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Chairman: Mr. Humberto LOPEZ VILLAMIL
(Honduras).

AGENDA ITEM 37*

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (A/6815; A/SPC/L.148, A/SPC/L.150)

1. The CHAIRMAN (translated from Spanish): The Committee has before it two draft resolutions on this item, the first [A/SPC/L.148] sponsored by the delegations of Ceylon, Costa Rica, Ghana, Ireland, Ivory Coast, Liberia, the Philippines, Togo and Upper Volta, and the second [A/SPC/L.150] by the delegations of India, Mali, United Arab Republic, Yugoslavia and Zambia.

2. Before calling on the first speaker on to-day's list, I should like to inform representatives that as we now have two draft resolutions on the item, speakers participating in the debate may, if they wish, refer to both draft resolutions.

3. In accordance with established procedure I call on the representative of the United Arab Republic, who wishes to make a statement in his capacity as Rapporteur of the Special Committee on Peace-keeping Operations.

4. Mr. ABDEL-HAMID (United Arab Republic): In my capacity as Rapporteur of the Special Committee, on Peace-keeping Operations, I have the honour to present the report of the Special Committee [A/6815] to the twenty-second session of the General Assembly.

5. The report is a simple, factual and balanced one. It begins with a reference to the work of the Special Committee early this year. It is appropriate to elucidate this reference in order to enable the Committee to have a full account of the work of the Special Com-

mittee on Peace-keeping Operations during the interval between the two regular session.

6. Members will recall that at its twenty-first session the General Assembly had on its agenda the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations." After a detailed debate, the Special Political Committee, to which this item had been allocated at the last session, submitted its report.^{1/} The report contained three draft resolutions submitted by the Special Committee. However, during its twenty-first session the General Assembly did not pronounce itself on any of those draft resolutions. Instead, the Assembly decided by resolution 2220 (XXI) to refer the report of the Special Political Committee to the fifth special session of the General Assembly. By the same resolution the Assembly also requested the Special Committee to continue the review of the whole question of peace-keeping operations and to report to the General Assembly at its fifth special session.

7. Prior to the fifth special session, the Special Committee held a number of meetings between February and May 1967.^{2/} The meetings began on a positive note due largely to the initiative taken by a number of non-aligned countries members of the Special Committee which proposed in a memorandum^{3/} that the work of the Special Committee could best be organized by the establishment of two working groups, Group A and Group B, in addition to the Special Committee itself; the two working groups were to deal with the study of various methods of financing peace-keeping operations and with matters related to the facilities, services and personnel which Member States might voluntarily provide to a United Nations peace-keeping operation.

8. The discussions, particularly in the working groups, were constructive, and many useful suggestions and ideas were submitted by several delegations. In essence, the meetings of the Special Committee were business-like and reflected the desire of its members to make sincere efforts to achieve progress in what is admittedly an extremely difficult and complex area.

9. The report of the Special Committee on Peace-keeping Operations to the fifth special session speaks for itself. The General Assembly, after a compara-

^{1/} Official Records of the General Assembly, Twenty-first Session, Annexes, agenda item 33, document A/6603.

^{2/} Documents A/AC.121/SR.23-26 (mimeographed).

^{3/} Official Records of the General Assembly, Fifth Special Session, Annexes, agenda item 8, document A/6654, annex I.

^{4/} Ibid., document A/6654.

*At its 577th meeting, on 4 December 1967, the Special Political Committee decided that the verbatim records of the meetings dealing with agenda item 37 should be the official records of the Committee. This procedure was authorized, as an exceptional measure, by the Office of Conference Services.

tively brief consideration of the item, adopted resolution 2249 (S-V), which:

"Requests the Special Committee on Peace-keeping Operations to continue the review of the whole question of peace-keeping operations in all its aspects and to study the various suggestions made by different delegations during the Special Committee's recent session, in particular those relating to:

"(a) Methods of financing future peace-keeping operations in accordance with the Charter of the United Nations;

"(b) Facilities, services and personnel which Member States might voluntarily provide, in accordance with the Charter, for United Nations peace-keeping operations."

10. Although the resolution adopted by the fifth special session of the General Assembly might appear to be mainly procedural in character, it clearly reflects the general feeling among the members of the Special Committee that, given more time, it would be possible for the Special Committee to make significant progress, at least in certain areas falling within its mandate.

11. I have referred briefly to the work of the Special Committee prior to the fifth special session and to resolution 2249 (S-V) adopted by the General Assembly at its fifth special session. May I now say a few words on the recommendation contained in the report of the Special Committee submitted to the twenty-second session of the General Assembly in conformity with that resolution? As is stated in the last paragraph of that report:

"Owing to the preoccupation of the entire membership of the Organization with certain international developments, the Special Committee on Peace-keeping Operations was unable to undertake the task entrusted to it by the General Assembly. In the circumstances, the Special Committee is of the view that it should continue to carry out its mandate." [A/6815, para. 5.]

It is significant to recall that this recommendation was unanimously adopted and that no objection whatsoever was voiced against it.

12. I should now like to say a few words in my capacity as the representative of the United Arab Republic.

13. The Secretary-General in the introduction to his annual report on the work of the Organization for the period 16 June 1966 to 15 June 1967 [A/6701/Add.1, para. 30] stated that the lack of progress in the establishment of a more durable framework for peace-keeping operations, with agreed and authorized guide-lines and ground rules for setting them up, conducting and financing them, undoubtedly diminishes the confidence with which the United Nations can face the probable conflict situations of the future. It is not to the credit of the United Nations that after nineteen years of peace-keeping efforts each operation has still to be improvised because of a lack of measures of a general preparatory nature by the appropriate organs—I emphasize the words appropriate organs. While it seems to be agreed that the United Nations

must have some capacity to act effectively in time of danger, it has still not been possible to agree on methods by which that capacity might be increased and made more reliable, especially in the periods between crises.

14. The points raised by the Secretary-General are pertinent if the desire is to have an effective United Nations determined to play its role in the maintenance of international peace and security. In studying these points, four factors should be borne in mind: the first is that any approach which may prejudice the constitutional positions of various delegations should be avoided. Our search should be centred around seeking agreement among all concerned and enhancing it, rather than spreading discord, from which our Organization has suffered in the past.

15. The second factor is that one has to deal with these points within the area of agreement from which members of the Special Committee are inclined to tackle their mandate.

16. The third factor is that one cannot continue to overlook the appropriate organs established under the Charter of the United Nations for this purpose. Consequently, we have to revive dormant machinery, to explore in depth its efficiency in order to enable the entire membership, whose composition has happily been subjected to various changes, to express itself and to reach a constructive decision.

17. A fourth factor is that the prevailing general desire, in the light of the different consultations among representatives, is to look forward to a substantive discussion during the next session of the General Assembly, rather than at this session. Therefore, a request for adequate studies should be made to facilitate the debates in the next session.

18. With all those considerations in mind, the delegations of India, Mali, Yugoslavia, Zambia and the United Arab Republic have prepared draft resolution A/SPC/L.150 which I have the honour to submit to the Committee on their behalf. In the preamble, the authors of the draft resolution refer particularly to the importance which Member States attach to a comprehensive review of the whole question of peace-keeping operations in all its aspects, as well as to the report of the Special Committee on Peace-keeping Operations.

19. The report of the Special Committee [A/6815] clearly indicates that it should continue to carry out its mandate. In paragraph 2 of resolution 2249 (S-V), the General Assembly requests the Special Committee to continue the work assigned to it. Also, the Special Political Committee has recommended to the General Assembly that the Security Council should prepare a study on certain matters which have been suggested by the Secretary-General.^{5/} The authors of the draft text thought that that study should be carried out by the Military Staff Committee and that an invitation should be extended to an agreed number of Member States to assist the Military Staff Committee in its study.

20. With the report which we are expecting from the Security Council if this draft resolution is adopted,

^{5/ Ibid., Twenty-first Session, Annexes, agenda item 33, document A/6603, para. 25, draft resolution B.}

as well as the report of the Special Committee—provided that it continues its work after the end of the twenty-second session of the Assembly—the authors of the draft text believe that the General Assembly will be in a better position to pronounce itself on this matter at the next session.

21. The delegations of India, Mali, Yugoslavia, Zambia and the United Arab Republic are confident that this draft resolution [A/SPC/L.150] will receive the support of the Committee.

22. Mr. AIKEN (Ireland): I wish to introduce draft resolution A/SPC/L.148. I do so on behalf of its co-sponsors: Ceylon, Costa Rica, Ghana, Ireland, Ivory Coast, Liberia, the Philippines, Togo and Upper Volta.

23. Many members will have noted, I am sure, that the operative paragraph of this draft resolution is in principle the same as operative paragraph 2 of draft resolution A/SPC/L.121/Rev.1 of 1965.^{6/} That draft text was discussed by this Committee at the twentieth session and referred by the Assembly to the Special Committee on Peace-keeping Operations—the Committee of Thirty-Three—for careful consideration and report. Members will have noted also that the operative paragraph is identical to operative paragraph 1 of draft resolution A/SPC/L.129/Rev.1 of 1966, which was adopted by this Committee at the twenty-first session^{7/} and referred by the General Assembly to the fifth special session which met in April and May this year.

24. It will be recalled that the report to the fifth special session by the Committee of Thirty-Three^{8/} recorded no progress on any aspect of peace-keeping and that, in requesting the Committee of Thirty-Three to continue its work, the General Assembly asked it to study the draft resolution for purposes of its report to this twenty-second session. That report [A/6815] is now before us, and we have just heard the Rapporteur comment upon it. It shows that after twenty-one months the Committee has made no progress towards reaching agreement as to whether or not future peace-keeping operations should be financed by mandatory assessments.

25. It would of course be wrong to criticize the members of the Committee of Thirty-Three for their failure to recommend proposals for a reliable system of financing future peace-keeping operations. Indeed, as I argued at length in 1965 and 1966, it was both unfair and unwise not to give the Committee a lead on a question of such fundamental importance to the life of the United Nations. If the General Assembly, in which every Member State is represented, is not prepared to take a stand on the principle of mandatory assessments for the expenses of maintaining peace, which is the primary purpose of this Organization and the most fundamental obligation of its Members, we

cannot blame a restricted committee for failing to come to grips with the problem.

26. Let us therefore in this debate, be resolved to answer the call which our wise and heavily burdened Secretary-General has made to us, and which is incorporated in the second preambular paragraph of our draft resolution [A/SPC/L.148]. Let us apply ourselves to devising ways and means whereby future peace-keeping missions will be financed on a firm and reliable basis. Let us strive to hammer out a solution, even an interim one, to back our protestations of loyalty to the Charter not merely with promissory notes but with cash. Let us show that we are determined, in the opening words of the Charter, "to save succeeding generations from the scourge of war" by maintaining the integrity of our Organization and by providing a firm and reliable financial basis for all measures approved by the appropriate organs of the United Nations "for the prevention and removal of threats to the peace". Here, in this Committee, is where the responsibility now rests.

27. Most if not all of us here realize only too well that what is involved in the denial or lack of support by the great Powers of the General Assembly's right under Article 17 of the Charter to make mandatory assessments for peace-keeping is not mere parsimony; it is rather due to a desire to be always in the position to exercise a financial veto even on a peace-keeping mission vital to the very life of a small State and against which no permanent member of the Security Council has voted. It is due also, I feel, to a gross underestimation of the political change necessitated by the continuous advance of science and technology, and to the outmoded belief that great nuclear Powers, unlike small States, have no need to strengthen the peace-keeping capacity of the United Nations—the belief that they can still guarantee their own national security and prestige by increasing their military power and by extending their alliances and political and economic influence.

28. My delegation believes that that day is gone. We believe the stage has been reached when absolute security is unobtainable by an individual Power or by limited group alliances which by their nature are subject to change. We are convinced that the best guarantee against attack now and in the future, for both great Powers and small States, is to counter the increasingly destructive power and range of modern weapons not by organizing stronger and stronger group alliances against group alliances, but by organizing effective collective measures against aggression as envisaged in Article 1 of the Charter—a world-wide alliance which is inherently stable and in which every heart and hand can be united against an aggressor.

29. I need hardly say that the evolution of the United Nations alliance will be a long and difficult process with perhaps many heartbreaking setbacks. But we can create the climate necessary for success if we follow the wise advice of the Secretary-General in paragraph 26 of his report on the United Nations Emergency Force (UNEF) in the Middle East: "Clearly, an important lesson to be gained from this sobering experience is that the peace-keeping function of the

^{6/} *Ibid.*, Twentieth Session, Annexes, agenda item 101, document A/SPC/L.121/Rev.1.

^{7/} *Ibid.*, Twenty-first Session, Annexes, agenda item 33, document A/6603; para. 25, draft resolution A.

^{8/} *Ibid.*, Fifth Special Session, Annexes, agenda item 8, document A/6654.

United Nations should be strengthened so as better to serve the cause of world peace."^{9/}

30. We are all too painfully aware that peace is threatened in many areas by fear, suspicion and antagonism between small States as well as great Powers. However, it is becoming more obvious every day that the great nuclear States see nothing to be gained at the present time by a deliberate attack upon a rival. As long as the present strategic balance remains stable, we shall have the opportunity of searching for, designing, experimenting, and building a more permanently reliable peace structure. But, as we know, disputes between smaller States in certain areas carry the threat of upsetting that balance, and therefore of great Power intervention and confrontation.

31. We have seen the great nuclear Powers approach the brink twice in recent years and avoid disaster by mutual understanding and restraint coupled with perfect communications and good fortune—a combination the existence of which it would be presumptuous to expect in the crises that are likely to occur if we do not strengthen our determination and our capacity to keep the peace between the smaller States. And whatever imperfections may be seen in our Charter, which was negotiated and agreed before the first atom bomb was exploded, we can, I believe, within a fair and wise interpretation of its provisions, strengthen the peace-keeping function of our Organization and, by containing and resolving minor conflicts, avoid the catastrophe of general nuclear war. In any event, it is our duty to try hard.

32. Many States have had long experience in war-making but, despite astronomical expenditure, not always with the perfection sometimes demanded of a United Nations peace-keeping corps. The United Nations has had only a few years' experience in peace-keeping, but, limited as it is, we must draw the lessons to be learned from that experience so as to improve and perfect methods which have been shown to be of value and discard any that are not worth retaining.

33. The peace-keeping function of our Organization would be greatly strengthened, I believe, by a more vigorous and sustained use of our conciliation machinery. I would urge that it should be recognized and emphasized that the Secretary-General has the right on his own initiative to dispatch a conciliator, or a succession of conciliators, to any area in which hostilities have broken out or which is threatened by an inter-State conflict. Conciliation should be embarked on in all cases at the first sign of trouble and be vigorously pursued, even if hostilities break out, until peace is made.

34. In appropriate cases the Security Council, which has the primary responsibility for maintaining peace, should, I suggest, take the initiative in establishing a formal investigation into disputes or situations which are likely to endanger international peace, and when necessary the Council should consider calling upon the parties concerned to submit the dispute to arbitration or judicial settlement.

35. I would also urge that when States involved in a dispute request a United Nations peace-keeping corps, consisting of unarmed observers or lightly armed troops, or a combination of both, a peace-keeping operation should be mounted with all possible speed, and to that end consideration should now be given to the desirability, referred to by the Secretary-General in his report: "...of having all conditions relating to the presence and the withdrawal of a peace-keeping operation clearly defined in advance of its entry onto the territory of a host country."^{10/}

36. I would urge, therefore, that the Secretary-General should study the feasibility of drawing up a standard agreement between the United Nations and States applying for a peace-keeping corps. If these States were aware beforehand that they would be required to sign an agreement along the lines of the standard draft, it should speed up the dispatch of a peace-keeping corps.

37. May I suggest that the standard draft might provide that the parties involved would be required to demilitarize both sides of the boundary to the extent required for the effective functioning of the corps; that the corps should not be withdrawn from either side of the boundary without the prior consent of both sides or the consent of the United Nations and at least one of the parties concerned; and that if circumstances render such a course desirable, the United Nations should be free to withdraw the corps upon giving one year's notice to the States involved?

38. It seems to us that an agreement along the lines I have suggested, which is freely accepted by all the parties involved, would not depart from the voluntary principle on which peace-keeping operations, as distinct from enforcement measures, depend. I also wish to emphasize this point because the Secretary-General in the introduction to his annual report on the work of the Organization [A/6701/Add.1] rightly stressed the importance of this principle.

39. I also suggest that parties requesting a peace-keeping operation should be warned that an attack on a United Nations peace-keeping corps would be regarded as prima facie evidence that the dispute has become a threat to international peace and security, and that the Security Council would be requested to meet urgently to determine whether in fact such a threat exists and whether enforcement action should be taken under Chapter VII of the Charter.

40. However, we could have perfect plans for mounting a fine well-trained and well-equipped peace-keeping corps in a matter of hours, and I am all in favour of having them, but they would just be so much waste paper if they were not backed by hard cash. I would therefore urge most strongly that we should adopt now, even on an interim basis, some dependable system for providing a peace-keeping mission, established on the initiative of the Security Council or recommended by the Assembly, with adequate financial support even if not all the permanent members of the Security Council voted in favour of it.

41. The co-sponsors do not regard the proposals in the operative paragraph of our draft resolution [A/

^{9/} *Ibid.*, Twenty-second Session, Annexes, agenda item 21, document A/6672 and Add.1, para. 26.

^{10/} *Ibid.*, para. 2.

SPC/L.148] as a perfect system for financing peace-keeping activities of the United Nations. Indeed we look forward to the day when, after more practice in the art of co-operation, the United Nations will meet the expenses of its peace-keeping measures by making mandatory assessments on all States in the normal manner.

42. However, what gives most concern to the co-sponsors, and what we are aiming to achieve, is not a presently unobtainable perfection in the assessment of expenses as between State and State, but the reliability of the system of collecting the funds necessary to carry out successfully a peace-keeping operation which the United Nations has agreed to undertake. We want above all to establish the dependability of the United Nations, to ensure that it can honour its bond, to play fair with small States in danger of attack which decide to turn for help to our Organization rather than to a great Power. We are gravely concerned with the need to develop and maintain the peace-keeping capacity of the United Nations so that the small and medium-sized States, with the help of some if not all of the great Powers, can contain hostilities between small States and prevent their disputes ending in disaster for their peoples and neighbours, and perhaps giving rise to a confrontation between the nuclear States.

43. It is for these reasons, and mindful of the present state of tension and rivalry between the great Powers, that the co-sponsors propose that we should take account of the position of the permanent members of the Security Council which are involved in many parts of the globe. We recognize that, owing to domestic difficulties or their commitments in the area in which a dispute arises between small States, some permanent members, and they may not always be the same, may find it politically impossible to vote or pay for a peace-keeping operation even though they might wish to see it established.

44. On the system of assessment for peace-keeping expenses suggested in this draft resolution [A/SPC/L.148] no Member State will be required to bear an undue burden. Indeed the developing States between them will not be required to pay in any year more than 5 per cent of peace-keeping expenses where those expenses are less than \$100 million and, where this expenditure exceeds \$100 million, the total liability of the developing States will still be limited to a maximum of \$5 million.

45. Balancing the right given to a permanent member not to pay for a peace-keeping mission for which it has not voted, is its contingent liability to pay more than its normal share when it votes in favour. And balancing the liability of all other Member States to pay their due share of the expenses of all peace-keeping measures, is the vital interest of the United Nations, and above all of the smaller States, to ensure that the dispatch and maintenance of a peace-keeping corps is not dependent upon the will or whim of a permanent member which is not willing to vote in favour when a small State turns to the United Nations for assistance instead of to a great Power.

46. Those of us who are not permanent members of the Security Council constitute much more than the

two-thirds necessary for the adoption of this resolution. Our is the deciding voice on this issue. I would urge that we should vote to bring the proposed system into operation, pending the adoption of some other proposal which will serve equally well or better to finance a peace-keeping corps, firmly and reliably, until its mission has been accomplished.

47. Mr. CUEVAS CANCINO (Mexico) (translated from Spanish): Mr. Chairman, I wish to apologize to you and to my colleagues for the length of my statement and also to my friends the interpreters for the difficulties of my style. I have tried to curtail my statement as much as possible but, as my colleagues will note, I have not been very successful in this attempt.

48. The report of the Special Committee dealing with item 37 on the agenda of the twenty-second session of the General Assembly affords us a useful opportunity for substantive comment. In offering such comment, we must inevitably take into account the background and review opinions which are all controversial. I need hardly say that I shall try to be objective, although I must freely confess I believe that in our Organization objectivity is interpreted as coincidence with one's own points of view. My delegation does not wish to introduce controversy or to reopen chapters of long-past episodes: it would, instead, like to suggest paths which, if acceptable, could ultimately lead to the strengthening and consolidation of the United Nations.

49. The Special Committee was created under resolution 2006 (XIX) of the General Assembly in connexion with the so-called financial crisis that arose over the interpretation of Article 19 of the Charter. This crisis, which paralyzed the nineteenth session of the General Assembly, was overcome mainly as a result of the work of the Special Committee. Thus its work has been important, though the slow rate of its progress has provoked criticism which places its efforts in question and casts doubt upon the continuation of its mandate.

50. No one questions the premise that the United Nations was founded with the fundamental purpose of maintaining peace. With this lofty objective in mind, and with a realism that continues to be self-evident, a soberly constructed edifice was erected in San Francisco. Peace rested with the great Powers, whose alliance had made possible the victory over the Nazi-fascist Powers. They held the major responsibility for preserving peace and for making constant efforts to avoid threats to peace in the future.

51. The maintenance of peace was entrusted to the Security Council at San Francisco. The Charter laid down no restrictions on actions by that Council, which was a central organ in this new edifice of peace; it could investigate any situation or controversy likely to endanger peace, either directly, at the request of the parties, or on the recommendation of the Assembly. With respect to the measures for settling such a situation or controversy, it had a vast arsenal at its command: direct means authorized by decisions for the emergency action provided for under Chapter VII of the Charter; indirect means of recommendations to the parties as provided in the Charter, together

with associated organs, provided under Chapter VI. Broad scope was also provided for the wishes of the parties, on condition, however, that the Council would be free to impose a solution in the case of a situation endangering peace.

52. Above and beyond this series of broad and precise powers with which the organ primarily responsible for maintaining peace was invested, the Charter left room for the possibility that the General Assembly itself might act. Its powers were different, but they were in no way contrary to those of the Security Council. On the contrary, the General Assembly was able to discuss any question concerning the maintenance of peace, and it could make recommendations to the Council. The Charter also laid down that the Council should submit special reports to the General Assembly.

53. The work of the Special Committee has brought out that the Charter, in setting up the General Assembly and the Security Council, established two organs designed to achieve the same purpose, that of preserving peace, and that their functions were not contrary and could not be contradictory. The Charter provided for organic collaboration, which even today, more than twenty-two years after it was written, seems clear and convincing to my delegation. The principle which, like various others, emerges from our work in the Special Committee, could not be taken into account when the crisis concerning the interpretation of Article 19 arose. This organic interpretation of the Charter, together with other interpretations, came to be one of the theses that were taken into consideration in the discussions about the future of our Organization.

54. The political thesis on which the Charter rests—that is to say, the primacy and effectiveness of the Security Council as the body entrusted with the maintenance of peace—did not succeed in taking shape. The five great Powers did not act unanimously. Very soon, one of them, torn by civil war, ceased to exercise its substantial weight in the ambit of the United Nations. The lack of unity and the subsequent inactivity of the Security Council gave rise, as the main element in the crisis in which we still find ourselves, to General Assembly resolution 377 (V), known as "Uniting for Peace". On the basis of that resolution the organic concept of the United Nations Charter was considerably changed. While the work of the Collective Measures Committee did not attain precise conclusions, it was obvious that the United Nations started out on new paths. The General Assembly, by its own action, was authorized to act not only when the Security Council failed to act—which is, after all, a basic premise provided for in Article 11, paragraph 2 of the Charter—but even to act in addition to or to replace the Council when it failed to act. The General Assembly, a democratic body *par excellence*, in which, independently of their military power, all States are equally represented, was vested with potential military responsibilities which were very difficult to carry out. These responsibilities were not foreseen in the Charter. In the situation which I have just described, the Charter established military responsibilities under the conditions and guarantees laid down in Articles 43 and 45: under the aegis of the Security Council and on the obvious assumption of specific agreements

individually concluded between the States Members of the United Nations and the Security Council.

55. In the absence of a real executive body, provided only for the Security Council, the United Nations began with new directives to make the Secretary-General, whose title in the Charter is defined only as "the chief administrative officer of the Organization", the *deus ex machina* of new methods to carry out peace-keeping operations. These operations, which are undeniably justifiable, and even necessary for some Member States, depart considerably from the assumption of San Francisco. Improvisation was also necessary to provide for the military needs implicit in the new form of executive policy. That had in fact to be done by a Secretariat which had been planned as completely alien to military matters. The Charter which indeed had foreseen military consequences in the event of the application of enforcement measures by the Security Council, had also created a competent body—only one—which is none other than the Military Staff Committee.

56. The United Nations as a whole constitutes an organization designed to maintain peace and it is, therefore, axiomatic that none of its Members or of its bodies can remain outside its peace-keeping efforts. But by definition these efforts must be organic and complementary. Except at the risk of destroying the very basis of the Organization, we cannot substitute some bodies for others in the discharge of their specific responsibilities.

57. Once the "Uniting for Peace" resolution had been adopted, there followed in its wake interpretations of the Articles of the Charter that were not unanimous. These interpretations tried to show, on the basis of the organic nature of the Charter, how the various organs of the United Nations could supplement one another. To be specific, the inactivity of the Council, motivated by causes alien to the Charter and which destroyed politically one of the assumptions of the Organization, could be offset by the new responsibilities which the Assembly took upon itself, and this was done without counting on the unanimous agreement of the Member States. Thus was laid the basis for the inevitable constitutional crisis which one day would have to be faced. We all know that this occurred in connexion with the cost of the large-scale peace-keeping operations which were carried out beyond the direct control of the Security Council in the Congo and in the Middle East. In the face of acts that disrupted international tranquillity and caused a confrontation of the armed forces of Member States, the United Nations acted through recommendations adopted from the outset, or immediately thereafter, by the General Assembly. The Secretary-General served as the executive officer. In the absence of co-ordinating machinery and methods expressly provided by the Charter, new machinery had to be created and various methods utilized which gave rise to the theory of the existence of peace-keeping operations beyond what had been laid down in the Charter. After various experiences, these came to be defined as those international operations whose execution involves military forces provided on a voluntary basis by States other than the permanent members of the Security Council, and accepted on the same voluntary basis by one or all of the countries that were parties to the conflict

which led to the international action. A distinction was thus established, which some believe essential, between peace-keeping forces and those which would be available to the Security Council under the provisions of Chapter VII of the Charter. To the element of voluntary acceptance was added the idea that they should in no way constitute occupation forces: they would be accepted voluntarily, with a mandate which could be terminated at the will of the recipient country or countries. It was considered appropriate to regard them as being halfway between the peaceful settlement of controversies and the action which would be taken in case of a breach of the peace. However, the voluntary aspect comes to an end when we come to the financing of those operations. It is claimed, in effect, that the costs of the aforesaid operations fall within the expenses of the Organization, as provided for under Article 17, paragraph 2; and while voluntary in origin, composition and acceptance, they are financially binding, and it is essential that all Member States should participate jointly in the resultant payments. This approach, strengthened by an advisory opinion of the International Court of Justice,^{11/} led —to repeat this once again— to the crisis of the nineteenth session, a crisis the consequences of which have been referred to the Special Committee.

58. That constitutional and financial crisis occupies a very special place in the history of our Organization: it was sufficient to paralyse the General Assembly and was also considered so fundamentally exceptional that it was not possible to apply to its solution the parliamentary methods which had painfully and progressively been worked out by the United Nations. Only after months of negotiations was it possible to set up the Committee of Thirty-Three, whose first two reports made it possible to go beyond the immediate aspects of the constitutional crisis—if not the financial—and once more apply those parliamentary methods in order to overcome the differences among Member States, including those relating to the actual interpretation of the Charter.

59. This Committee, therefore, is not just one of so many bodies set up by the General Assembly to settle one issue or the other. It is, so to speak, a true constitutional committee dealing with questions fundamental to the Organization itself. In signing the Charter, the States Members of the United Nations agreed to limit their sovereignty in many ways, all of them expressly laid down in the Charter. Perhaps the most important and significant factor here is the use of military forces, which the Romans called the ultimate resort in international disputes. In ratifying the Charter, the Member States accepted all those limitations of their national sovereignty. To go beyond that and to accept limitations other than those set forth in that basic document would have very great implications. It has been affirmed many times that the Charter is a living document capable of interpretation and, as such, a lasting document which transforms and adapts itself to the various moments of history through which it passes. My delegation has always supported a constructive interpretation of treaties, and makes no

exception in the case of the Charter. We believe, however, that a State could hardly be asked to transfer its sovereign powers to the world Organization through majority decisions or beyond what is provided by the letter of the Charter. The vitality of the Charter rests on the fact that we can approach the world of tomorrow in an atmosphere of better international understanding. But that understanding will destroy itself if we are too hasty and, to achieve the desired ends, use means other than those accepted by international law, the highest embodiment of which continues to be the United Nations.

60. In the case of some items, such as the elimination of colonialism, Articles and even entire Chapters of the Charter have been given a meaning which was certainly not foreseen at San Francisco. This development, however, has followed the principles laid down by the Charter and, what is more I venture to affirm that it has reflected the unanimous will of mankind today to lay once and for all the ghost of nineteenth-century colonialism. However, this matter has not involved the use of military forces by the United Nations, which touches that aspect of national sovereignty which every State so zealously cherishes. To try to impose obligations not specifically determined in the Charter in the face of the clear opposition of a minority of States Members of the United Nations, including various permanent members of the Security Council, is, to my delegation's thinking, not a step towards uniting mankind but a serious step backwards.

61. Other Committees have been set up by the General Assembly, and their work has been praised for the great patience they have shown and their extraordinary care in negotiations. One of those is, beyond question, the Committee on Disarmament, in which the magnitude of the issues and the delicate nature of the agreements involved require a new sense of timing. I would venture to ask that similar considerations should obtain when we evaluate the work of the Special Committee. We are dealing here, purely and simply, with the fundamental issue around which revolves the very life of the United Nations: the limitation of sovereignty with respect to the use of armed forces by Member States, and international intervention to prevent differences or disputes between two or more countries that have not been settled through the usual diplomatic channels or by the peaceful means provided for under the Charter from developing into a threat to peace. My delegation's experience as regards the work of the Committee of Thirty-Three has been favourable; however, we feel that the Assembly should give it the greatest measure of understanding possible, since by definition its results are slow and, in order to be properly evaluated, must be judged with the utmost patience.

62. The item we are dealing with continues to be important. When the General Assembly dealt at this session with the great issues of war in the Far East, the crisis in the Middle East, and the omnipresent problem of the disparity between the wealth of a few and the poverty of many of the Member States—thirty-four speakers in the general debate directed their attention to the item. Although the Special Committee has held no sessions since the fifth special session, I believe that the references made to peace-keeping operations in the general debate should serve as a

^{11/} Certain expenses of the United Nations (article 17, paragraph 2 of the United Nations Charter, advisory opinion of 20 July 1962: International Court of Justice, Reports 1962, page 151).

basis for our deliberations. I should like to express my special thanks to the representatives of Tunisia and Nigeria, who were good enough to make special reference to my work as Chairman of the Special Committee.

63. Indeed, the general debate has made it clear that in future, as in the past, the United Nations could act pragmatically; there are no signs that would call into question its capacity for action, although time and again speakers stressed the desirability of supplementing that capacity with more definite and more effective methods such as the preparation of contingents at the national level and the serious consideration which each Member State should give to its voluntary contributions of forces and of money. Various speakers said it was evident that the United Nations should in future provide peace-keeping forces; this they affirmed above and beyond any constitutional difference of opinion, which they wanted to see overcome, either through a gentleman's agreement or through the continued work of the Special Committee. The speakers certainly showed little satisfaction about the work of the Special Committee. Some criticized it for having served for a sterile debate which showed the dominance of the great Powers and brought out the inability of the General Assembly to act; others observed that the divergence of views, which appeared to go to extreme lengths in the Committee, was due to the fact that Member States did not rely sufficiently on the United Nations; while others again mentioned how the Special Committee personified the paralysis of the United Nations, a fatal consequence of the nationalist policies still pursued in the twentieth century.

64. Not all the criticisms of the Committee are negative. Some concede that those who call it ineffective may feel impatient but they point to the futility of confusing majority solutions with progress in such a delicate issue. They point further to the need to link more closely peace-keeping operations with the peaceful settlement of disputes, since procedures for such settlements of disputes are very often relegated to the waste-paper basket. Those speakers who want to strengthen the United Nations agree in recommending patient negotiation as the only method which, old though it may be, can provide an opportunity to find new methods to consolidate peace.

65. The appropriateness of our work was also brought out in connexion with the general debate. Many of the speakers linked this item with the crisis in the Middle East. Basing themselves on the real search of conscience that this crisis brought about, they expressed the hope that it could make us redouble our efforts to overcome the present limitations of the United Nations and enable it to help effectively in the preservation of peace. On this occasion various speakers emphasized the need to proceed realistically and to ensure at the same time a certain amount of planning of the staff and equipment that could be used in future operations. Such planning should be carried out directly by the Member States, or better still, by the Security Council. This could be achieved through intensive negotiations which would fall to the great Powers.

66. The information provided in the general debate is supplemented this time by the important paragraphs which the Secretary-General has devoted to this item in the introduction to his annual report on the work of the Organization [A/6701/Add.1, paras. 27 to 41]. My delegation has given due consideration to these paragraphs and though it does not completely agree with their substance, it recognizes that they are inspired by a desire to strengthen the United Nations and to help attain peace, which we consider to be the key factor for the future of our world.

67. The Special Committee has recommended to the General Assembly that its mandate should be renewed and that it should be allowed to continue its work next year. It is therefore appropriate to consider what has been achieved in previous years. Despite the brevity of its reports, my delegation firmly believes that the Committee has made progress towards an eventual solution of the question. The meetings held from March to June, 1965^{12/} made it possible to overcome the financial and constitutional crisis in its immediate aspects, and gave rise to an intensive debate which undoubtedly was one of the most weighty ever held in the United Nations.

68. Once this period had been passed and the work of the General Assembly resumed, the Special Committee endeavoured to work out a definition of principles under which future peace-keeping operations would be carried out. Speaking in general terms, they may be classified as the principles proposed in 1965 by the Secretary-General and the President of the Assembly,^{13/} the seven-Power draft resolution submitted by Canada^{14/} and that submitted by Mexico^{15/} at the twenty-first session of the General Assembly, and, in a much more limited sense—because it refers only to financial aspects—the Irish draft that our Committee has once more before it [A/SPC/L.148].

69. The meetings of the Special Committee in February and May 1967^{16/} made some further progress. It was obvious that delegations found themselves still very far from being able to reach agreement on a definition of principles. The Working Groups had constructive debates and time and again analysed various approaches and activities. Without trying to impose majority decisions, they sought guidelines acceptable to all on constitutional and financial aspects and on the organization of future operations.

70. They avoided specifying the limits of the authority of the Security Council or of the General Assembly. On the other hand members concerned themselves with deciding which operations could be authorized by the Council and which by the General Assembly. The Committee devoted a large part of its work to the word "action" used in Article 11, paragraph 2 of the Charter; it determined the nature of enforcement measures, how they differed from supervision and observation measures, and it included the enforcement measures among the responsibilities of the Security Council,

^{12/} Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 21, document A/5915 and Add.1, Annex 1.

^{13/} Ibid., Annex II, para. 52.

^{14/} Ibid., Twenty-first Session, Annexes, agenda item 33, document A/6603, para. 6.

^{15/} Ibid., para. 15.

^{16/} Documents A/AC.121/SR.23 to 26 (mimeographed).

showing a realistic and pragmatic approach. In the absence of decisions of principle, and in terms of what emerged from the fifth special session of the General Assembly, wide possibilities for joint action by the Assembly and the Council were discovered, always within the provisions of the Charter, and the Committee even went so far as to decide on the possibility of co-ordinated financial action. The Committee examined the authority of the Security Council to impose contributions on all Member States, which many States agreed to limit to action under Chapter VII of the Charter. In respect of those operations that were not under Chapter VII but were not necessarily outside the scope of Chapter VI, members examined how the resulting expenditure could be apportioned equitably. Various delegations were even able to envisage the creation of a permanent financing committee as an auxiliary body of the General Assembly, a body which some other delegations preferred to define as a subsidiary body of the Security Council within the meaning of Article 29 of the Charter. But in both cases, instead of engaging in a sterile controversy about the functions of the Council and of the Assembly, the debate brought out the point that the two organs were closely united for the purpose of carrying out, constitutionally and financially, future peace-keeping operations.

71. I also feel that considerable progress was made, though it could not really be outlined in a single report, on the question of how the cost should be apportioned. The special scale seemed to be accepted by all, if applied equitably and if preferential consideration was given to States with limited capacity to pay. Various formulas were put forward, from the repetition of the "R 18" formula^{17/} submitted in 1963 to the fixing of 5 per cent as the maximum financial participation for developing countries.

72. With regard to the financial aspects, the work of the Special Committee showed serious and constant concern at the difficult situation in which the United Nations found—and still finds—itsself. The Committee reviewed the various financial measures adopted by the General Assembly during the past ten years in order to cope with the crisis resulting from the peace-keeping operations. A very careful study was made of the various accounts, in view of the accumulated deficit with which the Organization is functioning.

73. It seems obvious, as a result of the work of the Committee, that the time has come to eliminate this deficit which still hangs over the Organization, which has virtually depleted the emergency fund and, if not rectified, could place the Organization in a position in which it would have to draw on from funds designed for the development of the majority of Member States. The work of the so-called Committee of Fourteen,^{18/} on the one hand, and the offers of contributions repeated in the Special Committee by the Great Powers, make it possible to trust that this deficit will soon be eliminated.

74. If we refuse to enter into disputes about surpluses, it is obvious that the Organization has a deficit of \$36.5 million, a figure repeated by the

Secretary-General when he submitted the budget for 1968 in the Fifth Committee.^{19/} If we were to eliminate that deficit it would be a source of genuine pride for the Organization because it would imply evidence of trust in the United Nations and reliable proof that the Member States consider the Organization to be sufficiently important to undertake sacrifices for it. To wipe out such a big deficit, substantial contributions are indispensable from the widely industrialized countries. Among them—a matter in which financial aspects are so intimately linked with constitutional aspects—the responsibility of the great Powers stands out. Of the great Powers, the United Kingdom has made a voluntary contribution of \$10 million, subject to no conditions. Others, although acknowledging their intention to assist in eliminating the deficit, an intention which they repeated in the Special Committee, have made such assistance subject to more or less specific conditions which have in fact prevented them from making the contributions.

75. To cope with the difficult times which our Organization is experiencing, I wonder whether it would not be possible, taking into account the general feeling of the Member States, for the permanent members of the Security Council to agree to make simultaneous contributions which once and for all would eliminate the deficit. These contributions, following the United Kingdom precedent, could be made independently, though simultaneously, and would be equal in amount. If the \$36.5 million were divided into three equal parts, and contributions made at the same time, before the conclusion of the present session of the Assembly, the great Powers would have given the best proof of their faith in the Organization and helped considerably to restore its prestige.

76. The meetings which the Committee devoted to the future organization of peace forces, although brief, were not without significance. Once more there emerged an effort to unite rather than divide the two great bodies of the United Nations. Peace-keeping operations rest solely on the participation of Member States, and we tried to inject vigour into those provisions of the Charter which, under the aegis of the Security Council, make possible the establishment of forces that can act on an international level. The desire also emerged to carry out technical studies, based on the experience acquired by the United Nations in its peace-keeping operations within the framework of the Charter. It was suggested that these uniform procedures, which might be sanctioned by the Security Council, could serve as a rule for the operations not defined in Chapter VII of the Charter. Also, as a general and useful element of the Committee's work, there emerged a desire to inject life into those provisions of the Charter in connexion with which international forces could be set up. For example, the Soviet Union made the important suggestion^{20/} that the Military Staff Committee should be expanded so that, in addition to the permanent members of the Security Council, those who would provide troops or other military assistance should be allowed to participate in its work. Also the desire emerged, which I

^{17/} Official Records of the General Assembly, Fourth Special Session, Annexes, agenda item 7, document A/AC.13/18.

^{18/} Ad Hoc Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies.

^{19/} Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 74, document A/C.5/1127.

^{20/} Ibid., Fifth Special Session, Annexes, agenda item 8, document A/6654, paras. 116 and 117.

believe to be of fundamental importance, that the General Assembly should avoid taking measures for the maintenance of peace in disregard of or in opposition to the permanent members of the Security Council; such action would divest those measures of any meaning. If we were clearly aware of this duality, we could overcome the unfortunate opposition existing between the Council and the General Assembly when the study of peace-keeping operations was initiated and might finally discern solutions that were constitutional as well as favourable.

77. Some delegations might have wondered—and the question is indeed an appropriate one—why, after the fifth emergency special session of the General Assembly was held, the Special Committee on Peace-keeping was not called into session. There was a consensus of opinion that the events in the Middle East, intimately connected with the creation, development and functioning of one of the most important peace-keeping operations, required careful consideration rather than improvisation. Through the establishment and presence of UNEF during the past ten years, the United Nations has stabilized somewhat the situation in the Middle East. Suddenly UNEF was withdrawn, and shortly thereafter new armed encounters took place between the armies of the Member States in that region. The United Nations, particularly the Special Committee, was confronted by a new phenomenon. The Emergency Force had been set up pragmatically—I might also say "lyrically". Its usefulness was manifest as long as the countries of the region agreed to its presence. When it came to an end, tremendous problems remained. Thus a new chapter opened which was of overriding importance for the Special Committee. The members of the Special Committee were in agreement that the months immediately preceding the current session of the Assembly were not the most propitious for discussion of the item which is now before us.

78. To pass judgement on the work of the fifth emergency special session would be improper. It was obvious, however, that it had a strong influence on future peace-keeping operations; but the General Assembly and the Security Council, in dealing urgently and in complementary fashion with an item which involved appropriate action within the meaning of Article 11 (2) of the Charter, laid down new precedents that certainly will prove to be useful.

79. I was a member of a delegation and participating in the work of the Special Committee on Peace-keeping Operations and, therefore, I am bound to have an understandable, and perhaps even emotional, loyalty to its work. To some degree I find myself justifying the slow pace of its action and the paucity of the results when I speak here in the Special Political Committee. I do both out of a deep conviction, because it seems to me that, in connexion with this type of operation, I dimly discern a means of carrying it out which will unite Member States instead of dividing them and which will provide a means of confirming the role of the Organization as a substantive and indispensable element in the maintenance of world peace.

80. The United Nations will always deal with any breach of the peace; it has done so before and it will

do so in the future. Therefore what we must do is not determine its capacity to act, but ensure that this action is as effective, complete and as much in accord with its own spirit as possible. This can be done only if we act within the framework laid down in the Charter itself. Thus we would avoid having the General Assembly setting itself up as an instrument capable of imposing solutions unacceptable to a considerable minority of countries. On the other hand, we would want to ensure that it would be a means of complementing the inevitable limitations that afflict an organization such as the Security Council. In connexion with the crisis in the Middle East, I would repeat that we have seen how the Council and the Assembly acted successively and without interruption in the crisis and how they have sought similar solutions without overlooking in any case the fundamental political realities. The Special Committee has acted with similar guide-lines in mind. Many of the suspicions that have existed so far have been dispelled and we have all realized the need for arriving at unanimous decisions. In making progress in an ill-defined terrain it is essential to proceed with all due caution. The Special Committee cannot offer panaceas or speedy solutions, and I do not think it appropriate to criticize its work or to find defects in particular actions because, as I have pointed out, what we are dealing with is purely and simply the question of limiting the sovereignty of every Member State. We cannot talk about national selfishness when the essential elements of the State itself are at stake. On the other hand, statesmen must be given all the time they need to convince themselves that the new steps proposed, and any compromises that may clarify obscure points in the Charter, do not endanger the future of their countries. Even more, I would venture to affirm that any undue haste in this delicate matter would be self-defeating because it would bring us once again to majority resolutions which, like those previously adopted on this subject, would be not only useless but profoundly damaging to the Organization.

81. The voluntary nature of both composition and execution is the axis upon which peace-keeping operations must turn. It is this voluntary nature which, in theory, makes it possible to go beyond the language of the Charter. There is, therefore, an element of improvisation in its constitution and execution and, in the case of this twenty-second session of the General Assembly, in its conclusion as well. Peace-keeping operations have proved to be dependent primarily on improvisation, but in turn improvisation has been found to be harmful both to the Organization itself, since it led to the crisis that paralysed the nineteenth session, and to peace in the Middle East when the United Nations Emergency Force disappeared without being replaced by other peace elements.

82. It is an inevitable reaction to endeavour to systematize what has so far been pragmatic and to give peace-keeping operations the fixed and stable nature they have never had before. But it appears doubtful whether this systematic process could, without destroying the very concept of peace-keeping operations, actually be introduced into this issue, because what is systematic here is the Charter itself, as the Charter is the unanimous and formal agreement entered into by all States. If we were to alter the

pragmatic directives of peace-keeping operations and adopt the strict classical international lines of approach, and if we were to try to raise those operations to the level of permanent institutions we would find ourselves compelled to proceed, solely and exclusively, within the precepts laid down in San Francisco.

83. Therefore, I would ask the General Assembly to be as patient in this matter as it has been in listening to me, and I ask this in the firm conviction that we are on the right path. It is not an easy path and on many occasions it will be a thorny one indeed. But unless, as the representative of Brazil^{21/} has suggested, a new chapter is added to our Charter, in which once and for all we define the characteristics of peace-keeping operations as distinct from those originally provided for in San Francisco and under which each State Member agrees to assume new obligations as decided by the General Assembly, to be carried out by the Secretary-General, no other path is open within the framework of the Charter except the slow, delicate and difficult path that I have ventured to propose.

84. Mr. FOUNTAIN (United States of America): The United States delegation will make its main statement later in the general debate, but we have been prompted by the appearance of a new draft resolution to make a few preliminary remarks.

85. We have been studying the draft resolution submitted by India and four other sponsors [A/SPC/L.150] and introduced by the representative of the United Arab Republic. I must say in all candour that we are puzzled and dismayed by the implications and the apparent inconsistencies in paragraph 2 of this draft resolution. If the Committee of Thirty-Three is to continue its assigned work, as set forth in the second preambular paragraph of this draft resolution, how is its study related to the study that would be prepared by the Military Staff Committee under operative paragraph 2 of this draft resolution? Do the sponsors imply that each study is to be concerned with a different type of operation, that is, peace-keeping on the one hand, and enforcement on the other? If so, it seems to me that this should be made perfectly clear.

86. Members of the Committee are aware that the Secretary-General proposed [A/6701/Add.1, para. 31] that there should be a study of such questions as the standardization of training and equipment for standby forces, the relationship of the United Nations to Governments providing such forces and the constitutional and financial aspects of employing them. The Secretary-General's language is quite clearly addressed to peace-keeping as carried out by the United Nations over the past two decades, and not to enforcement operations as foreseen in Articles 42 and 43 of the Charter of the United Nations.

87. On previous occasions the United States delegation has indicated that it does not object to consideration by the Security Council of Article 43 agreements under which armed forces, assistance and facilities would be made available to the Security Council for enforcement action. Although experience in Article 43 negotiations in the Military Staff Committee suggests that there is little prospect of serious

progress, we would not object to attempting such discussions once again with respect to enforcement action, but we would object to the use of such discussions as a way of side-tracking peace-keeping as now carried out by the United Nations or of undermining the authority of the Secretary-General.

88. Our objection to paragraph 2 of draft resolution A/SPC/L.150 is precisely that it would do these two things. By referring the question to the Military Staff Committee on the basis of troops to be made available to the Security Council, it uses Article 43 language which is clearly intended to apply to enforcement action. This would appear to support the position of a small minority of States which hold that the only kind of action that may be taken by the United Nations to maintain peace and security is enforcement action completely under the control of the Security Council. This position contradicts the entire experience of the United Nations and advocates a procedure under which it is doubtful whether any peace-keeping actions could have been undertaken. It also raises a basic constitutional question as to the complementary authority of the General Assembly in matters of peace and security.

89. Although this may not have been the intention of the sponsors, the paragraph would also serve to undermine the executive capacities of the Secretary-General. It seeks to assign to the Security Council a function which has been carried out by the Secretary-General throughout the history of the United Nations. This could only be interpreted as an indication of lack of faith in the Secretary-General as the executive responsible for peace-keeping operations. My Government does not believe that such treatment is warranted. Moreover, this would not meet the need expressed by the Secretary-General for a study of the standardization of training and equipment for standby forces for peace-keeping operations.

90. For those reasons we urge the co-sponsors to remove paragraph 2 from their draft resolution, otherwise we shall be obliged to oppose that paragraph and the resolution as a whole as a matter of principle. As to the balance of the draft resolution, we shall make our comments on it at a later stage.

91. Mr. CHAMMAS (Lebanon): The delegation of Lebanon will speak at a later stage on the substance of the question with which we are dealing. I asked to speak at this stage to seek clarification from the Secretariat and then from the co-sponsors of draft resolution A/SPC/P.150. Before I do that, I wish to assure the Deputy Prime Minister of Ireland, who is at the same time the Foreign Minister of his great country, that we have listened with keen interest to the statement he has made, that we have always viewed his efforts with appreciation and that we are greatly interested in the ideas enunciated in his statement made today, especially those to be found in paragraphs 30 and 31 above.

92. We share with him the view—without specifically referring to any particular region nor, for that matter, because we are in the Middle East—that if the maintenance of peace and security and the operations of peace-keeping by the United Nations are to be effective, the observance of demilitarized zones to be strictly complied with, and one is to abide by the

^{21/} *Ibid.*, paragraph 41.

terms of reference implied by their very existence, perhaps one should begin to think that the presence of forces on both sides of the demilitarized zones will make the maintenance of peace and security more effective and will decrease the tensions which might arise all over the world in like situations.

93. At this stage, we would express the thought that any contractual arrangement which is a contractual arrangement in no way undermines the exercise of sovereignty; States, in the exercise of their sovereignty, can enter into any type of contractual arrangement, even with the United Nations. We do think that the Organization as such has the authority to be party to such arrangements. We consider that those ideas need to be explored further. For our part, we shall give them every attention when we have another opportunity of doing so in the future.

94. I come now to the clarification which I am seeking from the Secretariat. Let us assume that draft resolution A/SPC/L.150 is to be adopted. It is evident from paragraph 1 of that draft resolution that the Special Committee has not been requested to meet at a definite time, but I did hear the Rapporteur, speaking as the representative of the United Arab Republic, suggesting that the Special Committee should meet after the end of this session of the Assembly or early in 1968. There is no specific reference as to when it should meet, but if one goes on to paragraph 3, one finds that the Special Committee is requested to prepare its report by 1 July 1968. That would mean definitely that the Special Committee is to meet some time between January and July 1968 to conclude its work. The reason that we are asking for that clarification is that the delegation of Lebanon is faced with a difficulty relating to the timetable for conferences for 1968. In the Sixth Committee, when we tried to draw up a timetable for the Special Committee on the Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter, the Committee on Conferences informed us that we could not meet and benefit from the conference facilities until early September. Therefore, if that resolution is to find healthy implementation, we would seek clarification on whether the Special Committee on Peace-keeping Operations can benefit from the servicing facilities and whether it can meet within the period January-July 1968.

95. We very much hope that its extremely able Chairman, Mr. Cuevas Cancino, the representative of Mexico, to whose statement we listened with great interest, and whose experience is extensive in the field of peace-keeping operations, will definitely be able to overcome any difficulties which might arise in the implementation of this draft resolution [A/SPC/L.150].

96. Our second request is addressed to the co-sponsors—and this has nothing to do with the statement made just now by the representative of the United States—for the sake of coherence and presentation they might wish to realign their paragraphs to maintain a certain order of thought for those reading the text. Paragraph 2 could either be placed at the end of the text or perhaps at the beginning; in my view it would be better if it were placed at the end.

It will depend upon what type of treatment it receives at the hands of this Committee.

97. I now come to the draft resolution submitted by the Foreign Minister of Ireland [A/SPC/L.148] and introduced by him. We are very well acquainted with this draft resolution. We shall view it in the light of the events of the last session of the General Assembly and of the developments which took place during this year. We sympathize with the reasons that were adduced just now by the Chairman of the Special Committee as to why it was unable to meet. We think that they are very pertinent reasons and we sympathize with them.

98. In the first preambular paragraph to that draft resolution there is a reference made to a document. I know I have seen that document, but my memory may not serve me right in this respect; however, if a reference is to be made to the report of the Special Committee, I think it would be advisable to make a reference to the report of 14 September 1967 just introduced to the Committee by the Rapporteur [A/6815]. My feeling is that they are one and the same. If they are not, it might be advisable to make a reference to that particular document.

99. Those are the remarks which I asked the indulgence of the Committee to make; my delegation will intervene at a later stage to speak on the substance of the matter.

100. The CHAIRMAN (translated from Spanish): I think that the Secretariat will give the representative of Lebanon the replies to his questions in due course, as certain questions will have to be put to representatives who have spoken on this matter and who will have something to say about it.

101. Mr. ABDEL-HAMID (United Arab Republic): First of all I wish to thank my colleague and friend from the Lebanon for his constructive comments on the draft resolution which I submitted today on behalf of India, Mali, Yugoslavia, Zambia and my delegation [A/SPC/L.150]. I assure him that we shall study those comments and we thank him for his constructive approach to this matter.

102. I also wish to refer to the statement made by the representative of the United States. I do not know whether I should be grateful to him or surprised because, before intervening in the general debate, he merely commented on the draft resolution [A/SPC/L.150]. I know that it is his prerogative, but in order of priority there is another draft resolution [A/SPC/L.148] before this draft resolution, which was submitted today on behalf of five Powers. However, he has chosen to comment on that draft resolution before intervening in the general debate and before even commenting in the debate on a draft resolution which was submitted earlier. I repeat, I know that it is his prerogative and I do not challenge that, but I take note of it.

103. Secondly, if the representative from the United States had listened carefully to my statement today, and I will repeat what I said—I said the first factor which we should bear in mind

"... is that any approach which may prejudice the constitutional positions of various delegations should

be avoided. Our search should be centred around seeking agreement among all concerned and enhancing it, rather than spreading discord, from which our Organization has suffered in the past" [See para. 14 above.]

he would understand our draft resolution today. He knows very well the difficulties involved in the points which he has raised today. At this stage I do not want to comment at length on these points, but I just wanted to put on record what we said earlier and to point it out to him.

104. Mr. BARROMI (Israel) (translated from Spanish): in view of the importance of the statements that have been made today I would suggest that they should be reproduced verbatim.

105. The CHAIRMAN (translated from Spanish): The Secretariat will note the request of the delegation of Israel that the statements made this afternoon should appear verbatim in the record.

106. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation will, in due course, have an opportunity to state the position of the Soviet Government on the question under consideration in greater detail. That is why I would request you and my distinguished colleagues to understand that my present statement is dictated by a desire to take note immediately of two circumstances which concern the very important theses advanced during the debate at this meeting, and to deal with the matter here and now, so that the silence of the Soviet Union might not be considered a sort of acquiescence to such statements which, as I shall presently demonstrate, have nothing in common with the fundamental principles of the United Nations Charter.

107. The representative of the United States was good enough to invent some sort of competence for the Secretary-General in questions in respect of which the Charter does not provide any competence to the Secretary-General. Having advanced this completely false thesis which contradicts the Charter, he went on to endeavour to assert that the delegations that had taken part in and made their fundamental contribution to the discussion of this question from the very outset. By thus advancing a totally groundless thesis the representative of the United States tried to mislead us and create confusion in the minds of delegations here regarding some kind of special competence in regard to peace-keeping questions conferred upon the Secretary-General under the Charter.

108. I do not know whether I need now make an exhausting excursion into the provisions of the Charter in order to demonstrate that the thesis advanced by the representative of the United States has no textual confirmation whatever in the Charter. I do not think I need take upon my own shoulders the onus of proof, especially since the United States representative cannot prove his false thesis. I should like to let him engage in that rather thankless task and try, by referring to or quoting the provisions of the Charter, to confirm what he deigned to state here. I can hardly be expected to read out Chapters VI, VII and XV of the Charter, which apply to the thesis that I am

presently defending, in speaking against his incorrect and groundless statement, which is completely at variance with the provisions of the Charter.

109. The second comment I wish to make, and which I think should be made forthwith is that although in the Irish draft resolution—as distinct from some of the other wordings which we have already seen and discussed in the course of previous sessions—there are fewer references to those fundamental principles which, in the opinion of the Irish delegation, have given rise to this resolution, nevertheless, the statement of the Irish representative today leaves no doubt whatsoever that, as in the past, the set of measures which he proposed for the consideration of the Committee is designed, although this is not stated, in the resolution, to circumvent the competence of the Security Council as it is laid down in Chapters VI and VII and in other provisions of the Charter, and is an attempt to represent the situation as though peace-keeping operations involving the use of armed force on behalf of the United Nations may be carried out equally by the Security Council and by the General Assembly. Although the Irish representative paid lip service to the competence of the Security Council, the following statement in his speech, which has been circulated among the representatives, leaves no doubt whatsoever of the fact that my statement is correct:

"I would therefore urge most strongly that we should adopt now, even on an interim basis, some dependable system for providing a peace-keeping mission, established on the initiative of the Security Council, or recommended by the Assembly..."^{22/}

Thus, from the very outset we are unfortunately (see para. 40 above) reverting to this old dispute which, against the background of the present political situation especially, and in the light of the statements made by the Rapporteur of the Committee and later by the Chairman of the Committee, are not likely to permit us to make any progress if we are to adhere to the position just presented by the Irish representative.

110. Of course, by referring to these two points I do not intend to go exhaustively into the statements which the Soviet delegation will make in due course but, as I indicated at the outset, and since there were no other speakers on the list, I deemed it the duty of the Soviet delegation to say what in fact I have now put before you, Mr. Chairman, for your consideration and that of my colleagues.

111. Mr. FOUNTAIN (United States of America): I think the statement I have just made is self-explanatory. Each member of the Committee, when time permits, can examine the draft resolution of the United Arab Republic and others, together with the appropriate Articles in the Charter, and form his own views. The representative of the United Arab Republic stated that any approach which might prejudice the constitutional position of Members should be avoided. We agree with this, for the reasons previously stated; but we are convinced that paragraph 2 does in fact prejudice the constitutional positions of many States, for the reasons we have stated.

^{22/} Quoted in English by the speaker.

112. Regarding the comment by the representative of the Soviet Union, over the past two decades the Secretary-General has in fact, as I understand it, had executive responsibility for peace-keeping operations and many other operations of the United Nations. This is consistent with Article 97 of the Charter, as well as being the accepted practice throughout the history of the United Nations.

113. Our objection to paragraph 2 is that it would appear to transfer to the Military Staff Committee functions which have consistently been exercised by the Secretary-General.

114. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): I should like to exercise my right of reply. I think it would be impossible to have a more striking confirmation of the validity of the statement I have just made, namely that the representative of the United States is unable to substantiate the statement he has made about the competence of the Secretary-General in respect of operations involving the use of armed forces in the name of the United Nations, through reference to the Charter. It could not have been confirmed in a better way than was done by the representative of the United States himself. He referred to Article 97 of the Charter. Let me quote this article which is quite short:

"The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization."

115. That is all that is stated in this Article, quoted to with such authority by the representative of the United States. However, Chapter VI and more particularly Chapter VII of the Charter deal with enforcement measures, including the use of armed force on behalf of the United Nations. These chapters leave no shadow of doubt as to what executive machinery should exist for the conduct of military operations and the solution of all questions concerning the implementation of decisions of the Security Council on how armed force on behalf of the United Nations should be used in accordance with the Charter.

116. Since the representative of the United States thought it necessary to start a discussion on this highly important question by clearly distorting the basic provisions of the Charter and by attributing to the Secretary-General of our Organization—whom we highly respect and admire—functions not conferred on him by the Charter, we have thought it advisable to explain the true nature of things and to display the inconsistency of such assertions.

117. As for the references to practice in the course of implementation of various decisions, the position of the Soviet Union in this matter is known. We have pointed out on numerous occasions that there have been serious distortions of the provisions of the Charter in the course of many operations involving the use of armed force on behalf of the Organization, under decisions of the Security Council.

118. It seems hardly necessary at this stage to stir up all the past issues in any great detail, and I think I need only limit myself to this general comment.

119. If the representative of the United States does not deem this sufficient, then, with his and your agreement, Mr. Chairman, and allowing for the fact that in this instance my colleagues may show the same tolerance towards my statement as they have shown towards those of the representative of the United States in terms of time, I shall take the liberty of reverting to this matter once again. Now I should like simply to stress again that a statement of a general kind, which goes well beyond the purport of the draft resolutions before us—on which we shall have the opportunity to speak further—had, in our opinion, to be refuted by us immediately, so that no one might have the false impression that such statements have the right to exist against the background of the Charter of our Organization and the purposes and principles upon which our Organization rests.

120. The CHAIRMAN (translated from Spanish): If any other representative wishes to speak he is welcome to do so. I have no other speakers on my list. Otherwise, before adjourning this meeting, may I draw the representatives' attention to the fact that according to our schedule of work we have already reached the second half of the time available to conclude our work.

121. So far we have disposed of only two items on our agenda and there remain two other important items, including the one we have begun this afternoon. In order that we may deal with these items as expeditiously and completely as possible, I would urge representatives who wish to take part in the debates to enter their names on the list of speakers as quickly as possible so that we have sufficient speakers for all future meetings. We already have a number of speakers on the list for our next meeting.

122. I trust my colleagues will heed this appeal from the Chair and will give me their utmost co-operation in this second phase of our work.

The meeting rose at 5.20 p.m.