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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. Saad Ahmed ALFARARGI (Egypt)

1. At its thirty-first session, the General Assembly, following consideration of the report of the Special Committee on Peace-keeping Operations, adopted resolution 31/105 of 15 December 1976, which reads 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, 2451 (XXIII) of 19 December 1968, 2670 (XXV) of 8 December 1970, 2835 (XXVI) of 17 December 1971, 2965 (XXVII) of 13 December 1972, 3091 (XXVIII) of 7 December 1973, 3239 (XXIX) of 29 November 1974 and 3457 (XXX) of 10 December 1975,

"Having examined the report of the Special Committee on Peace-keeping Operations 1/ and the report submitted to the Special Committee by its Working Group, 2/

"Conscious that there is urgent need for an early agreement on guidelines that would govern United Nations peace-keeping operations and strengthen the capability of the United Nations to respond to future peace-keeping needs in an effective manner,

"Noting that limited progress has been made towards the completion of agreed guidelines for conducting peace-keeping operations in conformity with the Charter of the United Nations,

1/ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 54, document A/31/337.

2/ Ibid., annex.

"Considering that a demonstration of political will and greater conciliation remain necessary for an early completion of such agreed guidelines,

"1. Takes note of the report of the Special Committee on Peace-keeping Operations;

"2. Requests the Special Committee and its Working Group to renew efforts and to intensify negotiations for an early completion of agreed guidelines for peace-keeping operations, in conformity with the Charter of the United Nations, before the thirty-second session of the General Assembly;

"3. Urges members of the Special Committee and its Working Group, including the permanent members of the Security Council represented therein, to demonstrate political will and a spirit of conciliation during the negotiations to be held in 1977;

"4. Requests the Special Committee to give further attention to the consideration of specific questions related to the practical implementation of peace-keeping operations;

"5. Requests the Special Committee to report to the General Assembly at its thirty-second session."

2. Following the adoption of General Assembly resolution 31/105, the Special Committee held three meetings, on 14 February, 17 June and 1 December 1977. The Working Group of the Special Committee held 25 meetings, on 18 to 21 April, 2 to 6 and 31 May, 8 to 10 and 13 June, 12 to 16 and 30 September, 4, 6 and 7 October and 28 November 1977. Brazil informed the Secretariat that it would not attend the Working Group's meetings held after the submission of the interim report (A/AC.121/L.29) dated 13 June 1977. Brazil also informed the Secretariat that it would not attend the 71st meeting of the Special Committee.

3. At its 69th meeting, on 14 February, the Special Committee agreed to authorize its Working Group to hold two series of meetings under the terms of General Assembly resolution 31/105 (see para. 1 above), to renew its efforts to complete agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations so that the Special Committee could submit them to the Assembly at its thirty-second session and to consider specific questions related to the practical implementation of such operations.

4. At the same meeting, the Special Committee re-elected its officers for a further term of one year.

5. At its 70th meeting, on 17 June, the Special Committee had before it an interim report of the Working Group (A/AC.121/L.29), which is annexed to the present report (annex I). The Special Committee considered the report and accepted it. It further decided to authorize its Working Group to hold a further series of meetings in order to renew efforts and intensify negotiations for early implementation of the mandate described in General Assembly resolution 31/105.

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6. At its 71st meeting, on 1 December, the Special Committee had before it the eleventh report of its Working Group (A/AC.121/L.30), which is annexed to the present report (annex II). The Committee considered the report and accepted it.

7. The Special Committee regrets that it has not yet been able to fulfil the task of achieving agreed guidelines for United Nations peace-keeping operations. In this connexion, the Special Committee wishes to reiterate the statement in its report to the General Assembly at its thirtieth session ^{3/} that the task of achieving such agreed guidelines is a difficult one, since the issues involved are of a fundamental nature. A demonstration of political will and greater conciliation are prerequisites in order to fulfil the Special Committee's mandate. The Special Committee also shares the opinion of its Working Group that, under appropriate mandate, further efforts should be made to intensify negotiations for an early completion of the agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations.

8. If the General Assembly extends the mandate of the Special Committee, the latter agrees with its Working Group that further consideration of specific questions related to the practical implementation of peace-keeping operations should be included in that mandate.

^{3/} Ibid., Thirtieth Session, Annexes, agenda item 51, document A/10366.

ANNEX I

Interim report of the Working Group*

Rapporteur: Mr. Saad Ahmed ALFARARGI (Egypt)

1. At its 69th meeting, held on 14 February 1977, the Special Committee on Peace-keeping Operations agreed to authorize its Working Group to hold two series of meetings under the terms of General Assembly resolution 31/105 of 15 December 1976, to renew its efforts to complete the agreed guidelines for carrying out peace-keeping operations in accordance with the Charter of the United Nations so that the Committee could submit them for the approval of the Assembly at its thirty-second session, and to consider specific measures relating to the practical implementation of peace-keeping operations. The Special Committee also decided to meet again at a time to be decided later to hear a report from the Working Group after its meetings, regardless of whether or not the Working Group achieved any positive results.
2. In accordance with this directive, the Working Group held two series of meetings, the first on 18-21 April (3 meetings) and the second on 2, 3, 4, 5, 6, 31 May, 8, 10, and 13 June 1977 (12 meetings).
3. The first series of meetings was devoted, without prejudice to the primary importance of reaching agreement on the guidelines for peace-keeping operations, to consideration of specific measures relating to the practical implementation of peace-keeping operations. With the consent of the Working Group, a group of six delegations (those of Austria, Canada, Denmark, Finland, Italy and Sweden) prepared a paper of their own on the "practical implementation of peace-keeping operations". A copy, which is a compendium of the common elements which emerged from the six original submissions of those delegations in 1976, is attached as appendix II. The Working Group did not reach any agreed conclusions on this topic.
4. In accordance with the decision of the Working Group as set forth in paragraph 8 of its tenth report (A/AC.121/L.27, 4 November 1976, also reproduced as the annex to A/31/337, the report of the Special Committee on Peace-keeping Operations of 23 November 1976) the Secretariat, in the context of giving further consideration to specific questions related to the practical implementation of peace-keeping operations, updated working file No. 1 of 15 April 1969. The results of this effort are available in working file No. 2, dated 11 April 1977 and entitled "Material on United Nations observer missions and peace-keeping forces authorized by the Security Council". Time was not available for discussion by the Working Group of this particular working file.
5. Since the issuance of the tenth report of the Working Group a/ one country,

* Previously issued under the symbol A/AC.121/L.29.

a/ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 54, document A/31/337, annex.

Norway, has replied to a letter which the Chairman of the Special Committee on Peace-keeping Operations and its Working Group sent on 23 November 1976 inviting comments on peace-keeping operations matters, in accordance with paragraph 7 of the tenth report. The text of this letter from Norway, dated 27 April 1977, is reproduced as appendix III to the present report.

6. The second series of the Working Group's meetings was devoted to efforts towards the completion, before the thirty-second session of the General Assembly, of the draft articles of guidelines for future United Nations peace-keeping operations under the authority of the Security Council and in accordance with the Charter of the United Nations. As the basis for its discussions the Working Group used working document No. 3, which formed appendix I of the Working Group's tenth report. Although it was not possible to finalize an agreed set of guidelines, the Working Group produced a draft text covering articles 5 to 13, entitled "Draft formulae for articles of agreed guidelines for United Nations peace-keeping operations which are to be discussed further in the Working Group". The square brackets which appear in articles 5, 6, 8, 10, 11 and 12 indicate the absence of agreement in said draft text, a copy of which is attached as appendix I. The absence of brackets in an article signifies that a single version of this article is under discussion. Article 13 has not yet been discussed.

7. The Working Group wishes to recall the following mandate given to the Special Committee in General Assembly resolution 31/105:

"The General Assembly,

...

"Requests the Special Committee and its Working Group to renew efforts and to intensify negotiations for an early completion of agreed guidelines for peace-keeping operations, in conformity with the Charter of the United Nations, before the thirty-second session of the General Assembly,

"Urges members of the Special Committee and its Working Group, including the permanent members of the Security Council represented therein, to demonstrate political will and a spirit of conciliation during the negotiations to be held in 1977;

"Requests the Special Committee to give further attention to the consideration of specific questions related to the practical implementation of peace-keeping operations,

"Requests the Special Committee to report to the General Assembly at its thirty-second session."

In view of this directive the Working Group recommends that the Special Committee authorize the Working Group to hold a further series of meetings in order to renew efforts and to intensify negotiations for early implementation of its mandate as described above.

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APPENDIX I

31 May 1977

Draft formulae for articles of agreed guidelines for United Nations peace-keeping operations which are to be discussed further in the Working Group

Article 5

The Security Council may delegate responsibilities to, or seek advice and assistance from, the Military Staff Committee established in accordance with Article 47 of the Charter of the United Nations. The Committee may invite any Members of the United Nations, in particular any non-permanent members of the Security Council or any States providing contingents or facilities and the Secretary-General or his authorized representative to associate themselves with it, when the efficient discharge of the Committee's responsibilities requires their participation in its work.

Article 6

Under the authority of the Security Council, the Secretary-General, by virtue of the powers which may be conferred on him by the Security Council, and in his capacity as the chief administrative officer of the Organization pursuant to Article 97 of the Charter of the United Nations is in charge of the implementation of shall direct peace-keeping operations receiving guidance from a subsidiary body of the Security Council. The Secretary-General shall contribute with all means at his disposal to giving effect to relevant decisions of the Security Council.

Article 7

The Security Council shall receive reports, and may request special reports from, issue instructions to and receive recommendations from the Secretary-General and any subsidiary body which may be established.

Article 8

The command in the field will be exercised by a force commander appointed on the proposal of the Secretary-General by the Secretary-General with the consent of by the Security Council. The Commander will be given necessary authority over all elements of the operation within the terms of the mandate and specific directives. The Commander shall co-operate through appropriate channels with the subsidiary body which the Security Council may establish to assist the Council.

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Article 9

It is essential that throughout the conduct of a United Nations peace-keeping operation it shall have the full confidence and backing of the Security Council. Such forces must operate with the full co-operation of the parties concerned, particularly of the Government of the host country, due account being taken of its sovereignty. Such forces must function as integrated and efficient military units and act with complete objectivity. It is also of the utmost importance to secure freedom of movement for each unit irrespective of its nationality.

Article 10

In the composition of a peace-keeping force established under the authority of the Security Council equitable geographical balance shall be one of the guiding principles /along with the necessity of securing the highest standards of efficiency, competence and integrity/. /Countries contributing contingents to peace-keeping operations must ensure that such contingents have the highest standards of efficiency, competence and integrity./ /The selection and replacement of the national contingents shall be /undertaken/ by the /Secretary-General with the/ agreement of the Security Council and the host country./

Article 11

The costs of peace-keeping operations authorized by the Security Council shall be considered as expenses of the Organization, to be borne by the members in accordance with Article 17, paragraph 2, of the Charter of the United Nations /or any other methods of financing which the Security Council may decide/ /unless decided otherwise/.

Article 12

To ensure the state of readiness of the United Nations for prompt and effective establishment of peace-keeping operations, the Security Council is recommended to take steps to facilitate the conclusion of /the agreements envisaged in Article 43 of the Charter or of other arrangements/ /preparedness arrangements/ in order fully to develop its peace-keeping capacity. Such /agreements/ /arrangements/ may provide that specific contingents can be employed by the Council in a particular operation with the consent of the respective Governments.

Article 13

To ensure the effective functioning of the operation, United Nations forces will enjoy privileges and immunities in accordance with legal arrangements on the status of forces to be decided by agreement between the United Nations and the host country.

APPENDIX II

Letter dated 6 June 1977 from the Counsellor of the Permanent Mission of Canada to the United Nations and Chairman of the Ad Hoc Drafting Group of the Working Group of the Special Committee on Peace-keeping Operations addressed to the Rapporteur of the Special Committee and its Working Group

In accordance with the United Nations General Assembly's resolution 31/105 on the "Comprehensive review of the whole question of peace-keeping operations in all their aspects", which was adopted on 15 December 1976, the Special Committee and its Working Group was enjoined both "to renew efforts and to intensify negotiations for an early completion of agreed guidelines for peace-keeping operations" and "to give further attention to the consideration of specific questions related to the practical implementation of peace-keeping operations". You will recall that at the first session of the Working Group, it was decided that the second part of the Committee's mandate should be tackled first. At that time the Canadian delegation suggested that, as one means of advancing the Committee's work on "practical matters", an ad hoc drafting group might be established to prepare a compendium of the common elements which emerged from the six submissions and statements b/ and other statements made to the Working Group in 1976. This informal suggestion was adopted by the Working Group and, accordingly, a drafting group, comprising representatives of all Member States which had made statements or had submitted written comments, was convened under Canadian chairmanship. This Ad Hoc Drafting Group was successful in preparing a draft document within 24 hours, but one, unfortunately, which was not endorsed by all of the delegations which had participated in its preparation.

When this "unagreed" paper was presented to the Working Group at a following session, some delegations expressed the view that it was unacceptable as a document of the Working Group as such, although it was conceded that a like paper could be appended to the Rapporteur's report as the contribution of one or more delegations. Accordingly, representatives of a group of Member States (all of whom happened to be from countries which had provided personnel to United Nations peace-keeping operations) met once again and concluded that the only "common elements" emerging from all the submissions/statements were those specifically related to proposals for improving the efficiency of peace-keeping operations in the field. Consequently, this group, without in any way denigrating the status or importance of the other more individual observations contained in the submissions/statements made to the Working Group in 1976, decided to concentrate its efforts upon the preparation of a redraft of the original paper which would be focused exclusively on those aspects which were directly relevant to the second part of the Committee's mandate, namely, "the consideration of specific questions related to the practical implementation of peace-keeping operations".

Five delegations (those of Austria, Canada, Denmark, Finland and Sweden) have

b/ Ibid., appendix II.

now prepared a "working paper", later co-sponsored by that of Italy, which is enclosed herewith and which we would appreciate having appended under cover of this letter (along with the Norwegian submission received in 1977) as annexes to the report of the Rapporteur of the Working Group to the Special Committee on Peace-keeping Operations. It is the hope of the authors of this working paper that the recommendations contained therein will receive the endorsement of the Special Committee and in due course of the United Nations General Assembly.

Working paper prepared by Austria, Canada, Denmark, Finland, Italy and Sweden on specific questions related to the practical implementation of peace-keeping operations based upon common elements contained in written submissions and statements made to the Working Group in 1976

1. In accordance with the United Nations General Assembly's resolution 31/105 on the "Comprehensive review of the whole question of peace-keeping operations in all their aspects", which was adopted on 15 December 1976, the Special Committee and its Working Group was enjoined both "to renew efforts and to intensify negotiations for an early completion of agreed guidelines for peace-keeping operations" and "to give further attention to the consideration of specific questions related to the practical implementation of peace-keeping operations". In preparing this paper and pursuant to the second part of this injunction from the General Assembly, reference was made to common elements which emerged from the various proposals for improving the efficiency of peace-keeping operations in the field as elaborated upon in the written submissions and statements made to the Working Group in 1976.
2. With respect to the practical implementation of United Nations peace-keeping operations, it would be useful if Member States could consider the establishment of stand-by national forces for utilization in emergency situations (as has already been done by, for example, Austria, Canada and the Nordic countries, cf., the Nordic study issued under symbol A/SPC/165 and dated 15 November 1973).
3. In order to ensure the timely operational effectiveness of peace-keeping forces upon their arrival in areas of crisis, prior national training for peace-keeping operations is most valuable, as has been certified by the Secretary-General of the United Nations in the introduction to his 1974 annual report. Prior training, drawing in particular upon the practical experience of Member States which have provided peace-keeping contingents, could also enhance the ability of the United Nations to meet future requirements in a less improvised and more efficient and economic way. This type of training, which is already carried out by some nations, could be assisted by the production of a manual or manuals designed to set common training goals to be achieved. Such a manual or manuals could facilitate the task of nations in conducting training in peace-keeping operations.
4. Training under United Nations auspices and/or co-ordination could take the form of training for officers designated to senior command or staff positions in

United Nations peace-keeping operations prior to taking up their appointments. In addition, training could be conducted on a regional/international basis - for example, along the lines of the seminars already conducted by the Nordic countries and in co-operation with the International Peace Academy by the Austrian and other Governments - with the co-operation and assistance of the United Nations. The production of a manual or manuals, as referred to in paragraph 3 above, would also serve to facilitate these types of training. In the preparation of such a manual or manuals, cognizance could be taken of existent national or other manuals and Secretariat papers.

5. It is therefore recommended:

(a) That Member States consider establishing stand-by forces for United Nations service;

(b) That Member States include training for United Nations peace-keeping operations in the programmes of their national forces;

(c) That a training manual or manuals on peace-keeping operations be prepared to facilitate training and to provide guidance for peace-keeping forces in the actual conduct of operations;

(d) That prior training, under United Nations auspices and/or co-ordination, be given to those officers designated to senior command or staff positions in United Nations peace-keeping operations;

(e) That the United Nations provide co-operation and assistance to regional/international seminars;

(f) That Member States be prepared to assist, if possible, in the preparation of a manual or manuals and in the provision of instructional staff for training.

APPENDIX III

Letter dated 27 April 1977 from the Permanent Representative
of Norway to the United Nations addressed to the Chairman of
the Special Committee and its Working Group

Referring to the letter of 23 November 1976 from Ambassador L. O. Harriman, Chairman of the Special Committee on Peace-keeping Operations, I have the honour to state below the viewpoints of the Government of Norway:

The Norwegian Government attaches the greatest importance to United Nations efforts in the field of peace-keeping. They constitute an essential element as regards the capacity of the world Organization to discharge its responsibilities concerning the maintenance of international peace and security. The Norwegian Government wishes to reiterate its view that the member countries bear a collective financial responsibility for peace-keeping operations under United Nations auspices.

The Norwegian Government considers the work assigned to the Special Committee on Peace-keeping Operations as being highly significant. Although Norway is not a member of this Committee, the Norwegian Government has followed with keen interest the work of the Committee as Norway is one of the countries which has contributed personnel to United Nations peace-keeping operations.

It has been a matter of disappointment in the past that it has proven difficult to achieve progress in the work of the Special Committee. Lately, however, there has been some progress towards the completion of agreed guidelines for carrying out United Nations peace-keeping operations. This development should be welcome by all Member States. The Norwegian Government trusts that the Special Committee will not fail to take advantage of this momentum and thus make further substantial progress in its work at an early date.

Norway has, together with Denmark, Finland and Sweden, also previously submitted its views on the United Nations peace-keeping operations to the Special Committee. In October 1973 the study "Nordic Stand-by Forces in the United Nations Service" was presented to the United Nations and to the Special Committee (A/SPC/165). This study deals with a number of practical questions related to the participation of national forces in United Nations peace-keeping operations.

It is an important part of the work of the Special Committee also to devote its time to the practical questions in connexion with peace-keeping operations, especially as regards the organizing and the conduct of such operations. Experience gained in the Middle East and Cyprus ought to form a valuable basis for the working out of appropriate manuals for forthcoming operations.

Another aspect which deserves attention is the training of selected personnel from potential participants in peace-keeping operations. It is the view of the

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Norwegian Government that the United Nations itself ought to take a more active role in this respect and extend offers of assistance in the field of training and education to member countries which are interested.

In concluding, Norway is willing always to share its experiences in the field of peace-keeping operations with the Special Committee and its Working Group.

ANNEX II

Eleventh report of the Working Group*

Rapporteur: Mr. Saad Ahmed ALFARARGI (Egypt)

1. At its 69th meeting, held on 14 February 1977, the Special Committee on Peace-keeping Operations decided to authorize its Working Group to hold two series of meetings under the terms of General Assembly resolution 31/105, to renew its efforts to complete the agreed guidelines for carrying out peace-keeping operations in accordance with the Charter of the United Nations so that the Committee could submit them to the Assembly at its thirty-second session, and to consider specific measures relating to the practical implementation of peace-keeping operations.
2. In accordance with this directive, the Working Group held two series of meetings, the first on 18-21 April (3 meetings) and the second on 2, 3, 4, 5, 6, 31 May, 8, 10, and 13 June 1977 (12 meetings). The first series of meetings was devoted, without prejudice to the primary importance of reaching agreement on the guidelines for peace-keeping operations, to consideration of specific measures related to the practical implementation of peace-keeping operations, and the second series to efforts to complete the draft articles of guidelines for future United Nations peace-keeping operations in accordance with the Charter of the United Nations.
3. The results of these two series of meetings are set forth in the Working Group's interim report to the Special Committee on Peace-keeping Operations dated 13 June 1977 (annex I above). The contents of that interim report, including three appendices, should be considered an integral part of the present report.
4. On 17 June 1977 the Special Committee on Peace-keeping Operations considered the interim report of the Working Group. At the end of the discussion, the Special Committee decided to authorize its Working Group to hold a further series of meetings in order to renew efforts and to intensify negotiations for early implementation of its mandate as described in General Assembly resolution 31/105.
5. In accordance with this additional directive, the Working Group held nine meetings from 12 September through 7 October 1977. A large proportion of the discussion at these meetings was devoted to efforts to complete agreed guidelines for future United Nations peace-keeping operations under the authority of the Security Council and in accordance with the Charter of the United Nations. However, some discussion at the meetings was devoted to specific questions related to the practical implementation of peace-keeping operations.

* Previously issued under the symbol A/AC.121/L.30.

6. In its consideration of agreed guidelines for peace-keeping operations in conformity with the Charter of the United Nations, the Working Group used as a basis for its discussion the draft formulas which were set forth in appendix I of its interim report. The Working Group also considered a number of concrete proposals which were put forward during the discussion with regard to draft formulas for articles 5 through 13. Various proposals which were set forth in working papers, copies of which are available with the Secretariat for the members of the Special Committee on Peace-keeping Operations, were considered in order to arrive at agreed single texts for articles of draft guidelines. These proposals were made without prejudice to the positions of principle of various delegations and did not lead to agreed texts because of objections by one or some delegations.

7. Though the Working Group could not reach agreement at this stage a set of draft guidelines for peace-keeping operations as requested by General Assembly resolution 31/105, it further elaborated some of the draft formulas of guidelines. The absence of square brackets in articles 5, 7 and 9 indicates that single versions of these articles are under discussion. The square brackets which appear in articles 6, 8, 10, 11 and 12 indicate the absence of agreement on these texts. The texts of these draft formulas of guidelines are set forth in appendix I to the present report.

8. In submitting the texts of these draft formulas to the Special Committee, the Working Group would like to emphasize that these texts represent a set of tentative and preliminary drafts which is not necessarily exhaustive and is subject to further consideration and that no provision of these texts should be referred to as having been agreed upon. In addition the further reservations set forth in paragraph 6 of the tenth report of the Working Group a/ are reiterated here and should be considered an integral part of this report. Some delegations wished to add to these reservations that article 13 should not be considered within the context of guidelines but only while elaborating practical measures. The Working Group considers that, under appropriate mandate, further efforts should be made to intensify negotiations for an early completion of the agreed guidelines for carrying out peace-keeping operations in accordance with the Charter of the United Nations.

9. During its discussion of specific questions related to the practical implementation of peace-keeping operations, in accordance with operative paragraph 4 of Assembly resolution 31/105, a number of suggestions contained in paragraph 5 of appendix II to this report were made. The Working Group did not reach any agreed conclusions on these suggestions.

10. The Working Group is of the view that, if, at its present session, the

a/ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 54, document A/31/337, annex.

General Assembly extends the mandate of the Special Committee, further consideration of specific questions related to the practical implementation of peace-keeping operations should be included in that mandate.

11. Finally, the Working Group held a meeting on 28 November to consider and approve the present report. This meeting and the others during the year were held under the chairmanship of the Chairman of the Special Committee on Peace-keeping Operations or, in his absence, of one of the four Vice-Chairmen, serving in rotation. Brazil informed the Secretariat that it would not attend the Working Group's meetings held after the submission of its interim report. The meetings were also attended by representatives of some of the members of the Special Committee, which are not members of the Working Group, as well as by representatives of some present or past troop-contributing countries.

APPENDIX I

Draft formulae for articles of agreed guidelines
for United Nations Peace-keeping Operations

Title

Draft articles of guidelines for future United Nations peace-keeping operations under the authority of the Security Council and in accordance with the Charter of the United Nations.

Introduction

The aim of the present draft guidelines is to ensure, by the acceptance of principles and the institution of methods, that peace-keeping operations shall be used in the common interests of the United Nations.

Article 1

/1. The Security Council has the authority over the establishment, direction and control of peace-keeping operations./

2. Responsibilities to be exercised directly by the Council in this respect are as follows:

1. Authorization;
2. Definition of purpose and mandate;
3. Kind of advice and assistance required by the Council;
4. Duration and related questions;
5. Financial arrangements;
6. Size (magnitude);
7. Authorization for appointment of deputy commanders;
8. Ultimate direction and control during the operation;
9. Subsequent alterations;
10. Agreements with contributing countries (model agreement and changes thereto);

/...

11. Agreements with host country (including model status of forces agreement and changes thereto);
12. Approval of roster of potential commanders.

Article 2

The Security Council may, in accordance with the provisions of the Charter of the United Nations, decide to delegate its authority over aspects of peace-keeping operations.

Article 3

In matters of peace-keeping all authority shall be exercised in conformity with relevant decisions of the Security Council.

Article 4

1. The Security Council may, at the time of establishment of a peace-keeping operation, decide to establish a committee under Article 29 of the Charter in order to assist the Council in the performance of its functions. The committee shall be directly responsible to the Security Council.
2. The committee shall consist of the following:
 - (a) The representatives of the five permanent members of the Security Council;
 - (b) The representatives of five non-permanent members designated by the Security Council, following a suitable system of rotation;
 - (c) The representatives of not more than five States designated by the Security Council from among those providing military contingents or personnel, also following a suitable system of rotation.

In the composition of the committee equitable geographical balance shall be one of the guiding principles.

3. As a general rule, and unless the committee decides otherwise, the representatives of countries where the peace-keeping operation is being conducted may attend the meetings of the committee and participate in the discussions.
4. Representatives of countries providing voluntarily on a substantial scale financial and other material contributions such as facilities, services and equipment, may be invited to attend the meetings of the committee and participate in the discussions.

5. The Secretary-General or his representative shall attend the meetings of the committee.
6. The committee shall meet as frequently as necessary for its work. It may also be convened at any time at the request of any one of its members, the Secretary-General, or the representative of a country where a peace-keeping operation is being conducted.
7. The committee shall report to the Security Council at its request. In addition, the committee may make special reports, with recommendations, if any, on matters regarding the peace-keeping operation requiring decision or the attention of the Council.
8. Decisions of the committee on procedural matters shall be made by an affirmative vote of a majority of the members of the committee. There will be no voting on other issues, and, in the absence of unanimity, the views expressed in the committee shall be reflected in the reports to the Security Council.

Article 5

The Security Council may delegate responsibilities to, or seek advice and assistance from, the Military Staff Committee established in accordance with Article 47 of the Charter of the United Nations. The Committee may invite any members of the United Nations, in particular any non-permanent members of the Security Council or any States providing contingents or facilities to associate themselves with it, when the efficient discharge of the Committee's responsibilities requires their participation in its work.

Article 6

The Secretary-General, under the authority of the Security Council, /shall direct the implementation of peace-keeping operations/ /shall direct peace-keeping operations/ /is in charge of the implementation of peace-keeping operations, receiving guidance from a subsidiary body of the Security Council/, within the mandate entrusted to him by the United Nations Charter, contributing with all means at his disposal to giving effect to relevant decisions of the Security Council.

Article 7

The Security Council shall receive reports, and may request special reports from, issue instructions to and receive recommendations from the Secretary-General and any subsidiary body which may be established.

Article 8

The command in the field will be exercised by a force commander appointed /on the proposal of the Secretary-General/ /by the Secretary-General/ /with the consent of/ /by/ the Security Council. The Commander will be given necessary authority over all elements of the operation within the terms of the mandate and specific directives. The Commander shall co-operate /through appropriate channels/ with the subsidiary body which the Security Council may establish to assist the Council.

Article 9

It is essential that throughout the conduct of a United Nations peace-keeping operation it shall have the full confidence and backing of the Security Council. Such forces must operate with the full co-operation of the parties concerned, particularly of the Government of the host country, due account being taken of its sovereignty. Such forces must function as integrated and efficient military units and act with complete objectivity. It is also of the utmost importance to secure freedom of movement for each unit irrespective of its nationality.

Article 10

In the composition of a peace-keeping force established under the authority of the Security Council equitable geographical balance shall be one of the guiding principles /along with the necessity of securing the over-all efficiency of the force/. /The selection and replacement of the national contingents shall be /undertaken/ by the /Secretary-General with the/ agreement of the Security Council and the host country./

Article 11

The costs of peace-keeping operations authorized by the Security Council shall be considered as expenses of the Organization, to be borne by the members in accordance with Article 17, paragraph 2, of the Charter of the United Nations /or any other methods of financing which the Security Council may decide/ /unless decided otherwise/.

Article 12

/To ensure the state of readiness of the United Nations for prompt and effective establishment of peace-keeping operations, the Security Council may take steps to facilitate the conclusion of agreements, whether for forces, assistance,

or facilities under Article 43 or other preparedness arrangements, in order fully to develop its peace-keeping capacity. Such agreements / arrangements may provide that specific contingents can be employed by the Council in a particular operation with the consent of the respective Governments.

Article 13

To ensure the effective functioning of the operation, United Nations forces will enjoy privileges and immunities in accordance with legal arrangements on the status of forces to be decided by agreement between the United Nations and the host country.

APPENDIX II

Letter dated 6 June 1977 from the Counsellor of the Permanent Mission of Canada to the United Nations and Chairman of the Ad Hoc Drafting Group of the Working Group of the Special Committee on Peace-keeping Operations addressed to the Rapporteur of the Special Committee and its Working Group

/See above annex I, appendix II./
