

Editorial

IN HIS ADDRESS to the Headquarters Staff of the United Nations in New York on 12 January 1982 the new Secretary-General Mr. Perez de Cuellar emphasized the overriding importance of the work of the Secretariat to the life of humanity, and he added:

I am determined to do my utmost to preserve and defend the independent and international character of the Secretariat and to resist any attempts that tend to erode the principle.

He reminded the staff that the Charter begins with the words *We, the peoples of the United Nations*. "They are our constituents," he said "and ultimately it is to them that we are accountable. They have a right to expect the best of our services in promoting peace, progress and justice."

It was therefore with some dismay that the world learned on 10 February from Mr. Theodoor Van Boven, the Director of the Division of Human Rights, in a statement to the Commission on Human Rights, that he had (according to the official record¹) had "major policy differences with the Leadership of the Organization in New York (which he might explain at an appropriate time in the future) and his functions would terminate shortly, after the present session of the Commission." The immediate reaction of the Canadian delegate was to say that his delegation was "shattered".

The session of the Commission came to an end on 12 March, when at the proposal of Senegal, seconded by the United Kingdom, the Commission, without dissent, decided to express its "gratitude and satisfaction" to Mr. Van Boven "for services rendered to the Commission and for his devotion to the cause of human rights".²

A statement signed on behalf of 32 non-governmental organizations in consultative status with the United Nations, including such diverse bodies as the International Commission of Jurists, the Quakers, the Arab Lawyers Union, the World Jewish Congress, Pax Romana, the International Confederation of Free Trade Unions and others who do not generally speak with one voice, deplored the termination of Mr. Van Boven's mandate. The statement paid tribute to his "outstanding qualities of courage, openness, imagination and humanitarian concern" and declared, in the words of the Charter, that he had met the "highest standards of efficiency, competence and integrity."

Mr. Van Boven's five year contract was due to expire on 10 April, and the normal expectation was that it would be extended. This, however,

¹ UN Economic and Social Council, E/CN.4/1982/SR.14, 10 February 1982

² UN Press Release HR/1197 of 12 March 1982

was not done, according to the spokesman for the Secretary-General, because he had made public statements not wholly in keeping with his status as an international civil servant. The spokesman denied that there was any difference in policy between Mr. Van Boven and the Secretary-General, who was also committed to the cause of human rights. The decision was taken, the spokesman said, because Mr. Van Boven had delivered a statement which did not reflect the considered and co-ordinated policy of the United Nations and for no other reason.

It is true that at the public opening of the session Mr. Van Boven made an outspoken address in which he focused on the right to life. He named countries where deliberate killings had been committed or condoned by governments in Kampuchea, Uganda, South Africa, Chile, Equatorial Guinea, El Salvador and Guatemala, all notorious cases fully documented by the Commission. He also made some modest suggestions as to action the Commission might take, if it wished, to try to curb such killings in future.

It hardly seems that serious objection could be taken to this, and even if other statements have given offence they would scarcely justify the removal of Mr. Van Boven from the scene. What seem to be missing, up to the time of writing, are any convincing steps by the Secretary-General to dispel the inevitable suspicion that he has acted under pressure from guilty governments.

The preservation of peace, the pursuit of economic and social progress, and the respect for human rights are the objectives which lie at the root of the Charter. They are the three inseparable dimensions which give the United Nations its stature. While all matters concerning human rights are properly referred to the Commission on Human Rights, it may be argued that when governments are given assistance in other fields sufficient regard is not paid to their record on human rights.

The interest of this Journal is to promote the development of international trade and the proper management of the world's resources. This requires the existence, *inter alia*, of an efficient Secretariat as an important organ of the United Nations, which cannot function unless its integrity and impartiality are fully defended from all quarters.