



Friday, 24 November 1972,
at 10.55 a.m.

NEW YORK

Chairman: Mr. Hady TOURÉ (Guinea).

AGENDA ITEM 41

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (continued) (A/8669, A/8676, A/8888, A/SPC/152)

1. Mr. BILNEY (Australia) said that at the time the United Nations was brought into being, Australia, like most small or medium Powers, had regarded the question of peace-keeping as central to the functioning of the Organization. In the subsequent quarter of a century, while the efforts made in that area had led in particular circumstances to operations whose practical value was incontestable, they had had only negligible results in resolving the essential issues; a reading of the Special Committee's report (A/8888) unfortunately confirmed that conclusion once again. In the past two years, the Special Committee had been faced with institutional difficulties which had prevented it from making progress, and he therefore welcomed the consensus among its members which had enabled it to elect its officers and to agree on arrangements to ensure the regular conduct of its business. Moreover, that consensus denoted a spirit of compromise and conciliation which augured well for the atmosphere in which the Special Committee would examine the substantive items on its agenda.

2. As a member of the Special Committee, Australia would respond positively to the hope expressed by that Committee for an acceleration of its work over the next year; while fully aware of the complexity of the problems which remained to be solved, Australia felt that after its long period of stagnation, the Special Committee should be authorized to continue its work for at least another year and it supported the extension of the Special Committee's mandate suggested in the report. It was well known that Australia, by participating in a variety of operations conducted by the United Nations, had given a practical demonstration of its interest in making the Organization an effective body in the peace-keeping field.

3. His delegation would abstain for the time being from commenting on the documents submitted to the Special Committee by various delegations over the past year. It would be better if the Special Committee began its deliberations the following year without having taken up rigid positions on the issues raised

by those papers. His delegation hoped that representatives on the Special Committee, realizing the urgency of their work, would show the necessary goodwill and that it would be possible to reduce the areas of seeming irreconcilability between the positions of the major Powers, and between those positions and the interests of other countries.

4. Mr. AMAU (Japan) recalled that when his Government had submitted its views on peace-keeping operations in April 1972 (see A/AC.121/L.15/Add.1), it had expressed the hope that, taking into account the views and suggestions made available to it in accordance with General Assembly resolution 2835 (XXVI), the Special Committee would submit to the General Assembly at its twenty-seventh session a report containing concrete proposals concerning the definition and implementation of peace-keeping operations. Regrettably, the Committee had so long been seized of procedural matters that it had no choice but to produce another procedurally inclined report only to keep alive its hope that it could tackle substantive questions after the Assembly had again renewed its mandate for another year.

5. Although in the past year no tangible progress had been made, it would be dangerous to become trapped in pessimism and to overlook some positive signs of slight progress—a step forward. The Special Committee had before it the views and comments of 19 Member States, transmitted by the Secretary-General (see A/AC.121/L.15 and Add.1-3) and the appraisals and proposals submitted independently by the Soviet Union, the United States and Canada (see A/8669, A/8676 and A/SPC/152). It had also succeeded in overcoming its institutional difficulties by electing its officers—Japan had the honour of having been elected to one of the vice-chairmanships—and enlarging its Working Group. That reinstatement of the Special Committee was indicative, of at least some positive will to revitalize and normalize its work—towards substantive debate and concrete negotiations. What was urgently needed today, as it had been during the seven years of the Special Committee's existence, was the collective will of all Member States, especially the permanent members of the Security Council, to reach an early agreement.

6. On 4 May 1972, at the Special Committee's 53rd meeting, the Secretary-General had made a statement in which, while expressing regret and concern at the slow progress in reaching agreement on guidelines for future peace-keeping operations, he had noted that the delicate and difficult issues dividing the Special Com-

mittee had not been susceptible of easy or hasty solution, since they involved basic political and constitutional questions as well as practical considerations, and had called upon the Special Committee "to proceed in a pragmatic and sensible manner and with determination to reach the necessary agreement". It was in that spirit that his delegation supported the proposal submitted by Brazil (see A/AC.121/L.15) and adopted in modified form by the Working Group; his delegation hoped that the preparation by January 1973 of "a comprehensive listing under specific headings of concrete proposals" (see A/8888, annex, para. 5) would facilitate and accelerate the work of the Special Committee.

7. With regard to substantive questions, his delegation was the first to recognize that the United Nations during its quarter century of existence had achieved certain positive results in its peace-keeping operations, whether in the Middle East, the Congo, Kashmir or Cyprus. In 1971, on the basis of Security Council resolutions, it had been decided to establish three missions—fact-finding or otherwise—and two of the decisions had in fact been implemented. Furthermore, the consensus reached by the Security Council to increase the number of United Nations military observers, by stages, in one sector of the Middle East was also a step forward in the history of United Nations peace-keeping operations. Each of those operations, however, still had to be separately authorized and treated as a special case and, as the Secretary-General had recognized in the introduction to his report on the work of the Organization, the pioneering improvisation of peace-keeping, useful though it proved in many situations, had severe limitations and presented complex problems both of principle and practice (see A/8701/Add.1, chap. II). Therefore the most essential and urgent aspect of the Special Committee's work was to set up the machinery and arrangements that would place peace-keeping operations on a more effective and stable basis. For success in that work, it was essential to secure the support and the collective political will of all the Member States, particularly the five permanent members of the Security Council. His delegation would refrain at that stage from making specific comments on the views and suggestions submitted by Member States but would study them carefully in the light of the views expressed by the Japanese Government in the document to which he had already referred (A/AC.121/L.15/Add.1).

8. Mr. DI BERNARDO (Italy) expressed regret at the inability of the Special Committee on Peace-keeping Operations (Committee of Thirty-three), as indicated in its report, to record any progress in solving a problem which constituted one of the main reasons for the existence of the United Nations. It was an extremely complex and controversial question, touching on the very nature of the role of the United Nations, and that fact explained why matters were moving slowly, but it did not justify total lack of progress.

9. The reports of the Special Committee and of its Working Group, while disappointing, had at least the virtue of being honest and did offer some reasons for hope. The Committee had settled a problem long

thought insoluble by electing its officers, whose ability was already a guarantee of progress. In addition, many Governments had communicated to the Secretary-General, pursuant to General Assembly resolution 2835 (XXVI), views and suggestions which could be useful to the Committee of Thirty-three and enable it to carry out its work better. The Brazilian delegation had suggested that the Rapporteur of the Special Committee should be asked to prepare a comprehensive listing under specific headings of concrete proposals received and a description of the progress made to date; his delegation supported that suggestion and felt that it would give new life to the Special Committee's debates. The document submitted by Canada (A/SPC/152) also contained constructive suggestions. His delegation wished to express again, as it had done when it had been decided to enlarge the membership of the Working Group, its regret that the countries of western Europe, which had made the greatest contribution to peace-keeping operations, were represented by only one member in the Group.

10. Now more than ever, Member States must give proof of a firm political will and spare no effort to solve a problem for which they bore joint responsibility, if they did not want to be forced to admit that the Organization had failed to achieve its fundamental goals. It was encouraging to note that a climate of *détente* was gradually being established in the world and that international co-operation was developing, but some causes of tension persisted nevertheless and it was essential for the United Nations to have the means to intervene in any situation where its action would make it possible to avert a tragic outcome. His delegation had already stated, in previous years, that the question required a practical and undogmatic attitude and a more flexible approach. The Special Committee had reached a decisive turning point: it must either admit failure or advance at last from words to deeds. His delegation would do everything it could to help in carrying out a task of such great importance to the Organization. It was well aware of the difficulties, but the improvement in the international situation which seemed to be reflected in the specific proposals submitted to the Special Committee seemed to indicate that it might be able to start afresh and be in a position to fulfil its mandate.

11. Mr. JAMIESON (United Kingdom) said that for two successive years the Special Committee on Peace-keeping Operations had failed to keep its good resolutions of the preceding year and the Special Political Committee had had to acknowledge that there was nothing for it but to exhort the Special Committee to try again. But the credibility gap between the Special Committee's good intentions and its actual performance had been widened by the fact that the substantive issues were rarely discussed by the Special Political Committee. For that reason, without trying to apportion blame, he wished to review those substantive issues in an analytical fashion, both as a contribution to wider understanding of what was involved and in an effort to suggest a possible way in which discussion could be renewed in the Committee of Thirty-three and its Working Group.

12. In 1965 the Committee of Thirty-three had been set up as part of the attempt to find a solution to the problems of principle and financial responsibility which had paralysed the General Assembly. By 1969 the Working Group had made a considerable advance in preparing model I for United Nations military observers. The agreed chapters had concerned: authorization; organization, development and functioning of the military observer mission; equipment, facilities and services; and administrative matters, including such matters as conditions of service, training and accounting procedures. In some of those cases there had only been agreement on the need to adopt standard procedures; nevertheless progress had been made. But since 1969 there had been no progress. According to the first report of the Working Group¹ the chapters of model I on which there had been no agreement were those concerned with: establishment of a mission (its formation, strength, composition and command), and its direction and control; legal arrangements; and financial arrangements.

13. Since the beginning of 1972 the implementation of General Assembly resolution 2835 (XXVI) had made it possible to be better informed concerning the positions of various States on the issues on which agreement had not yet been reached. Unfortunately, the question of the financing of peace-keeping operations, which was of fundamental importance for existing operations, had not attracted any comment. That the legal issues had not been touched on was easier to understand. However, the Committee now had sufficient material to take a fresh look. But before suggesting how that might be done, he felt that the Committee should be clear on the fact that it was generally accepted that the current discussions on peace-keeping operations concerned only "consent-type" operations, in other words, operations in which a peace-keeping force or observer group was set up with the consent, or at the request, of the Government or Governments in whose territory the force or group was to be stationed.

14. A study of the communications from Governments showed that the questions on which decisions would have to be taken could be grouped under the following 10 headings: first, authorization of operations; second, aim of the operation; third, duration of the operation and arrangements for its extension; fourth, strength of the force; fifth, composition of the force; sixth, selection of the force commander; seventh, directive to be given him; eighth, financing of operations; ninth, adjustments to be made to any of the foregoing and prevention of deviations; and tenth, management decisions.

15. As to how decisions on those matters should be taken and who the decision-taking agent should be, two poles appeared in the replies of Governments. On the one hand, the answer was: the Security Council; but there were variants as to whether decisions would require unanimity among the permanent members of the Security Council, the absence of any opposition

among the permanent members, or a procedural vote (i.e. nine positive votes and no power of veto). On the other hand, the answer was: the Secretary-General and the force commander, to whom, according to some suggestions, an international headquarters staff should be assigned. Between the two poles there were the suggestions for the establishment of an organ of the Security Council. They gave rise to the following options. First, should that organ be: (a) an executive organ empowered to take decisions? (b) a consultative organ giving advice to the Secretary-General? or (c) an organ whose functions would be executive on some points and consultative on others? Second, should actions or proposals in connexion with an operation be made subject to the express approval of the organ, or be subject only to disapproval, or be a mixture of the two according to circumstances? Third, should the decisions or advice of the organ be expressed by voting, or by the Chairman acting in the name of the organ? Fourth, if voting was required, should any decision require: (a) unanimity among the members? (b) the agreement of, or absence of objection from, the five permanent members of the Security Council? (c) a simple majority? or (d) a majority, on the understanding that the views of the permanent members would in some way be given special consideration? Fifth, if unanimity of the permanent members was required, the question was whether it was the challenge to an act that needed unanimous agreement or the act or proposal itself—in other words, whether a permanent member could have an act rejected unilaterally merely by challenging it—a sort of "reverse veto".

16. To simplify matters, there were four main suggestions for a decision-taking agent: the Security Council; a suborgan; the Secretary-General; and the force commander. But there were a large number of different ways of proceeding, especially as regards the first two. Similarly, matters requiring decisions could be grouped under three main headings: establishment of the force; policy control; and day-to-day management of the operation. The analysis might be made clearer by setting out on a sheet of paper the two ranges of questions: the decisions to be taken, and the decision-taking agents and their *modus operandi*. That was more or less what the Working Group had decided to do (see A/8888, annex, para. 5).

17. The principal reflection which emerged from all the foregoing was that in the past discussions had tended to focus on one or other end of both ranges of question. That had brought about a false polarization between those who maintained that all decisions must be subject to the veto, even the "reverse veto", and those who thought that the Secretary-General should be left considerable, and in some respects unfettered, discretion. The desire to safeguard a position on one point had affected delegations' views on other points. The discussion would be easier if it was recognized that inflexibility of cumbersome procedures were certain to hamper the effectiveness of operations, that a range of options existed for methods of decision-taking and that the choice of method might vary according to the nature of the decision to be taken. Progress

¹ See *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, agenda item 35, document A/7742, annex, para. 9.

towards institutional compromise might be facilitated if the Special Committee could try to apply to each point in the range of questions for decision an appropriate prescription from the range of options.

18. There were some who thought that attempts to reach agreement in principle on hypothetical situations were not worth the effort, since there had never been any instance of compromise on positions of principle; they maintained that everything would fall into place when the major Powers agreed that a particular operation was necessary. But the United Nations must continue its efforts to achieve as much agreement and as much clarification of the areas of disagreement as possible instead of waiting for events to force its hand. To give up would imply a surrender of responsibility that would raise doubts as to the ability of the United Nations to mount a peace-keeping operation, and, after all, the United Nations could play a role in peace-keeping operations only on the all-important condition that the Governments concerned—which were not, in the first instance, likely to be the major Powers—were willing to agree or to request that the United Nations should help to keep the peace for them. His delegation therefore felt that the search for agreement should be continued and that the machinery for that search, as recently revised, should also be maintained.

19. Mr. ERIKSEN (Norway) said that his Government regarded the maintenance of international peace and security as one of the main tasks of the United Nations and had demonstrated that conviction by participating in peace-keeping operations, paying voluntary contributions for such operations and establishing Norwegian stand-by forces. Norway was also taking and would continue to take an active part in the efforts aimed at strengthening the capability of the United Nations to conduct peace-keeping operations.

20. His delegation was disappointed at the fact that the Special Committee had been unable to make further advances in its work, as indicated by its report (A/8888). However, it was encouraging that the Special Committee had succeeded in solving the institutional crisis and reached agreement on the composition of its Working Group. He hoped that that development reflected a political will on the part of the members of the Special Committee to give new life to their Committee's work. Another encouraging sign, in his delegation's view, was the tendency to approach the question in a somewhat more pragmatic manner than in the past, as indicated by the replies to the notes circulated by the Secretary-General (A/AC.121/L.15 and Add.1-3) pursuant to General Assembly resolution 2635 (XXVI). In that connexion, referring to the documents submitted by the Soviet Union (A/8669), United States (A/8676) and Canada (A/SPC/152), he emphasized that although his Government gave preference to the idea of establishing a set of rules of principle which could serve as a framework for all peace-keeping operations, it nevertheless recognized the value of taking a positive attitude towards a step-by-step approach, through which it might be possible

to reach satisfactory solutions on the basis of experience and attain the final goal. The stand-by force established by Norway was earmarked for service in United Nations peace-keeping operations and formed an integral part of a Nordic stand-by force, concerning which a study would be communicated to the Secretary-General at a later date.

21. His delegation believed that the latest developments in the international situation might also pave the way for progress in the work of the Special Committee. It appealed once more to the members of the Special Committee to demonstrate the necessary political will to find a way to break the deadlock. The Special Committee should concern itself, in particular, with the financial aspects of the question, in order to avoid in future the financial problems that had been created by some peace-keeping operations in the past. His delegation hoped that the mandate of the Special Committee would be renewed.

22. Mr. MACRIS (Greece) recalled that peace-keeping was the *raison d'être* of the United Nations according to Article 1, paragraph 1, of its Charter, which provided for "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". However, since the Charter did not specify the constitutional, legal and financial structure on which those measures should be based, it was the task of the United Nations, and more particularly of the Special Committee on Peace-keeping Operations, to reach agreement on the guidelines that should govern peace-keeping operations, in order that the Organization might have a machinery enabling it to fulfil its peace-keeping role. No effort should be spared in working to achieve that end, for the task concerned all countries, large and small: the Security Council under the terms of Chapter VII of the Charter and the General Assembly under the terms of Article 12. For that reason, while his delegation regretted that little progress had been made, as mentioned in the Special Committee's report, it shared the optimism expressed in paragraph 12 of that report (A/8888) and in paragraph 7 of the fifth report of the Working Group (*ibid.*, annex). Greece, cherishing the principles of the Charter and devoted to the cause of peace and international co-operation, believed that every Member State should bear in mind the responsibilities to the international community which it had accepted under the Charter and should contribute to any preventive action aimed at maintaining peace. To that end, Greece had taken a special interest in the peace-keeping action undertaken by the United Nations in Cyprus, had contributed materially and morally to the success of that action and would continue to do so as long as necessary. However, while a number of constitutional and legal difficulties had been overcome, some problems had arisen in connexion with the financing of the United Nations Force in Cyprus, which was based on the system of voluntary contributions. That fact had merely confirmed the need for continued substantive consideration of the question with a view to setting up a system of collective responsibility.

23. He recalled his country's views, which had been communicated to the Secretary-General (see A/AC.121/L.15/Add.3). In the absence of any specific provision in the Charter, general agreement on all aspects of the problem was vitally important if the United Nations was to become an effective instrument of world peace. Such an agreement should provide for the establishment of an organ competent to deal with the practical aspects of peace-keeping operations; in that connexion, the role of the Secretary-General must not be underestimated. An *a priori* agreement should be reached on the equitable financing of peace-keeping operations. Lastly, the Special Committee should give consideration to the establishment of a simple and flexible mechanism adapted to the circumstances, in the light of the experience acquired in past peace-keeping operations.

24. Greece was prepared to join the other Member States in the search for a universally acceptable system that would enable the United Nations to carry out its fundamental task in a rational manner. To that end, it would support any draft resolution calling for renewal of the Special Committee's mandate. It sincerely hoped that all competent United Nations bodies and the Secretary-General would continue to give the Special Committee and its expanded Working Group—with a view to bringing their efforts to a successful conclusion as quickly as possible—the support asked for by the General Assembly in paragraph 7 of the Declaration on the Strengthening of International Security (resolution 2734 (XXV)).

25. Mr. MOHAJER (Iran) said that the report submitted by the Special Committee was not very encouraging, in the light of the important task entrusted to the Special Committee and the concern of the overwhelming majority of Member States for an early agreement on peace-keeping operations. Nevertheless, the organizational problems had now been solved, a new Chairman had been elected and a number of new members dedicated to the cause of international peace and security had been added to the Working Group. Thus, the Special Committee was in a better position to carry out its task.

26. He recognized that the issues dividing the Special Committee were not easy to solve. The constitutional, political and practical considerations involved should be dealt with through careful deliberations and assiduous consultation. However, those issues were not inherently unsolvable, and the Special Committee could not submit every year a report of little or no progress, placing the blame on the complexity of the problem. What was basically at stake was the enhancement of the peace-

keeping capacity of the United Nations, and the mandate of the Special Committee derived directly from the Charter. In the field of international security, great Powers had a special obligation, but other countries also had a role to play, since the attainment of the Special Committee's objective had a direct bearing on their national security.

27. In any case, so long as the will to proceed towards a workable agreement and the determination to reach a pragmatic and sensible solution existed, there was no cause for alarm. In fact, the most important task of the Special Committee was to keep alive and nurture the will of the international community to achieve that goal. In that connexion, the report also mentioned other encouraging developments, such as the new efforts made by some Member States, manifested primarily in the form of suggestions and views submitted in pursuance of paragraph 4 of General Assembly resolution 2835 (XXVI). In addition, the Special Political Committee had before it three documents submitted by the Soviet Union, the United States and Canada, which would no doubt facilitate the future deliberations of the Special Committee on Peace-keeping Operations.

28. He paid special tribute to the Canadian and Brazilian delegations, which had contributed new ideas. The Canadian memorandum on the command and control of peace-keeping operations (A/SPC/152, annex) attempted to bridge the gap between opposing views and might well provide a framework for future exploration by the Special Committee. The Brazilian proposal (see A/AC.121/L.15) would make it possible to resume serious negotiations and revive the interest of the entire membership of the United Nations in all the important questions of peace-keeping.

29. In the light of paragraph 12 of the Special Committee's report (A/8888), his delegation favoured renewing the mandate of the Special Committee. In that connexion, it believed that in order to discharge its task, the Special Committee should not rely exclusively on the literal interpretation of Charter provisions but should try to act as a connecting link between the law, as expressed in the Charter, and present-day political reality; it was in the experience of the United Nations, not in debates on constitutional theory, that solutions to the problems would be found.

30. The CHAIRMAN urged the delegations that wished to submit draft resolutions to accelerate their work.

The meeting rose at 12.10 p.m.