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## COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS

Letter dated 30 March 1972 from the Permanent Representative of the  
United States of America to the United Nations addressed to the  
Secretary-General

The United States has joined actively in the work of the Special Committee on Peace-keeping Operations pursuant to General Assembly resolutions to reach agreement on more systematic and reliable peace-keeping arrangements. The Special Committee has directed its efforts at reaching an understanding both on ground rules for the establishment, direction, control and financing of peace-keeping operations and on improved arrangements for assuring facilities, services and personnel for such operations.

Since 1969, the discussions in the Special Committee have centred on drafting guidelines for observer missions which are authorized by the Security Council, the United Nations organ with primary responsibility for the maintenance of international peace and security. Agreement was reached on an outline of work and on certain technical aspects. However, the work of the Special Committee has been stalled mainly because of lack of agreement on chapters dealing with the establishment (that is, formation, strength, composition), direction and control of peace-keeping operations. Certain points have also not yet been agreed on financing and legal arrangements.

Some members of the Special Committee had indicated that progress on guidelines for the conduct of peace-keeping missions might be facilitated if parallel bilateral discussions were held between the United States and Soviet representatives on the Special Committee. These discussions were initiated early in 1970. Discussions covered the requirements both of observer missions and of peace-keeping operations involving troop contingents, which would be authorized by the Security Council.

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\* A/8700.

In February 1970, the United States submitted certain suggestions to the delegation of the Union of Soviet Socialist Republics in an attempt to find a mutually acceptable basis for agreement which would then be submitted to the Special Committee for its consideration. The United States representative informally provided further clarification during the bilateral discussions. Certain aspects of the United States proposal were aired in the deliberations of the Special Committee and also in the General Assembly discussions on the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

We had no specific response from the USSR to the United States proposals until July 1971, when we received the document which has now been circulated by the Permanent Representative of the Union of Soviet Socialist Republics with his letter of 17 March 1972 (A/8669 of 20 March 1972). To provide a basis for the careful review and consideration by United Nations Members, the United States believes it is now timely to circulate its proposals of February 1970 along with certain clarifications made during the ensuing bilateral discussions. The United States proposals and the elaboration are herewith submitted as parts I and II, respectively, of the attached memorandum.

The central feature of the United States proposal of February 1970 is the provision for a sub-committee of the Security Council (including representatives of nations contributing funds, personnel and logistics) to provide continuing consultation and advice to the Secretary-General on key operational matters after an operation has been authorized by the Security Council. The Secretary-General retains sufficient discretion to assure managerial effectiveness in the conduct of the peace-keeping mission and in adapting it, within the bounds of the Council's mandate, to changing circumstances. The United States suggestions also include provisions for more equitable financing, under which, in particular, the permanent members would undertake to pay their fair share of peace-keeping operations authorized by the Security Council, and for broadened geographic participation in providing troops and facilities.

Your letter of 14 January 1972 requested Members to send to you any views or suggestions they might wish to submit to help the work of the Special Committee, pursuant to paragraph 4 of resolution 2835 (XXV) adopted by the General Assembly at its twenty-sixth session. We believe the United States proposals could help to clarify points at issue and serve as a basis for further discussion in the Special Committee.

As President Nixon indicated in his report to the Congress of 9 February 1972 on U.S. Foreign Policy for the 1970s:

"Our earnest efforts to resolve this problem have, thus far, been fruitless. Over the course of the next year we will make a further effort to work out a solution."

The United States delegation remains ready to work in the Special Committee to complete a set of mutually acceptable and realistic procedures for the conduct of United Nations peace-keeping operations authorized by the Security Council.

I respectfully request that this memorandum be circulated as a General Assembly document. I am also submitting the memorandum to the Vice-Chairman of the Special Committee on Peace-keeping Operations, Ambassador Zdeněk Černík of Czechoslovakia and Ambassador Yvon Beaulne of Canada, for consideration by the Committee.

(Signed) George BUSH

ANNEX

MEMORANDUM ON ESTABLISHMENT AND CONDUCT OF UNITED NATIONS  
PEACE-KEEPING OPERATIONS WHICH ARE AUTHORIZED BY THE  
SECURITY COUNCIL

Part I. United States proposals of February 1970

1. In authorizing an operation, the Security Council would establish a sub-committee (under Article 29) to hold a "watching brief" over the conduct of the operation, advise the Secretary-General and receive his reports between Council meetings. Military experts could be included on delegations represented on the advisory sub-committee. For the permanent members, these experts could be their Military Staff Committee (MSC) representatives. Representatives of nations contributing funds, personnel or logistics for an operation should be included on the sub-committee.
2. In authorizing an operation, the Security Council (taking account of the recommendation of the Secretary-General) could indicate the approximate size of the force by setting an upper limit to the number of observers or troops to be deployed. When appropriate, and taking account of the circumstances in each case, the Security Council would indicate the projected duration of a peace-keeping operation and provide for periodic review and renewal (as in the case of Cyprus).
3. The force composition would be determined by the Secretary-General (as it is now), but it would be subject to disapproval by the Council. The Council could interpose its view if it does not approve of the recommended composition. It would be agreed that a vote on the Secretary-General's recommendation would be procedural, i.e., not subject to a veto. East Europeans could participate on the same basis as other participants, but without a prescribed "political balance", whether in the form of troika or a fixed requirement that "socialist" countries always participate.
4. The Secretary-General would retain authority to name the commander, with the same right of disapproval by the Council by a procedural vote.
5. The Secretary-General would keep records of troop offers by Member Governments and negotiate specific troop arrangements, notifying the Security Council or its sub-committee.
6. The Council would normally, unless it considers otherwise, indicate the means for financing an operation, it being understood that any arrangements must not prejudice the General Assembly's authority to apportion expenses among the Members. Until a reliable and equitable system for financing peace-keeping is agreed, permanent members of the Security Council would undertake to pay their fair share of operations authorized by the Security Council.

7. We would also be prepared to discuss the future possibility of binding agreements between the Security Council and troop contributors (within the framework of Article 43) though we remain sceptical about the advantage of Article 43 arrangements for the foreseeable future. Potential contributors are much more likely to co-operate with a system of earmarking troops on a voluntary basis than of binding commitments under Article 43.

## Part II. Clarification and elaboration of the United States proposal

### 1. Prerogatives of the Security Council

The primary responsibility of the Security Council for the maintenance of international peace and security and consequently for authorizing United Nations peace-keeping operations is not in dispute. Nor is there any question about the prerogative of the Security Council to exercise supervision over the implementation of the mandate after an operation has been launched. However, an acceptable balance of responsibility must be maintained among the principal organs of the United Nations for direction and operational control. In particular, rapid and flexible decisions by the Secretary-General would appear to be of utmost importance for the effectiveness of United Nations peace-keeping missions.

The United States has proposed the creation of a Security Council committee, under Article 29 of the Charter, which would be composed of Council members (including the permanent members) and representatives of States contributing funds, personnel and facilities.

The interests of the United Nations and the efficiency of peace-keeping missions would be best served by procedures that assure that the Council is consulted through this committee on key operational decisions without extending the rule of unanimity to such decisions. The views of the permanent members of the Council should be given an appropriate weight in the consultations on United Nations peace-keeping operations. Until the full committee is established in each case, the permanent members of the Security Council would serve as a nucleus available for consultation on the initial force composition, selection of the force commander and on interpretation of the mandate.

### 2. Role of the Council committee

The concerns of Security Council members over the proper institutional role of the Council could be met adequately by the proposed role and functions of the committee as described in the United States proposal. Such a committee could be activated as soon as the Council authorizes the Secretary-General to undertake peace-keeping operation. Its role would be to keep in close contact and consultation with the Secretary-General and key Secretariat officials. The right of any member of the committee to convene a meeting of the committee or of the Council itself would be in no way abridged should that member at any time believe circumstances warrant it.

### 3. Directives

The committee, acting as a subsidiary organ of the Council, would provide guidance to the Secretary-General in connexion with the interpretation of the Council's mandate. Within the mandate authorized by the Security Council, specific directives should be elaborated by the Secretary-General, in consultation with the committee. These directives should give the commander a clear understanding of the nature of his responsibilities, the relationship of the mission to the host country, the relationship between the contingents and their own countries of origin during United Nations service and the reporting requirements. Since these procedures are designed to apply to consent-type peace-keeping missions, the views of the host countries and the parties directly concerned must be taken fully into account.

### 4. Size and composition of forces

The Security Council could indicate the approximate size of the force by setting an upper limit to the number of observers or troops to be deployed. Some latitude should be given to the Secretary-General to adapt the size to changing circumstances after consultation with the committee.

Composition of any United Nations force (or observer group) authorized by the Council should be determined by the Secretary-General to fit the needs and circumstances of each case, and his determination would be subject to disapproval by a procedural vote of the Council.

After the Security Council has authorized an operation, the Secretary-General should undertake preliminary contact with the host Government and other Governments concerned to ascertain their views as to what national contingents would be politically acceptable. Then soundings would be made with countries which had indicated willingness to provide contingents in order to work out an acceptable force composition.

It would be the responsibility of the Secretary-General, in consultation with the actual or proposed force commander (and bearing in mind the views of the Council members and the parties), to determine the types of forces or personnel required in the particular situation and to arrange as appropriate with nations willing and able to contribute them.

The Secretary-General, as the executor of the Security Council's mandate, would be responsible for concluding arrangements for the recruitment and use of such United Nations contingents, and for seeking additional contingents, military personnel or facilities when needed and consistent with the Council's mandate.

All United Nations Members should be considered as potential participants on an equal basis. While no Member State should be excluded a priori, there should be no prescribed balance or automatic right of any country or group of countries to participate in a particular operation. In addition to professional

qualifications, the paramount considerations appear to be the acceptability of the contingents (or personnel) to the host country and to the other parties.

5. Stand-by arrangements

The Secretary-General should be authorized as soon as possible to maintain an inventory of troop offers by Member Governments and to undertake specific arrangements under which such personnel or services could be made available. These arrangements would be reported to the Security Council. In present circumstances, we believe most United Nations Members would be more willing to undertake such arrangements on a voluntary basis, and that such arrangements would enhance the suppleness and responsiveness of United Nations peace-keeping machinery. While the United States regards discussion of arrangements under Article 43 of the Charter to be premature, and perhaps inappropriate to consent-type peace-keeping operations, we would be willing to examine the feasibility of such agreements if the members of the Special Committee believed this course to be more practicable and acceptable to the membership.

6. Commander

The Secretary-General should designate the force commander or his replacement, after consultation with the host countries, parties directly concerned and the Council's committee. However, the Council could disapprove the Secretary-General's selection through a procedural vote.

The Secretary-General would compile a roster of potential force commanders as a reserve of available commanders. Such a roster would be kept current. After consultation with the host Government and the committee, the Secretary-General would select a force commander from this list or on the basis of experience gained from previous operations. Given the emergency nature of most peace-keeping operations, it would be essential that these steps be taken urgently.

The commander should be given the necessary authority over all elements of his mission to enable him to carry out his responsibilities under the mandate. He should submit to the Secretary-General periodic reports on the implementation of the mandate, as well as special reports on his own initiative or at the request of the Security Council or the Secretary-General. The Secretary-General shall transmit such reports to the Council or its Committee as appropriate.

When problems arise in the conduct of operations or in the implementation of the mandate, the commander will consult the Secretary-General. On questions of major importance, such as a substantial increase or decrease in the size of the force or its deployment, the Secretary-General will consult the committee and, if it deems necessary, the Security Council.

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7. Military advisers

Under the United States proposal, members of the Security Council committee could include military experts on their delegations as advisers. For the permanent members of the Council, these experts could be their representatives to the Military Staff Committee. We doubt the utility in consent-type peace-keeping as distinguished from enforcement action, of a separate role for the Military Staff Committee. The United States would be willing to consider proposals to draw upon the expertise of military representatives on the Military Staff Committee and from countries participating in the peace-keeping mission, so as to furnish the Council, its committee or the Secretary-General with expert and timely advice on military questions.

8. Financing

The Security Council would normally indicate the means for financing an operation, it being understood that any arrangement must not prejudice the Assembly's authority to apportion expenses among the Members. Further consideration will need to be given by the Special Committee to the problem of financing future United Nations peace-keeping operations. Until agreement is reached on a reliable and equitable system of financing future operations, the United States suggested that, in addition to what others may contribute, permanent members of the Security Council would undertake to pay their fair share of peace-keeping operations authorized by the Security Council.

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