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**CONTENTS**

	Page
Agenda item 65:	
United Nations Emergency Force (concluded):	
(c) Summary study of the experience derived from the establishment and operation of the Force . . . . .	63

**Chairman: Mr. Mihai MAGHERU (Romania).**

**AGENDA ITEM 65**

**United Nations Emergency Force (concluded):**  
**(c) Summary study of the experience derived from the establishment and operation of the Force (A/3943)**

1. The SECRETARY-GENERAL said that he did not propose to add anything to the substance of the report before the Committee (A/3943), in which he had presented a summary of the conclusions to be drawn from the experience gained from the operation of the Emergency Force. His purpose was rather to explain briefly why he had taken the initiative in making a study of the Force and in presenting a report which attempted to bring out what seemed to be of lasting significance in the experience gained.

2. When the General Assembly had decided on the establishment of an Emergency Force to be sent to Egypt, the United Nations had had no precedents to follow and could not build on any previous studies of the political, legal and technical problems involved. Nor could the Governments on whose assistance the Organization had had to rely be suitably informed about the scope or the significance of their participation. Consequently, the work had had to be done under heavy pressure, at great speed and with considerable risk of mistakes or misunderstandings. Now that many of the problems which arose in that type of operation had been solved, and the solutions reached had stood the test of experience, there was neither reason nor excuse for the United Nations to be unprepared to meet any new emergency requiring similar treatment.

3. It was, of course, to be hoped that the United Nations would not be called upon again to intervene in that way, but since it had had to meet demands for assistance in the field no less than three times in two years, it would be unrealistic not to recognize at least the possibility that similar situations might arise in the future. That could be regarded as sufficient reason in itself for making a study of the experience derived from the operation of the Force, placing the results before Member Governments, and giving them an opportunity to comment on the conclusions of the study if they wished to do so.

4. Whatever significance might be attached to the decisions of the General Assembly in the autumn of 1956 and of the General Assembly and the Security

Council during 1958 as precedents to be borne in mind if similar situations were to arise again, it was quite clear that those actions and the operations to which they had given rise had not in any way changed or increased the obligations of Member States under the Charter. The rights of the General Assembly and the Security Council and the functions of the Secretary-General remained unaltered, and a study and consideration of the experience gained in no way implied any intention to alter them. Under Article 22 of the Charter, the General Assembly was entitled to create subsidiary organs, and Chapter VI of the Charter empowered the Security Council, at any stage of a dispute, to recommend appropriate procedures or methods of adjustment. In other words, the question considered in the report fell entirely within the wide framework of action which the General Assembly and the Security Council were entitled, and frequently required, to take under the Charter.

5. Another reason for the presentation of the report was a desire to give some guidance to the public discussion, which in the course of the last two years had indicated some uncertainty regarding the limits which the Charter and international law put upon actions by the United Nations of the type envisaged in the report. He hoped that the report would clarify the situation and facilitate a discussion taking fully into account the legal restrictions imposed on the Organization by national sovereignty as recognized in the Charter. Most important in that respect was the need for the consent of the host country, as well as of contributing countries, to any such operation. Another element which had not always received sufficient attention was that United Nations field operations on the legal basis he had just indicated could not have purposes which required initiative in the use of armed force. He hoped that as a result of the present discussion it would become more widely recognized that both the Emergency Force and the subsequent arrangements in Lebanon and Jordan, as well as all similar measures in the future, were to be clearly distinguished from arrangements and operations that would require the organization of a force of a military nature which was entitled to initiative in the use of armed force.

6. A third reason for the report was that Member States needed to know as fully as possible what requests made by the United Nations for assistance of the kind under consideration might involve. He paid a tribute to those Governments which had responded with contributions to the Emergency Force and to the Observation Group in Lebanon at times when the information available to them on the implications of their participation was quite incomplete. He hoped that the report would afford all Member Governments such guidance as would enable them to evaluate the various aspects of those United Nations operations

and more especially the solid facts of participation in them.

7. He emphasized that his approach to the problem was guided by the strictest respect for the rules of the Charter. It was entirely pragmatic; it did not involve, even by implication, the creation of any new obligations for Member States. It did not affect, or seek in any way to affect, the competence of United Nations organs or their interrelations under the Charter. It did not try to freeze a pattern of action, nor would it give rise to arrangements which might be conducive to a premature or inappropriate use of similar means in the future. It did not presume to lay down legal rules binding in all circumstances. It did, however, create a preparedness for such action as might later be found necessary, in so far as previous experience of more general application could be utilized. Such preparedness in the future would almost certainly lead to economies in time and money. Lastly, the approach provided Member Governments and the public at large with all the information now available, with a view to narrowing areas of uncertainty, ambiguity and misunderstanding. He hoped that Member Governments would consider the report in the light of those intentions and objectives, and that their consideration might contribute

to the further development of the United Nations as an organization which could learn and was learning by living.

8. The three purposes which had prompted him to undertake the study and to record its results were to a large extent met by the study itself and by the fact that Member Governments were now informed of the conclusions reached. The political issues involved had to be resolved if and when the United Nations faced a concrete situation in which Members wished to decide on a field operation by the United Nations of the kind considered in the report. That would also be the best time for considering the principles that should apply in a particular case. In the circumstances, he felt that there was no need for the Assembly to take any action at the present time.

9. The CHAIRMAN said that in view of the Secretary-General's statement, the Committee now need hardly enter into a discussion of the question. Since no one had asked for the floor, he took it that the Committee was in agreement that the item was disposed of.

It was so decided.

The meeting rose at 11.5 a.m.