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Chairman: Mr. GREGORIADES (Greece)

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AGENDA ITEM 54: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS: REPORT OF THE SPECIAL COMMITTEE ON PEACE-KEEPING OPERATIONS (A/31/337) (continued)

1. Mrs. RANA (Nepal) said that peace-keeping operations were among the main contributions of the United Nations to easing tension in areas of conflict and preserving international peace and security.
2. By its resolution 2005 (XIX), the General Assembly had established a Special Committee to make a comprehensive review of the whole question of peace-keeping operations. Since then, the General Assembly had renewed each year the Committee's mandate to consider that question with a view to establishing agreed guidelines for future peace-keeping operations. So far, the Committee had not completed its task and in its resolution 3457 (XXX) the General Assembly had urged it to renew its efforts in that direction. It was now gratifying to note from the report on the work of the Committee for the past year (A/31/337) that some progress had been made. Thus, the Working Group of the Special Committee had adopted new formulas for the title, introduction and articles 1, paragraph 2, and 2, 3 and 4 of the guidelines.
3. Although the Security Council had primary responsibility for maintaining international peace and security, the importance of General Assembly initiatives in times of crisis should not be minimized. In many instances where the Security Council had failed to act because of disagreement among the major Powers, the General Assembly had taken valuable initiatives to maintain peace and security. The General Assembly must continue to play an effective role in peace-keeping, in accordance with Article 10 of the Charter, whenever the Security Council failed to act.
4. Genuine understanding and agreement among the major Powers were vital to the future of United Nations peace-keeping operations and also to the smooth functioning of United Nations activities in general. Her delegation therefore appealed to those Powers to show co-operation and understanding whenever the United Nations was faced with the question of sending peace-keeping forces to troubled areas.
5. The importance which her country attached to peace-keeping operations had been manifested by the participation of a Nepalese contingent in the United Nations Emergency Force in 1974. Nepal had also participated in some of the seminars on peace-keeping operations organized by the International Peace Academy.
6. The financing of peace-keeping operations had always been a major concern of the international community. The 1965 consensus on voluntary contributions had been a temporary solution designed only to deal with the pressing problems of that period, and her delegation believed that all Member States were collectively responsible for the financing of peace-keeping operations. It continued to support suggestions for creating a United Nations peace-keeping fund, since that would unquestionably solve some of the problems facing the Organization in that connexion.
7. In accordance with General Assembly resolution 3457 (XXX), the Special Committee had sought the views of its members and of troop-contributing countries

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with regard to the practical implementation of peace-keeping operations. In the view of her delegation, the Middle East peace-keeping operations could serve as practical experience for future operations. Her delegation also shared the views expressed by some States regarding the training of military personnel participating in peace-keeping operations. The effectiveness of those operations depended largely on the efficient performance of military personnel in the field. The establishment of stand-by forces was no less important in times of urgent necessity.

8. Her delegation attached great importance to the work being done by the Special Committee and was in favour of extending the Committee's mandate in the hope that it would make every effort, as in the past year, to establish agreed guidelines for United Nations peace-keeping operations at the earliest possible date.

9. Mr. TULINOV (Union of Soviet Socialist Republics) noted that there still remained some dangerous sources of conflict threatening international peace and security despite over-all progress in achieving détente and political solutions to problems. The United Nations should therefore increase its role in strengthening international peace and security, in particular by working out agreed guidelines for United Nations peace-keeping operations in strict conformity with the Charter. In that connexion, he noted the Soviet proposal for the conclusion of a world treaty on the non-use of force in international relations, which had met with the approval of the majority of States Members of the United Nations and had been adopted by the General Assembly. There was a clear organic link between that Soviet initiative, the problem of strengthening international security and practical measures aimed at preserving international peace and security, such as the United Nations peace-keeping operations. Such operations, if they were carried out in strict conformity with the Charter, could and should be a part of general measures to strengthen international peace and security.

10. Under the Charter, the Security Council was the only body authorized to undertake measures to maintain international peace. Only the Council could decide on the formation, use, composition, functioning and financing of United Nations peace-keeping forces. Strict observance of the provisions of the Charter in that regard constituted a guarantee against the misuse of force under the United Nations flag and against the possibility of using United Nations forces in the narrow interests of certain groups of States and against the interests of countries receiving such forces.

11. He noted that the Working Group of the Special Committee on Peace-keeping Operations had achieved a measure of progress in preparing draft formulas for the title, introduction and a number of articles of agreed guidelines for United Nations peace-keeping operations. His delegation wished to stress the particular importance of article 1, which dealt with the role of the Security Council in connexion with such operations. Article 4, concerning the committee to be established under Article 29 of the Charter in order to assist the Council in the performance of its peace-keeping functions, was an encouraging example of the progress which could be achieved through painstaking efforts and negotiations. He regretted that agreement had not been reached on all aspects of the matter, but it should be noted that the fault did not in any sense lie with his delegation.

(Mr. Tulinov, USSR)

12. The task facing the Special Committee on Peace-keeping Operations and its Working Group was complex and of fundamental importance. His delegation was prepared to devote further efforts to achieving agreement on the matter in conformity with the Charter.

13. Mr. MULLOY (Ireland) said that, despite 20 years of debate and negotiation on peace-keeping operations, the United Nations was still some distance away from the achievement of universally acceptable guidelines, either in relation to the operations or in relation to their financing. Indeed, the establishment of the Special Committee on Peace-keeping Operations seemed to have prompted an unduly optimistic forecast. The Committee must not, however, allow itself to be discouraged by the lack of progress to date. During the current year, there had been some grounds for rejoicing, since the Special Committee had been able to report, "with regard to the text of the title, introduction and articles 1, 2, 3 and 4, that new formulas representing a measure of agreement had been achieved"; unfortunately, that did not apply to article 1, paragraph 1, on which "it was not possible to reach such a measure of agreement" (A/31/337, para. 6). His delegation noted that a greater degree of progress had been achieved by the Special Committee in 1976 because, instead of meeting continuously on a one-meeting-per-month basis as in previous years, it had concentrated its work into a single substantive session.

14. Ireland had demonstrated its positive commitment to United Nations peace-keeping activities over the past 18 years, during which Irish officers had been assigned to several United Nations peace-keeping forces. In one operation alone, the United Nations Operation in the Congo (ONUC), 26 Irish soldiers had lost their lives, and Ireland had suffered casualties in other operations as well. Despite those losses, Ireland's desire to continue its long association with peace-keeping operations remained unchanged. It therefore regretted that, for domestic reasons, it had had to recall the Irish contingent from the United Nations Emergency Force (UNEF) in May 1974. It was still committed to UNEF, even though it was not at present in a position to supply a full contingent, and Irish officers continued to serve the United Nations in the Middle East and in Cyprus.

15. In the introduction to his annual report on the work of the Organization, the Secretary-General had expressed the view that some international problems were not soluble within a short time span and that, in such cases, quiet diplomacy through the United Nations could sometimes also avoid major and immediate dangers, thus contributing to the search for lasting settlements. His delegation also agreed with the Secretary-General that an improvement of the peace-keeping and peace-making capacity of the United Nations should have the highest priority in its agenda and among the concerns of Governments (A/31/1/Add.1, pp. 9 and 11). Ireland believed that the work of the Special Committee played an important role in that process, and it would support the renewal of the Committee's mandate in the hope that it could register greater progress in 1977.

16. His delegation recognized that it was difficult to draft guidelines for United Nations peace-keeping operations capable of covering every conceivable situation.

(Mr. Mulloy, Ireland)

It continued to believe that both the Security Council and the Secretary-General, working in close consultation with the parties concerned, must be left some measure of discretion in determining the type of operation required in any particular situation, bearing in mind the framework established by the Charter and the obligation of Member States under Article 33. At the same time, the burden of maintaining peace was one that was collectively shared. His delegation firmly held that the financing of peace-keeping operations should be governed by the principle of collective financial responsibility. That was particularly so because those operations were an absolutely fundamental aspect of the work of the United Nations. His delegation had stated in 1975 that it regretted the fact that a number of Member States had refused to bear their assessed share of the costs of maintaining UNEF and the United Nations Disengagement Observer Force (UNDOF). It noted with alarm that the so-called "uncollectable" balance had been rising; that situation further endangered the broad geographical base on which the Force was constituted, since delays in reimbursements to troop-contributing countries made it even more difficult for smaller countries to contemplate participation in such operations.

17. Notwithstanding those considerations, his delegation welcomed the agreement recently reached between the troop contributors and the Secretary-General on the reimbursement of the usage factor for personal gear, clothing and equipment in the context of earlier agreements regarding the operation of UNEF and UNDOF. It was perhaps characteristic of the United Nations system that arrangements of that nature could be concluded within the framework of existing agreements even though there were as yet no comprehensive agreed guidelines for peace-keeping as a whole. There must be room for some degree of concurrent development on both issues. In other words, the elaboration of the general guidelines should reflect, where appropriate, progress in the day-to-day evolution of practices and precedents in relation to specific peace-keeping operations. At the same time, it might seem unwise to attempt to give selective effect to specific provisions of the guidelines while awaiting the completion of work on the guidelines as a whole. To do so would be to underestimate the complexity of peace-keeping operations in general.

18. The mounting of any new peace-keeping operation would demand infinite tact, patience and determination. It should be the aim of the Special Committee to facilitate that task by achieving a realistic framework within which to operate. To imply, however, that some principles were more applicable than others was to cast doubt on the efficacy of the guidelines as a whole. The Special Committee must therefore push the drafting of those guidelines to a successful conclusion in the shortest time possible. If it failed in that task, he wondered whether the international community would on some future occasion express appropriate understanding of the negotiating difficulties within the Special Committee or whether it would be more disposed to condemn as short-sighted the Committee's failure, after so many years, to reach agreement on a basic set of operating guidelines. The choice was that of the Special Political Committee, and, in supporting renewal of the Special Committee's mandate for yet another term, his delegation hoped that its members would be inspired by the plea made by Paul-Henri Spaak to his European colleagues when drafting the Treaty of Rome: "Nous sommes condamnés au succès".

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19. Mr. IBRAHIM (Libyan Arab Republic) said that the fact that the United Nations had set up the Special Committee on Peace-keeping Operations showed at least tacit recognition that an imbalance existed in international relations because the principles which should govern those relations had been violated. That imbalance led to tensions, which in turn led to armed conflicts in some areas. Respect for the principles in question would in itself provide a guarantee of peace.

20. The establishment of peace implied a state of non-belligerency, but non-belligerency - for example, through the disengagement of forces - did not necessarily imply peace. Non-belligerency could, however, create an atmosphere which could eventually lead to peace and security, the maintenance of which was embodied in the Charter as the primary goal of the United Nations. Nations should try to ensure respect for those principles which led to peace, for if peace was not based on justice it was a false peace containing the seeds of its own destruction. If justice was not based on equality, it could not lead to peace, and if equality was not based on human rights and non-discrimination, it was only a semblance of equality.

21. A glance at the world situation showed that many people continued to be subject to oppression and arbitrary action. In the Middle East, an entire people had been evicted and dispersed and their land had been usurped by an artificially created entity based on the ideology of zionism, which was essentially religious racism. Ever since that entity had been established in 1948, it had developed its expansionist designs to the point where it now occupied parts of the territory of three Arab States. Settlements were being established in those territories on the basis of a theory that the acquisition of that land was a sacred right of the Zionists.

22. On the African continent, South Africa continued to practise the most odious forms of racial discrimination and the people of Namibia and Zimbabwe remained under the yoke of colonial injustice and racist oppression. People in Asia and Latin America were also suffering under the scourge of colonialism and domination. Those were merely a few dramatic examples of the political injustice existing in the world, which the United Nations had failed to remedy.

23. The world could be seen as divided into a developed North and an undeveloped South, which had led to a sort of class struggle in international relations. The North was generally characterized by economic progress based on various ideologies, while the South was still languishing in poverty and misery. The resources of the South were being plundered to feed the machinery of the industrialized North, and the developing countries were losing their independence as a result of neo-colonialism, which had been created by military and other forms of "tied" assistance. Furthermore, an intellectual and cultural dependence on the industrial Powers was being established to the detriment of the cultural development of the developing countries. He warned the neo-colonialists of the coming wrath of the under-developed peoples when they realized why they were so poor.

24. International relations could be seen as based on a principle of antagonism:

(Mr. Ibrahim, Libyan Arab Republic)

antagonism between the developed and the developing countries, and antagonism between the East and the West in the developed world. In addition, among the developing countries there was antagonism between the richer oil-producing countries and the others. The recent rapprochement, especially between East and West, would seem to have reduced the amount of antagonism within the Northern bloc. However, détente must take into account the rights and interests of the developing countries. The interests of the third world were not furthered by agreements between the powerful countries of the North, which had merely led to a balance of nuclear terror and the recognition of spheres of influence.

25. In view of that situation, the Special Committee on Peace-keeping Operations could not succeed in carrying out its task if it confined its efforts to troop disengagement and the positioning of observer troops. That would lead only to the continuation of an eternal vicious circle, as the causes of the conflicts remained. The Special Committee should deal with the causes and try to create the basis for lasting peace. His delegation did, however, feel that peace-keeping operations were necessary and could create conditions which might bring about peace.

26. As regards the report of the Special Committee, his delegation noted that it sought to give the Security Council new prerogatives. In that connexion, he wondered what success the Council could have in maintaining international peace and security in view of the abuse of the veto power by certain major Powers, which had prevented numerous decisions from being put into effect. That situation was not surprising in view of the interests which those countries had all over the world. It would be utopian to expect the United States not to veto resolutions censuring the Zionist entity or recognizing the rights of the Palestinian people in view of the fact that the United States provided the arms that enabled the Zionist entity to carry out its racist designs. The same applied to resolutions against South Africa, which the United States opposed because of its extensive investments in that country. It must therefore be recognized that the Security Council was hampered in its actions and could not take decisive measures.

27. Accordingly, he felt that the General Assembly should have the power to take swift action if the Security Council was unable to do so, provided that action was also taken to eliminate the causes of the conflicts in question. If that called for amending the Charter, then his delegation would favour such an amendment. The United Nations Charter reflected the conditions that had existed in 1945; the world of 1976, which was reflected in the present General Assembly, was a vastly different one. The past should not be permitted to control the present.

28. As regards the guidelines for peace-keeping operations, he felt that agreement on the matter would be a difficult task in view of the opposing interests of groups which were at present even more in conflict than before. His delegation would favour enlarging the membership of the Special Committee on Peace-keeping Operations and its Working Group on the basis of equitable geographical representation.

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29. Mr. PINIES (Spain) said that his country had always attached great importance to United Nations peace-keeping operations and to the work of the Special Committee, of which it was a member. His delegation's position on the basic issues involved in peace-keeping operations could be found in the statement which he had made in the Special Committee on 27 April 1965 (A/AC.121/PV.4). On that occasion, he had stated that the action taken by international forces under United Nations auspices could be grouped into two very different categories. On the one hand, there was enforcement action to deal with threats to the peace, breaches of the peace and acts of aggression. On the other, there were peace-keeping operations, which had grown out of the Organization's efforts to fulfil its constitutional objectives. Enforcement or sanctioning action was a basic element of the system of collective security provided for in the Charter, while peace-keeping operations were closer to preventive policing action than to repressive military action. The distinction between the two kinds of action was fundamental and had a number of extremely important legal implications.

30. While enforcement action was based on Chapter VII of the Charter, peace-keeping operations had their legal basis in Chapter I, particularly Articles 1 (1) and (4) and 2 (5). He therefore wished to reiterate that both the Security Council and the General Assembly were competent to decide on or recommend peace-keeping operations. Although the Council had primary responsibility for peace keeping and acted on the basis of decisions adopted by its members, its authority was not exclusive, for the General Assembly could also recommend measures whenever the Council was unable to act.

31 Under Article 10 of the Charter, the General Assembly could discuss any questions or matters within the scope of the Charter. Under Article 11, it could consider the general principles of co-operation in the maintenance of international peace and security and could make recommendations with regard to such principles to the Members or to the Security Council or to both. Furthermore, it could discuss any questions relating to the maintenance of international peace and security and make recommendations with regard to such questions.

32. As a result, some peace-keeping operations had been carried out on the basis of resolutions of the General Assembly and not of the Security Council. Yet, article 1, paragraph 1, of the draft articles contained in the annex to the report of the Special Committee overlooked the competence of the General Assembly and seemed to confer exclusive powers on the Security Council. In stating that the Security Council had authority over peace-keeping operations, that paragraph reflected the views of the authors of the draft articles; if accepted, it would make it necessary to amend the Charter, a task which did not come within the mandate of the Special Committee on Peace-keeping Operations.

33. Article 1 was extremely important, and the philosophy behind it was reflected in all the draft articles drawn up by the Working Group. For the reasons he had stated, his delegation could not accept the present wording of article 1, particularly that of paragraph 1, which, as the Working Group itself had acknowledged, had not met with any measure of agreement.

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34. His delegation was in favour of renewing the mandate of the Special Committee and hoped that it would meet more frequently in the coming year in order to examine in detail the report and the draft articles submitted to it by the Working Group. At those future meetings, his delegation would give its views on other questions such as financing, which it considered fundamental to the consideration of peace-keeping operations. His delegation wished to commend the Working Group on its drafting of Working Document No. 3, which represented significant progress towards the drafting of guidelines even though there was, of course, still much to be done.

35. Mr. MONACO-SORGE (Italy) welcomed the step forward represented by the work done by the Special Committee and its Working Group in 1976. His Government's views on the question of guidelines for peace-keeping operations were well known, and the specific proposals submitted by it in that connexion appeared on pages 19 and 20 of document A/31/337.

36. Comparison of the present report with that of the previous year clearly demonstrated the progress which had been made in establishing guidelines. The current report also contained interesting proposals that had been made on specific questions related to the practical implementation of peace-keeping operations. His delegation had been among the first to suggest that such proposals should be annexed to the report in extenso.

37. As far as the new draft articles were concerned, a high degree of flexibility was required for article 1, which dealt with the authority of the Security Council over peace-keeping operations. If the Council and the Secretary-General were to be able to deal with the specific circumstances of each operation, then the concept of "supervision" was more appropriate for the primary responsibility of the Security Council than was that of "direction" of United Nations peace-keeping operations.

38. At the same time, his delegation believed that the idea of establishing a subsidiary organ of the Security Council under Article 29 of the Charter deserved thorough consideration, since such an organ could give attention to the operational aspects of the activities of United Nations forces and to improving their effectiveness. Its establishment need not depend on the actual completion of the guidelines, for article 4 of the draft articles offered a useful basis for the elaboration of a juridical framework for its functioning. However, a rather flexible approach must be adopted in establishing legal rules for that organ if its effectiveness was not to be reduced by an excessively close tie to the Security Council. In particular, it should work in the closest co-operation with the Secretary-General. There had been little time to develop or discuss such an approach, but he hoped it would be possible to deal with it at the next session of the Special Committee.

39. In 1975, his delegation had stressed the need to improve the working methods of the Working Group, and it therefore welcomed the over-all approach which had now been adopted by the Special Committee and the Working Group. Members of the

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(Mr. Monaco-Sorge, Italy)

Special Committee who did not belong to the Working Group had been permitted to express their views and take part in the work of the Group, thus establishing close contacts among all members of the Special Committee. That approach had encouraged progress and should therefore be followed in the coming year. He hoped that the mandate of the Special Committee and its Working Group would be extended.

40. Mr. SURYOKOSUMO (Indonesia) welcomed the progress that had been made in the work of the Special Committee over the past year. He hoped that the Committee would make further efforts so that it could reach agreement on the main problems involved and fulfil its mandate.

41. Because the Charter did not contain specific provisions concerning peace-keeping operations and because the General Assembly and the Security Council, as the bodies entrusted with maintaining peace, had not established any guidelines in that connexion, it was up to States Members of the United Nations to establish the constitutional, legal and financial structure for such operations. Agreement had to be reached on a number of important points, including the establishment of an organ to deal with practical matters involved in each peace-keeping operation organized by the United Nations.

42. His delegation had some difficulty in understanding the position of pre-eminence assigned to the Security Council in several of the draft articles contained in the report. If the Council failed to exercise its peace-keeping responsibilities because of a lack of political consensus, General Assembly authorization of peace-keeping activities was necessary and desirable. In such circumstances, peace-keeping operations should be subject to the directives of a special committee of the General Assembly consisting primarily of those countries which contributed contingents or personnel, but with provision for wider political and geographical representation. The General Assembly and the Secretary-General could also call the attention of the Security Council to the need to initiate peace-keeping operations in accordance with Articles 11 and 99 of the Charter.

43. His delegation was also concerned at the subordinate position accorded to the Secretary-General in the draft articles. As the chief administrative officer of the United Nations, the Secretary-General should bear responsibility for the administrative and logistical support of the peace-keeping forces. In addition, as the "executing agent", he should play a part in the conduct of peace-keeping operations and enjoy discretionary authority. He should also have some responsibility for day-to-day operations, including the making of urgent decisions, for experience had shown that decisions must be communicated to field commanders within the shortest possible time.

44. In laying down general principles and guidelines for peace-keeping operations, the following additional factors should be taken into consideration: First of all, the formulation of the peace-keeping force's mandate was vital. The mandate should be open-ended so as to allow the force some freedom to deal with unforeseen developments. Second, the use of force and freedom of movement were essential to the implementation of the force's mandate. However, the use of force should be essentially non-coercive. In order for peace-keeping forces to function as

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(Mr. Suryokosumo, Indonesia)

integrated, efficient military units, it was essential to secure freedom of movement for each unit, irrespective of nationality. Third, as regards authorization and control of operations, the role of the Security Council must not be seen as exclusive and the General Assembly's peace-keeping role in the event of an impasse in the Council would have to be defined. In that connexion, his delegation welcomed the proposal to establish a committee under Article 29 of the Charter to direct individual peace-keeping activities. Fourth, the principle should be recognized that national contingents were placed under the authority of the Force Commander in respect of operations and logistics but remained under their own commanders in matters relating to jurisdiction, personnel, etc. Fifth, if a contributing State objected to the interpretation and execution of the original mandate, if formal changes were made in the mandate or if a national emergency arose, that would constitute grounds for the withdrawal of a national contingent from an ongoing force. Sixth, the size of the peace-keeping force should be progressively reduced after a short initial period in order to reduce costs and increase the emphasis on peace keeping.

45. Mr. ROSU (Romania) said that his delegation attached great importance to the formulation of guidelines for United Nations peace-keeping operations and to the vital role played by the United Nations peace-keeping missions in the Middle East and Cyprus in creating an appropriate climate for negotiations. The experience gained from the activities of UNEF and UNDOF could help the Special Committee to fulfil its mandate.

46. His delegation welcomed the relative progress made by the Special Committee in the past year. The work done in the course of the year provided a useful basis for future efforts to elaborate guidelines for peace-keeping operations, and he was optimistic that the spirit of accommodation prevailing both in the Working Group and in the Special Committee would help the Committee to fulfil its mandate at an early date. In order to speed up the work of the Committee, more meetings should be scheduled for 1977 to take place outside the dates set for the Committee's next session.

47. While his delegation agreed that the main consultations should be carried out in the Working Group, it believed that the Committee should devote more time to negotiations and direct the work of the Working Group more actively.

48. It was high time that agreement was reached on the remaining outstanding issues so as to enhance the capacity of the United Nations to prevent military conflict. Agreements should be worked out with the participation of all Member States who were willing to make a contribution to the work of the Special Committee. The Working Group should therefore co-operate with members of the Special Committee and other Member States which wished to contribute to its work. Indeed, the Working Group should be open to all States members of the Special Committee, and the latter should remain the main forum for working out the recommendations called for by the General Assembly. Similarly, all Member States should have a right to participate in United Nations military or peace-keeping

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(Mr. Rosu, Romania)

forces, and the sending of United Nations forces to the territory of any country and also the national composition of those forces should have the consent of the State concerned.

49. His delegation appreciated the proposals made by other delegations during the current debate. It was in favour of extending the mandate of the Special Committee, for it believed that the latter could and should make substantive progress towards completing its work by the thirty-second session of the General Assembly.

50. Mr. JACOVIDES (Cyprus) said that the item under consideration fell within the ambit of the wider question of the maintenance of international peace and security through the United Nations. It ought therefore to be one of the most important items of the General Assembly's work.

51. The primary objective of the United Nations - maintaining peace in the world - could, ideally, be achieved through the creation of a permanent United Nations peace-keeping force recruited, organized and financed by the Organization and owing allegiance to it. His delegation favoured such an approach even though it recognized that that could only be a long-term objective and that there was a great distance between what was ideally desirable and what was practically possible. Even without such an innovative and ambitious undertaking, which would require amending the Charter, there was, under the present Charter, a complete and apparently watertight system of collective security. Chapters VI and VII of the Charter made detailed provision for the pacific settlement of international disputes. The Charter therefore provided the complete answer to the over-all objective of maintaining and restoring international peace and security. Yet, in many instances that objective was not achieved. The operation of the veto provision in Article 27 (3) of the Charter was often mentioned as one explanation for the paralysis of the system in those instances, and there could be no doubt that that had often been the case. There were, nevertheless, other cases in which the veto could not be blamed, because resolutions which had been adopted unanimously by the Security Council had not been implemented. As the Secretary-General had pointed out in the introduction to his report on the work of the Organization, the responsibilities of Governments did not cease when a resolution of the Security Council was adopted and those resolutions usually required determined action by Governments, in addition to the parties directly concerned, if they were to be translated into reality (A/31/1/Add.1, p. 10). The States to which such a resolution was directed were under a legal obligation to carry out such decisions. Article 25 of the Charter was explicit and unambiguous in that regard, and, if any ground for misinterpretation existed, it had been removed by the International Court of Justice in its advisory opinion of 21 June 1971 on the question of Namibia.

52. At the same time, in case of failure to comply with such a decision by the State to which the resolution was directed, the Security Council was duty bound to take appropriate measures, including measures of enforcement under Chapter VII, in order to see to it that its own resolution was implemented. Parallel to any such action by the Security Council itself, individual members of that body, and especially the permanent members which had voted for such a resolution, had the

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(Mr. Jacovides, Cyprus)

responsibility of acting in such a manner as to ensure compliance with the decision taken. That responsibility was extended to the full membership of the United Nations by Article 2 (5) of the Charter. It was only thus that the system of collective security under the Charter could be made to work in practice, especially in cases in which the veto provision had not prevented the adoption of the relevant resolution. Failure to act to implement a resolution not only showed a lack of logical consistency but also contributed to discrediting and further weakening the United Nations system of collective security.

53. A case in point was Security Council resolution 365 (1974), which had been adopted by consensus following the 1974 Turkish invasion of Cyprus. The tragic fact - tragic for the people of Cyprus and for the United Nations - was that two years later none of the provisions of that resolution had been implemented and nothing effective had been done by the Security Council or its members to ensure compliance with it. As long as such a glaring and incontestable situation of gross violation of the most basic rules of international law and human rights continued, there could not be much hope for an effective and reliable security system under the Charter in which States, especially those that were weak, small and non-aligned, could place their trust and confidence. It was a source of some solace that, at the suggestion of his delegation, the Fifth Conference of Heads of State or Government of Non-Aligned Countries had unanimously urged the full application of the Charter provisions relating to the maintenance of international peace and security and also the effective discharge of the functions of the Security Council through implementation of its decisions. Peace-keeping by consent of the type now being considered had evolved as a pragmatic substitute for the comprehensive and watertight system envisaged by the Charter for particular situations where the circumstances permitted it. Despite its many limitations, including financial ones, it had proved time and again its value in an imperfect world.

54. With regard to the report of the Special Committee on Peace-keeping Operations (A/31/337), his delegation would have been happier if the results of its work had been more substantive. It appreciated the complexity and delicacy of the problems involved and took some consolation from the progress reflected in the adoption of article 4 of the draft guidelines. His delegation particularly noted and welcomed the references in paragraphs 3 and 6 of that article to the effect that meetings of the Security Council committee could be convened by the representative of the country where the peace-keeping operation was conducted and that that representative could, as a rule, attend the meetings of the committee and participate in its discussions.

55. His delegation hoped that circumstances would permit the Special Committee to proceed with its work in a more productive and comprehensive manner in view of the magnitude and significance of its mandate. Experience had shown that where there was a will, there way a way. Whenever the necessary political, strategic and financial factors existed in a given situation, peace-keeping operations had come into being irrespective of doctrinal differences in order to meet the needs of the given situation. A better system of financing, preferably based on collective

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(Mr. Jacovides, Cyprus)

responsibility, broader geographical representation on the forces and clearer lines of authority were all questions to which the Special Committee's attention might usefully be directed. While the Security Council's authority over peace-keeping operations was paramount, the key to a breakthrough lay in a proper balance being struck between policy control and operational management, always bearing in mind that the guidelines to be agreed upon should not be such as to frustrate the practical requirements in the field.

56. The size of the peace-keeping force in every particular case should be such as to be effective. The force should under no circumstances be subject to attack by national forces and should not be hindered by anyone in the legitimate exercise of the functions assigned to it by the Security Council. Should that occur, it would be incumbent upon the Council to take all appropriate additional steps to protect the safety of the troops involved and to ensure the proper carrying out of their mandate. Another very important factor was that peace-keeping forces should at all times respect the authority of the Government and the sovereignty and independence of the State in whose territory they operated and should act in strict accordance with the United Nations resolutions under which they were set up. It should always be remembered that such forces operated with the consent of the Government of the State concerned.

57. His delegation supported all efforts to achieve greater preparedness for the carrying out of peace-keeping operations and welcomed the suggestions made by a number of interested States regarding the holding of seminars for training military and civilian personnel, the preparation of manuals and similar activities of a practical nature. It paid a tribute to those States and organizations which had taken initiatives in that regard.

58. Two other major factors should be borne in mind when considering United Nations peace-keeping operations. Firstly, peace keeping was not an end in itself. It was a temporary measure to provide breathing space, and it should help to create an atmosphere in which meaningful negotiations could be freely conducted with a view to removing the causes of the conflict. It took more than one party to create conditions in which such negotiations could be conducted fruitfully, and where one party was not willing to do so the result was stalemate and an indefinitely protracted conflict. Secondly, United Nations peace-keeping operations were not carried out in a vacuum but invariably under United Nations resolutions which provided the framework and guidelines within which a just and peaceful solution was to be found in accordance with the Charter. If such resolutions were duly implemented, the problem would no longer exist. Balance and impartiality were indeed commendable, but so, too, was strict adherence to the relevant United Nations resolutions which had brought the peace-keeping operation into existence.

59. The United Nations Force in Cyprus (UNFICYP) had been in operation with the consent of the Government of Cyprus since 1964. The experience accumulated in that regard was no doubt of considerable assistance to the Special Committee in carrying out its mandate, and in that connexion, he wished to pay a tribute to the Secretary-General and his associates, both in New York and in Cyprus, to the States

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(Mr. Jacovides, Cyprus)

which had generously contributed troops and finances, to the officers and men who had served with the Force and to the Security Council itself, all of which had made that operation possible in the interests of peace in Cyprus and of international peace in the surrounding volatile region. Even though the United Nations had not found it possible to avert the Turkish invasion of 1974, UNFICYP had continued to function and to discharge its mandate by adjusting to the substantially different circumstances which the invasion had brought about. As a result, however, of the indiscriminate napalm bombing carried out by the Turkish Air Force in the course of the military operations in 1974, UNFICYP had suffered a number of casualties and Security Council resolution 359 (1974) had been adopted. Despite the call for full co-operation made in the General Assembly and Security Council resolutions, there had been an increasing and disquieting number of instances of lack of co-ordination by the invasions forces toward UNFICYP, both in denying it freedom of movement and in failing to comply with the specific undertakings with respect to UNFICYP's role in the Turkish-occupied area of Cyprus, as contained in the Vienna agreement of 2 August 1975 for the protection of the enclaved indigenous Greek Cypriot population.

60. He wished to reiterate his delegation's full support for the effort being made by the Special Committee on Peace-keeping Operations. When it had successfully concluded its work, it would have filled a vacuum and would place future peace-keeping operations on a more systematic and orderly basis, thus avoiding the shortcomings of the past. The painful experience which Cyprus was still suffering made it clear that United Nations peace-keeping was not sufficient in itself. It could be made altogether unnecessary if the collective security system envisaged by the Charter was made effective. Even when an operation became unavoidable because of failure to uphold that system, such an operation had to be accompanied by a genuine effort, on the part of all States Members of the United Nations, individually and collectively, to implement the relevant United Nations resolutions. The Charter provided the machinery for such implementation through enforcement measures when other efforts had failed to overcome the recalcitrance of one State. Perhaps only in that way could a solution be found which was just and viable and in accordance with the Charter.

61. Mr. SHEFI (Israel), speaking in exercise of his right of reply, said that the statement made by the representative of the Libyan Arab Republic was a classic example of hypocrisy. The Libyan Arab Republic had no right whatsoever to speak on the subject of peace-keeping operations when all were well acquainted with the Libyan record of stirring up trouble throughout the world. Its contribution to the maintenance of international peace and security lay mainly in contributing large sums of money to subversive organizations which were prepared to accept Libyan largesse.

62. An article by a British writer on international affairs, published in the 1 September issue of Newsday, stated as follows:

"Libya has not conspired to overthrow the Algerian Government in the past six months, nor is it forcibly occupying any Algerian territory. There is nothing remarkable in that statement, except that Algeria is the only one of Libya's six neighbours for whom it is true.

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(Mr. Shefi, Israel)

"In the month of March alone, Egypt, Niger and Tunisia were the targets of Libyan-backed operations aimed at the violent coercion or overthrow of their Governments. In July it was Sudan's turn, when President Gaafar al Numeiri barely survived the armed rising by a thousand Libyan-trained insurrectionaries that wrecked much of central Khartoum. As for Chad, it is still futilely protesting Libya's annexation of 27,000 square miles of its territory in May 1975 and fighting an interminable war against the Frolinat guerrillas in the north who get most of their outside support from Libya.

"Just this Sunday, Egyptian troops were massing on the Libyan border in yet another sabre-rattling incident. The show of force was the latest in the three-year-old war of nerves between Libyan leader Col. Moammar Khadafy and Egypt's President Anwar Sadat.

"Col. Khadafy continues to send arms and money to the Eritrean guerrillas in Ethiopia and to the Muslim separatists of the southern Philippines. Libya was clearly deeply involved in the June hijacking of an Air France plane which ended with the Israeli raid on Entebbe."

63. Another more specific contribution of the Libyan Arab Republic to peace-keeping operations was described recently by news agencies. Thus, the world was told on 6 July 1976 that:

"Sudanese and Libyan troops in the joint Arab 'peace-keeping' force in Lebanon were last night reported to have clashed in Beirut against the background of the weekend abortive coup attempt in Sudan.

"The Sudanese and Libyan troops were locked in clashes at Beirut airport and other locations in the Lebanese capital. The radio said that Syrian troops were trying to separate them."

64. If that was the way in which the Libyan Arab Republic understood its peace-keeping role, then its representative in the Special Political Committee could have no standing in a debate on the item under consideration.

65. Mr. IBRAHIM (Libyan Arab Republic), speaking in exercise of his right of reply, said that despite the fact that the Special Political Committee had already concluded its consideration of the items in the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, the representative of the Zionist entity sought to block the course of the Committee's work. The statement just made by that representative was supportive of what he, the representative of the Libyan Arab Republic, had stated, because, while the representative of the Zionist entity spoke of terrorism, he did not differentiate between people who were fighting to achieve their independence and those who were real terrorists. He had repeated Zionist propaganda published in the New York press, the Jerusalem Post and elsewhere.

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(Mr. Ibrahim, Libyan Arab Republic)

66. All members of the international community had asked themselves why there was a conflict between the Zionists and the Arabs and why the Zionists had refused to withdraw from the occupied territories. Zionism was impeding the work of the United Nations, and the conflict that existed was between the Zionists and all peace-loving and brotherly peoples throughout the world. In 1967 and 1968, both Mr. Abba Eban and Mr. Yigal Allon had boasted that Israel's foreign policy was simple, i.e. Israel was determined never to withdraw; they had stated that the Jews now had national sovereignty, that they were stronger than they had been in 1600 years and that their State was a means of applying basic Zionist ideology.

67. Mr. SEMICHI (Algeria) said that, in the statement made in exercise of the right of reply, it had been asserted that his country was threatened by its neighbours. He wished to inform members of the Committee that Algeria maintained good-neighbourly relations with the Libyan Arab Republic.

The meeting rose at 1.20 p.m.