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Agenda item 36

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

Report of the Special Committee on Peace-keeping Operations

Rapporteur: Mr. Abdel-Halim BADAWI (United Arab Republic)

1. At its twenty-fourth session, the General Assembly, following its consideration of the report of the Special Committee on Peace-keeping Operations,<sup>1/</sup> adopted resolution 2576 (XXIV) of 15 December 1969, which read as follows:

"The General Assembly,

"Recalling its resolutions 2006 (XIX) of 18 February 1965, 2053 A (XX) of 15 December 1965, 2249 (S-V) of 23 May 1967, 2308 (XXII) of 13 December 1967 and 2451 (XXIII) of 19 December 1968,

"Having received and examined the report of the Special Committee on Peace-keeping Operations of 3 November 1969,

"1. Takes note of the progress already achieved by the Special Committee On Peace-keeping Operations in carrying out the mandate entrusted to it;

"2. Requests the Special Committee on Peace-keeping Operations to continue its work and to submit to the General Assembly at its twenty-fifth session a comprehensive report on the United Nations military observers established or authorized by the Security Council for observation purposes pursuant to Council resolutions, as well as a progress report on such work as the Special Committee may be able to undertake on any other models of peace-keeping operations;

<sup>1/</sup> Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 35, document A/7742.

"3. Transmits to the Special Committee on Peace-keeping Operations the the records of the debates at the present session on the item entitled 'Comprehensive review of the whole question of peace-keeping operations in all their aspects', with the request that the suggestions and proposals contained therein be taken into account".

2. By a letter dated 8 December 1969 the Permanent Representative of Sweden informed the President of the General Assembly that his Government had decided to withdraw from the Special Committee. The President of the General Assembly appointed Denmark to fill the vacancy caused by the withdrawal of Sweden. At its 1838th plenary meeting, on 17 December 1969, the General Assembly took note of that appointment.

3. At its 43rd meeting, on 20 March 1970, the Special Committee took note of General Assembly resolution 2576 (XXIV) and approved the following plan of work for the Working Group:

(a) To complete chapters II, III and IV of Model I and to formulate the draft text of a standard agreement between the United Nations and the host country on the status of military observer missions;

(b) To proceed with and, if possible, to complete the preparation of Model II.

4. The Working Group of the Special Committee met during the period 4 May to 8 September 1970. The second report of the Working Group, covering its work during that period (A/AC.121/L.10), is annexed.

5. At the 44th meeting of the Special Committee, held on 10 September 1970, the Rapporteur introduced the second report of the Working Group. In introducing the report, he stated that, in view of the fundamental nature of the problems involved in the discussions of the Working Group, it would only be fair to make the Special Committee cognizant of the scope and content of the problems. In a further review of the discussions within the Working Group and of consultations among its members, the Chairman of the Special Committee noted that, as a result of the application of parliamentary methods proper to the Organization, the sense of crisis surrounding the problem of future peace-keeping operations had been diffused. He added that, although the debates had been constructive, the Committee had not been able to carry out the mandate entrusted to it by the Assembly. In conclusion, he stated his belief that it was opportune and necessary

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for all States members of the Special Committee to reassess their position on the problem and to decide whether there might not be other more comprehensive ways of enabling the Organization to achieve progress in its work.

6. In the discussions that followed, all speakers expressed deep regret that the Working Group was unable to complete its work on Model I, in spite of the encouraging progress that had been evident in last year's report of the Working Group. However, it was observed by many members that it was over-optimistic to expect an early solution of all the complex problems involved in the question of peace-keeping operations. It was noted further that a just solution of long-standing problems that would be acceptable to all States required time, a patient approach and goodwill. In this connexion, it was recognized that the issues with which the Working Group was now faced were of a fundamental nature and could not, without jeopardizing the possibility of a final positive result, be resolved in haste.

7. There was wide recognition of the fact that agreement among the major Powers was essential for the resolution of the remaining difficulties. This fact, however, in the view of some members, should not imply an abdication of responsibility on the part of the members of the Special Committee nor the Members of the United Nations at large; it was agreed that efforts to strengthen the peace-keeping capabilities of the United Nations should not be relaxed.

8. Several comments were made regarding the methods and procedures of both the Special Committee and its Working Group. While, in the light of the fundamental nature of the remaining problems, there was general concurrence in principle that the method of the Working Group offers the best available way for seeking agreement, suggestions were nevertheless put forward to ensure a more frequent reporting from the Working Group to the Committee, thus enabling the Committee to play a more constructive role in the deliberations. It was pointed out in this connexion that in accordance with the present procedures of the Working Group, its meetings were open to all the members of the Special Committee.

9. At the conclusion of the discussion, the Special Committee took note of the assessment of the Working Group that even if it was not yet possible to reach an agreement on the fundamental questions mentioned in paragraphs 7-11 of the report of the Working Group, "the Working Group feels that its methods and procedures

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nevertheless give hope that it will be possible to overcome the serious difficulties which have beset the Organization for many years". Accordingly, the Special Committee believes that more time is required for consultations towards reaching agreement on Model I, which would also facilitate progress on Model II. The General Assembly may wish, therefore, to authorize the Committee to continue the work which it has undertaken.

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ANNEX

Second Report of the Working Group

Rapporteur: Mr. Abdel Halim BADAWI (United Arab Republic)

1. The Working Group established by the Special Committee on Peace-keeping Operations, composed of the four officers of the Committee (Mexico - Chairman; Canada and Czechoslovakia - Vice-Chairmen; and the United Arab Republic - Rapporteur) and four other members (France, USSR, United Kingdom and the United States), submitted its first report on 12 September 1969 (A/AC.121/L.8). In that report, the Working Group stated that it had first agreed on a scheme of Model I (Military observers established or authorized by the Security Council for observation purposes pursuant to Security Council resolutions) containing eight chapters. The agreed scheme of Model I was annexed to the first report.

2. The first report went on to state that "In the course of its work, the Working Group was able to complete the text of five of the eight chapters. With regard to the three other 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. However, the Working Group has had valuable discussions on all elements to be included in these chapters and has indicated the general direction to be followed in completing the work on them. It believes that a continuation of its work along these lines will help promote the completion of Model I".

It also stated that "In the course of its discussion Chapter III, dealing with Legal Arrangements, the Working Group also considered the draft of a standard agreement between the United Nations and the host country on the status of military observer missions".

Further, the Working Group reported that "Consultations have been under way concerning the possible title and framework of a Model II, which would deal with United Nations Peace-keeping Operations of a larger scale. The Working Group hopes to be able to begin study of such a model at an early date".

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3. At its twenty-fourth session, the General Assembly, following its consideration of the report of the Special Committee on Peace-keeping Operations (A/7742) adopted resolution 2576 (XXIV). By that resolution, the General Assembly took note of the progress already achieved by the Special Committee on Peace-keeping Operations in carrying out the mandate entrusted to it and requested the Special Committee "to continue its work and to submit to the General Assembly at its twenty-fifth session a comprehensive report on the United Nations military observers established or authorized by the Security Council for observation purposes pursuant to Council resolutions, as well as a progress report on such work as the Special Committee may be able to undertake on any other models of peace-keeping operations".

4. At its 43rd meeting on 20 March 1970, the Special Committee took note of General Assembly resolution 2576 (XXIV) and approved the following plan on work for the Working Group:

(a) to complete chapters II, III and IV of Model I and to formulate the draft text of a standard agreement between the United Nations and the host country on the status of military observer missions;

(b) to proceed with and, if possible, to complete the preparation of Model II.

At the same meeting the Chairman informed the Special Committee that the Working Group would begin its meetings on 4 May 1970.

5. During the period 4 May to 8 September 1970, the Working Group held fourteen meetings. The drafting group of the Working Group held three meetings within the same period. In addition, the members of the Working Group held a number of informal meetings for the purpose of consultations.

6. In accordance with the wishes expressed by members of the Special Committee on Peace-keeping Operations and, as stated in paragraph 8 of the Committee's report to the General Assembly at its twenty-fourth session (A/7742), meetings of the Working Group were open to members of the Special Committee. In order to facilitate this closer co-operation between members of the Working Group and of the Special Committee, all meetings of the Working Group were announced in the Journal of the United Nations.

7. During the discussions in the Working Group and drafting group, major concentration was focused on chapter II of Model I dealing with the Establishment (formation, strength, composition and command), Direction and Control, of "United Nations Military Observers established or authorized by the Security Council for observation purposes pursuant to Security Council resolutions." In this connexion, the discussions were related to the need for promptness of actions in establishing observer missions. Assistance to be rendered to the Security Council on military matters and the role of the Secretary-General with regard to the establishment of such observer missions were thoroughly and comprehensively discussed and different views were expressed.
8. The Working Group further exchanged views on the problems of determining the strength of the observer missions and principal support facilities and re-evaluation of these in the light of the changing situation. Among other problems considered were the ensuring of a proper balance between the command echelon and other operational elements at various locations, the integration of such specialized units as may be required, the organization of logistic support, means for the gathering and co-ordination of information, and the organization of auxiliary facilities.
9. The composition of the United Nations military observer groups was further discussed in the Working Group, as well as the desirability that Member States furnish in advance information on the number of military observers, auxiliary personnel and technical services which they are prepared to provide for observer missions authorized by the Security Council. A considerable time was devoted to the various conditions and factors relating to the participation of Member States in United Nations military observer groups and the procedures to be followed in this connexion. There was an understanding that the concurrence of the host country should be sought in the selection of countries to provide military observers, auxiliary personnel and technical services for a given mission. Views were expressed on the desirability of attaining a political balance in the military observer group and on the opportunity for participation by Member States regardless of their political, social, or economic system or of their belonging to a given geographical region.

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10. The Working Group also examined the principles that should govern the appointment of the Commander (Chief) of the observer group, the procedure for his appointment and the factors which should be taken into account in deciding this matter. The matter of securing the consent of the host country in the appointment of the Commander was also considered. It was also suggested that other parties directly concerned, where necessary, should be consulted.
11. Extensive discussions took place with respect to the direction and control of observer missions. Further discussions were held on the nature of the directives to be given to the Commander of the military observer group.
12. In its examination of chapter III (Legal Arrangements), the Working Group considered the legal arrangements affecting the establishment and functioning of the observer missions which would include in particular a standard form of agreement on the status of military observer missions between the United Nations and the host country and a standard form of agreement between the United Nations and States providing personnel, equipment, facilities and services. It was understood that the consent of the host country and of the countries participating in the observer mission should be reflected in each of the basic legal documents drawn up in respect of the establishment and functioning of each particular United Nations military observer mission.

Informal consultations were also held concerning the draft standard form of agreement between the United Nations and the host country submitted by Canada. Some members have already submitted preliminary observations on this draft.

13. With regard to chapter IV dealing with Financial Arrangements, discussion was continued regarding preparation of advance estimates of financial implications, the method and sources of financing and the responsibility for meeting costs to participating States over and above the costs of maintaining the same military personnel in their own countries.
14. All the members of the Working Group made arduous efforts to devise formulations in order to reach a consensus on the subject matter of the yet unagreed chapters (II, III, IV). In this connexion, it may be emphasized that the problems with which the Working Group has been faced and which are outlined in paragraphs 7-11 above are of a fundamental nature. The solution of these difficult problems will make possible an agreement on the three chapters in

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question and agreement on the five chapters already completed, thus enabling the completion of Model I. Such agreement will also facilitate the preparation of Model II. Even if it was not yet possible to reach an agreement on these questions, the Working Group feels that its methods and procedures nevertheless give hope that it will be possible to overcome the serious difficulties which have beset the Organization for many years.

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