

## LIVING WITH THE UNITED STATES - BRITISH DOMINIONS AND NEW PACIFIC STATES

The Paul Martin Lecture by Hon. Gough Whitlam  
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The one and only time Paul Martin and I met was on my second visit to Canada, in June 1964. He was Secretary of State for External Affairs and I Deputy Leader of the Australian Labor Party, then in Opposition in the House of Representatives. Canada had just committed the first and largest military contingent to the UN Force in Cyprus; he had urged Australia and New Zealand, Commonwealth countries, to contribute police contingents. I was immediately attracted to his work in and for Canada in international affairs and I value the honour of an invitation from this university to occupy the chair named after him.

For some years before my meeting with Paul Martin I had realised that Australia and Canada resembled each other more than either resembled any other nations. Canada is second only to the Soviet Union in area and then come China, USA, Brazil and Australia. Each has two very large cities but most of the territory of each is uninhabitable. Even their economic problems were similar. They were said to be developed countries because most investment, production and employment occurred in manufacturing industries, which were foreign-owned to a degree which occurs in no other developed country. At the same time their export income principally depended not on manufactures but, as with developing countries, on primary and mineral resources in sparsely settled areas.

By the mid-1970s this singular similarity was coming to be crucial in constitutional matters. Both nations had British parliamentary institutions as part of their colonial heritage and both had accepted aspects of the US federal system as the price of self-government. Of all Britain's former possessions, however, they alone were not yet fully independent. Britain's colonies in Asia, Africa, the Caribbean and the Pacific, like Australia's former colony of Papua New Guinea, were now completely independent; Australia and Canada were not. Britain's first and largest dominions were now her only colonial responsibilities.

In Australia there could still be appeals to the British Privy Council from State courts operating under State laws and State governors had still to be approved by the British government and appointed by the Queen of Britain. In Canada all appeals to the Privy Council had been abolished and the provinces had lieutenant-governors appointed by Ottawa. In other aspects the *Commonwealth of Australia Constitution Act*, which the British Parliament passed in 1900, permitted Australians themselves to alter their constitution by referendum. Canada's constitution, the *British North America Act* which the British Parliament passed in 1867, could still be amended by the British Parliament alone. Such amendments were made when and as requested in resolutions of the federal parliament. Most Australians still derived their perceptions of Canada through London and Washington.

### *The British Monarchy*

Canada's and Australia's imperial symbols produced international confusion. During the June 1964 visit I was in the gallery of the House of Commons when Prime Minister Lester

Pearson introduced the bill for Canada's new flag. He made the point that the inclusion and position of the Union Jack in the national flag led to confusion with the flags and insignia of countries and units in all parts of the world; the flag failed in the prime requirement of presenting a Canadian identity. The present Prime Minister of Canada brought the point home to Australians when he welcomed the present Prime Minister of Australia on an official visit to Ottawa; the streets were festooned with the flag of New Zealand.

With other residual symbols Australia has made more progress. In May 1967, on the 50th anniversary of the Order of the British Empire, and the eve of my first visit to Canada as Leader of the Australian Labor Party, I asked our Prime Minister whether he had "noted or considered the system of national honours and awards which Canada had just established during her centennial year and which, in accordance with long-standing and bi-partisan Canadian practice, did not include titles". In 1973 I set out to frame the Order of Australia with the assistance of the Secretary of the Order of Canada, whose services Prime Minister Pierre Trudeau had generously made available to us. On New Year's Day and the Queen's Birthday this year, for the first time in this century or last, no imperial honours were awarded in Australia at the instance of a colonial or the Federal or any State Government. In the centennial year Canada had also acknowledged "O Canada" as the national anthem and "God Save the Queen" as the royal anthem. Late in 1973 my Government acknowledged "Advance Australia Fair" as the national anthem; it is now universally accepted by Australians at home and abroad. On Good Friday 1973 the Queen happily accepted my advice that her style and title should be "Queen of Australia and Her other Realms and Territories, Head of the Commonwealth".

By this time I was following a settled practice of visiting both Canada and the US whenever I was in North America. The time came when Canadian universities asked me to take part in seminars. In Calgary in July 1979 I expounded my Government's efforts to nationalise the highway accident industry. In Edmonton in February 1981 I joined in examining the disposition of the Canadian Provinces, like the Australian States, to exploit the nation's residual colonial status to frustrate the national government. There was a considerable flurry when the Foreign Affairs Committee of the British House of Commons volunteered a report that the British Parliament would not have to act on a request from the Canadian Parliament if there was substantial opposition from the Provinces. From some provincial reactions one might have thought that this Committee, which had been in existence less than two years, had the prestige and functions of the US Senate Foreign Relations Committee which has had to give advice and consent on foreign affairs for two centuries. Its members, truly innocents abroad, took written submissions from some of the provincial governments and oral advice from three English constitutional lawyers, two on retainers from the provinces.

It seemed possible for an interested outsider to bring some reality to the seminar by asking a few questions. Could one envisage a Canadian Prime Minister or Leader of the Opposition giving evidence at the bar of the British House of Commons? Or the provincial Premiers or leaders of the opposition doing so? Could one envisage the British representative at a meeting of NATO or the Economic Summit asking whether the Canadian representative had support for his strategic and economic views from the provincial governments? Would the British representative venture to ask the US representative if his views were supported by the State governors or the West German representative if his views were supported by the Minister Presidents of the Laender?

During the 1980s Australia and Canada have completed their steps to independence. Our constitutional deficiencies are susceptible to domestic solutions alone; we can no longer blame Britain. Sooner or later we shall become republics. This is not because Canadian or Australian Heads of State would be better than the Queen, than whom there is no more experienced or accomplished Head of State in the world; it is because the Queen, being principally domiciled in the UK, can only rarely discharge the duties of Head of State in her other realms and, when visiting any country outside the UK, is still perceived as the Queen of the UK alone.

### *The American Presidency*

In the later 1980s my visits to Canada have been in the context of relations with the US rather than the UK. I gave public talks and interviews in Montreal, Ottawa, Toronto and Vancouver in September 1985 in response to an invitation from Mr. Joe Clark through my Canadian colleague on the Executive Board of Unesco. The US had withdrawn from Unesco and the UK had given notice of withdrawal.

The Executive Board's 116th session concluded on 29 June 1983. I was passing through Paris and had been designated to take over the post of Australia's permanent delegate to Unesco in a few weeks' time. On 30 June the retiring permanent delegate gave a luncheon in my honour and invited the American permanent delegate, a Reagan appointee. She had taken over from the Carter appointee in the midst of the 114th session a year earlier. She had received assistance with her speeches from the Australian permanent delegate and she had placed him with the Heritage Foundation. I heard a candid account of the call which she and the US Assistant Secretary of State for International Organisations had made that morning on the Director-General in a fruitless effort to get him to reverse or disregard the Board's recommendations concerning the Draft Program and Budget for 1984-1985, in particular concerning Major Program III - Communication in the service of man and Major Program XIII - Peace, international understanding, human rights and the rights of peoples. He had advised them that their proper course was to move amendments at the General Conference in the following October and speak and lobby in favour of those amendments.

The Director-General had drawn blood. American influence had not been as strong as it should have been in Unesco and the other specialized agencies because of the predilection of successive Administrations to use appointments as part of a spoils system and honours system; Americans who have been permanent delegates enjoy the title of ambassador for the rest of their lives, however short their terms. In the 11 years before the US withdrew from Unesco, seven permanent delegates had been appointed to the Executive Board, where terms are expected to be for four years. The Americans in Unesco did not have the experience or the capacity to influence the Secretariat, the other permanent delegations, their colleagues on the Executive Board or the delegations to the General Conference. I left the luncheon at the Australian Embassy on 30 June 1983 with the clear understanding that the US permanent delegate and Assistant Secretary would work to oust the Director-General and to undermine the Organisation as a warning to the whole UN system. They were too crass to understand that the best, perhaps the only, way to get rid of a person or idea you do not like is to sponsor a better one.

The big change which has occurred in the UN system is that it now has three times as many members as it had at the beginning. Moreover, it has a much more diverse membership than it had 40 years ago. The UN was established by the victors in World War II plus the Latin American States. In consequence the victors and their original associates had an automatic majority in the

General Assembly and the Security Council and in all the specialized agencies until at least 1960. In those issues which the General Assembly declares to be important and which therefore require a two-thirds majority, the founding members could not be out-voted until 1970.

The automatic majority which the founding members had in the UN and its specialized agencies got them into bad habits. Until the 1960s they never had to worry about arguing their case. What they wanted was automatically achieved or continued. Their representatives got flabby; they did not have to put forth good arguments and they got out of the habit of doing so. This was particularly the case with the Americans, because in all the multilateral organizations their chief representatives are still political appointees. However able, ambitious, adroit and attractive these representatives may be they come as amateurs to a new job after having achieved success in other walks of life. It may be easy for an amateur to pick up the complexities of relations between his own country and another country. It is usually difficult for him to pick up the complexities in a multilateral organization.

As the membership of the UN has changed over the last quarter century so inevitably have the agenda. The specialized agencies do not provide for a veto or a special majority. Every country has a vote of the same value as each State has in the American and Australian Senates. This should be no worry because very small countries often identify their interests with very large countries. It does mean, however, that large countries as well as small countries have to put their arguments in a consistent, persuasive way. It is possible to win arguments if they are rational and factual and if they are put consistently and diligently.

The task of the Director-General in each specialized agency has become immeasurably more difficult with the surge in membership. The position of a Director-General is often misunderstood. In Britain, Canada and Australia he is too often likened to the head of a government department. The difference is that there is no Monarch, no President, no Prime Minister, no Cabinet and no real Parliament in any of these bodies. The legislative body is presided over by a chairman who is elected at the commencement of the annual or biennial session and who will make way for a successor at the commencement of the next session. He has no authority except during a session. The executive body is presided over by a chairman, usually elected at its first meeting after the session of the legislative body and handing over in turn to a successor elected after the next session of the legislative body. He again has no authority except during a session of the executive. The chairmen of the legislative and executive bodies are not Monarchs, Presidents or Prime Ministers; they are more like Speakers. The Director-General inevitably has come to embody the authority and continuity of the organization.

Australia and Canada have worked and should work consistently to persuade the US and UK to resume their places in Unesco. Both States have great significance for us. On 26 June 1945 the Charter of the United Nations was signed in San Francisco and later that year, on 16 November, the Charter of Unesco was adopted in London. Unesco continues to be handicapped by the absence of America's unparalleled financial and intellectual resources. At the General Conferences in 1987 and 1989 Australia and Canada successfully proposed many amendments to the Constitution, Rules of Procedure and Financial Regulations, notably to limit the Director-General to two terms. The issues which the US officially identifies as obstacles to its rejoining Unesco are not so much the Programs which Unesco devises on its own initiative under its own Constitution, but the Programs which Unesco is mandated to carry out by the UN itself.

*Communication Issues*

I shall leave the question of human rights till later; I shall deal with the question of communication at once. Communication, in the form of the New World Information and Communication Order (NWICO), became part of the demonology conjured up by right wing elements behind President Reagan. If we are to exorcise demons, we must understand how they were begotten and nurtured. One of Unesco's constitutional functions is to "collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication, and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image". Some US authors, entrepreneurs and officials had come to assert that Unesco was seeking international agreements to license journalists and censor the press. They were well aware of the benefits of standard-setting instruments. The US, with 18 ratifications - four each under Presidents Eisenhower, Johnson and Reagan, five under President Nixon and one under President Bush -, has a better record than any Member of Unesco other than Italy with 24 ratifications, France, Germany, Morocco and Norway with 21, Australia and Denmark with 20 and Netherlands with 19. (Canada has ratified eight.) No nation has given such prompt and whole-hearted support as the US to Unesco's 10 copyright and neighbouring rights conventions. US authors, entrepreneurs and officials know how Unesco regulates the field of communication. They should acknowledge that in four decades Unesco has made no plans and spent not a cent to further the forms of regulation which they denounce.

The phrase "NWICO" was used in the Kuala Lumpur Declaration issued at the first Intergovernmental Conference on Communication Policies in Asia and Oceania in February 1979. This conference was attended by representatives of 23 member States of Unesco in the region and by observers from eight member States in other regions - Belgium, France, FRG, GDR, Sweden, UK, US and Venezuela. After the Unesco General Conference in 1976 the McBride International Commission for the Study of Communication Problems was established. At the Conference in 1978 the US made a proposal for institutional arrangements to systematise collaborative consultation on communication development activities, needs and plans. In 1979 the US hosted a meeting of experts brought together by Unesco in Washington. In October 1980 the Conference established the International Programme for the Development of Communication (IPDC). In December the UN General Assembly expressed its satisfaction at the establishment within Unesco of the IPDC.

In December 1981 the General Assembly endorsed the first resolution by the Intergovernmental Council of the IPDC in June that year as "an important step in the implementation of the program". In December 1982 and 1983 the General Assembly resolved that "the IPDC represents a significant step towards the establishment of a NWICO and welcomes the decisions taken by the Intergovernmental Council of the program at its last sessions". Thus the IPDC got off to a good start with the unanimous blessing of both the UN General Assembly and the Unesco General Conference. The US was among the Member States elected by the General Conference at its 21st session (1980) to be members of the Intergovernmental Council till the end of the 23rd session (1985). It attended the first four sessions of the Council (June 1981, January 1982, December 1982 and September 1983) and thereafter ceased to make contributions. UK was an observer at Council sessions until 1984 and has never made contributions. (Canada was a member of the Council until 1987 and, having made its last contribution in 1986, sent observers in 1988 and 1989 but not in 1990. Australia has never been a member of the Council but has sent

an observer to every session except in 1988 and at last commenced contributions in 1989. The US and UK sent observers to the 1989 and 1990 sessions.)

By the end of December 1983 the Reagan Administration was marshalling its forces against both UN and Unesco information activities. The resolutions were always carried overwhelmingly in the General Assembly, with the US increasingly isolated; it would be diverting but distracting to list the inexplicable wanderings by Australian and Canadian delegations between abstention and opposition. In Unesco the resolutions have always been carried by consensus and without reservation.

There has not been the skill, the patience, the climate to discuss communication issues in New York, but there is in Paris. The US has failed to stop moves in New York to entrust these issues to Unesco but it has tried to browbeat Unesco into dropping them. In Unesco all members join in a consensus; in the General Assembly some Nato allies and Japan, Australia and New Zealand have abstained. At the UN votes are common, at Unesco they are quite exceptional.

In the volume of Resolutions at the 1989 session pages 31 to 36 record the decisions for the Medium-Term Plan for 1990-1995 and pages 118 to 123 record the decisions for the Program for 1990-1991 in Major Program Area IV: "Communication in the service of humanity". In all these pages it would be impossible for the most jaundiced and suspicious critic to find the basis for any rational objection. There is no room or excuse for misunderstanding or misrepresentation by or in the US. On 10 November, after Commission IV recommended the resolutions, statements of support were issued to the media by the Group of 77, the European Community, the Soviet Union, Canada, the Nordic countries, Switzerland and the International Federation of Journalists. The resolutions were adopted in plenary on 15 November.

Between the conclusion of the biennial Unesco General Conference on 16 November and the final vote in the annual UN General Assembly on 8 December there was insufficient time to prepare a text which fully reflected the deliberations in Unesco. The vote was taken on a text which had been submitted on 17 November by Malaysia on behalf of the G77 on the basis of a report by the Secretary-General dated 20 October. The US rejected reasonable suggestions by Australia and others that it might at least abstain on the vote so that a consensus resolution could be worked out for the General Assembly in December 1990. The recorded vote was 127-2 (Israel, US)-21 (Nato plus Australia, Finland, Ireland, Japan, New Zealand and Malta).

There continued to be some movement in the UK. On 13 March 1990 the Foreign Affairs Committee reported to the House of Commons:

*Mr Sainsbury [Parliamentary Under Secretary for Foreign and Commonwealth Affairs] told us, 'if the decision whether to rejoin or not depended on assessment of NWICO, we would take a fairly positive view'.*

The Committee concluded:

*This Committee believes that Britain's proper place is within Unesco ... Some more time is necessary before it will be possible to be certain of the Director-General's ability to deliver the reforms which Unesco badly needs. If there is real evidence within*

*the next twelve months that he has so succeeded, we see no reason why the UK should not rejoin Unesco in a year's time.*

There has also been progress in New York during 1990. The agreement on NWICO at the 1989 Unesco General Conference provided the basis for agreement in the Committee on Information for the first time since 1982. On 2 May the Committee decided by consensus to recommend draft resolutions to the 1990 General Assembly. There seems a reasonable prospect that the resolutions will be adopted by consensus and that the US will join in that consensus.

### *International Literacy Year*

Communication is not the only instance where the US is not prepared to challenge an initiative which has unanimous support in the United Nations but then attempts to sidetrack or downgrade the initiative when it comes before a designated agency. Education is the field in which Unesco is most clearly seen to be indispensable and irreplaceable. This is International Literacy Year. Education for all is one of the earliest objectives and commitments of the UN. It was proclaimed in the 1948 Universal Declaration of Human Rights and again in the 1966 International Covenant on Economic, Social and Cultural Rights. Then for two decades the UN paused and rested. In many Member States a whole generation was denied its right to education. At last, in November 1985, the General Conference of Unesco appealed to the UN General Assembly to proclaim an International Literacy Year.

The appeal was heeded. The idea caught on. In July 1987 ECOSOC recommended that the General Assembly proclaim 1990 as ILY. In November 1987 the General Conference of Unesco approved the Director-General's draft program for ILY. In December 1987 the General Assembly noted the Director-General's program, proclaimed ILY, recommended that the specialized agencies consider the contributions they could make and invited Unesco to assume the role of lead organisation.

In November and December 1989 the General Conference and the General Assembly warmly endorsed the preparations and support by the sponsors of this world conference and by the many categories of participants. Between October and January there were nine regional consultations. Thus, in just over four years there was a most impressive mobilisation of UN resources in all fields and all regions. If this mobilisation is continued and followed-up, we can be confident that we shall in fact eradicate illiteracy throughout the world by the end of this decade.

Most international conferences are held on each side of the North Atlantic. The World Conference on Education for All took place over the week from 5 to 9 March at Jomtien in Thailand, between the Indian and Pacific Oceans. The location was significant because it is around the Indian and Pacific Oceans that the largest illiterate populations are to be found and it is in those oceans that there are many States with small populations but an exceptionally large proportion of citizens who cannot yet read and write. The US and Canada, Australia and New Zealand are among the few nations which entered the 20th century with literate populations; we are clearly among the nations which should do their utmost to ensure that other nations, the largest and the smallest, enter the 21st century with literate populations. Australia, France, UK and US have to admit that bilateral arrangements with their former Pacific possessions have not sufficed to produce literate nations.

The Conference was attended throughout not only by Federico Mayor, the Director-General of Unesco, but by three highly distinguished and experienced US citizens, Barber B. Conable, President of the World Bank Group, James P. Grant, Executive Director of UNICEF and William H. Draper III, Administrator of the UNDP. These chief executives of the four sponsors each delivered two prepared speeches.

During the conference the four sponsors, the nine co-sponsors and the eight associate sponsors, among whom were the Australian Government and the Canadian International Development Agency, met to consider follow-up action. On the last morning they met in a private session to put the finishing touches to the conference documents *World Declaration on Education for All* and *Framework for Action to Meet Basic Learning Needs* and their own one page statement on follow-up to the conference. This statement concluded:

*International follow-up action should rely on existing mechanisms. Unesco, as the UN agency with a particular responsibility for education, will provide its services to that end.*

At this point the US Assistant Secretary of State for International Organisations, who had descended on Jomtien halfway through the Conference, chose to make his first intervention. He objected to the prominence given to Unesco in the final sentence. To avoid a disruptive conclusion to a well-organized and highly productive conference all other sponsors agreed to waterdown the last sentence:

*Unesco has offered to provide appropriate services to facilitate the follow-up.*

It is, I regret to say, typical of too many second or third level appointments in the US Administration to take a cavalier attitude to their own duties and adopt a surly attitude to their counterparts. It would not have been amiss for an Assistant Secretary of State for International Organisations to attend the whole of a conference attended by the chief executives of four of the principal international organizations. It would not have been inappropriate for him to accept the spirit of the UN General Assembly resolution which the US permanent representatives accepted without opposition or reservation on 15 December 1989. The resolution made many references to Unesco in its preambular and operative paragraphs. In particular the General Assembly welcomed the program for ILY prepared by Unesco, recognised that Unesco had assumed the role of lead organization for ILY and noted with satisfaction the commendable work done by Unesco and its Director-General to ensure adequate preparation for ILY.

When matters engage the attention of the President himself the US can give wholehearted support to initiatives in the UN, as we saw at the World Summit for Children which Canada and five other nations sponsored on 30 September 1990.

I make bold to raise some Unesco conventions with which Canada has been slow to come to terms. At the General Conference a year ago my longstanding advocacy of a Universal Convention on the Recognition of Studies and Qualifications in Higher Education was countered by the Canadian delegate, a provincial minister from the Maritimes, who argued that it was premature to proceed with a universal convention before the six existing regional conventions had been given time to prove themselves. I upset him when I pointed out that this argument would come better from a country which had already ratified the regional convention appropriate to it. I was

mollified when, four months later, on 6 March 1990, Canada became the 28th State to ratify the 1979 Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region. Of the States which signed the Convention on 21 December 1979 only five have not yet ratified it: FRG, Greece, Luxembourg, Romania and US. One State outside the region has acceded to the Convention, Australia on 6 August 1986.

This little difficulty may well be due to Canada's federal system; the FRG purports to have the same difficulty, although its new Laender from the GDR ratified the regional convention in August 1981. But what is one to make of Canada's attitude towards the four Unesco cultural property conventions:

- 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict
- 1954 Protocol for the Protection of Cultural Property in the Event of Armed Conflict
- 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
- 1972 Convention concerning the Protection of the World Cultural and Natural Heritage.

They have been ratified respectively by 77, 64, 69 and 113 States. Canada and the US have ratified the third and fourth instruments but not the first and second. I persuaded the Australian Government to ratify the first a year after I became permanent delegate but the Australian Government has never ratified the second. It may be through mere inadvertence. My suspicions of a NATO factor seemed discounted by the fact that nine members of NATO have ratified both the first and second instruments. Of current significance is the fact that between 1955 and 1977 both have also been ratified by:

Egypt	Turkey
Jordan	Iraq
Israel	Kuwait
Libya	Democratic Yemen
Syria	Saudi Arabia
Iran	Qatar
Lebanon	Oman

### ***Palestine***

This prompts me to make an excursus on Palestine. It was probably the only issue apart from communication in which Unesco's proceedings were reported in the media in 1989. On both communication and Palestine there was unanimity in Unesco and division in the UN. On both, Australia and New Zealand and Japan adopted in UNGA a different attitude to all the other States in Asia and the Pacific. Palestine arises in the UN at the end of every year. At the end of every alternate year, 1983, 1985, 1987 and 1989, it has arisen in both Unesco and CHOGM. In 1989 CHOGM opened the day after the General Conference and in its communique the passage on Palestine was endorsed not merely by "most Heads of Government" but by "all Heads of Government".

I take the liberty of quoting from a speech which the Australian Foreign Minister, Senator Gareth Evans, QC gave to the Labor Friends of Israel in Melbourne on 16 September 1990. He asked the Government of Israel to think very long and hard about using the Gulf crisis as an excuse for postponing once more any serious attempt to resolve the Palestinian question. I quote:

*Too many years have already been allowed to pass without seriously addressing the problem in the hope that it would simply go away. But it is a problem that has not gone away, and will not go away ... David Ben-Gurion said, in effect, that Israel could be a Jewish state, it could be a democratic state and it could be a state occupying the whole of what was considered to be the historical land of Israel.*

*But it could not be all three. In 1947 Ben-Gurion persuaded his fledgling nation that Israel could at best secure two and a half of these objectives: a Jewish and democratic State occupying part of the historical Israel.*

*In 1967, with the occupation of the West Bank, the choice between those three options became much starker, though this was perhaps not at the time as fully understood as it could have been. The demographic reality has brought home that the nation of Israel could not occupy the historical land of Israel yet at the same time indefinitely continue to be both Jewish and democratic, short of a totally unacceptable solution such as the mass deportation of Palestinians. But since 1967 Israeli leaders have effectively avoided making that hard choice, and the consequences are plainly visible.*

*Since 1988, and the coming of the **intifada**, the dilemma has become even more stark. If the **intifada** is about nothing else it is about democracy, about people's right to determine their own political destiny, about the claim of right of the Palestinians to self-determination. It brought home clearly to Israelis and the rest of the world that if Israel continued to turn a blind eye to that Palestinian claim of political right - and even worse if the Israeli military were to continue to physically suppress it - then Israel as a democracy would be fundamentally flawed.*

*The reasonable hope that Israelis and their friends can derive from the present Gulf crisis is that if it is successfully resolved - by the world uniting against aggression as never before, and with the United Nations effective as never before - then an act of creative statesmanship by Israel, involving an exchange of land for peace with accompanying security guarantees, might be fraught with a lot less risk in this new world order than has ever previously been the case.*

In addressing the General Assembly on 2 October the Minister stated:

*The Palestinian issue, - whatever the outcome of the Gulf crisis - will simply not go away until it is resolved in a manner which*

*meets the basic needs and aspirations of both Palestinians and Israelis. Australia has consistently expressed support for a peaceful resolution of the Arab/Israeli dispute on the Palestinian issue on the basis of Security Council Resolutions 242 and 338. We assert Israel's right to live within secure and recognised borders, but also acknowledge that of the Palestinian people to self-determination, including their right to an independent state if they so choose. We regard the proposals for the establishment of an Israeli-Palestinian dialogue as a step towards the achievement of a peaceful settlement, and encourage all the involved parties to pursue that dialogue with real and sustained commitment.*

### **Human Rights - Discrimination**

I promised to return to the issue of human rights. The US has contended that human rights are the preserve of parts of the UN system other than Unesco. The US has given scant support to human rights in those other parts. The earliest instruments in the UN system dealt with discrimination:

ILO Convention No. 111 - Discrimination

(Employment and Occupation), 1958

Unesco Convention against Discrimination in  
Education (1960)

International Convention on the Elimination of All  
Forms of Racial Discrimination (1965)

Convention on the Elimination of All Forms of  
Discrimination against Women (1971)

They have been ratified respectively by 110, 77, 129 and 102 States. None have been ratified by the US, all of them by Australia and New Zealand and the first, third and fourth by Canada. But why has Canada not ratified the convention on discrimination in education? It has been ratified by every country in Europe, north, south, east and west, with the sole exception of Albania, Austria, Belgium, Greece, Ireland, Liechtenstein, Switzerland and Turkey.

### **Human Rights - ILO**

The discrimination conventions can be regarded as essentially negative. The ILO, however, realising that no industrial society can be a democracy unless it espouses industrial democracy, has adopted six freedom of association conventions:

Right of Association (Agriculture) Convention, 1921

Freedom of Association and Protection of the Right  
to Organise Convention, 1948

Right to Organise and Collective Bargaining  
Convention, 1949

Workers' Representatives Convention, 1971

Rural Workers' Organizations Convention, 1975

Labour Relations (Public Service) Convention, 1978

They have been ratified respectively by 108, 99, 115, 44, 29 and 22 States. Once again the

US has ratified none of them; Australia has ratified the first three, New Zealand the first, Canada the second and Japan the second and third.

There is another ILO convention which would seem to merit urgent attention by Australia, Canada and New Zealand, No. 169 - Indigenous and Tribal Peoples, 1989. It revises Convention No. 107 - Indigenous and Tribal Populations, 1957. This earlier convention was ratified by 27 States, including 14 from Latin America and two former imperial powers, Portugal and Belgium. Conspicuous among the States which did not ratify the convention were Canada, Australia and New Zealand, with distinct indigenous populations, and France and the UK, with the largest colonial empires. None of us should forget that when human rights activists round the world direct their attention to Australia, Canada and New Zealand, they focus on the rights to land and justice enjoyed by our indigenous populations.

It is apposite to quote again from the Australian Foreign Minister's statement in the General Assembly 15 days ago:

*We frankly acknowledge that Australia's own past is not without blemish in regard to human rights, in particular concerning the treatment of Aboriginal and Torres Strait Islander people. However, we have progressed along the path of rectifying those injustices, we welcome international scrutiny of our efforts, and are prepared to engage in dialogue with any interested country at any time on such issues. We take the view that the question of conformity to international human rights standards is not each country's own internal business, but the world's business.*

The appropriate course would seem to be to ratify the new convention promptly and thus give the ILO's Committee of Experts the right to scrutinise our efforts.

One must note the US neglect of ILO Conventions. It has ratified nine, whereas Spain has ratified 116, France 110 and Italy 101. Among the 154 Members the US performance has been excelled or equalled by only 15 others, three in the Gulf, three former Portuguese colonies in Africa, three other States in Africa (Botswana, Ethiopia and Zimbabwe) and Cambodia, Laos, Nepal, Mongolia, Indonesia and El Salvador. New Zealand has ratified 56 conventions, Australia 47, Japan 39 and Canada 27. The US, Canada and Australia are the three Members which ILO classifies as federal States. Canadians are especially aware of the implications from the British Privy Council cases in the mid-1930s. Canada and Australia have a particular obligation to approach the European number of ratifications.

### ***Human Rights - Red Cross***

Australia has been, and Canada seems to have been, subjected to US pressure on the 1977 Protocols Additional to the 1949 Geneva Conventions. Australia signed them on 7 December 1978. On 11 March 1986 the Attorney-General and Foreign Minister announced the Government's decision to ratify the Protocols. By that time there were 57 States parties to Protocol I on the protection of victims of international conflicts and 50 to Protocol II on the protection of victims of non-international conflicts. The US Embassy asked the Government to delay action. It was too late; the Prime Minister had written to the State Premiers on 3 March advising them of the Government's decision and seeking their comments. The *Geneva Conventions Amend-*

*ment Bill* was introduced on 2 March 1989. Thereupon the American Embassy gave the *Sydney Morning Herald* and the Opposition copies of correspondence between President Reagan and Prime Minister Hawke. When the debate resumed on 9 March the Opposition opposed the Bill and, although there was a majority in both Houses in favour of the Bill, the Attorney-General shelved it. In the three years since the Australian Government made its original decision to ratify the Protocols several other States have ratified, for instance, the Soviet Union on 4 August 1989 and, in comity with Australia, New Zealand on 8 February 1988. There are now 97 States parties to Protocol I and 87 parties to Protocol II, including most of NATO, but not Canada. On 22 August 1990 a new Australian Attorney-General resuscitated the *Geneva Conventions Amendment Bill*.

Once 20 nations have made a declaration under Article 90 of Protocol I an International Fact-Finding Commission will be established to enquire into breaches of the Conventions and the Protocol. Such declarations have already been made by 18 nations, including New Zealand and 16 nations in all parts of Europe. It would be nice to have Australia and Canada make up the numbers.

### ***Human Rights - Refugees***

On 21 July 1954 the Geneva Conference made agreements on the cessation of hostilities in Laos, Cambodia and Viet Nam. On 10 August the Australian Minister for External Affairs reported to the House of Representatives:

*Among the Vietnamese the urge for unity of their country is very strong. Preparations are to be made by the representatives from the north and from the south of Viet Nam for the elections to be held in 1956... under the supervision of a commission consisting of India, Canada and Poland.*

The commission was never allowed to perform its invidious task. At least Canada was spared pressure to participate in renewed hostilities in Viet Nam; Australia and New Zealand were not.

After the defeat of the US forces, the US Government prevailed on the World Bank and Asian Development Bank and their soft windows to withhold all assistance for the rehabilitation of Viet Nam. The world paid little heed to the vast movements of refugees across the land borders in Indo-China but had to act when vast numbers of refugees, mostly economic, left by sea. A Meeting on Refugees and Displaced Persons in South-East Asia was held in Geneva on 20 and 21 July 1979. Four UN instruments were involved:

1951 Convention relating to the Status of Refugees  
1967 Protocol relating to the Status of Refugees  
1954 Convention relating to the Status of Stateless Persons  
1961 Convention on the Reduction of Statelessness.

Of the 57 States which participated in the conference only seven - Australia, Costa Rica, Denmark, FRG, Norway, Sweden and UK - had ratified all four conventions, and UK had not applied them to Hong Kong or Brunei.

When the outflow of refugees resumed under the continued economic boycott of Viet Nam a further International Conference on Indo-Chinese Refugees was held on 13 and 14 June 1989.

Among the 74 States which participated there were only two more which had ratified all four conventions, Bolivia and Netherlands. By this time the four instruments had been ratified by 102, 103, 36 and 15 States respectively. It is more important, perhaps, to record the States which have not ratified the instruments. The Soviet Union and five members of ASEAN have ratified none; the first three have not been ratified by the US, nor the second and third by China, Japan or New Zealand, nor the second by Canada, nor the third by the Philippines nor the fourth by France.

### *Human Rights Commission*

Next January Australia will enter upon a three year term as one of the 43 members of the UN Commission on Human Rights. For two decades the Commission laboured to convert the principles of the General Assembly's 1948 Universal Declaration on Human Rights into the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights. The General Assembly adopted both Covenants on 18 December 1966. Australia and Canada shared membership of the Commission from 1978 to 1983. Canada's present term as a member of the Commission will conclude at the end of 1991. Australia and Canada hold two of the 10 seats allocated by the General Assembly to the Western European and Other States. During 1991 the other eight seats will be held by Austria, Belgium, France, FRG, Italy, Portugal, Sweden and US.

The International Covenant on Civil and Political Rights (ICCPR) is the fundamental instrument on human rights. Under its Article 41 States Parties may make declarations recognising the competence of the Human Rights Committee established under the Covenant to receive communications by one State Party against another. The Optional Protocol makes provision for individuals to communicate their grievances against their government to the Committee. The Human Rights Committee is thus a forum for international supervision on human rights. Nations with Canada's and Australia's traditions should promote this role for the Human Rights Committee. Only thus can we refute the argument, put to me as recently as 23 July by the Premier of China, that some countries were using human rights to interfere in the affairs of other countries, although this was not permitted by the UN Charter. It is now time for Australia to follow the example of Canada in making the declaration under Article 41 of the Covenant and ratifying the 1966 Optional Protocol to the Covenant. If Australia expects to be allowed to scrutinise human rights in other countries it must conclude the ratifications and declarations which will allow other countries to scrutinise human rights in Australia. During the 1980s Australian Governments have taken refuge in the fiction that the cooperation of the States is regarded as necessary for the effective operation of human rights instruments. This formula has been a recipe for inaction. Canada has shown that it is possible for a federal State to make a declaration under Article 41 and ratify the Optional Protocol. The FRG has shown that it is possible for a federal State to make a declaration under Article 41.

Of the other WEOG members of the Commission on Human Rights, Italy and Sweden have made the declaration and ratified the Protocol, Austria and Belgium have made the declaration and France and Portugal have ratified the Protocol. On 15 December 1989 the General Assembly adopted a second optional protocol to the Covenant aiming at the abolition of the death penalty. The US, which has not ratified the ICCPR, voted against it; all the other WEOG members of the Commission voted in favour of it. Solidarity between Canada and Australia on the Commission will be very important for the promotion and supervision of human rights in the Pacific.

Australia's new term on the Commission will coincide with the first term for Indonesia and further terms for China and Japan, which have been members since 1982. China and Indonesia are not parties to the ICCPR and Japan, which has ratified it, has not made the declaration under Article 41 or ratified the optional protocol; all three States voted against the second protocol. The ICCPR has been ratified by the Philippines alone in ASEAN and Australia and New Zealand alone in the South Pacific Forum.

### *International Court of Justice*

Australia, Canada and New Zealand accept the compulsory jurisdiction of the International Court of Justice. The other States in and around the Pacific which do so are Cambodia, Colombia, Costa Rica, El Salvador, Honduras, Japan, Mexico, Nauru, Nicaragua, Panama, Philippines. France and US, the remaining imperial powers in the Pacific, no longer do so. France terminated its declaration accepting the compulsory jurisdiction of the International Court of Justice in 1974 after Australia, Fiji and New Zealand took proceedings to stop French nuclear testing in the atmosphere. The US terminated its declaration in 1985 after the Court, with the US judge alone dissenting, upheld Nicaragua's complaints.

### *New Pacific States*

It is a truism that the political entities in the Western Pacific and East Asia have the fastest-growing and most promising economies in the world. All the entities on the eastern coasts of the Pacific, except Alaska, Canada and Panama, have been independent since the early years of last century. On and along the western coasts by the end of World War II there were still only five independent States - China, Japan, Thailand, Australia and New Zealand. In the course of this century the other States in the region have for varying periods been the colonies, protectorates, mandates, trusteeships and, in one case, the condominium of ten other States. Nomenclature and provenance in the Pacific often go back to the Europe of five centuries ago. The Spanish Philippines and Portuguese Timor arise from claims by Magellan and his successors to apply the Treaty of Tordesillas to the Pacific.

All the issues which Australia has had to face hitherto in South East Asia and the South Pacific have arisen from the greater or lesser speed and grace with which distant and often great powers have allowed their colonies to attain independence. Appearing as much a leviathan in the South Pacific as the US in the Caribbean, Australia must be sensitive to the consequences to its neighbours of its own policies as well as the policies which the US and Japan and even France pursue with respect to the politics, resources, armament and environment of small states which till recently were colonies. Too often American, Japanese and even Australian ministers, officials and editors have seemed to take a sudden interest in Pacific island States when they have perceived evidence of communist penetration. The changes which have taken place in the Marxist societies and economies of Europe and Asia in the last year make nonsense of many of the military plans and expenditures in the Pacific region; many Pacific governments have more to fear from their own armed forces than from those of other countries. The changes in eastern and western Europe are showing the positive prospects of regional cohesion and co-operation.

The issues into which this paper has gone in considerable detail involve what are simplistically called "Western" concepts. They have been espoused in the UN system to varying degrees by the US and Canada, Australia and New Zealand but we are the States best placed to promote and expand the concepts among the States of Asia and the Pacific.

The States of Asia and the Pacific, however, often consider that we and Japan put Atlantic interests before their interests. For instance, at last year's General Assembly Australia, Canada and New Zealand voted with NATO against three Palestinian resolutions and abstained on four others; Japan voted against two and abstained on the other five. Australia, Canada, New Zealand and Japan voted with NATO (other than Greece and Iceland) against the resolution on non-use of nuclear weapons and prevention of nuclear war. No other State in Asia or the Pacific voted against or abstained on these resolutions. On 29 December 1989 Australia, New Zealand and Japan voted with the NATO States (other than Spain) against the resolution on Panama. The other countries of Asia and the Pacific mostly voted for the resolution although four members of ASEAN and two members of the South Pacific Forum abstained.

Countries in the last part of the world to be decolonised were disappointed that Canada, which has had no colonies, did not support them when the question of New Caledonia was raised in the General Assembly in 1986 and 1987 in exasperation at the repressive policies of the Chirac Government. NATO was bifurcated. The Benelux countries, FRG, Italy, Portugal and Spain - not the best company on questions of decolonisation - voted beside France. The rest of you had the grace to abstain. The only Pacific State to vote beside France was Honduras. In 1986 Costa Rica, El Salvador and Guatemala abstained and in 1987 they were joined by Panama and Japan.

Nevertheless, there is hope. Firstly, after a decade's absence an Australian guest delegation was present at the Conference of the Heads of State or Government of Non-Aligned Countries in Harare in 1986. The next conference, in Belgrade in September 1989, was attended by guest delegations from Canada and New Zealand as well as Australia. Secondly, after the 20th South Pacific Forum in 1989 a post-Forum Dialogue was held with Canada, China, France, Japan, the UK and US. The 21st Forum on 31 July and 1 August 1990 agreed to continue this dialogue. Perhaps the exposure to Pacific points of view induced Canada on 15 December 1989 (a) to vote in favour of the South Pacific Nuclear Free Zone Treaty, which France, UK and US opposed, (b) to vote in favour of the urgent need for a comprehensive nuclear-test-ban treaty, which France and US opposed and on which China, India and UK abstained, and (c) to abstain with 12 other NATO countries on the Declaration of the Indian Ocean as a Zone of Peace, which France, Japan, UK and US opposed.

I must concentrate on the South Pacific Forum, constituted as follows:

***Members of South Pacific Forum***

Australia (1971)	Papua New Guinea (1974)
Cook Islands (1971)	Republic of the Marshall Islands (1987)
Federated States of Micronesia (1987)	Solomon Islands (1978)
Fiji (1971)	Tonga (1971)
Kiribati (1979)	Tuvalu (1978)
Nauru (1971)	Vanuatu (1980)
New Zealand (1971)	Western Samoa (1971)
Nieu (1975)	

Communications with, in and between the member States are exceptionally difficult. It takes more money and time for their representatives than for the representatives of any other countries

to visit the headquarters of the UN and its specialized agencies. The region includes the most numerous and extensive archipelagos in the world. Some States are exceedingly mountainous. Philologists tell us that in the largest Melanesian State there is a separate language for every 4,500 people.

The status of the members in the UN system varies. Solomon Islands and Vanuatu are members of the UN. The British Solomon Islands Protectorate and the Anglo-French Condominium of the New Hebrides were not brought under the aegis of any specialized agency, multilateral organization or financial institution or made parties to any international convention. When they became independent in 1978 and 1980 their politicians and officials had no international contacts. Both countries have joined WHO and FAO because of the clear relevance of those specialized agencies to their health problems and fishing resources. Solomon Islands is a member of eleven other agencies and Vanuatu of ten. Apart from Brunei, however, they are the only members of the UN which have never become members of Unesco. The US attitude towards Unesco has made them pause about joining it.

Eight out of 15 members of the Forum do not have the inclination or the resources to join the UN but they see the relevance of most specialized agencies. In 1989 the Unesco Executive Board recommended and the General Conference agreed that Cook Islands and Kiribati should be admitted as full members, as Tonga had been in 1980. Tonga belongs to ten other agencies, Kiribati to eight and Cook Islands to three.

The US had responsibility for the international relations of the Federated States of Micronesia and the Marshall Islands until 1986 and continues to have security and defence responsibilities for them under the terms of the Compacts of Free Association. Since they were components of the Trust Territory for the Pacific Islands, a strategic area under UN trusteeship arrangements, they fall within the responsibility of the Security Council. Again I quote the Australian Foreign Minister in the General Assembly 15 days ago:

*Two countries in the Pacific who have been frustrated in fully developing a political identity of their own are the Federated States of Micronesia and the Marshall Islands, and Australia believes the United Nations has a constructive role to play in this respect. The full fruits of self-government which should have followed their legitimate acts of self-determination have been denied to them by legalistic approaches to the question of their political status. The continued application of the trusteeship regime to them not only belittles what they have already achieved in establishing independent political identities, but imposes practical disadvantages on them in their pursuit of national development.*

They are the only members of the Forum which are not members of the Commonwealth. The only specialized agency to which they belong is ICAO. The Marshall Islands has subscribed to three ICAO and three IMO conventions. The US has asked the Federated States of Micronesia to subscribe to the ICAO conventions but it has yet to do so. Both States should be encouraged to become members of Unesco at the General Conference in 1991. Since they are not members of the UN they will have to follow the same procedure as the Cook Islands and Kiribati. Australia, Israel, Japan, Kiribati, New Zealand, PNG, Philippines and US have accredited

representatives to both of them, thus acknowledging their independence, and China and Nauru have also accredited representatives to Micronesia. Australia has raised the question of membership with both States; it might not be improper for Canada and New Zealand to do so. It is suspected that some European countries, including the UK, are reluctant to admit their independence. The Bush Administration may not yet have shed the Reagan Administration's aversion to Unesco. The Forum should take early and united steps to have the admission of Micronesia and the Marshall Islands supported by their former and successive Spanish, German, Japanese and American masters and tutors. The more States there are which belong to Unesco in the Pacific, the more Unesco will be able to bring benefits to the Pacific in its fields of competence.

During the 1990s one can expect the UN system to shift emphasis from the adoption of conventions on human rights and disarmament to the adoption of conventions on resources and environment. The Forum States have drawn up several conventions:

- South Pacific Forum Fisheries Agency Convention (1979, Honiara)
- South Pacific Nuclear Free Zone Treaty (SPNFZ) (1985, Rarotonga)
- Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (SPREP) (1986, Noumea)
- Treaty on Fisheries between the Government of Certain Pacific Islands and the Government of the United States of America (1987, Port Moresby)
- Agreement among Pacific Island States concerning the Implementation and Administration of the Treaty on Fisheries (1987, Port Moresby)
- Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific (1989, Wellington).

The Forum States, situated less than 400 nautical miles from each other, are aware of the advantages which the 1982 UN Convention on the Law of the Sea would bring to them. They resent the way that the Reagan Administration spent so much of its first two years in office in inciting other developed countries to sabotage the Convention. In October 1981 the Commonwealth Heads of Government "recorded their disquiet at developments which over the last two sessions [9-11 March in New York City and 3-28 August in Geneva] have prevented the Conference on the Law of the Sea from concluding a Convention in 1981". The Forum has maintained its support for the Convention. In 1990 it again urged all member countries, as a matter of priority, to take measures to ensure the entry into force of the Convention.

Canadians are sensitive about depredations on their cod fisheries on the Atlantic coast and their salmon fisheries on the Pacific coast. They will understand the sensitivity of the new Pacific States about depredations on their tuna fisheries, their principal economic resource. Perhaps Canada and the Forum could take the lead in drawing up a Pacific Fisheries Convention to cover the resources and operations of all the States in and around the Pacific in substitution for the present stopgap and patchwork arrangements between individual States.

The Forum States are outspoken on other issues affecting them. I set out in full the passage on decolonisation in the communique of 1 August 1990:

*The Forum reviewed developments affecting New Caledonia since the last Forum. In this connection, it reaffirmed the importance of the universal realisation of the right of peoples to self-determination in accordance with the Charter of the United Nations, and noted that the year 1990 marks the thirtieth anniversary of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, and the commencement of the International Decade for the Eradication of Colonialism. It also noted the positive measures which continue to be pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, in order to provide a framework for its peaceful evolution to self-determination.*

*The Forum acknowledged the close links which exist between the people of New Caledonia, particularly the indigenous Kanaks, and other peoples of the South Pacific, and the positive actions being taken by the French authorities and others to facilitate the further development of those links.*

*The Forum urged all the parties involved, in the interests of all the people of New Caledonia, to maintain, in a spirit of harmony, their dialogue, and continue promoting a framework for the peaceful evolution of the Territory toward an act of self-determination, consistent with United Nations principles and practices, in which all options including independence, are open, and which would safeguard the rights of the indigenous Kanaks and those of all other New Caledonians.*

*Forum Governments expressed the hope that the French authorities, and others, would further expand their assistance for education and training opportunities for the Kanak population, in order to enable all New Caledonians to exercise their right of self-determination under the best possible conditions. They also expressed the hope that the French authorities would facilitate regular visits to New Caledonia by visiting missions of the United Nations.*

*The Forum took note of the Asia/Pacific Regional Seminar of the United Nations Special Committee on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [the Committee of Twenty-Four], held in Port Vila, Vanuatu, from 9-11 May 1990, and the various proposals and recommendations made by participants in the Seminar, as set forth in the Summary of Discussions thereon. The Forum, noted that many of the remaining non-self-governing territories are in the South Pacific, and urged that the Secretary-General of the United Nations, or a specially designated representative of the Secretary-General, visit, at the outset of the Decade for the Eradication of Colonialism, each of the territories which remain on the United Nations list of non-self-governing*

*territories [i.e. American Samoa, Guam, New Caledonia, Pitcairn and Tokelau]. The Forum further urged that an extensive study be undertaken by the United Nations of the remaining non-self-governing territories, and the results widely distributed. The Forum also proposed that countries be requested to consider adopting legislation to promote and safeguard the human rights of peoples living under colonialism.*

*In order to ensure that satisfactory progress is maintained with implementation of the Matignon Accords, the Forum established a Ministerial Committee comprising Fiji, Nauru and Solomon Islands to monitor events within New Caledonia as it moves towards an Act of Self-Determination in 1998. Informal consultations with political groups within New Caledonia during annual meetings of the Forum would be continued.*

*The Forum further directed that the Officials Committee established to make recommendations to the 1991 Forum on Dialogue arrangements should also consider and report on possible changes to existing criteria and formulae for participation in the Forum by non-self-governing territories of the region.*

The Forum discussed at length the Johnston Atoll Chemical Agent Disposal System (JACADS). While agreeing with the destruction of existing chemical weapons, the plans by the US to destroy at that facility chemical weapons now stored on Johnston Atoll, along with others that may be found within the region and those to be shipped from FRG, posed a serious dilemma for Forum Leaders. To quote the communique:

*This was another example of the Pacific being used by the major weapons producing states as an experimental area. While the Forum accepted that in this instance it was the destruction rather than the development of lethal weapons which was being undertaken, this did not alter the fundamental issue of principle. The Forum Heads of Government declared that the Pacific Ocean and the islands in it should not continue to be used as a convenient area for the development, storage, dumping or disposal of hazardous materials, including chemical weapons, particularly from outside the region.*

*While noting the stringent precautions being taken by the United States, the Forum remained concerned by the substantial potential risks to the environment and peoples of the Pacific of the whole operation, including, in particular, shipments of chemical weapons stockpiles from FRG. On the basis of these significant uncertainties and risks, the Forum expressed grave concern for the fragile environment and ecosystems of the region, not least in relation to marine resources and the island communities they sustain.*

*The Forum therefore called for early discussions with the United States on all aspects of the JACADS operations including the shipment of stockpiles from FRG, prior to commencement of the*

*operation.*

*The Forum felt very strongly that the facility at Johnston Atoll should not become the permanent toxic waste disposal centre of the world. They expressed their firm conviction that the facility should be closed down once the current operations had been completed and called on the United States to ensure that no further chemical weapons or other toxic materials would be stockpiled on or destroyed at Johnston Atoll.*

I have spoken from a text which is more specific and candid than is usual in public addresses on foreign affairs and international law. That is because I am speaking under the auspices of a university and in the belief that my approach would be no less appropriate and acceptable in the other distinguished universities on both sides of the border. The world is going to change more and more rapidly, whatever our institutions and governments do or do not do about it. Multilateral organizations and instruments are most effective when they achieve universal membership. If the world is to have peace, order and justice, institutions and governments in the US and Canada must anticipate the inevitable changes and articulate their preferred changes. Australia and New Zealand should take a relevant part in the process. I presume to believe that Paul Martin might agree.