

Frühe Resolutionen der Generalversammlung der Vereinten Nationen zu Problemen des Welthandels

Mag. Arthur H. Lambauer

Am 21. Dezember 1952 nahm die Generalversammlung (GA) der Vereinten Nationen (UN) ihre [Resolution 623\(VII\)](#)¹ an, in deren Erwägungsgründen es u. a. heißt, wie folgt:

Recognizing that the problem of financing the economic development of countries in the process of development is fundamental to the maintenance of the peace of mankind, and that, therefore, high priority should be given to the consideration of its practical solution in international economic relations,

Die Fehler und Verbrechen im Welthandel, welcher Fundament in den Nachkriegsjahrzehnten gelegt wurde, zeigen uns heute deren Folgen als weltweite Unruhen und gerechtfertigte extremistische Freiheitsbewegungen ebenso wie terroristische Aktivitäten. All das sind Folgen dessen, dass wir nicht auf unsere hellsten und erhabensten Köpfe gehört haben, die das Desaster vorhersahen.

Und weiter im Text der Erwägungsgründe der zitierten Resolution:

Considering:

(a) That the urgent and satisfactory solution of this problem requires the full utilization of all sources of financing, among which the ability to obtain adequate and stable proceeds from exports is one of the most important for all under-developed countries,

Diese Aussage hat freilich auch heute noch Berechtigung und ist aktueller denn je zuvor. Die systematische Ausbeutung der Rohstoffe produzierenden Länder der sogenannten Dritten Welt begründet deren Verharren im Entwicklungsstadium.

Weiter im Text:

(b) That, in formulating measures for financing economic development, consideration should be given to the influence on their economic development of the terms of trade of the countries supplying primary commodities,

¹ Diese Resolution trägt den Titel: *Financing of economic development through the establishment of fair and equitable international prices for primary commodities and through the execution of national programmes of integrated economic development.*

Die Handelsbedingungen, zu denen solche Rohstoffe exportiert werden dürfen, sind von Ausschlag gebender Bedeutung. Doch nur gefestigte (demokratische) Staatswesen in den Entwicklungsländern wären imstande gewesen, solche Bedingungen gegen die *bullying parties* der westlichen Handelsriesen durchzusetzen. Doch letztere taten das ihre:

(c) That, without prejudice to the international and national measures already recommended for financing economic development, special attention should be given to the correction of maladjustments resulting from cyclical fluctuations in the prices of individual primary commodities and from secular movements in their value as a group in terms of manufactured goods,

MURRAY² sagt zu *secular*, was folgt:

Secular (se·kiülä), *a.* and *sb.* Forms: 3-6 *seculer*, 4-5 *seculere* (*4 secaleer*, *seeler*, 4-5 *seclere*, 5 *seculier*), 5- *secular*. [In branch I, *a.* OF. *seculer* (mod.F. *séculier*), *ad.* L. *sæculäris*, *f.* *sæcul·um* generation, age, in Christian Latin ‘the world’, esp. as opposed to the church: see **SECLE**, **SIECLE**. In branch II, directly *ad.* L. *sæculäris*, whence mod.F. *séculaire* (which has influenced some of the uses in Eng.). Cf. Sp. *segular*, *secular*, Pg. *secular*, It. *secolare*.]

A. adj.

I. Of or pertaining to the world.

1. *Eccl.* Of members of the clergy: Living ‘in the world’ and not in monastic seclusion, as distinguished from ‘regular’ and ‘religious’. *Secular canon*: see **CANON** *sb.*² *Secular abbot*: a person not a monk, who had the title and part of the revenues, but not the functions of an abbot.

[...]

2. Belonging to the world and its affairs as distinguished from the church and religion; civil, lay, temporal. Chiefly used as a negative term, with the meaning non-ecclesiastical, non-religious, or non-sacred.

[...]

3. Of or belonging to the present or visible world as distinguished from the eternal or spiritual world; temporal, worldly.

1597 HOOKE *Eccl. Pol.* v. lxxvi. § 5 Religion and the fear of God as well induceth secular prosperitie as euerlasting blisse in the world to come. 1664 H. MORE *Myst. Inq.* 251 The Sun and Moon have either a Spiritual signification or a Secular. 1875 GLADSTONE in McCabe *Life Holyoake* 11. 163, I do not believe that secular motives are adequate either to propel or to restrain the children of our race. 1883 T. H. GREEN *Proleg. Ethics* Introd. 1 Nor does it [moral philosophyl by any means confine itself to what are commonly counted secular or ‘positive’ considerations.

b. Caring for the present world only; uninspirational, rare.

Was die GA mit *secular movements* meinte, erhellt aus ihrer bereits am 12. Januar 1952 angenommenen **Resolution 523(VI)**³, in der es heißt:

² VIII/2, 365.

³ Sie trägt den Titel: *Integrated economic development and commercial agreements*.

The General Assembly,

Considering that the under-developed countries have the right to determine freely the use of their natural resources and that they must utilize such resources in order to be in a better position to further the realization of their plans of economic development in accordance with their national interests, and to further the expansion of the world economy,

Considering that the existing sharp increase in the demand for raw materials, including the demand for stock-piling has resulted in an increase in the prices of a number of raw materials and in fluctuations in the prices of others; has in many cases been accompanied by increased prices and reduced availability of important items of machinery, equipment, consumer goods and industrial raw materials necessary for the development of under-developed countries; has created inflationary pressures and brought about the regulation of prices at different relative levels for different products and has thereby caused or increased the economic difficulties in many of the under-developed countries,

Man häufte im Westen Lagerbestände an, um den Preis durch kurzfristige Überschwemmungen des Marktes in den Keller zu treiben, sodann zu diesem ganze Jahresproduktionen aufzukaufen und so eine Spirale der Verderbnis für die ökonomische Entwicklung der produzierenden Länder der sich entwickelnden Welt zu generieren, in der sie auf auswärtiges Kapital für die Technologisierung der Abbau-Industrien angewiesen waren.

Diese Machenschaften des Westens waren freilich völkerrechtswidrig und verpflichten somit zum Schadenersatz. Doch dazu später.

Vorerst noch weiter im Text der Resolution 523(VI), wie folgt:

Bearing in mind that one way of obtaining the means necessary for carrying out economic development plans in under-developed countries is the creation of conditions under which these countries could more readily acquire machinery, equipment and industrial raw materials for the goods and services exported by them,

1. *Recommends* that Members of the United Nations, within the framework of their general economic policy, should:

(a) Continue to make every possible effort to carry out the recommendations contained in paragraphs 1, 2, 3 and 4 of Economic and Social Council resolution 341 (XII), section A, of 20 March 1951;^a

* Paragraphs 1, 2, 3 and 4 of Economic and Social Council resolution 341 (XII), section A, are quoted below:

"1. *Recommends* that all Members of the United Nations, during the period of general shortage of goods, take special measures to bring about adequate production and equitable international distribution of capital goods, essential consumers'

goods and raw materials especially needed for the maintenance of international peace and security, the preservation of standards of living and the furthering of economic development;

"2. *Recommends* that all Members of the United Nations, during the period of general **inflationary pressure**, take measures, direct or indirect, to regulate at equitable levels and relationships, the prices of essential goods moving in international trade, including capital goods, essential consumers' goods and raw materials;

"3. *Recommends* that the equitable regulation of distribution and prices referred to in recommendations 1 and 2 above be **maintained as long as strong inflationary pressures persist**, in order to minimize changes in the purchasing power, in terms of imports, of current earnings from exports as well as of monetary assets;

"4. *Recommends* further that all Members of the United Nations **take all steps in their power** to prevent the development of inflationary pressures, thereby preventing **speculative profits** and maintaining the purchasing power of the poorer sections of the population."

Schon Artikel VIII(2)(a) IMF-Artikel von Bretton Woods verbietet solche Machenschaften als die Vornahme von Bezahlung behindernd. Staaten wären verpflichtet gewesen, solche Marktmanipulationen zu unterbinden. In Wahrheit

Durch die Artikel 3(f) sowie 29(b) und (c) des EWG-Vertrages 1957⁴ war die Europäische Wirtschaftsgemeinschaft verpflichtet, gegen Wettbewerbsverzerrungen auf dem gemeinsamen Markt (insbesondere von Rohstoffen) einzutreten. Kraft der AKP-Assoziierungsverträge⁵ weitete sich diese europarechtliche Verpflichtung, die neben der völkerrechtlichen bestand, auf die Märkte der assoziierten Länder Afrikas, der Karibik und des Pazifischen Raumes aus.

Anstatt diesen Verpflichtungen nachzukommen sah man zu, wie kaltschnäuzige Profit- und psychopathologische Machtgier ganze Völker in Tod, Schrecken und Krankheit trieben.

Und dies, wohlgernekt, obwohl gültige Rechtstexte etwas anderes vorsahen.

Doch weiter im erwähnenden Text der Gründe der Resolution 623(VII), wie folgt:

(d) That the economic prosperity of countries in the process of development is especially vulnerable to wide short-term fluctuations in the prices of primary commodities which affect their terms of trade, and that any deterioration in the terms of trade affects the economic development and monetary equilibrium of these countries and so hampers not only the acquisition of the necessary amounts of external means of payment but also the formation of sufficient domestic savings,

Die Folgen solcher Machenschaften, deren Ursächlichkeit für das Verderben, waren also wohlbekannt.

⁴ <https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:II957A/TXT>.

⁵ Siehe etwa zuerst das Assoziierungsabkommen von Jaundé, 1963, https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv:DJP_1964_093_01_143I_01_DEU&toc=DJP:1964:093:TOC.

Deshalb empfahl die GA darin mit verbindlicher Wirkung (!), was folgt:

1. *Recommends to Member States that:*

(a) Whenever governments adopt measures affecting the prices of primary commodities entering international trade, they should duly consider the effect of such measures on the terms of trade of countries in the process of development, in order to ensure that the prices of primary commodities are kept in an adequate, just and equitable relation to the prices of capital goods and other manufactured articles so as to permit the more satisfactory formation of domestic savings in the countries in the process of development and to facilitate the establishment of fair wage levels for the working populations of these countries with a view to reducing the existing disparity between their standards of living and those in the highly industrialized countries;

Doch damit nicht genug! Es folgte nämlich noch:

(b) Without prejudice to the recommendation contained in sub-paragraph (a) above, their governments should give serious consideration to all other aspects of the problem of undue fluctuations in the terms of trade;

(c) Their governments should intensify their efforts to reduce restrictions on imports of primary commodities;

Und außerdem noch:

2. *Recommends that governments co-operate in establishing multilateral as well as bilateral international agreements or arrangements relating to individual primary commodities as well as to groups of primary commodities and manufactured goods, for the purpose of:*

(a) Ensuring the stability of the prices of the said commodities in keeping with an adequate, just and equitable relationship between these prices and those of capital goods and other manufactured articles;

(b) Safeguarding the continuity of the economic and social progress of all countries, those producing as well as those consuming raw materials;

3. *Recommends that the countries in the process of development should adopt and give effect to national programmes of integrated economic development conducive to the rational utilization of the proceeds of their primary activities, the absorption of their surplus active population and the improvement of their standards of living;*

Die logische Konsequenz aber, welche die GA aus der Tatsache zog, dass hier Gott verärgernder Missbrauch getrieben wurde, folgte endlich mit [Resolution 1803\(XVII\)](#)⁶, mit welcher sie eine Erklärung annahm, die u.a., in deren Punkt 4. lautet, wie folgt:

4. Nationalization, expropriation or requisitioning shall be based on grounds or reasons of public utility, security or the national interest which are recognized as overriding purely individual or private interests, both domestic and foreign. In such cases the owner shall be paid appropriate compensation, in accordance with the rules in force in the State taking such measures in the exercise of its sovereignty and in accordance with international law. In any case where the question of compensation gives rise to a controversy, the national jurisdiction of the State taking such measures shall be exhausted. However, upon agreement by sovereign States and other parties concerned, settlement of the dispute should be made through arbitration or international adjudication.

Indem in der fünften Zeile, am Ende, nach *compensation* ein Beistrich steht, ist klar gestellt, dass sich die folgende Aufzählung von zwei Attributen beide auf die *appropriate compensation* beziehen: namentlich also die *Übereinstimmung mit in Kraft befindlichen Regeln im Staat, welcher solche Maßnahmen (der Enteignung etc.) in Ausübung seiner Souveränität setzt*, und die *Übereinstimmung mit internationalem Recht*. Im Ergebnis bedeutet dies, dass Entschädigungszahlungen unwirksam sind, soweit angemessene Regeln im Staat fehlen, etwa weil dieser vom Entschädigten (und dessen Interessenträgern) selbst drangsaliert wird.

Ferner heißt dies, dass auch und gerade private Industriebetriebe, vor allem die sich im Rohstoffbereich umtun, die völkerrechtliche Pflicht trifft, im Interesse des Weltfriedens und zugunsten der anderen im oben zitierten Punkt 4. genannten Kriterien zu handeln: Denn nur, wenn sie dies nicht tun, sind Enteignung, Verstaatlichung und Konfiskation tunlich.

Alles da! Ein ziseliert ausgearbeitetes Sammelsurium von völkerrechtlich verbindlichen Empfehlungen, Erklärungen und Anordnungen durch die GA der UN, mit welchem dem globalen Hochverrat und seinen welthandelstechnischen Umtrieben beigekommen werden kann, wobei hier noch gar nicht alle wesentlichen behandelt werden konnten.

⁶ Vom 14. Dezember 1962 mit dem Titel: *Permanent sovereignty over natural resources*.