



SUMMARY RECORD OF THE 5th MEETING

Chairman: Mr. DIALLO (Guinea)

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The meeting was called to order at 10.45 a.m.

ELECTION OF THE RAPPORTEUR

1. Mr. KI (Burkina Faso) nominated Mr. Jorge Eduardo Chen-Charpenter (Mexico) for the office of Rapporteur.
2. Mr. Jorge Eduardo Chen-Charpenter (Mexico) was elected Rapporteur by acclamation.

AGENDA ITEM 73: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (A/39/573)

3. Mr. OGUNSANWO (Nigeria) pointed out that Chapters VI and VII of the United Nations Charter made provision for the pacific settlement of disputes and for the adoption and implementation of effective measures with respect to threats to the peace, breaches of the peace, and acts of aggression. Unfortunately, those provisions had not been meaningfully applied because of the inability of Member States to rise above their narrow national interests in an age that called for a wider horizon of internationalism. Faced with the impossibility of applying the provisions of the Charter in practice, the United Nations had gradually evolved the concept of peace-keeping and had gained considerable experience in conducting operations in that field. Such operations had turned out to be the only means of real action the Organization could take.

4. However, there were problems even in the area of peace-keeping. Nigeria, which had considerable experience of such operations, believed that those problems should be comprehensively reviewed. First of all, it appeared that peace-keeping operations had not often been assisted by the co-operation and support of the parties concerned. Peace-keeping forces could not, however, be expected to perpetually act as a buffer between combatants. Ideally, the presence of a United Nations force should contribute towards creating a climate that would make it possible to tackle the root causes of the conflict; peace-keeping should be a catalyst for peace-making. Unfortunately, more often than not peace-keeping efforts had led to a deadlock rather than a resolution of the conflict. That was a tendency which must be remedied since it created problems for all the parties and was likely to expose United Nations forces to unnecessary danger. Moreover, the relative permanency of a peace-keeping force affected the zeal and ability of contributing countries to continue participating in such operations.

5. The second major problem was the financing of operations, which placed a heavy burden on the troop-contributing countries and for which no satisfactory solution had been found since the early 1960s. His delegation believed in the indivisibility of peace and felt that United Nations peace-keeping operations must be seen as the responsibility of all members of the international community. Consequently, ways must be found to make it possible and, indeed, obligatory for all Member States to contribute their quota to peace-keeping operations.

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(Mr. Ogunsanwo, Nigeria)

6. One could not, however, ignore the fact that the United Nations Charter placed primary responsibility for the maintenance of international peace and security on certain Member States, namely, the five permanent members of the Security Council, who enjoyed special powers under the Charter. Consequently, his delegation believed that, when the United Nations was unable to mobilize enough funds for its peace-keeping operations, the permanent members of the Security Council should find it possible and consider it their duty to provide the necessary additional funds, in keeping with the letter and spirit of the Charter.

7. The third problem concerned the mandate given to peace-keeping forces by the responsible organs of the United Nations. In some cases, that mandate was ambiguous and bound to create problems for the commanders in the field. While it was true that such ambiguity sometimes enabled the conflicting parties and their allies to accept the idea of peace-keeping and the emplacement of third party personnel, there were nevertheless greater chances of success when the mandate was specific and clear. In the absence of a clear mandate from the United Nations, a protocol agreement setting out in detail what the force was expected to do in the field was a sine qua non for successful operations. Experience had thus far shown that mandates which were accompanied by a detailed protocol had contributed greatly to the operational viability of peace-keeping forces.

8. Lastly, there were other problems involving command and control, the relationship of the United Nations force to host Governments and the local population, and the question of the duration of each peace-keeping operation.

9. Notwithstanding all those problems, his delegation still believed that there was no alternative to United Nations peace-keeping operations. On those occasions when non-United Nations peace-keeping efforts had been mounted, the outcome had frequently been less successful than in the case of United Nations operations. That was because the United Nations emphasized impartiality, consensus and a proper structure for its operations, and because the modus operandi of the peace-keeping forces conformed with the reality of each conflict situation.

10. Mr. LIANG Yufan (China) pointed out that, since the setting up of the United Nations Truce Supervision Organization, the United Nations had been conducting peace-keeping operations for 36 years. In view of the current world situation, there was a universal demand for strengthening the peace-keeping capability of the Organization. China, for its part, mindful of the fact that the United Nations had to shoulder an increasing responsibility in that regard, was determined to make the greatest endeavour possible to strengthen the role of the Organization.

11. His delegation believed that peace-keeping operations should be based on the following principles: they should be conducted in conformity with the principles contained in the Charter, since such operations constituted an effective means of preserving international peace and security. They could be mounted only at the request or with the consent of the country concerned and with full respect for its independence, sovereignty and territorial integrity. The country or party concerned should co-operate in the peace-keeping efforts and make full use of the

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(Mr. Liang Yufan, China)

time gained and the favourable conditions created as a result of such operations to seek a political settlement of the dispute as early as possible. Each peace-keeping operation must have a clearly defined mandate, and no country or party should take advantage of peace-keeping operations for its own interests or for interference in the internal affairs of other countries. It was within the competence of the Security Council to authorize peace-keeping operations. The Security Council, the General Assembly and the Secretary-General should assume their respective responsibilities in accordance with the relevant provisions of the United Nations Charter. The costs of peace-keeping operations should be borne by Member States as apportioned on the merit of each case in accordance with the principle of fair and rational sharing of expenses, or should be covered by voluntary contributions or financed by the countries concerned. For the purpose of strengthening the peace-keeping functions of the United Nations, it was necessary both to formulate guidelines and to take practical measures. The Special Committee on Peace-keeping Operations should proceed with its work on the above two aspects simultaneously.

12. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that, with the approach of the fortieth anniversary of the United Nations, it was well to remember that the Member States, on emerging from the most destructive war mankind had ever known, had sworn in the Charter "to save succeeding generations from the scourge of war". As his Minister for Foreign Affairs, Mr. Gromyko, had stated at the current session: "United efforts were and are still needed today in order to build the post-war world".

13. The implementation of this political will and the expansion of the opportunities of States to strengthen international peace and security were goals which permeated the entire United Nations Charter and constituted the basis for its effective daily work, particularly with respect to the use of armed forces on behalf of the United Nations. The Charter offered ample possibilities to combat aggression and guarantee the sovereignty of States. The Soviet Union favoured making full and effective use of those possibilities, with strict observance of the provisions of the Charter, and his delegation, both in the Security Council and in the Special Committee on Peace-keeping Operations, had always worked to ensure that those forces were used to protect States and collective interests and not to camouflage or prolong actions favouring a single side.

14. All Member States must act in accordance with the commitment they had undertaken under the Charter to ensure, by the acceptance of principles and the institution of methods, that armed force was not used, save in the common interest. It should be stressed in that connection that the decision to work out guidelines that would govern United Nations peace-keeping operations was the result of a general agreement between Member States, an agreement which had been confirmed in many General Assembly resolutions and which was at the very basis of the current mandate of the Special Committee. Under the Charter, only the Security Council had the specific authority to take measures on behalf of the United Nations, particularly when the use of armed force to establish and maintain international peace and security was involved. On the basis of that fundamental provision of the

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(Mr. Smirnov, USSR)

Charter, the Special Committee had, through diligent collective effort, succeeded in making progress on its work on draft formulae for articles of guidelines. That progress was reflected very specifically in the Special Committee's reports to the thirty-first and thirty-second sessions of the General Assembly (A/31/337 and A/32/394), which showed that the Committee had prepared the texts of the title, introduction and first four articles, indicating a certain amount of agreement. Those articles stated that the purpose of the draft guidelines was to ensure, by the acceptance of principles and the institution of methods, that the peace-keeping operations would serve only the common interests of the United Nations. They also contained the basic principle that peace-keeping operations were organized in accordance with the relevant decisions of the Security Council. There had even been agreement on the possibility of establishing, under Article 29 of the Charter, a subsidiary committee which would assist the Security Council in the performance of its functions, and be composed of five permanent members of the Council, five non-permanent members and five other States which sent military contingents or personnel.

15. The Special Committee had therefore made real progress and his delegation felt that it was essential to keep that progress in mind and draw attention to the possibilities for constructive solutions which would permit an agreement on the guidelines that would govern United Nations peace-keeping operations in conformity with the Charter. So far, however, that had not been possible because some, particularly the supporters of practical steps, had contrived to create obstacles to that search process and intentionally to slow down the work on those guidelines. The question of enhancing the effectiveness of United Nations peace-keeping operations was not an artificial one, however. Today's world was increasingly confronted with policies or actions designed to undermine the social and political structures of States, particularly the small ones. One had to be concerned, in that connection, by the fact that certain elements abandoned constructive work which might make it possible to realize the collective security system provided for in the Charter and set out to create their own rapid deployment forces or a centralized command in order to carry out overt acts of intervention, or, contrary to the provisions of the Charter, to redeploy so-called multinational forces, which was tantamount to depriving States of United Nations protection and interfering in their affairs.

16. His delegation held the view that the Special Committee could, and must, carry on its mandate in a constructive manner and thereby contribute to the implementation, provided for in the Charter, of the concept of collective security by the prompt formulation of guidelines. His delegation strongly advocated the use of a method which had proved itself, namely, through collective efforts, to come as close as possible to an agreement on guidelines that would govern United Nations peace-keeping operations, with strict observance of the Charter.

17. Mr. SHEHATA (Egypt) said that the observance of the fortieth anniversary of the United Nations in 1985 should be the occasion for the Member States to re-examine the operation of the United Nations and recommit themselves to use and strengthen its capabilities to maintain international peace and security. To

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(Mr. Shehata, Egypt)

strengthen the effectiveness of peace-keeping operations meant primarily to strengthen the effectiveness of the Security Council, the primary organ for the maintenance of international peace and security, particularly in crisis situations, when it must resort to the instrumentality of peace-keeping forces. Those forces might insulate areas of conflict from external intervention and, by establishing a symbolic and impartial presence, promote a climate conducive to solving underlying conflicts. However, if peace-keeping was not followed reasonably quickly by peace-making, or rather peace-inducing efforts, the result might be the devotion of less effort to solving the root causes of conflicts.

18. The Charter did not provide for the creation of peace-keeping forces, but Member States had availed themselves of the prerogatives of Chapter VII to place military units between warring parties. That technique had been applied with mixed success, but certain lessons could be drawn from it. For example, Egypt, which had always been convinced that the maintenance and establishment of peace should be regarded as integral and complementary, proposed the following rules of conduct which could ensure a minimum measure of effective performance for United Nations peace-keeping operations: peace-keeping forces should be utilized more prudently, following prior intervention by the Security Council in potential crisis areas; the mandate of peace-keeping missions should be clearer and more specific; operations should be closely supervised, on a permanent basis, by the Secretary-General and followed up and monitored by the Security Council and by the Governments providing forces; peace-keeping forces should not be just a freeze of the status quo, preventing political solutions of the conflict - they should buy sufficient time for the parties to work out their differences in a peaceful atmosphere; peace-keeping should help prevent unnecessary violence and slow down the spiralling local tensions, thus facilitating termination of hostilities and an opportunity for negotiations; peace-keeping operations could not, or rather should not, be deployed in conflict areas with no defensible lines and thereby becoming embroiled in hopeless or dangerous situations; peace-keeping operations should demonstrate international commitment to resolving conflicts and bringing peace to the region; and finally, peace-keeping should be immune from manipulation by third parties promoting the conflicts. In short, peace-keeping should not be an end in itself but rather a means to an end, a means whose definition and practice should be expanded to include fact-finding, verification, crisis management and conflict resolution.

19. It was in that context that his delegation wished to mention in particular the role of the United Nations Interim Force in Lebanon (UNIFIL). The Secretary-General had stated in his report on UNIFIL of 9 October 1984 (S/16776): "... there is a general agreement on the objective of the withdrawal of Israeli forces from southern Lebanon and on the necessity of working out arrangements in southern Lebanon which would ensure peace and security in the region and the restoration of Lebanese authority and sovereignty in the wake of the Israeli withdrawal". His delegation hoped that such an agreement would become a reality and that in the future UNIFIL would be given a greater and more effective role in order to overcome the operational and political constraints under which it had suffered until now, to

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(Mr. Shehata, Egypt)

realize the objectives of Security Council resolution 555 (1984) of 12 October 1984 and, as the Secretary-General had indicated in his most recent report on UNIFIL, to assure "the safety and security of the population, including Palestinian refugees".

20. The crisis of peace-keeping in theory and practice was not a crisis of the instrumentality itself but a crisis of the system of collective security as a whole which, as analysed by the Secretary-General in his report on the work of the Organization, resulted from a retreat from internationalism and multilateralism and a weakening of the political consensus and will of the international community arising from the conflicting positions and motives of the Governments, which were the real causes of the impasse and of the failures of the United Nations to act or respond. Nevertheless, however imperfect it might be, peace-keeping was still an indispensable instrument. While some had called its mandate an empty one, others had more accurately seen that, in the Middle East in particular, it had played a clearly constructive and virtually exclusive role by making it possible to stabilize the crisis in order to prepare the way for diplomatic efforts aimed at reaching a peaceful settlement of the conflict.

21. Mr. MIKUS (Hungary) said that the Special Committee on Peace-keeping Operations, of which Hungary was a member, had not met that year and was unable to submit a report. His country supported the elaboration of guidelines for United Nations peace-keeping operations and felt that that task should precede the consideration of practical measures. The guidelines should be based on the relevant provisions of the Charter, by which the Security Council alone was empowered to take action involving the use of armed forces for the maintenance of international peace and security. Hungary had consistently supported the mandate of the Special Committee to elaborate permanent guidelines, and he expressed regret that it was unable to carry out that mandate because of the long-standing differences of opinion between delegations on the matter. It was of the greatest importance to preserve the unity of the Special Political Committee and for that reason his delegation had opposed the previous year the adoption of a draft resolution on which it had not been consulted, although it had been and still was a member of the working group of the Special Committee.

22. In the current tense international climate, Hungary and the other socialist countries, seeking to preserve the results of détente and maintain the dialogue and peaceful coexistence, had put forward proposals for curbing the arms race, renouncing the use of force and restoring confidence, while the imperialist circles had continued their policy of obtaining military superiority, thus aggravating the international situation. His country, therefore, felt that the Committee should first concentrate on the elaboration of guidelines, without which practical measures would be meaningless; his delegation was ready to support any initiative in that direction and would judge on that basis any draft submitted to the Committee.

23. Mr. GONZALEZ (Chile) said that his country had always upheld, both in theory and in practice, the principle of the prohibition of the threat or use of force in

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(Mr. Gonzalez, Chile)

settling disputes. Although the Charter was particularly explicit in that regard, there were no legal instruments obligating the parties to a conflict to resolve their dispute by peaceful means. Furthermore, it should not be forgotten that the bodies set up to prevent international conflicts could be effective only if they were assured of the political will of nations.

24. In view of the international tensions and a world situation marked by disorder and injustice, it was of the greatest importance to set up actual peace-keeping machinery. To that end, his delegation reaffirmed its support for the work of the Special Committee. The documents drawn up by the Special Committee should not merely recommend the adoption of agreed guidelines, but should also set forth practical measures. Such measures were compatible with the basic function of the Security Council in the maintenance of peace and should complement that function, in accordance with the letter and spirit of the Charter of the United Nations. In particular, the Secretary-General should play a prominent role in the peaceful settlement of disputes and should be given, when necessary, the financial means to carry out those functions. The Secretary-General, in the absence of appropriate action by the Security Council, should not remain passive when confronted with the crises besetting the world.

25. Chile had actively participated in peace-keeping operations. Although it was undeniable that those operations had had a positive effect, it should nevertheless be recognized that they could not deal with the root causes of conflicts. They were, therefore, only a palliative and could possibly be used to preserve the status quo through political manipulation.

26. Chile supported the aspirations of the developing world. Peace was a fundamental condition for achieving them. Peace was indivisible and global. Breaches of the peace, wherever they occurred, had negative effects for the rest of the world and created tensions giving rise to new conflicts in other areas. Existing instruments should therefore be revised and made more effective. The United Nations and, in particular, the Secretary-General should be empowered to take practical preventive measures to preserve peace and security.

27. Mr. NOWAK (Poland) observed that the Member States had conferred on the Security Council the primary responsibility for the maintenance of international peace and security. Only the Security Council, therefore, could and should decide to launch, direct and finance peace-keeping operations. Chapter VII of the Charter provided a sufficient basis for the elaboration of guidelines for peace-keeping operations. Poland strongly supported peace-keeping operations undertaken in conformity with the Charter and within the framework of the United Nations. Certain countries, however, in the search for military superiority, were attempting to bypass the United Nations by setting up their own "rapid deployment forces" or "multinational forces". The experience of the so-called multinational forces in Lebanon was very eloquent in that regard and proved once again that the work of elaborating the means and principles for strengthening peace-keeping operations was an urgent matter.

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(Mr. Nowak, Poland)

28. In providing a military contingent, first to the United Nations Emergency Force (UNEF) and then to the United Nations Disengagement Observer Force (UNDOF), Poland had followed its centuries-old tradition of patriotism and international solidarity. The Polish contingent, together with other troops from different regions and socio-political systems, contributed to the United Nations peace-keeping effort, as had been confirmed in the recent visits of the Secretary-General and the Commander of UNDOF to the Middle East. On returning to Poland those soldiers brought back with them the United Nations message of friendship and peace. More specifically, the Polish contingent provided logistic support to UNDOF, and Poland had acquired considerable experience in, inter alia, the clearing of mines, the supply of drinking water, road construction, the organization of field medical units, the establishment of observation posts and the organization of transportation and communications. The difficulties encountered in those highly specialized tasks and such problems as replacing several hundred highly qualified specialists who had been sent to the Middle East, and the experience acquired in overcoming them, had been considered at a seminar organized recently in Finland with the participation of a Polish military logistics specialist. It would be useful to conduct a comprehensive study of the experiences of all the troop-contributing countries in order to arrive at conclusions and make practical recommendations. His country was ready to continue to contribute to United Nations peace-keeping forces and he reaffirmed his delegation's support for the Organization as a peace-keeping instrument and for the elaboration of guidelines governing peace-keeping operations. His delegation, therefore, felt that the Special Committee should continue its work and that any draft resolution submitted, should be based on respect for the Charter and the principle of consensus.

The meeting rose at 11.55 a.m.