.

Only to a limited extent does the United Nations have an existence and possibilities of action independent of the will of the member governments and the policy of the member states themselves. In comparing the General Assembly to, for instance, a parliament, it must be recalled that the authorized representatives of governments in the various United Nations organs do not have a position comparable to that of an individual legislator, and that only to a small extent can they contribute to the making of a policy which goes beyond the fundamental national reactions. It may be said of a parliament that the whole is more than the sum of its parts. Although the same can be said about the United Nations in certain respects, to which I shall come presently, it applies far less to the Organization than to a parliament or related national organs.

It is therefore hardly reasonable to reproach the Organization as such for not having been able to cope with, let us say, the so-called cold war, or for not having taken action in the Hungarian question, confining itself to an expression of principle. In the first case, it is obvious that the Organization can advance no further than the intentions of the parties permit. In the latter case, it is worth remembering that, with the exception of one or two of the smaller countries, no government in the United Nations urged measures going further than those which were actually taken.

But no matter how realistic it may be to view the relations between the Organization and the member states in the way I have done here, and to evaluate the capacity for action of the Organization as I have now done, something essential is missing from the picture. There are other elements which require attention and point ahead to a situation with other possibilities.

I have described the United Nations as an organ which offers the framework and the foundation for negotiations. But a negotiation as such may affect the parties and their representatives. Granted that states are far less inclined than individuals and groups to be affected by the fact that negotiations are taking place and by the way they are going; still, they are affected. Therefore, it means something essential that membership in the United Nations forces all states to subject themselves to such an influence. One may agree or fail to agree to a foreign ministers' meeting on a certain question, for instance. But only with difficulty is it possible to avoid entering a reply if the same question is brought before the United Nations in the prescribed form.

The importance of this is increased by the fact that not the parties alone, but practically all the states in the world, are represented at the negotiating table in the United Nations. The parties thus have to meet both the arguments coming from the other side, and the judgments and reactions expressed by states which, even if not directly engaged, are interested. It is dangerous, and in my view highly presumptuous, to describe this situation as one in which the parties are confronted with "world opinion" and its "moral judgment" at the negotiating table in the United Nations. But it is true that within the Organization they are being forced to confront their stand with that taken by states for whom the principles of the Charter may weigh more heavily than direct or indirect partisan interests. I spoke before of what I called a continuous diplomatic conference without publicity, for which the Organization is a framework, side by side with the public debates. This is the respect in which that

continuous contact assumes its greatest importance. The independent opinion which gives the negotiations in the United Nations their special character is formed as much outside the conference halls as inside them.

It is possible, however, to go further and say that increasingly, although in a way difficult to define, something like an independent position for the Organization as such has found expression both in words and deeds. The roots of this development are, of course, the existence of an opinion independent of partisan interests and dominated by the objectives indicated in the United Nations Charter. This opinion may be more or less articulate and more or less clear-cut but the fact that it exists forms the basis for the evolution of a stand by the Organization itself, which is relatively independent of that of the parties.

Here the office I represent enters the picture. The Secretary-General is elected by the General Assembly, but on the recommendation of the Security Council, and this recommendation requires unanimity among the five permanent Council members. The purpose of this arrangement is to ensure that the Secretary-General shall, as far as possible, be placed outside or lifted above conflicts which may split the Assembly or the Council. From another point of view, the rules of election aim at ensuring that the Secretary-General, as one of the main organs of the United Nations, shall have the opportunity of functioning as the spokesman of the Organization in its capacity as an independent opinion factor. This desire is natural and not particularly difficult to satisfy concerning administrative questions, which of course should be insulated as far as possible from all political conflicts. The problem is pointed up when the political and diplomatic responsibilities of the Secretary-General come into play.

There are two possible lines of action for the Secretary-General in the political questions falling within the competence of the Organization, two lines which have both had their advocates in the debate about the office. The Secretary-General may interpret his constitutionally objective position in such a way as to refuse to indicate a stand in emerging conflicts in order thus to preserve the neutrality of the office. He may, however, also accord himself the right to take a stand in these conflicts to the extent that such stands can be firmly based on the Charter and its principles and thus express what may be called the independent judgment of the Organization.

It goes without saying that, to the extent that the Secretary-General follows this latter course, his office assumes an importance quite different from what happens if he chooses what one might call negative neutrality

as his leading principle. If the Secretary-General represents an independent but positive evaluation, free of partisan influences and determined by the purposes of the Charter, this means not only that he reinforces the weight that independent opinion may come to carry in the negotiations. Step by step, he thereby also builds up a practice which may open the door to a more generally recognized independent influence for the Organization as such in the political evolution.

The difficulty of a policy along these latter lines is obvious. A positive influence, politically, for the Secretary-General can be imagined in practice only on two conditions. First, he must have the full confidence of the member states, at least as to his independence and his freedom from personal motives. Second, he must accept the limitation of acting mainly on inner lines without publicity. In nine cases out of ten, a Secretary-General would destroy his chances of exerting an independent influence on developments by publicly appealing to opinion over the heads of the governments. Only in rare exceptions—in the tenth case, one might say—this is what the situation requires, and then he must of course be prepared to see his future value as a negotiator endangered or even lost. In the latter case, he ought, naturally, to resign from his post.

Sometimes, it has proved difficult to gain understanding of the fact that the independent influence of the Secretary-General largely is directly proportionate to his degree of discretion. Cases such as the Suez and Hungary crises, when on the basis of the Charter he took a direct political stand in public, have been considered instances of what he ought to do more often. Everybody is free to judge for himself. What I have just said reflects my own experience and the conclusions I have reached.

To the extent that events have led the governments to accord an independent position as spokesman of the United Nations to the Secretary-General even politically, this has also given him wider opportunities for independent diplomatic activity. One instance during this year may be mentioned. On the basis of an invitation from two member states, the Secretary-General recently sent a personal representative on a good-offices mission to these countries. [Cambodia and Thailand. See page 316—EDITORS] This was a measure of a kind that used to be taken exclusively by the Security Council. In this case it was taken without a decision by the Security Council, after the Secretary-General had informed the Council of his intentions in order to give its members an opportunity to raise objections if they so desired.

This action, which may lead to the development of a new pattern—

other governments have made two or three proposals of a similar nature—is an example of what I should like to call active preventive diplomacy, which may be conducted by the United Nations, through the Secretary-General or in other forms, in many situations where no government or group of governments and no regional organization would be able to act in the same way. That such interventions are possible for the United Nations is explained by the fact that in the manner I have indicated, the Organization has begun to gain a certain independent position, and that this tendency has led to the acceptance of an independent political and diplomatic activity on the part of the Secretary-General as the "neutral" representative of the Organization.

It may have struck some of you that the possibilities I have touched upon in connection with the present international debate, and the evolution I have just dealt with as well, have little explicit support in the United Nations Charter. This is true if you apply a restrictive literal interpretation to the Charter. But it is not true if the Charter is regarded as an international treaty, establishing certain common goals for international cooperation and creating organs which the member states may use in their cooperation toward these goals, but without aiming at limiting the development of its procedures. The statement of objectives in the Charter is binding, and so are the rules concerning the various organs and their competence, but it is not necessary to regard the procedures indicated in the Charter as limitative in purpose. They may be supplemented by others under the pressure of circumstances and in the light of experience. This freer interpretation permits an evolution departing from what has been explicitly stated, to the extent that new procedures, perhaps combined with a modified balance in the use of various organs, prove productive in practice for the efforts to attain the objectives of the Charter. Seen in this perspective, the developments I have dwelt on appear entirely compatible with the Charter and well fitted into its framework. What we are seeing is an evolution on the basis of a fundamental charter of sufficient flexibility to permit a continuous adaptation of constitutional life to the needs.

At the outset, I asked the question whether the United Nations is needed. The reasons for my affirmative answer are clear from what I have said, and yet I have not touched on the role of the Organization in the economic and social fields or in the transition of peoples from colonial status to independent nationhood.

We need the Organization in the present situation for the negotiating

possibilities it opens up. We need it as an executive organ. We need it for the constructive additions it offers in international attempts to resolve conflicts of interest. And we need it as a foundation and a framework for arduous and time-consuming attempts to find forms in which an extranational—or perhaps even supranational—influence may be brought to bear in the prevention of future conflicts.

In none of these respects do any of the other forms of international organization which have been tested offer a viable alternative. Therefore, the work must go on. To write it off because of difficulties or failures would mean, among many other things, to write off our hope of developing methods for international coexistence which offer a better chance than the traditional ones for truth, justice, and good sense to prevail.