

United Nations

**GENERAL
ASSEMBLY**

THIRTY-EIGHTH SESSION

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SPECIAL POLITICAL COMMITTEE

6th meeting

held on

Tuesday, 18 October 1983

at 10.30 a.m.

New York

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SUMMARY RECORD OF THE 6th MEETING

Chairman: Mr. RODRIGUEZ-MEDINA (Colombia)

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Distr. GENERAL

A/SPC/38/SR.6

4 November 1983

ENGLISH

ORIGINAL: FRENCH

The meeting was called to order at 11 a.m.

AGENDA ITEM 71: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/38/381, A/38/489, A/38/499)

1. Mr. SHEHATA (Egypt) said that he wished, first, to make some general remarks on peace-keeping operations. He stressed that those operations, which were the visible part of an extremely complex framework of political and diplomatic effort, were the most useful instrument devised by the Organization in order to defuse conflicts. They were based on the principle of peaceful intervention and never on the principle of coercion. Their effectiveness was due to the support which they received from the Security Council and, in particular, the super-Powers: they should, therefore, be the expression of political will. Nevertheless, because of the pattern of international relations, the Organization had seldom been able to use its collective military power through the Security Council. Because of the actual or potential paralysis of the Security Council, the General Assembly had assumed, within the United Nations, a new role in which the concept of collective security had gradually given way to the concept of collective diplomacy. The task of the General Assembly was to seek an acceptable agreement for all parties concerned through that type of diplomacy. Once that result was achieved, the role of the United Nations peace-keeping forces was to supervise the fulfilment of that agreement, ensure the separation of groups or military forces or protect civilians.

2. There was a certain number of basic facts which Member States tended to forget because of the gradual erosion of the mandate of a subsidiary organ of the General Assembly, namely, the Committee of 33. The primacy of the role of the Security Council in maintaining peace should not eclipse the powers invested in the General Assembly or the Secretary-General in the maintenance of peace and security. His delegation was certainly not attempting to call in question the distribution of powers between the Security Council and the General Assembly or between the Security Council and the Secretary-General. Nor was it seeking to invoke jurisdictional conflicts but simply to recall that the peace-keeping operations, combined with the process of collective diplomacy, were a very important instrument whereby the United Nations, through the General Assembly, might discharge its function of preventing or mitigating violent clashes. It could be said that the Organization had a dual role which consisted, on one hand, of bringing about, for the common good, the fundamental changes needed in the world and, on the other, of maintaining peace throughout that process, which was, necessarily, fraught with difficulties.

3. Certain conditions had to be met if peace-keeping operations were truly effective. First of all, as Secretary-General Hammarskjöld had stated in 1956 at the time of the Suez crisis, a peace-keeping force could only be established on the basis of the principles reflected in the constitution of the United Nations itself. Furthermore, as had been agreed during the establishment of UNEF in 1973, the force must have the confidence and backing of the Security Council, must operate with the full co-operation of the parties concerned, and must be able to function as an integrated and efficient military unit. The success of peace-keeping operations also required political will at the highest possible level

(Mr. Shehata, Egypt)

and the support of the host country, whose national sovereignty must be respected. Otherwise, the task of the peace-keeping forces could be extremely difficult. That applied in particular to UNIFIL, which had been continually harassed by the IDF and other de facto armed elements in the zone of operations. Lastly, a specific agreement on the forces should be concluded, which had not been the case with UNEF II. When all those conditions were met and once all foreign forces had been withdrawn from Lebanon, there was no reason why UNIFIL could not carry out its mandate. It was essential to restore confidence in that Force.

4. The success of peace-keeping operations depended not only on their operational effectiveness but also on the degree to which they contributed to creating a better political atmosphere for the parties to resolve the conflict peacefully. To that end, there should, first of all, be a clear and direct link between the establishment or renewal of the mandate of a peace-keeping force and the diplomatic efforts of the Organization to achieve a peaceful settlement. Secondly, it was necessary to review the political effects of the continued presence of the peace-keeping forces in order to determine to what degree those forces helped to create such an atmosphere. Thirdly, the establishment or renewal of the mandate of the forces should be accompanied by an appeal to the parties concerned to take advantage of the situation brought about by the presence of United Nations forces and explore the possibilities of achieving a peaceful, just and permanent settlement of their conflict. Otherwise, the presence of the United Nations force might assume a permanent character.

5. In order to ensure that peace-keeping efforts were accompanied by diplomatic efforts, steps should be taken to ensure that the progress reports by the Secretary-General on the periodic renewal of the United Nations forces, which stressed the military aspects of the operations of the Force, were supplemented by a report on the results of the diplomatic efforts undertaken by the Secretary-General under Articles 98 or 99 of the Charter, in order to determine whether progress had been made in the search for a peaceful settlement.

6. In view of the difficulties and uncertainties overshadowing the future of peace-keeping operations because of local, regional or international factors, the General Assembly should reaffirm the inalienable right of all Member States under the Charter to utilize the machinery for peace-keeping. All States must be able to exercise that legitimate right without hindrance, and any country or party which impeded the exercise of that right would be acting in violation of the purposes and principles of the Charter. The General Assembly should urge all countries to ensure that extraneous political considerations or local conflicts of interest did not impede the establishment and effectiveness of peace-keeping forces.

7. As indicated in Security Council resolution 338 (1973), there was a close link between the military and the political aspects of the peace-keeping operations, which remained a military instrument to be utilized for a political objective. The General Assembly should concern itself with the political and diplomatic dimensions of those operations. It could not and should not call in question the prerogatives of the Security Council with regard to the establishment of peace-keeping operations. Nevertheless, the time had come for the General Assembly, acting

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(Mr. Shehata, Egypt)

through the Secretary-General, to set up a parallel diplomatic machinery. The peace-keeping forces should not only be used to intervene, but should also create links between the parties concerned and act as a political catalyst.

8. His delegation expressed regret at the fact that since 1979 the work of the Committee of 33 had been at a standstill, and progress did not seem possible in the foreseeable future. In an informal working paper (document No. 51) which his delegation had submitted to the Committee of 33, Egypt had analysed the causes of the current situation, stressing the urgent necessity of resolving peace-keeping issues and suggesting that that Committee should adopt a new approach. Unfortunately, that effort had not yielded any results for the same reasons for which the work of the Committee of 33 was currently deadlocked. Nevertheless, that effort had not been in vain because a large number of delegations had responded to it favourably. Egypt was still ready to participate in a new collective effort to submit to the General Assembly at its current session a new resolution which drew attention to a certain number of facts which seemed to have been forgotten. The noble cause of peace should be kept away from big power politics, manipulations and rivalries.

9. With regard to the financing of United Nations peace-keeping forces, he supported the relevant observations made by the Under-Secretary-General, Mr. Brian Urquhart, in an article published in the March 1980 issue of The World Today, in which he had drawn attention to the importance of the financing of those activities and to the fact that that responsibility should be assumed by the international community as a whole.

10. The issue of financing was crucial to the survival of the peace-keeping machinery. It was the collective responsibility of the entire international community to honour its commitments under the Charter to share equitably the burden of financing those operations. The proposals and ideas elaborated in the document submitted by Canada (A/38/499) merited serious consideration, particularly the proposal to link the establishment of a peace-keeping operation to an agreement for a negotiated settlement of the conflict. That would make it possible to transform peace-keeping operations from mere truce surveillance activities into a viable mechanism for conflict resolution. The proposal to reaffirm the authority of the Security Council was generally acceptable to his delegation; it should, however, be pointed out that the Security Council might be unable fully to discharge its responsibility in that area, and the powers vested in the General Assembly by the Charter and by past practice should not be overlooked.

11. He concurred with Mr. Urquhart's statement that peace-keeping operations would continue to be of crucial importance in the Middle East until such time as a comprehensive settlement was concluded in the region. The principles of the Charter were far greater than the Organization through which they were implemented, and the objectives that they were intended to safeguard were more sacred than the policies of any single nation or people.

12. Mr. ELIOPOULOS (Greece), speaking on behalf of the European Economic Community, stated that the peace-keeping role of the United Nations, for which the

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(Mr. Eliopoulos, Greece)

primary responsibility lay with the Security Council, was of fundamental importance in implementing the purposes and principles of the Charter. The Ten strongly supported the peace-keeping operations that had been undertaken within the framework of the United Nations, in conformity with the Charter, in areas of the world afflicted by tensions and crises. They agreed with the Secretary-General that those operations were one of the greatest successes of the United Nations. The members of the European Economic Community had participated in all but one of the Organization's peace-keeping operations.

13. Peace-keeping operations, however, did not constitute an end in themselves, nor should they contribute to the consolidation or perpetuation of faits accomplis. By definition they served a limited purpose, namely, the maintenance of stability and peace in areas of crisis, pending a just political solution acceptable to the parties concerned. Peace-keeping operations should, then, contribute to an atmosphere conducive to a peaceful settlement, but the presence of United Nations forces was not a substitute for a settlement.

14. As underlined in the report of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh session, peace-keeping operations could function properly only with the co-operation of the parties, on a clearly defined mandate from the Security Council and with its full backing at all times. The European Economic Community associated itself with the Secretary-General's recommendation in the same report that Member States, especially the members of the Security Council, should again study urgently the means by which peace-keeping operations could be strengthened.

15. The Ten wished to reiterate their hope that the Special Committee on Peace-keeping Operations would continue its efforts to fulfil its main objective, namely, to elaborate guidelines for carrying out peace-keeping operations in conformity with the Charter and to consider practical measures for facilitating peace-keeping operations.

16. The Ten wished to pay a tribute to the members of UNIFIL for their dedication to the fulfilment of their duties. They called upon all parties concerned to give UNIFIL all the co-operation that it needed to carry out its mandate and thus help to preserve Lebanon's independence, sovereignty and territorial integrity. They had taken note of the Secretary-General's report on UNIFIL (S/16036) and concurred with the thrust of his observations.

17. The European Economic Community also wished to express its appreciation of the role played by the United Nations Force in Cyprus, whose presence demonstrated the Organization's concern for the maintenance of peace, security and stability in the territory of one of its Member States. Its continued presence there for the past 19 years had been a factor in the continuation of efforts to reach a negotiated settlement of the problem of Cyprus. The Community also noted the contribution made by other United Nations peace-keeping operations.

18. The Ten were nevertheless concerned about the serious difficulties of financing peace-keeping operations. Those difficulties, which had recently been

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(Mr. Eliopoulos, Greece)

described in a paper submitted by the United Kingdom (A/38/489), might jeopardize that vital activity of the Organization. All Member States had an obligation to contribute their assessed share to the cost of such operations as were called for by the Security Council. Those which failed to do so were placing an additional burden on the troop-contributing countries, some of which were developing countries that needed all their financial resources. That attitude might jeopardize the functioning of peace-keeping operations and hinder efforts to ensure wide geographical representation in the forces used, with possible consequences for the ability of the Organization to fulfil its role effectively in maintaining international peace and security. The Ten appealed to those States to reconsider their policy and pay a fair share of the costs of peace-keeping operations and drew the attention of the General Assembly to the matter.

19. The European Economic Community wished to thank those countries which had made it possible to carry out peace-keeping operations by contributing forces and equipment. It paid tribute, in particular, to all the soldiers who had served under the United Nations flag, expressed its sympathy for those who had been wounded in the course of duty and honoured the memory of those who had given their lives serving the cause of peace.

20. Mr. LOĞOĞLU (Turkey) said that peace-keeping operations had come to constitute an important dimension in the life of the United Nations. The question had been on the agenda of the General Assembly for almost two decades, and it would be included as long as the use of force remained a means for the settlement of differences within and among States.

21. His delegation wished to highlight a rather specific aspect of peace-keeping operations, namely, the question of the political posture of those countries which contributed troops or which were otherwise closely involved in peace-keeping operations. It was vital that the operations should be carried out impartially and not be affected by political considerations or by the policies of a contributing Member State towards the conflict in question. It was equally important for the States participating in peace-keeping activities to remain impartial and adopt a neutral position towards all the parties concerned, particularly when it came to voting or making an official statement on the disputed issue. Any other attitude would lead to suspicion on all sides and might give rise to accusations of partiality, thus impeding the effective functioning of the forces in the field, which had to have the trust of the population concerned. Every Member State had the sovereign right to adopt the position it chose when voting in the United Nations, but a State which contributed troops to a peace-keeping operation made a commitment, by so doing to forego certain political options for the sake of peace.

22. Turkey shared the concern expressed by other delegations regarding the serious financial situation of the peace-keeping operations and believed that the question should be given appropriate consideration by the Special Committee.

23. Mr. GONZALEZ (Chile) recalled that his country had more than once expressed concern about the urgent need to adopt effective machinery for the peaceful settlement of international conflicts. While the principle of non-use of force was

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(Mr. Gonzalez, Chile)

an essential norm of international law, there was no legal instrument which obliged States to use peaceful means for the settlement of disputes. The United Nations had played only a marginal role in the majority of disputes and conflicts; it provided forums and organs whose task was to prevent armed conflicts, but their role remained purely theoretical without the political will of States and the speedy establishment of the necessary machinery. Chile had always adhered whole-heartedly to the principles of international law and rejected recourse to the threat or use of force.

24. While his delegation supported the work of the Special Committee's Working Group, he urged that the Working Group should not merely indicate agreed guidelines in its report but should also recommend the adoption of practical measures for ensuring their implementation, for example, by assigning a specific role to the Secretary-General in the resolution of world conflicts.

25. The adoption of practical measures for safeguarding international peace and security was not inconsistent with the fact that that responsibility fell essentially on the Security Council. Respect for the spirit and the letter of the Charter required that the Secretary-General should be given a leading role and, where necessary, be provided with the financial means to carry out the task of peace-keeping. The Secretary-General could not be expected to remain impassive in face of the crises that were convulsing the world today if the Security Council failed to adopt the necessary measures.

26. The aspirations of the developing countries, with which Chile was closely associated, could not be realized except in a peaceful world. It was inadmissible to continue to rely on the good - or bad - will of the parties to conflicts. If the use of force was to be finally banished, it was essential for Member States to strengthen existing instruments by giving the United Nations, and the Secretary-General in particular, the practical means for the speedy and effective prevention of conflicts.

27. Mr. SUAREZ (Philippines) recalled that the Secretary-General, in his report on the work of the Organization, had said that the Charter of the United Nations clearly gave priority to dealing with threats to international peace and security and to the commitment of all nations, especially the permanent members of the Security Council, to co-operate within the framework of the United Nations to that end. It was the weakening of that commitment that, perhaps more than any factor, had led to the partial paralysis of the United Nations as the guardian of international peace and security. The Secretary-General had also said that conflict control was a basic element of the primary responsibility of the United Nations for the maintenance of international peace and security.

28. The ability of the United Nations to control conflicts depended largely on its capacity to initiate and maintain peace-keeping operations. That had been demonstrated in the past when United Nations peace-keeping operations had succeeded in deterring the further escalation of conflicts and gaining time for peaceful negotiations to take place.

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(Mr. Suarez, Philippines)

29. Conversely, in more recent instances where the United Nations, by its action or inaction, had abdicated its primary responsibility to prevent war and preserve the peace, its own Members had dealt with crises in their own way and thus tarnished the prestige and authority of the United Nations. Of even grimmer memory were the cases where United Nations peace-keeping forces had been ignored, their lines overrun and their lives endangered.

30. He recalled the nineteenth session of the General Assembly, which had gone down in the annals of the United Nations as "the session that never was". In autumn 1964, the General Assembly had been unable to carry out its normal business because of differences of opinion among Member States on the applicability of Article 19 of the Charter which stated that a Member of the United Nations in arrears in the payment of its financial contributions to the Organization should have no vote in the General Assembly. The arrears in question had represented the proportionate share in United Nations peace-keeping operations which some Member States had not wished to pay. Some States had called for the application of Article 19; others had made known their intention to leave the Organization if they were disqualified from voting. As a way out of the impasse the Assembly had not been asked to consider any draft resolution or action requiring a vote.

31. The lesson to be learnt from that unfortunate session was that the question of United Nations peace-keeping operations could undermine the very existence of the United Nations. Subsequently the General Assembly in 1965 had established a special committee to study the whole question of United Nations peace-keeping operations in all its aspects with a view to drawing up guidelines to govern them.

32. Now, 18 years later, the financing of the United Nations peace-keeping operations was becoming an increasingly serious problem, since certain States continued to refuse to pay their contributions. According to the United Kingdom paper contained in document A/38/489, those arrears now amounted to more than \$335 million. Moreover, the Special Committee had still not completed its work. While appreciating the difficulties and complications of the Special Committee's task, he considered that the General Assembly and the Special Political Committee were entitled to receive a more detailed report setting out clearly the status of the work of the Special Committee, the areas where consensus had been reached and the contending positions in the case of the controversial areas and recommending measures for speeding up the Organization's activities in that field.

33. The Special Political Committee now had before it the two-page report of the Special Committee in document A/38/381. He noted that the Special Committee had held no meetings in 1982 and had therefore had nothing of significance to report to the General Assembly in that year.

34. The Special Political Committee was asked to recommend what action the General Assembly should take on the report of the Special Committee, and the report itself seemed to point to two possible courses of action, one of which was to recommend that the mandate of the Special Committee be renewed.

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(Mr. Suarez, Philippines)

35. He had been heartened by the statement of the representative of the Soviet Union that the Special Committee had made substantial progress in preparing the guidelines, although the USSR representative had himself admitted that such progress had been "deliberately frozen" since 1978. The informal working paper mentioned in the Special Committee's report also referred to the "present state of impasse".

36. In the circumstances, his delegation would support the renewal of the mandate of the Special Committee in order to enable it to submit a detailed and specific report to the General Assembly at its thirty-ninth session as requested by his delegation.

37. Mr. ROSENSTOCK (United States of America) paid tribute to those who served the cause of peace under the flag of the United Nations and who deserved the gratitude and moral, political and financial support of all.

38. The peace-keeping activities of the United Nations represented one of the most positive, innovative and effective achievements of the Organization in that field in the 38 years since the elaboration of the Charter. While the debate on that agenda item should be the occasion for celebrating the success of the Organization and considering means for strengthening that institution, it was regrettable that certain parties used it as an opportunity for attempting to score political points and distort history at the same time. It was deplorable that the States which had prevented the United Nations from participating in the maintenance of a cease-fire, chose to criticize those who had attempted to fill the vacuum.

39. He felt that it would be useful to set the record straight with regard to the origin and history of the Special Committee on Peace-keeping Operations. The Special Committee initially had been created to deal with the financial crisis caused by the failure of the Soviet Union and other States to pay their share of the costs of the peace-keeping operations, in spite of the advisory opinion of the International Court of Justice that they were obligated to do so. After unsuccessfully attempting to obtain payment, the Special Committee had begun to consider the question of the so-called guidelines. That effort had quickly become a futile exercise in the well-known practice of bracketing, which had led to a deadlock in the early 1970s. To select a few unbracketed phrases out of context and attempt to treat them as agreed, as one speaker had done, was either self-delusion or an attempt to mislead.

40. Fortunately, the deadlock in the Special Committee had not prevented the Security Council from continuing its work and adopting the peace-keeping guidelines which had led to the elaboration of the mandate of UNEF in 1973 and which were contained in document S/11052/Rev.1 of 27 October 1973. The Security Council had recognized the soundness of the approach set forth in that document and had followed it in all subsequent peace-keeping operations.

41. By the mid-1970s, a number of Member States had shown their concern at the lack of progress in the work of the Special Committee both with regard to the financial situation and the so-called guidelines. They had also felt that not

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(Mr. Rosenstock, United States)

enough attention had been given to the need to focus on practical measures to enhance the effectiveness of peace-keeping operations. As a result, the General Assembly had adopted resolution 33/114, which his delegation had supported, as it had all the resolutions which defined the mandate of the Special Committee, from the first to the most recent, General Assembly resolution 36/37.

42. Nevertheless, the financial problems must be solved and a number of practical measures should be considered in order to enhance the effectiveness of peace-keeping operations; the document prepared by the United Kingdom and distributed under the symbol A/38/489 correctly described the situation and proposed sound solutions. Those questions should be considered in other forums, and the fact that they were being examined by the Security Council, in connection with the report of the Secretary-General or by the Sixth Committee under a particular agenda item did not prevent the Special Political Committee from considering them also.

43. His delegation had already proposed, both in the Special Committee and other forums, a number of practical measures concerning such matters as the earmarking of contingents, advanced training and making advanced technology available to United Nations forces. Furthermore, he strongly supported many of the proposals made by other States, such as those submitted by the Nordic States and, most recently, by Canada in document A/38/499.

44. Although there was no reason to be very optimistic about the progress which the Special Committee might achieve, his country, nevertheless, was prepared to support the renewal of its mandate, if that was the wish of the other members of the Special Political Committee.

45. Mr. MIKUS (Hungary) said that, although his Government agreed with the conclusions in the report under consideration, it was not entirely satisfied with the work regarding the whole question of peace-keeping operations because there had been no tangible progress in that important field.

46. In recent years co-operation had given way to confrontation; the arms race had reached a much more dangerous level, and military activities had spread to many parts of the world. Imperialist intervention had given rise to particularly dangerous situations in El Salvador, Nicaragua, Lebanon and Chad.

47. In view of the deterioration of the international situation, the responsibility for which lay with those who sought military superiority, it was difficult for developing countries to preserve their independence and speed up their economic and social development. Nevertheless, Hungary believed that the struggle for the maintenance of peace and the avoidance of a world war constituted the foremost task for the future of mankind. For that reason, the Special Committee should continue its work, and the States which were members of that Committee should consider as a matter of urgency ways of strengthening peace-keeping operations.

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(Mr. Mikus, Hungary)

48. His Government had long considered that the elaboration of guidelines was an important step towards resolving the fundamental question of peace-keeping operations, and it had always worked with that goal in mind. The Special Committee should, however, concentrate first on the formulation of guidelines, without which practical issues could have no real significance. In that regard, his delegation drew attention to General Assembly resolution 36/37 which urged again the Special Committee to renew its efforts to work towards the completion of agreed guidelines which would govern the conduct of peace-keeping operations.

49. United Nations peace-keeping operations must be carried out in accordance with the provisions of the Charter. Under the Charter, only the Security Council was authorized to use armed force in order to maintain international peace and security. Only the Council, therefore, could decide to launch, direct and finance peace-keeping operations. Chapter VII of the Charter provided a sufficiently broad basis for the elaboration of guidelines for peace-keeping operations. By carrying out its basic task, the Special Committee could overcome the current deadlock and achieve positive results.

50. Mr. GIAMBRUNO (Uruguay) said that his delegation had taken note of the difficulties which the Special Committee faced in carrying out the mandate entrusted to it by the General Assembly. The Special Committee should continue its work, and he urged its members to redouble their efforts to accomplish that task.

51. In spite of the purposes set forth in Article I, paragraph 1, of the Charter, various conflicts in the world had required the intervention of United Nations peace-keeping forces. Those forces, whose sole mission was to maintain international peace and security in their zone of operations, used force only in self-defence and thus possessed a moral authority which merited the respect of all.

52. Uruguay would continue to do all it could, in accordance with the principles of justice and international law, to help in finding diplomatic solutions to conflicts, either by participating in all aspects of peace-keeping operations or by supporting them.

53. With regard to the question of strengthening the Organization, he felt that it was necessary to reactivate the mechanisms for collective security in order to ensure international peace and security.

54. He paid tribute to the soldiers of the peace-keeping forces who had lost their lives defending that sacred ideal.

55. The CHAIRMAN said that the Committee would conclude the general debate on agenda item 71 at its next meeting. He invited the members of the Committee who were preparing a draft resolution on that item to submit the text to the Secretariat as soon as possible.

The meeting rose at 12.15 p.m.