

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/9236
21 November 1973

ORIGINAL: ENGLISH

Twenty-eighth session
Agenda item 44

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

Report of the Special Committee on Peace-keeping Operations

Rapporteur: Mr. Mahmoud KASSEM (Egypt)

1. At its twenty-seventh session, the General Assembly, following consideration of the report of the Special Committee on Peace-keeping Operations, 1/ adopted resolution 2965 (XXVII) of 13 December 1972, which read as follows:

"The General Assembly,

"Recalling its resolutions 2006 (XIX) of 18 February 1965, 2053 A (XX) of 15 December 1965, 2249 (S-V) of 23 May 1967, 2308 (XXII) of 13 December 1967, 2451 (XXIII) of 19 December 1968, 2670 (XXV) of 8 December 1970 and 2835 (XXVI) of 17 December 1971,

"Having received and examined the report of the Special Committee on Peace-keeping Operations of 13 November 1972, 1/

"Noting with appreciation the agreement arrived at by the Special Committee concerning the election of a new Chairman and two additional Vice-Chairmen and the enlargement of the Committee's Working Group,

"Noting with regret that the mandate entrusted to the Special Committee has not yet been fulfilled,

"Conscious, nevertheless, that the problems with which the Special Committee has been faced are of a fundamental nature and require close and thorough consideration to which any Member State may usefully contribute,

"Bearing in mind that Member States are deeply concerned in the present international situation over the continued lack of agreement on concrete

1/ Official Records of the General Assembly, Twenty-seventh Session, Annexes, agenda item 41, document A/8888.

guidelines for carrying out United Nations peace-keeping operations in conformity with the Charter of the United Nations,

"1. Takes note of the report of the Special Committee on Peace-keeping Operations, in particular paragraphs 10 and 11 thereof;

"2. Notes with appreciation the efforts and contributions of those Member States that have submitted views and suggestions to the Special Committee and requests Member States to continue to make available to the Committee any views and suggestions that they may wish to submit to help its work;

"3. Requests the Special Committee, taking into account the progress made by its Working Group, to study the views and suggestions submitted by Member States in response to paragraph 4 of General Assembly resolution 2835 (XXVI), and referred to in paragraphs 2, 4 and 6 of the fifth report of the Working Group, 2/ as well as those expressed during the debate in the Assembly at its twenty-seventh session, with a view to making renewed efforts;

"4. Recommends that, in order to expedite progress and to enable the Special Committee to hold a more frequent exchange of views on the question, its Working Group should prepare and submit at intervals reports that would facilitate discussion and agreement on questions of substance;

"5. Urges the Special Committee to accelerate and intensify its work so as to make substantive progress, in view of the importance of achieving, in pursuance of its mandate, agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations;

"6. Requests the Special Committee to report to the General Assembly at its twenty-eighth session."

2. In its further consideration of the whole question of peace-keeping operations in all their aspects, the Special Committee had before it, in addition to the documentation of previous years, the following documents:

(a) A working document prepared by the Rapporteur of the Special Committee entitled "A comprehensive listing under specific headings of concrete proposals received and a description of progress made to date" (A/AC.121/L.18). This document consisted of two parts: part one, dealing with the listing of concrete proposals received under specific headings, and part two, containing a description of progress made to date.

(b) Two reports, the sixth and seventh, of the Working Group dated 7 May 1973 (A/AC.121/L.19) and 13 November 1973 (A/AC.121/L.21 and Corr.1).

2/ Ibid., document A/8888, annex.

(c) A note by the Secretary-General dated 28 August 1973 (A/AC.121/L.20), containing the substantive parts of the replies submitted by Malta, Norway, Sweden and Zambia in response to paragraph 4 of General Assembly resolution 2835 (XXVI).

(d) A letter dated 6 September 1973 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland (A/9144), enclosing a memorandum containing suggestions on the subject of decision-taking in peace-keeping operations.

3. Following the adoption of General Assembly resolution 2965 (XXVII), the Special Committee held four meetings (16 February, 23 March, 9 May and 19 November 1973). The Working Group held 13 meetings, on 7, 30 March, 6, 25 April, 4, 18, 25 May, 1, 20, 29 June, 10, 19 July and 13 November 1973.

4. In both the Special Committee and its Working Group, a number of statements were made that contributed to further clarification of the positions of States with regard to the question at issue.

5. At its 59th meeting, on 16 February, the Special Committee discussed working document A/AC.121/L.18, introduced by its Rapporteur.

6. At the same meeting, the Special Committee, having taken note of paragraph 4 of General Assembly resolution 2965 (XXVII) (see paragraph 1 above), decided that the Committee would meet periodically to consider reports of the Working Group on progress in its work.

7. The Special Committee devoted its 60th meeting, on 23 March, to paying tribute to Mr. Mangalam Chacko, for many years the Secretary of the Special Committee, who had recently died suddenly. Many Committee members expressed their sorrow and praised Mr. Chacko in the most complimentary terms. The Special Committee decided unanimously to express its sympathy and condolences to Mr. Chacko's family and to his country's authorities.

8. At its 61st meeting, on 9 May, the Special Committee considered the sixth report of the Working Group (A/AC.121/L.19), which is reproduced as annex I to the present report. Several speakers expressed optimism regarding prospects for future progress and urged the Working Group on to further efforts.

9. At its 62nd meeting, on 19 November, the Special Committee had before it the seventh report of the Working Group (A/AC.121/L.21 and Corr.1), which is reproduced as annex II to the present report. It considered the report of the Working Group and took note of it.

10. The Special Committee regrets that it is not able to report more comprehensive results on the implementation of its mandate. However, it considers that, despite the complexity of the matter and the divergent views of Member States, progress has been made. Its Working Group has met more frequently during the past year and has succeeded in defining some of the issues more clearly.

/...

11. The current United Nations peace-keeping operations in the Middle East, undertaken in accordance with Security Council resolution 340 (1973), are providing practical examples and constitute an experience which may assist the Special Committee and its Working Group in making further progress. Consequently, the Special Committee remains optimistic about the possibilities for achieving agreed guidelines on United Nations peace-keeping operations. The Special Committee will be ready to continue its efforts to this end as soon as its mandate is renewed by the General Assembly.

ANNEX I

Sixth report of the Working Group*

Rapporteur: Mr. Mahmoud KASSEM (Egypt)

1. At its 59th meeting, held on 16 February 1973, the Special Committee on Peace-keeping Operations, having taken note of paragraph 4 of General Assembly resolution 2965 (XXVII) of 13 December 1972, which recommended that, in order to expedite progress and to enable the Special Committee to hold a more frequent exchange of views on the question, its Working Group should prepare and submit at intervals reports that would facilitate discussion and agreement on questions of substance, decided that the Committee would meet periodically to consider reports of the Working Group on progress in its work.
2. During the period between 16 February and 4 May 1973, the Working Group held five meetings, on 7 and 30 March, 6 and 25 April and 4 May.
3. At its meeting on 7 March, the Working Group discussed questions related to the work programme and procedures to be followed in the implementation of its mandate.
4. The Working Group reviewed a working document, "A comprehensive listing under specific headings of concrete proposals received and a description of progress made to date" (A/AC.121/L.18), which had been prepared by the Rapporteur at the request of the Working Group, and agreed that the document could serve as a useful source for discussion in carrying out its task.
5. The Working Group agreed that it should start its discussion with an initial examination of part I, chapter III, of document A/AC.121/L.18 and consideration of the responsibilities to be exercised directly by the Security Council in establishment, direction and control of peace-keeping operations.
6. At its next meeting, on 30 March 1973, the Working Group decided to continue its consideration of the responsibilities of the Security Council by establishing a list of those matters for which responsibility would be exercised directly by the Council. It also decided to extend invitations to participate in the deliberations of the Working Group to delegations of those Member States that had submitted views and suggestions in accordance with General Assembly resolution 2835 (XXVI) of 17 December 1971, when it considered the issues to which those views or suggestions referred. Accordingly, on 4 April 1973, the Chairman of the Working Group addressed invitations to the Permanent Representatives of the Byelorussian Soviet Socialist Republic, the Netherlands and the Upper Volta, whose views and suggestions with regard to the role of the Security Council in the establishment, direction and control of peace-keeping operations appeared in part I, chapter III, section A, of document A/AC.121/L.18.

* Previously issued under the symbol A/AC.121/L.19.

7. Subsequent meetings of the Working Group were devoted to the elaboration of a listing of responsibilities to be exercised directly by the Security Council in the establishment, direction and control of peace-keeping operations. Agreement in principle was reached on the following six items to be included in the final listing of such responsibilities: (a) authorization; (b) definition of purpose and mandate; (c) kind of advice and assistance required by the Council; (d) duration and related questions; (e) financial arrangements; and (f) size (magnitude). The Working Group is continuing its discussions on remaining points.

8. The Working Group continued its work under the chairmanship of the Chairman of the Special Committee and that of the four Vice-Chairmen serving in rotation. Present at its deliberations were some of the members of the Special Committee, as well as representatives of those Member States that had submitted their views and suggestions on the question in accordance with General Assembly resolution 2835 (XXVI).

ANNEX II

Seventh report of the Working Group*

Rapporteur: Mr. Mahmoud KASSEM (Egypt)

1. At its 61st meeting, held on 9 May 1973, the Special Committee on Peace-keeping Operations considered the sixth report of its Working Group, submitted in accordance with paragraph 4 of General Assembly resolution 2965 (XXVII) of 13 December 1972, which recommended that, in order to expedite progress and to enable the Special Committee to hold a more frequent exchange of views on the question, its Working Group should prepare and submit, at intervals, reports that would facilitate discussion and agreement on questions of substance. It will be recalled that, in that report, the Working Group informed the Special Committee on the progress achieved during its consideration of document A/AC.121/L.18 and in the elaboration of a listing of responsibilities to be exercised directly by the Security Council in the establishment, direction and control of peace-keeping operations.
2. During the period from 9 May to 13 November 1973, the Working Group held eight meetings, on 18 and 25 May, 1, 20 and 29 June, 10 and 19 July and 13 November. These meetings were mainly devoted to a continuation of the discussion of the responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations.
3. The Working Group reached agreement in principle that 12 items should be included in the list of responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations, it being understood that these items are headings for questions of substance which will be discussed at length after the Working Group concludes its consideration of document A/AC.121/L.18 and its elaboration of a listing of respective responsibilities of other appropriate United Nations organs regarding peace-keeping operations. These items are set forth in the appendix to the present report. It was decided that the Working Group would continue its consideration of the four other items listed in the appendix, with a view to reaching agreement regarding these items.
4. The Working Group recommends that from its next meeting it should take up the question of listing of respective responsibilities regarding peace-keeping operations of other appropriate organs, beginning with a subsidiary organ of the Security Council to be established under Article 29 of the Charter of the United Nations.

* Previously issued under the symbol A/AC.121/L.21 and Corr.1.

5. The Working Group continued its work under the chairmanship of the Chairman of the Special Committee and that of the four Vice-Chairmen serving in rotation. Present at its deliberations were some of the members of the Special Committee, as well as representatives of those Member States that had submitted their views and suggestions on the question in accordance with General Assembly resolution 2835 (XXVI) of 17 December 1971.

Appendix

Working Document No. 1 of the Working Group of the Special
Committee on Peace-keeping Operations

Responsibilities to be exercised directly by the Security
Council in the prompt establishment, direction and control
of peace-keeping operations

Items agreed in principle

1. Authorization
2. Definition of purpose and mandate
3. Kind of advice and assistance required by the Council
4. Duration and related questions
5. Financial arrangements
6. Size (magnitude)
7. Agreements with contributing countries (model agreement and changes thereto)
8. Agreements with host country (including model status of forces agreement and changes thereto)
9. Approval of roster of potential commanders
10. Authorization for appointment of deputy commanders
11. Ultimate direction and control during the operation
12. Subsequent alterations

Items upon which discussion
will be resumed

1. Manner of termination
2. Composition
3. Support facilities
4. Appointment of commander