



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
LIMITED

A/AC.121/L.18  
23 January 1973

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON  
PEACE-KEEPING OPERATIONS

A COMPREHENSIVE LISTING UNDER SPECIFIC HEADINGS OF CONCRETE PROPOSALS  
RECEIVED AND A DESCRIPTION OF PROGRESS MADE TO DATE

Working document prepared by the Rapporteur

INTRODUCTION

1. On 31 October 1972 the Working Group adopted its fifth report in which it authorized the Rapporteur to prepare for its use by January 1973 a comprehensive listing under specific headings of concrete proposals received and a description of progress made to date, bearing in mind that such a working document of the Group might itself involve questions of substance and would therefore have to be discussed and agreed upon by the Working Group.
2. In accordance with this authorization, the Rapporteur has prepared a working document for consideration by the Working Group. This document consists 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 in the Working Group on the question of peace-keeping operations as seen by the Rapporteur.
3. In fulfilling the mandate of the Working Group the Rapporteur has used the views and suggestions submitted by Member States in response to paragraph 4 of General Assembly resolution 2835 (XXVI) which are contained in documents A/AC.121/L.15 and Add. 1-3, as well as the views and suggestions set out in documents A/8669, A/8676 and A/SPC/152.

It should be noted that although these views and suggestions were submitted by 22 Member States not all of them contain concrete proposals adequate for the purposes of the present study. Only the documents submitted by Brazil, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, France, Greece, Japan, Madagascar, the Netherlands, the USSR, the United States, the Upper Volta and Yugoslavia could be used as providing concrete proposals on United Nations peace-keeping operations.

4. In elaborating on specific headings the Rapporteur deemed it necessary to devise such a comprehensive schema as would embrace, without exception, all concrete proposals, however minor they might appear. Also proper attention has been given to the headings of Model I (United Nations military observers established or authorized by the Security Council for observation purposes pursuant to Security Council's resolutions), agreed in the Working Group in 1969 1/, which might be considered relevant to the present study, the more so since the Working Group has not been able yet to agree on the possible framework of a Model II, which would deal with United Nations peace-keeping operations on a larger scale.

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1/ Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 35 (A/7742).

## Part One

### A COMPREHENSIVE LISTING UNDER SPECIFIC HEADINGS OF CONCRETE PROPOSALS RECEIVED

#### I. DEFINITION AND REFERENCE TO THE CHARTER

Brazil: No specific rules exist in the Charter to govern peace-keeping operations, no agreement of principle has been reached on the definition of political and juridical scope or on a uniform procedural basis of the peace-keeping operations. These operations being a singular concept, as dissimilar from the peaceful solutions contemplated in Chapter VI as they are different from the enforcement measures embodied in Chapter VII, specific provisions should be devised to define their principles and scope. A new chapter incorporating main conceptual and operational provisions relating to peace-keeping operations should be included between Chapters VI and VII of the Charter.

France: The Charter, in Chapter VII, offers broad possibilities which have doubtless not been sufficiently probed and it is on the basis of its provisions that we shall be able to determine the role which the various organs of the United Nations should play in peace-keeping operations.

Japan: The Charter has no specific reference to peace-keeping operations. Therefore, it would be necessary to set up the definition in the light of the past instances as well as in conformity with the fundamental principles and objectives of the Charter. This definition can best be established by means of adding a new article in the Charter.

#### II. AUTHORIZATION

##### A. Organs empowered to initiate peace-keeping operation

Byelorussian SSR: Under the Charter, the Security Council is the sole organ empowered to take action to maintain or restore peace.

Czechoslovakia: Under the Charter, the right to decide on peace-keeping operations belongs to the Security Council on which the Member States conferred "primary responsibility for the maintenance of international peace and security". It is within the competence of the Security Council to adopt the principal decision on the authorization of peace-keeping operations.

Greece: An agreement to be reached on all aspects of the problem in order to make the United Nations an effective instrument of world peace should provide for and establish an organ that would be competent to deal with practical matters such as the composition, maintenance, leadership and control of each operation authorized by the organization.

Japan: The Security Council, of course, has the primary responsibility for the maintenance of international peace and security.

However, in the event that the Security Council fails to exercise its responsibility because of the lack of unanimity of its permanent members (especially in a case where one or more of the parties concerned request the initiation of a peace-keeping operation), the possibility of giving the power to the General Assembly, instead of the Security Council, to adopt a resolution for the initiation of a peace-keeping operation should be considered.

The General Assembly and the Secretary-General may call the attention of the Security Council concerning the need for the initiation of peace-keeping operations in accordance with the provisions of Articles 11 and 99 of the Charter.

United States of America: The primary responsibility of the Security Council for the maintenance of international peace and security and consequently for authorizing United Nations peace-keeping operations is not in dispute.

Upper Volta: The system set up by the Charter confers on the Security Council primary responsibility for the maintenance of peace. Whenever the Security Council finds itself deadlocked by the use of the veto in connexion with a peace-keeping operation, recourse should be had to the "Uniting for Peace" resolution of 3 November 1950. When a matter with which the Security Council has been unable to deal successfully is transferred to the General Assembly, it is important that the recommendations made by the General Assembly on such an occasion should have the same effect as the same type of decisions taken by the Security Council.

Yugoslavia: The entire concept of peace-keeping operations while fully recognizing the undeniable responsibility of the Security Council, should also strengthen the role of the General Assembly.

#### B. Duration, renewal, termination

Canada: When the Security Council authorizes any military observer mission or peace-keeping force it normally would specify the projected duration, define the mandate as clearly as possible, including the manner of its termination.

Japan: When terminating a peace-keeping operation, utmost caution must be taken to avoid a large-scale military clash resulting from unilateral notification of termination by one of the parties concerned. It is therefore desirable to stipulate that the termination of such operations could take place only when the organ which had the power to initiate the peace-keeping operations has agreed on termination.

United States of America: When appropriate, and taking account of the circumstances in each case, the Security Council would indicate the projected duration of a peace-keeping operation and provide for periodic review and renewal (as in the case of Cyprus).

### III. ESTABLISHMENT, DIRECTION AND CONTROL

#### A. Organs involved and their role

##### 1. Security Council

###### (a) General principles

Canada: The general control and over-all direction of a military observer mission or peace-keeping force would lie with the Security Council.

Czechoslovakia: The competence of the Security Council is not limited only to the adoption of the principal decision on the authorization of a peace-keeping operation. It has also control over all aspects concerning the carrying out of and command over the respective operation throughout its duration.

France: The competence of the Security Council is not limited to taking decisions, and the Council should assume supervision of all the operations it orders, in conformity with the Charter.

Japan: The commanding power over peace-keeping operations resides in the Security Council which initiates such operation (or in an exceptional case, in the General Assembly).

USSR: Having authorized a peace-keeping operation, the Security Council shall continue to exercise supreme control with regard to all aspects of the establishment on this operation and the direction of it throughout the entire operation.

United States of America: There is no question about the prerogative of the Security Council to exercise supervision over the implementation of the mandate after an operation has been launched.

###### (b) Advice and assistance to the Security Council

Czechoslovakia: The Security Council should determine at the very outset of the operation what kind of assistance and advice it may need.

USSR: The Security Council from the very outset determines in what possible manner advice and assistance should be given to it on all military matters relating to a particular operation.

###### (c) Scope of powers

Byelorussian SSR: The Security Council's field of competence, of course, covers the adoption of decisions on all questions relating to the creation of United Nations armed forces, their tasks, their composition, the determination of the period for which such forces should be stationed in areas where operations are being conducted, the financing and direction of such forces, and so on.

Canada: When the Security Council authorizes any military observer mission or peace-keeping force it normally would specify the projected duration, define the mandate as clearly as possible, including the manner of its termination, and determine the approximate size of such a mission or force.

Czechoslovakia: The Security Council's control over all aspects concerning the carrying out of and command over the peace-keeping operations involves, among other things, decisions about the strength and specifications of contingents of military personnel, appointment of their Commander and approval of his deputies, general direction of the operation and consideration of reports relating to its conduct.

France: It is the responsibility of the Security Council to define the aim of the operations, determine their duration, specify the mandate given for conducting them, determine the size, composition and means of the forces to be employed, appoint the Commander of those forces and decide on directives to be given him, settle the question of financing and ensure continuous supervision over the conduct of the operations.

(d) Decisions

Byelorussian SSR: On all the above-mentioned matters (the adoption of decisions on all questions relating to the establishment of peace-keeping forces, their tasks, composition, duration, financing, direction etc.) the agreement of the permanent members of the Security Council is required.

Czechoslovakia: In view of the fact that in the case of peace-keeping operations questions directly connected with the maintenance and restoration of international peace and security are involved, all decisions of the Security Council related to such operations shall be adopted in accordance with Article 27 (3) of the Charter.

USSR: All decisions of the Security Council on questions relating to the peace-keeping operations shall be adopted in accordance with Article 27 (3) of the Charter.

United States of America: The interests of the United Nations and the efficiency of peace-keeping missions would be best served by procedures that assure that the Security Council is consulted through a committee established under Article 29 of the Charter on key operational decisions without extending the rule of unanimity to such decisions.

2. Subsidiary organ

(a) General considerations

Czechoslovakia: A special subsidiary organ for advice and assistance, directly responsible to the Security Council, may be established in accordance with Article 29 of the Charter by the decision of the Council with regard to the operation.

Japan: In order to take prompt action to cope with fluid and changing situations and thus to achieve effective results for peace-keeping operations, the Security Council should delegate limited powers to the Secretary-General and/or some subsidiary organs to be appointed by the Security Council (or the General Assembly).

Netherlands: The Netherlands' Government noted with interest the proposals to entrust functions relating to the direction of individual peace-keeping operations, to a "subsidiary organ" to be established by the Security Council in accordance with Article 29 of the Charter, which organ is to consist of members of the Council, of States contributing personnel, contingents, facilities and/or services, and of those States on whose territory the peace-keeping operation is to be carried out.

USSR: The Security Council may deem it useful to establish, in accordance with Article 29 of the Charter, a special subsidiary organ (committee on direction of operation) directly responsible to it for advice and assistance to it with regard to the operation.

United States of America: In authorizing an operation, the Security Council would establish a committee (under Article 29) to hold a "watching brief" over the conduct of the operation, advise the Secretary-General and receive his reports between the Council meetings. Such a committee could be activated as soon as the Council authorizes the Secretary-General to undertake a peace-keeping operation. Its role would be to keep in close contact and consultation with the Secretary-General and key Secretariat officials. The committee, acting as a subsidiary organ of the Council, would provide guidance to the Secretary-General in connexion with the interpretation of the Council's mandate.

(b) Decisions on the establishment and composition of an organ

Czechoslovakia: The establishment and composition of an organ are not matters of a procedural character.

USSR: Decisions concerning the establishment of a subsidiary organ (committee) and its composition are taken in accordance with Article 27 (3) of the Charter.

(c) Composition

USSR: The nucleus of the subsidiary organ will be formed by the sub-committee of permanent members of the Security Council. The Security Council may invite other Member States, in particular non-permanent members of the Council and States furnishing military personnel and contingents, facilities and services, to become a member of the subsidiary organ, when the efficient discharge of this organ's responsibilities requires the participation of that member in its work.

United States of America: A Security Council committee, created under Article 29 of the Charter, would be composed of Council members (including the permanent members) and representatives of States contributing funds, personnel and facilities.

(d) Chairman of the subsidiary organ

Netherlands: Serious consideration should be given to the delegation of some aspects of day-to-day operational management to the Chairman of the subsidiary organ. Experience of previous peace-keeping operations shows how important it is that advice, approval and decision should be available to the United Nations field commander within 24 hours. It would be the responsibility of the Chairman of the subsidiary organ to see that the Commander would receive this. In discharging his responsibility in this respect, the Chairman would, of course, remain answerable to the subsidiary organ and to the Security Council.

(e) Military experts of delegations

United States of America: Military experts could be included on delegations represented on the advisory committee. For permanent members of the Security Council, these experts could be their Military Staff Committee representatives.

(f) Role of permanent members of the Security Council

USSR: The nucleus of the subsidiary organ will be formed by the sub-committee of permanent members of the Security Council. The sub-committee works on the basis of agreed decisions of all its members; there will be no voting.

United States of America: The views of the permanent members of the Security Council should be given an appropriate weight in the consultations on peace-keeping operations. Until the full committee is established in each case, the permanent members of the Council would serve as a nucleus available for consultation on the initial force composition, selection of the force commander and on the interpretation of the mandate.

(g) Decisions

USSR: Decisions of the committee are considered adopted if the majority of the members of the committee, including all members of the sub-committee (i.e. permanent members of the Security Council), agree to them.

United States of America: The interests of the United Nations and the efficiency of peace-keeping missions would be best served by procedures that assure that the Security Council is consulted through the Committee on key operational decisions without extending the rule of unanimity to such decisions.

(h) Convening of the subsidiary organ

USSR: The subsidiary organ shall organize its work so as to be able to function continuously. This organ could be also convened at any time at the request of one of its members or in view of developments in the region of the operation.

United States of America: The right of any member of the committee to convene a meeting of the committee or of the Security Council itself would be in no way abridged should that member at any time believe circumstances warrant it. /...



### 3. Military Staff Committee

#### (a) General observations

Canada: Because the Military Staff Committee is established under Chapter VII of the Charter, covering enforcement actions, its use in peace-keeping operations has long been in dispute. Nothing in the Charter, however, precludes such use, nor need it follow that the use of the Military Staff Committee in the interests of the maintenance of international peace and security would confer on a peace-keeping operation in which it was employed the character of enforcement.

The Security Council could carry out various functions more effectively if it were to delegate its responsibilities for operational direction and control to the Military Staff Committee, which would be supported by an international Headquarters staff to be established under the Secretary-General as a continuously functioning body which would assume the responsibility for detailed planning and for the day-to-day conduct of the authorized operations.

The Military Staff Committee, making use of proposals developed by the Headquarters Staff, might, for example, advise the Security Council on the terms of the mandate, the size of force required, and the necessary agreements with the host country and contributing countries, etc. The Security Council, if it approved, could authorize the Secretary-General to conclude such agreements with the respective Governments.

In addition, the Military Staff Committee might maintain under periodic review the operations of any military observer mission or peace-keeping operation, so as to ensure that these operations accord with the mandate authorized by the Security Council. In order to ensure efficient operation of the mission in implementation of the Security Council mandate, the Committee might, at stated intervals or at any time considered necessary in the light of circumstances, review the specific orders and instructions which would be drawn up by the Headquarters staff and issued by the Secretary-General. The Committee, through its Chairman, would report to the Council on a regular basis or at any time considered necessary, either on the Committee's own motion or at the request of the Secretary-General, so that the Council could take such action as it deemed necessary. If the mandate proved inadequate, the Committee would refer the matter to the Council.

Czechoslovakia: As regards military matters, the Military Staff Committee was established by the Charter in order to advise and assist the Security Council on all questions relating to its military requirements for the maintenance of international peace and security.

USSR: In accordance with the provisions of Article 47 of the Charter, the Military Staff Committee was established "to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security". Such an assistance to the Council is related, among other things, to the employment of military personnel or contingents and to the command over them.

United States of America: We doubt the utility, in consent-type peace-keeping as distinguished from enforcement action, of a separate role for the Military Staff Committee.

(b) Composition

Canada: Under Article 47 of the Charter, the Military Staff Committee is composed of representatives of the five permanent members of the Security Council. Also, consistent with Article 47 (2) those States contributing to the peace-keeping force would be invited to participate in meetings of the Committee on this subject. The Secretary-General, or his authorized representative, would participate in all such meetings.

Czechoslovakia: The Military Staff Committee may invite any Member State to be associated with it "when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work".

USSR: The Military Staff Committee, which consists of the Chiefs of Staff of the permanent members of the Security Council or their representatives, may in connexion with the peace-keeping operation invite any Member State, in particular any non-permanent member of the Security Council and any State furnishing military personnel or contingents, facilities or services, to be associated with it "when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work".

Upper Volta: The Military Staff Committee - responsible for assisting the Security Council in the military aspects of the peace-keeping operation and consisting exclusively of representatives of the permanent members of the Security Council - should be expanded to include three additional members chosen on the basis of equitable geographical distribution. Thus, the three new seats on the Military Staff Committee could be assigned, respectively, to Asia, Africa and Latin America.

(c) Method of work

Canada: The Military Staff Committee, as augmented, would proceed by majority vote, including the concurring votes of its permanent members.

4. Secretary-General

Byelorussian SSR: The powers of the Secretary-General with regard to peace-keeping operations must be limited to auxiliary functions of an administrative nature in accordance with Articles 97 and 98 of the Charter.

Canada: In the formative stages of a peace-keeping operation, the Secretary-General would naturally be in close consultation with members of the Security Council. He would also bring to bear all means available to him to facilitate the formation of the peace-keeping mission, the implementation of the mandate of the Security Council and an eventual peaceful settlement.

The Secretary-General would be responsible for all communications between the United Nations and the host countries and between the United Nations and the troop contributors.

The Secretary-General, being responsible for international Headquarters staff, or his authorized representative, the chief of the international Headquarters staff, would participate in meetings of the Military Staff Committee. He would be consulted on all matters relating to the establishment and conduct of a peace-keeping mission and would implement decisions of the Military Staff Committee concerning the conduct of the mission or force. The Secretary-General would inform the Military Staff Committee of Member States which had volunteered commanders, contingents or services and of the views of the host countries. He would report to the Security Council as necessary.

Czechoslovakia: The role of the Secretary-General, as the chief administrative officer of the Organization, in the conduct of peace-keeping operations is also principally outlined in the Charter. In accordance with Article 98, the Secretary-General, in directing the peace-keeping operations, can entrust to the Secretary-General some specific functions.

Netherlands: The Secretary-General would have to play a role in the conduct of the peace-keeping operations of the Organization.

USSR: The Secretary-General, in his capacity as determined by Articles 97 and 98 of the Charter, shall assist by all means at his disposal in the implementation of the resolutions or other forms of authorization by the Security Council with regard to the operation. The Secretary-General shall perform such functions as are entrusted to him by the Security Council. The Secretary-General reports to the Security Council, as appropriate or upon its request, on the performance of these functions.

United States of America: An acceptable balance of responsibility must be maintained among the principal organs of the United Nations for direction and operational control. In particular, rapid and flexible decisions by the Secretary-General would appear to be of utmost importance for the effectiveness of peace-keeping missions.

## 5. International Headquarters Staff

### (a) Establishment

Canada: In consultation with the Military Staff Committee, the Secretary-General would establish an international Headquarters staff comprising both military and civilian components. When a mission is authorized he would also provide civilian officers and clerical personnel for the mission headquarters.

The structure, size and composition of the Headquarters staff would be a matter requiring further study. It would seem important, however, to include a substantial element of professional military expertise in this body. Requirements and qualifications for military personnel would be specified by the Military Staff Committee to the Secretary-General, who would recruit them.

(b) Functions

Canada: The Headquarters staff would have the continuing task of supplying expert advice and information to the Military Staff Committee on all matters affecting peace-keeping missions and would issue specific orders and instructions to the commander of a mission in implementation of the mandate from the Security Council and for the conduct of the operation, subject to periodic review of the Military Staff Committee.

As an example of possible continuing activities, the Headquarters Staff could be asked to prepare standard operating procedures for peace-keeping forces for submission to and review by the Military Staff Committee, and carry out whatever advance planning it deemed feasible and necessary.

The Headquarters staff would be responsible to the Military Staff Committee for its actions in the implementation of the Security Council mandate and would report to the Committee through the Secretary-General or his authorized representative, the chief of the Headquarters staff.

6. Commander

(a) Appointment

Canada: The Secretary-General would if so requested by the Security Council compile a list of potential commanders for United Nations peace-keeping missions.

The Military Staff Committee would receive information from the Secretary-General on potential force commanders, personnel, equipment and services which Member States might be prepared to provide which would be acceptable to the host nation, whose concurrence would of course be necessary. The Committee, together with the Secretary-General, sitting as envisaged in paragraph 9 (the participation of the Secretary-General, or his authorized representative, in all meetings of the Military Staff Committee), would prepare recommendations to the Security Council on the composition of the observer mission or force and its commander.

Czechoslovakia: As regards the commander of a particular operation to be appointed by the Security Council, he should be selected following preliminary consultations of the Secretary-General with the host country from a list of potential commanders compiled by the subsidiary organ of the Security Council with the assistance of the Secretary-General on the basis of information submitted by Member States.

USSR: The Security Council would request the subsidiary organ, with the assistance of the Secretary-General, to compile a list of potential commanders. To this end, the Secretary-General, on behalf of the Security Council, would request Governments of Member States to suggest the names of potential commanders from among their own military personnel. This list would be considered in the manner provided for in section II (concerns the functions of the Military Staff Committee and the subsidiary organ) and would be approved by the Security Council and kept up to date in the same manner so as to provide a reserve of available Commanders in case of need.

After the Security Council has authorized a peace-keeping operation, the subsidiary Organ would select several candidates from the list for the post of the Commander of the operation. The host country would then be consulted confidentially and informally, through the Secretary-General, after which the name of the proposed Commander and an alternate name would be submitted by this organ to the Security Council for appointment to the post of Commander. In view of the emergent nature of most peace-keeping operations, it would be essential for all of these steps, including action by the organ, to be taken with a sense of utmost urgency.

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

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

(b) Deputies of the commander

Czechoslovakia: The Security Council approves the deputies of the commander.

USSR: The commander of the operation shall submit candidacies for his deputies to the Security Council for its approval. In designating the deputy commanders and in distributing the posts of senior officials, the principle established under section IV, paragraph 5 (equitable balance in the composition of the participants in the operation), should be used: the countries which furnish contingents and military personnel should also be taken into consideration.

(c) Advisers to the commander

Canada: The commander would be provided by the Secretary-General with political and other advisers as required.

7. Special representative of the Secretary-General

Canada: (The Military Staff Committee, together with the Secretary-General, would prepare recommendations to the Security Council on the composition of the force and its commander.) These recommendations would encompass not only the military element of the force but also the civilian component to be provided by the Secretary-General, including provision for the Secretary-General's special representative if one is deemed to be necessary for the specific operation.

B. Procedures for establishing a peace-keeping force

1. Steps to be taken irrespective of the authorization of a specific peace-keeping operation

(a) Information to be submitted by States on contingents and facilities

Canada: Independently of the existence of a peace-keeping operation, the Security Council might request the Secretary-General to seek information from Member States, for the use of the Military Staff Committee, on the kinds of personnel and technical services which they may be prepared to provide for military observer missions and peace-keeping forces authorized by the Security Council.

Czechoslovakia: As for the contingents necessary for the carrying out of peace-keeping operations, Member States should, on the request of the Security Council, submit information on the possible contribution of a military nature, both in manpower and in equipment and facilities, they could make available to the Security Council.

(b) Roster of information on offers of contingents and facilities

Canada: The Secretary-General would, if so requested by the Security Council, compile lists of types of units, equipment and services which Member States might make available for peace-keeping operations.

Czechoslovakia: The Secretary-General should compile an open roster of such information (on the possible contribution of a military nature, both in manpower and in equipment and facilities), on the basis of which the Security Council could determine what means should be constantly kept by the States Members in readiness for possible use in the particular operation.

Netherlands: The Secretary-General should have at his disposal a complete and up-to-date roster of military personnel, contingents, facilities and services which Member States are willing to provide for peace-keeping operations authorized by the Security Council.

USSR: On behalf of the Security Council, the Secretary-General should prepare and maintain for the use of the Security Council or the subsidiary organ an open roster of information on offers of contingents, military personnel and facilities which Member States may indicate willingness to provide, possible without delay, for operations authorized by the Security Council. Each State retains its right to include in, or exclude from, the roster at any time the information furnished by it.

United States of America: The Secretary-General should be authorized as soon as possible to maintain an inventory of troop offers by Member Governments and to undertake specific arrangements under which such personnel or services could be made available. These arrangements would be reported to the Security Council. In present circumstances, most Member States would be more willing to undertake such arrangements on a voluntary basis, and such arrangements would enhance the suppleness and responsiveness of United Nations peace-keeping machinery. /...

(c) Determination of total strength of forces to be available for peace-keeping operations

USSR: On the basis of such information (on the number of contingents, military personnel and facilities submitted by Member States), in accordance with the procedures established by the Security Council, may be determined the total desirable strength of contingents of military personnel and the amount of facilities which should be constantly kept by Member States in a state of readiness for use in peace-keeping operations.

(d) Agreements under Article 43 of the Charter

Czechoslovakia: Agreements, provided for in Article 43 of the Charter, should be concluded without any further delay between the Security Council and individual States.

Netherlands: In order to prepare adequately for future peace-keeping operations Member States could negotiate agreements in accordance with Article 43 of the Charter. The Netherlands Government is prepared to negotiate such an agreement with respect to its stand-by forces. The basis of such an agreement would be that decisions concerning the employment by the Security Council in a particular operation of specific Netherlands contingents, military personnel or facilities would be taken with the participation and the consent of the Netherlands Government.

USSR: As soon as possible, on the initiative of the Security Council, an agreement or agreements may be negotiated, in accordance with Article 43 of the Charter, to be concluded between the Security Council and those Member States which are included in the roster and which may so desire.

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

While the United States regards discussion of arrangements under Article 43 of the Charter to be premature, and perhaps inappropriate to consent-type peace-keeping operations, we would be willing to examine the feasibility of such agreements if the members of the Special Committee believed this course to be more practicable and acceptable to the membership.

2. Steps to be taken following the authorization  
of a peace-keeping operation

(a) Consultations with States on composition of a peace-keeping force

USSR: Following authorization by the Security Council of an operation, the Secretary-General, on behalf of the Security Council, acting in contact with the subsidiary organ, as provided by Section II and in accordance with his functions as determined by section III (assistance by the Secretary-General and performance of functions entrusted by the Security Council), enter into preliminary consultations with the host country and the following States as to their readiness to participate in the operation: the States which have concluded the agreements with the Security Council under Article 43 of the Charter, other States included in the roster, such other Member States that would show interest in the operation.

The result of the consultations on the composition of the participants of the operation shall be submitted to the subsidiary organ.

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

(b) Principles for determining the force composition

Czechoslovakia: Consultations concerning the composition of the contingent for a respective operation should be conducted in such a way as to ensure the necessary workability and efficiency of the operation, taking into account that no Member State should be excluded from participation in a peace-keeping operation because of its political and social system or its adherence to some geographical region.

USSR: In the course of consultations on the possible participation of individual States in the operation, it is necessary to make all efforts to reach an equitable balance in the composition of the participants in the operation so that no Member State is excluded from participation because of its political, social and economic system or because of its belonging to a certain geographical region. At the same time the following consideration should be taken into account: the necessity to receive the consent of the host country, the state of readiness and fitness for the conditions of the situation of furnished contingents, military personnel and of facilities, and the necessity to ensure good working relations of the participating personnel with other parties concerned and among themselves.

United States of America: East Europeans could participate on the same basis as other participants, but without a prescribed "political balance", whether in the form of troika or a fixed requirement that "socialist" countries always participate.



All United Nations Members should be considered as potential participants on an equal basis. While no Member State should be excluded a priori, there should be no prescribed balance or automatic right of any country or group of countries to participate in a particular operation. In addition to professional qualifications, the paramount considerations appear to be the acceptability of the contingents (or personnel) to the host country and to the other parties.

(c) Deciding on strength, structure and composition of the force

Canada: The Military Staff Committee would receive information from the Secretary-General on potential force commanders, personnel, equipment and services which Member States might be prepared to provide which would be acceptable to the host nation, whose concurrence would of course be necessary. The Military Staff Committee, together with the Secretary-General, would prepare recommendations to the Security Council on the composition of the observer mission or force and its commander. These recommendations would encompass not only the military element of the force but also the civilian component to be provided by the Secretary-General.

USSR: It is essential for the subsidiary organ to complete its consideration of the initial strength of the contingents and of personnel and of the structure of a particular operation at the earliest possible time. After the selection has been made, the subsidiary organ, with the assistance of the Secretary-General would forward a report to the members of the Security Council. It would not be obligatory for the Council to meet to consider this report and, if no Council member within 48 hours requested that a meeting be convened to take a decision on this report, it would be considered as adopted and the requests to furnish contingents, military personnel and facilities would be sent to the Governments concerned.

United States of America: The force composition would be determined by the Secretary-General (as it is now) to fit the needs and circumstances of each case, but it would be subject to disapproval by the Security Council. The Council could interpose its view if it does not approve of the recommended composition. It would be agreed that a vote on the Secretary-General's recommendation would be procedural, i.e., not subject to a veto.

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

(d) Consent of interested States on the employment of contingents

Czechoslovakia: The decision on the use of means at the disposal of the Security Council given by individual States would be made by the Security Council with the participation and consent of respective Members and upon preliminary consultations with the host country.

USSR: The decisions concerning the employment by the Security Council in a particular operation of specific contingents, military personnel or facilities, as determined by the agreements concluded under Article 43 of the Charter, would be taken with the participation and the consent of the respective Member State which provides such contingents, military personnel or facilities.

(e) An upper limit to the number of troops to be deployed

United States of America: In authorizing an operation, the Security Council (taking account of the recommendation of the Secretary-General) could indicate the approximate size of the force by setting an upper limit to the number of observers or troops to be deployed.

Some latitude should be given to the Secretary-General to adapt the size to changing circumstances after consultation with the committee created under Article 29 of the Charter.

(f) Increase or decrease in the size of the force

USSR: If additional contingents, military personnel or facilities are required, the subsidiary organ shall consider the matter.

United States of America: The Secretary-General, as the executor of the Secretary-General's mandate, would be responsible for seeking additional contingents, military personnel or facilities when needed and consistent with the Council's mandate.

On questions of major importance, such as substantial increase or decrease in the size of the force of its deployment, the Secretary-General will consult the committee and, if it deems necessary, the Security Council.

(g) Concluding arrangements with States providing contingents

Canada: With the authority of the Security Council the Secretary-General would at the appropriate time conclude agreements with contributors for the provision of troops, equipment or services and would conclude status of forces agreements with the host countries.

United States of America: The Secretary-General would negotiate specific troop arrangements notifying the Security Council or its committee established under Article 29 of the Charter.

The Secretary-General, as the executor of the Security Council's mandate, would be responsible for concluding arrangements for the recruitment and use of United Nations contingents.

D. Direction and control of peace-keeping operations

1. General observations

USSR: General direction and command of the peace-keeping operation are the prerogatives of the Security Council.

2. Interpretation of the Security Council's mandate

United States of America: The Committee, acting as subsidiary organ of the Security Council, would provide guidance to the Secretary-General in connexion with the interpretation of the Council's mandate.

3. Directives to the commander

Czechoslovakia: Within the mandate given to it by the Security Council, the subsidiary organ of the Security Council will elaborate, in co-operation with the Secretary-General, specific directives for the carrying out of each individual operation which the Commander of an operation shall follow.

USSR: The subsidiary organ, within the mandate entrusted by the Security Council to a particular operation, with the assistance of the Secretary-General, shall elaborate specific directives. These directives should give the Commander a clear understanding of the nature of his responsibilities, of the relationship of the contingents and observers to the host country, of the relationship during United Nations service between them and of the countries which sent them, as well as the reporting requirements.

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

4. Authority of the commander

Czechoslovakia: The commander of an operation will act within the mandate given to him by the Security Council and within the directives elaborated by the subsidiary organ.

USSR: The commander shall be given the necessary authority over all elements of the operation to enable him to carry out his responsibilities under the mandate and specific directives. The activities of the commander should be within the framework of the mandate and specific directives.

United States of America: The commander should be given the necessary authority over all elements of his mission to enable him to carry out his responsibilities under the mandate.

#### 5. Periodic and special reports of the commander

Canada: The commander of the peace-keeping force would normally in the first instance submit reports to the Headquarters staff on operational and extraordinary administrative matters. Problems not resolved at mission headquarters would be taken up by the Headquarters staff. The commander would also have the right to make reports direct to the Security Council and the latter could, if it wished, call on him for such reports.

Czechoslovakia: The commander will submit reports to the Security Council and to the subsidiary organ on all matters exceeding that framework as well as periodical reports on the conduct of the operation.

USSR: On all questions outside of the framework of the mandate and specific directives, the commander shall submit appropriate reports to the Security Council and the subsidiary organ for taking necessary decisions or other measures. The subsidiary organ and the Secretary-General shall receive periodic reports from the commander of the operations on the implementation of the mandate, as well as special reports submitted on his own initiative or at the request of the Security Council or of the subsidiary organ. All the reports of the commander relating to the conduct of the operation and reports on other questions on which the Security Council should take a decision in one way or another shall be urgently submitted by the subsidiary organ and by the Secretary-General to the Security Council along with their appropriate conclusions on these reports.

United States of America: The commander should submit to the Secretary-General periodic reports on the implementation of the mandate, as well as special reports on his own initiative or at the request of the Security Council or the Secretary-General. The Secretary-General shall transmit such reports to the Security Council or its committee as appropriate.

#### 6. Corrective measures

USSR: If any member of the Security Council or any member of the subsidiary organ is of the opinion that the activities of the commander are not in accordance with the mandate and specific directives on the conduct of the operation, these activities are subject to consideration by the Security Council or by this organ and the commander can carry them out only if a decision is adopted authorizing these activities.

United States of America: When problems arise in the conduct of operations or in the implementation of the mandate, the commander will consult the Secretary-General.

#### 7. Inspection in the area of operation

USSR: The subsidiary organ may from time to time send its inspection groups to the area of the operation, in particular before the expiration of the term of the operation established by the Security Council.

#### IV. FINANCING PEACE-KEEPING OPERATIONS

Byelorussian SSR: The Security Council's field of competence covers the adoption of decisions on the financing of United Nations armed forces.

Canada: When the Security Council authorizes any military observer mission or peace-keeping force, it would, as far as possible, indicate the method of financing, subject to the authority of the General Assembly to apportion costs under Article 17 of the Charter.

France: It is the responsibility of the Security Council to settle the question of financing of the operations.

Greece: It is necessary to arrive at an a priori agreement on the general and equitable financing of peace-keeping operations. The question of financing must be decided by a general agreement, since the constitutional, legal and financial aspects are inextricably interrelated.

Japan: In financing such operation, a special burden should be borne by the States directly concerned, corresponding to their own share of interest and responsibility.

As to methods of financing the expenses of peace-keeping operations, there would be various methods such as:

- (a) special arrangements among the parties concerned,
- (b) apportionment to the entire membership of the Organization through the regular budget,
- (c) voluntary contributions,
- (d) financing from a "Fund for Peace-keeping Operations".

Since a peace-keeping operation is an action which promotes the fundamental objectives of the United Nations, namely the maintenance of international peace and security, it is desirable that the financing of the operation should be based, in principle, on Method (b).

However, in view of the special responsibility of the parties to disputes as well as of members of the Security Council with regard to the peaceful settlement of disputes, there is a ground for the argument that such States as well as States which have special interest in the problem should bear a heavier financial burden than other States in general.

It is also possible to envisage a case where the financing of expenses could be made through voluntary contributions of Member States depending upon the nature of the question involved.

Therefore, it would be advisable to employ Method (b) as a matter of principle, while authorizing the organ initiating the specific peace-keeping operation in question to choose (a) or (c), or (a) and (c) combined where it is deemed appropriate.

At the same time, in view of the financial condition of the United Nations, it is highly desirable to establish a fund from which the initial expenses of peace-keeping operations could be covered, on a stop-gap basis, in meeting any emergency situation. Therefore, the idea of setting up a "United Nations Peace-keeping Fund" on the basis of voluntary contributions merits serious and careful study.

Madagascar: Reaffirms its refusal to accept the principle of the collective responsibility of States for the financing of peace-keeping operations (a principle which touches, in a questionable and dangerous manner, on the application of Article 17 of the Charter, which was designed to meet quite a different purpose). Would not, however, be opposed to the Security Council, when deciding upon an operation, taking a simultaneous decision, according to each particular case, on the principle of the compulsory distribution of expenses; the General Assembly would only have the power to determine how the distribution of expenses was to be effected. Similarly, would raise no major objection to the establishment of a financial committee, provided that it was attached to the Security Council, which alone is competent to deal with problems resulting from the application of Chapter VII of the Charter.

Upper Volta: Peace-keeping operations should cease to have the special character which has often been attributed to them and should be based on Article 1 (1) of the Charter (which makes the maintenance of international peace and security the primary purpose of the Organization). This would make it possible at least partially to integrate the financing of peace-keeping operations into the regular budget of the Organization, without precluding the establishment of special funds for specific operations whenever it appears that the expenses of the operation concerned cannot be entirely met from the regular budget.

United States of America: The Security Council would normally, unless it considers otherwise, indicate the means for financing an operation, it being understood that any arrangement must not prejudice the General Assembly's authority to apportion expenses among the Members. Until a reliable and equitable system for financing peace-keeping is agreed, in addition to what others may contribute, permanent members of the Security Council would undertake to pay their fair share of peace-keeping operations authorized by the Security Council.

Part Two

DESCRIPTION OF PROGRESS MADE TO DATE

1. The Special Committee on Peace-keeping Operations, established in accordance with General Assembly resolution 2006 (XIX) of 18 February 1965, to undertake a comprehensive review of the whole question of peace-keeping operations in all their aspects, has considered since then a number of issues relating to various aspects of the question of peace-keeping operations.

2. Starting from 1968 the Special Committee has been dealing through its Working Group, appointed on 8 April 1968, with the elaboration of agreed guidelines for United Nations military observers established or authorized by the Security Council for observation purposes pursuant to Council resolutions, as Model I, and of United Nations peace-keeping operations on a larger scale, as Model II. It should be noted that priority has been given to the study of United Nations military observers established or authorized by the Security Council for observation purposes pursuant to the Council resolutions, as the first model in the programme of work of the Working Group.

3. At its 35th meeting, on 27 July 1968 the Special Committee adopted a progress report to the General Assembly, in which it informed it that the Special Committee had approved, as the first model in the programme of work of the Working Group, the above-mentioned study of the United Nations military observers and had decided that this would mean studying the following:

(a) The strength and equipment of the group of observers; their recruitment and organization; facilities and services; financial questions.

(b) The relationship between observers and the State or States on the territory or territories of which they have to operate.

(c) The status of observers; privileges and immunities; duration and termination of the mission of observers.

4. The Working Group held a number of meetings devoted to the consideration of the appropriate working papers, documents and material and the preparation of a draft for the study of the first model in its programme of work.

5. In 1969, on the basis of the working papers, of drafts covering specific questions submitted by its members and of views expressed during the discussions, the Working Group first agreed on a scheme of Model I containing eight chapters. In the course of its further work on the elaboration of the text of these chapters, the Working Group was able to complete the text of five of the eight chapters. With regard to the other three chapters, namely chapter II, dealing with the establishment (formation, strength, composition and command), direction and control, chapter III, dealing with legal arrangements, and chapter IV,

dealing with financial arrangements, the Working Group has not yet been able to work out complete texts.

6. Since the adoption of the report of the Working Group on 11 September 1969 which recorded the progress achieved on Model I, efforts were undertaken more than once by the Working Group in order to reach consensus on the subject matter of chapters II, III and IV and thus to complete the preparation of Model I. However, in spite of these efforts no further progress was made on Model I, due mainly, as was recognized by the Working Group, to the complexity and delicacy of the problems with which the Working Group had to grapple, and to the fact that the issues involved were of a fundamental political nature.

7. As for Model II, dealing with United Nations peace-keeping operations on a larger scale, it has not yet been possible to facilitate the preparation of this model. Progress on Model II could be facilitated if an agreement on chapters II, III and IV of Model I were reached.

8. A certain positive step towards the fulfillment by the Special Committee of the mandate entrusted to it, was made when Member States made available to the Special Committee, pursuant to General Assembly resolution 2835 (XXVI) of 17 December 1971, their views and suggestions submitted to help the work of the Committee. However divergent these views and suggestions may be, they undoubtedly may serve as a useful starting point in the work of achieving agreed guidelines to enhance the effectiveness of United Nations peace-keeping operations in conformity with the Charter.

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