



Twentieth session
Agenda item 101

COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-
KEEPING OPERATIONS IN ALL THEIR ASPECTS

Note by the Secretary-General

Paragraph 8 of the report of the Special Committee on Peace-keeping Operations (A/5915) reads:

"At the ninth meeting of the Special Committee, on 2 June, the Secretary-General introduced the report jointly submitted to the Committee by the President of the General Assembly and himself (A/AC.121/4). That report is annexed hereto (annex II). The Special Committee agreed that the guidelines in regard to future peace-keeping operations, indicated in paragraph 52 of this report, be referred to all Member States of the Organization with a request that they should submit their views thereupon not later than 1 August 1965, so that the Special Committee could take these views into consideration in its further deliberations."

In accordance with the decision of the Special Committee, the Secretary-General addressed a communication on 23 June 1965 to all Member States. Subsequently, the Special Committee, at its fifteenth meeting on 16 August, asked the Secretary-General to remind those Members who had not yet replied to his earlier communication to do so in order to enable the Committee to take into account their views. Accordingly, the Secretary-General sent a further communication to Member States on 17 August 1965.

As of 31 August 1965, thirty-eight replies had been received. These were issued as documents of the Special Committee (A/AC.121/5 and Add.1-2), which are reproduced in annex I to the present note. Since then, six additional replies have been received, the substantive parts of which are reproduced in annex II.

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REPLIES RECEIVED FROM MEMBER STATES BEFORE 31 AUGUST 1965

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ARGENTINA

[Original: Spanish]
31 August 1965

The position of the Argentine Government on future peace-keeping operations has been fully set forth at the meetings of the Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations and at those of the Special Committee on Peace-keeping Operations. I should like to mention in particular the statement made by the Argentine representative on 6 May 1965 at the sixth meeting of the Special Committee (A/AC.121/PV.6).

As regards the guidelines set out in paragraph 52 of the report of the Secretary-General and the President of the Assembly, the Argentine Government considers them to be positive suggestions which will be most useful when the question of future operations is subjected to more detailed study.

COSTA RICA

[Original: Spanish]
23 September 1965

The Government of Costa Rica considers that the work done by the "Committee of Thirty-Three" - the Special Committee on Peace-keeping Operations - is of great value for the future of the Organization. My Foreign Ministry has followed the debates in this Committee with understandable interest. The various viewpoints prevailing among Members of the United Nations with regard to the nature, aims and scope of "peace-keeping operations" have been very clearly presented there.

The Government of Costa Rica feels that the work of the Committee has been fruitful in that the different views regarding these operations have been clearly brought out, and particularly in that the exchanges of opinion have produced specific ideas which could in some measure represent the first step towards a favourable solution of this highly controversial matter. The acceptance by the Soviet Union and France of the idea that the General Assembly has authority to conduct a certain type of peace-keeping operation not involving the use of armed forces is in itself an encouraging sign that the great Powers will gradually come to recognize that the General Assembly should also have the power, as a complement

to the Security Council, to perform the highly important task of safeguarding international peace and security. My Government has never questioned the fact that, in this international Organization, the Security Council is endowed with the all-important power to intervene directly and immediately in any matter which threatens international peace and security. However, it also considers that, because very lofty interests have been placed in its safe keeping, the General Assembly should bring the weight of its great authority to bear in dealing with serious situations which cannot be resolved by the Security Council, especially when that highly important organ of the United Nations is paralysed by the use of the so-called "veto".

This is not a trick to deprive the Security Council of its functions by means of a formalistic interpretation of the Charter. It is simply an effort to draw reasonable conclusions from the Organization's basic instrument - conclusions based on the fundamental principles of the Organization which will enable us to save mankind from the scourge of war and to find practical means of dealing with conflicts that seriously threaten the stability of the international community.

As a political instrument, the Charter of the United Nations was designed so that the Security Council would act in a manner consonant with the powers of the General Assembly, it being understood, of course, that the Assembly, in which all States are represented, ranks first. Indeed, it could not be otherwise, since it is in the Assembly that the vast majority of the States of the world meet and make their voices heard.

Of course, no one questions the fact that the Security Council is an action body and the instrument best suited to act first in any conflict or situation which threatens international peace and security. The Charter is clear and definite on this point. Yet, it would occur to no one - unless for very special reasons depending on particular circumstances - that the Assembly of all the Members of the United Nations should rank below the Security Council, especially when a dangerous situation has to be dealt with and the Council is unable to perform the function for which it was created.

From the legal standpoint, since the Charter is a legal instrument, it can presumably provide a solution to any dispute which arises within the United Nations. In accordance with current legal thinking, any legal system must be capable of resolving any controversy which arises at the national or international level between individuals or bodies corporate.

It follows from this that interpretation of the Charter can only lead to the conclusion that, whenever the Security Council fails to perform its basic function, it is the Assembly - as the supreme organ of the United Nations - which should take the necessary decision.

The Latin American representatives on the Committee of Thirty-Three have ably and cogently presented the legal arguments for this point of view. They have analysed the provisions of the Charter conferring powers upon these two important organs of the United Nations. Hence, instead of going over the same ground, we shall merely recall the statements which they have made in the discussions so far held.

Thus, my Government is firmly convinced that, from every point of view, it is for the General Assembly to decide what attitude should be adopted towards any problem threatening international peace and order, given the assumptions indicated above.

With regard to paragraph 52 of the report of the Secretary-General and the President of the Assembly (document A/AC.121/4 of 31 May 1965), which is the subject of the Secretary-General's note, we wish to state the following, subject to the above reservations:

My Government regards the ideas set out in sub-paragraphs (a) to (e) as very well founded. Sub-paragraph (f) substantially weakens the power of the Assembly with regard to peace-keeping operations in the strict sense, which are fully dealt with in the preceding paragraphs. Account should therefore be taken of our ideas on the subject, which are in line with the "Uniting for Peace" decision adopted by the fifteenth General Assembly.

Without prejudice to our position - which is in full conformity with the General Assembly resolutions to the effect that this type of operation comes under the heading of "expenses of the Organization" and that the principle of joint liability and compulsory payment according to a fair scale is therefore applicable - my Government has no objection to the ideas embodied in sub-paragraphs (g), (h), (i) and (j), which provide a useful basis for a constructive discussion aimed at reconciling the different points of view expressed on the subject.

Finally, my Government believes that, if a joint fund of contributions were set up in advance, the United Nations might be able to meet these emergency

situations, while the members of the Security Council - especially the permanent members - would be able to take a political position without having it linked to a moral duty on the part of all to share the costs involved.

In principle, this procedure should provide a means of overcoming the sharp conflict between the political positions taken by Governments with regard to a particular type of peace-keeping operation and the real - and usually urgent - need to use armed forces to arrest the development of situations which might threaten international peace and security.

MONGOLIA

[Original: Russian]
31 August 1965

The Government of the Mongolian People's Republic, having carefully studied the above-mentioned report, has given particular attention to the guidelines relating to future peace-keeping operations set forth in paragraph 52 of the report, and in this connexion it states the following:

1. The Government of the Mongolian People's Republic has stated before and states now that all United Nations operations connected with the maintenance of international peace and security must be carried out in strictest compliance with the spirit and letter of the United Nations Charter. That is the only way of ensuring the success of such operations and helping to maintain international peace and security.

2. In the opinion of the Government of the Mongolian People's Republic, the United Nations Charter gives a clear and precise definition of the functions and spheres of jurisdiction of United Nations organs in regard to the maintenance of international peace and security. In accordance, inter alia, with Articles 24, 25, 39, 41 and 42 of the Charter, the only organ empowered to take decisions "for the purpose of ensuring prompt and effective action by the Organization" to maintain peace and security, including the financing of such action, is the Security Council, whose decisions are binding on all Members of the United Nations.

Under Article 43 of the Charter, all Members of the United Nations undertake to make available to the Security Council, on its call and in accordance with a

special agreement between the Council and a Member or Members of the United Nations, the necessary armed forces, assistance and facilities. Such agreements are to be negotiated on the initiative of the Security Council, and, consequently, questions pertaining to the size of the armed forces and expenditure on their utilization must be decided by the Council.

The General Assembly may make recommendations to the Members of the United Nations and to the Security Council on any matters within the scope of the Charter. However, while the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the Charter, the General Assembly may not make any recommendations with regard to that dispute or situation unless the Security Council so requests.

3. In the light of the above, the Government of the Mongolian People's Republic cannot agree with part of paragraph 52 of the report, namely the provisions in sub-paragraphs (g) and (j) regarding the financing of peace-keeping operations jointly by the General Assembly and the Security Council. In the view of our Government, the functions and powers of the Security Council and the General Assembly can be complementary only in terms of the successful fulfilment by those organs of the functions and tasks clearly assigned by the Charter to each of them in particular, and not through duplication of each other's functions, particularly in a field such as the maintenance of international peace and security.

All questions relating to the use of United Nations armed forces, the determination of their duties, their composition and number, their command structure, the length of their stay and the methods of their financing must be within the exclusive jurisdiction of the Security Council, which bears primary responsibility for the maintenance of international peace and security. Attempts to circumvent the Security Council when deciding on such serious matters can, in the view of our Government, do serious harm to the United Nations itself.

MOROCCO

[Original: French]
7 September 1965

In the opinion of the Moroccan Government, the Security Council retains primary responsibility for the maintenance of international peace and security, but the

General Assembly, which includes all the States Members of the Organization, does not on that account forfeit the powers conferred on it by the relevant provisions of the Charter.

The ideas put forward regarding the method of financing peace-keeping operations seem to the Moroccan Government, moreover, to represent a reasonable approach to a solution of this complex problem.

In short, the Moroccan Government, which has always hoped for an early resumption of the normal functioning of the international organizations, believes that the principles thus set out reflect a praiseworthy effort to take genuinely into account the different points of view expressed on this matter and that the proposals made in the report of the Secretary-General and the President of the General Assembly can provide the basis for a harmonious and balanced solution of the institutional and financial crisis of the United Nations.

UNITED STATES OF AMERICA

[Original: English]
8 September 1965

The views of the United States Government have been presented to the United Nations in several statements which are available to the Secretary-General and the membership. Attention is drawn particularly to the proposals for initiating and financing United Nations peace-keeping operations which the United States submitted to the Working Group of Twenty-One on 14 September 1964 (A/AC.113/30), and to the statements made in the Special Committee on Peace-keeping Operations by the deputy United States representative on 22 April and 15 June 1965, and by the United States representative on 16 August 1965.

In short, the United States considers that the guidelines contained in paragraph 52 of the report submitted by the Secretary-General and the President of the General Assembly on 31 May 1965 constitute a useful basis for future consideration of peace-keeping problems in the United Nations. In particular, while recognizing that primary responsibility for the maintenance of international peace and security is vested in the Security Council, the United States is of the

view that the General Assembly may take appropriate steps to maintain international peace and security, especially when the Security Council is unable to act. As indicated in the statement of the United States Permanent Representative on 16 August, cited above, the United States believes that the world needs a strengthened - not a weakened - United Nations peace-keeping capacity.

The United States remains prepared to consider any constructive proposals designed to provide for future United Nations peace-keeping arrangements consistent with these principles.

VENEZUELA

[Original: Spanish]
7 September 1965

In this connexion, the Acting Chargé d'Affaires of the Permanent Mission of Venezuela wishes to inform the Secretary-General that the position of the Government of Venezuela is contained in the statement which Ambassador Carlos Sosa Rodríguez made before the Special Committee on Peace-keeping Operations on 29 April 1965 (A/AC.121/PV.5).
