



First emergency special session

QUESTION CONSIDERED BY THE SECURITY COUNCIL AT ITS
749TH AND 750TH MEETINGS HELD ON 30 OCTOBER 1956

Second and final report of the Secretary-General on
the plan for an emergency international United
Nations force requested in the resolution adopted
by the General Assembly on 4 November 1956 (A/3276)

1. In the resolution of 4 November 1956 (A/3276), concerning an emergency international United Nations force, the General Assembly requested the Secretary-General, as a matter of priority, to submit to it within forty-eight hours a plan for the setting up, with the consent of the nations concerned, of such a force in order to secure and supervise the cessation of hostilities in accordance with all the terms of the resolution of 2 November 1956 (A/3256). In pursuance of this request I have the honour to submit this second and final report.
2. In my first report (A/3289) on this matter, submitted on 4 November 1956, to the General Assembly, I gave an account of the initial consultations with delegations and submitted for consideration a proposal for the immediate establishment of a United Nations Command for the purpose in question. A resolution sponsored by Canada, Colombia and Norway, based on this report, was adopted by the General Assembly on 5 November 1956 (A/3290).
3. In my first report, I touched briefly on various questions which would arise in setting up the projected United Nations Force. After further consideration and consultations, I have the honour to submit herewith the conclusions which I have been able to reach within the short time at my disposal.

QUESTIONS OF PRINCIPLE

4. An emergency international United Nations force can be developed on the basis of three different concepts.

It can, in the first place, be set up on the basis of principles reflected in the constitution of the United Nations itself. This would mean that its chief responsible officer should be appointed by the United Nations, and that he, in his functions, should be responsible ultimately to the General Assembly and/or the Security Council. His authority should be so defined as to make him fully independent of the policies of any one nation. His relations to the Secretary-General of the United Nations should correspond to those of the Chief of Staff of the United Nations Truce Supervision Organization.

A second possibility is that the United Nations charge a country, or a group of countries, with the responsibility to provide independently for an international force serving for purposes determined by the United Nations. In this case it would obviously be impossible to achieve the same independence in relation to national policies as would be established through the first approach.

Finally, as a third possibility, an international force may be set up in agreement among a group of nations, later to be brought into an appropriate relationship to the United Nations. This approach is open to the same reservation as the second one, and possibly others.

Variations of form, of course, are possible within a wide range, but the three concepts mentioned seem to circumscribe the problem.

5. In the decision on the establishment of the United Nations Command, on an emergency basis, which the General Assembly took on 5 November 1956, the Assembly chose to follow the first of the three types mentioned in paragraph 4. The second type was that followed in the case of the Unified Command in Korea. There is no precedent for the use of the third type, but it would seem to represent one of the possible forms for implementation of the suggestion in the replies of 5 November 1956 of the Governments of France and the United Kingdom to my request for a cease-fire (A/3294 and A/3293). In attempting

to work out a plan for setting up a United Nations force, I have based my considerations on the legal situation created by the decision in principle of the General Assembly, implied in the request of the Assembly to me to submit within forty-eight hours a plan for such a force, and in its later decision to establish a United Nations Command, in implementation of this first resolution.

6. In its resolution on the United Nations Command, the General Assembly authorized the Chief of Command, in consultation with the Secretary-General, to recruit officers from the Truce Supervision Organization, or directly from various Member States other than the permanent members of the Security Council. This recruitment procedure affords an important indication of the character of the Force to be set up. On the one hand, the independence of the Chief of Command in recruiting officers is recognized. On the other hand, the principle is established that the Force should be recruited from Member States other than the permanent members of the Security Council. The first of these elements in the new approach has an important bearing on the interpretation of the status of the Chief of Command. The second point has an equally important bearing on the character of the whole Command. It may in this context be observed that the Anglo-French proposal, to which I have already referred, may imply that the question of the composition of the staff and contingents should be subject to agreement by the parties involved, which it would be difficult to reconcile with the development of the international Force along the course already being followed by the General Assembly.

7. The resolution in which the General Assembly requests the Secretary-General to submit a plan for the international Force gives further guidance. Thus, it is said that the Force should be set up on an "emergency" basis. The situation envisaged is more clearly defined in the terms of reference of the Force which are "to secure and supervise the cessation of hostilities in accordance with all the terms" of the General Assembly resolution of 2 November 1956 (A/3256).

8. A closer analysis of the concept of the United Nations Force, based on what the General Assembly has stated in its resolution on the matter, indicates that the Assembly intends that the Force should be of a temporary nature, the length of its assignment being determined by the needs arising out of the present conflict. It is further clear that the General Assembly, in its resolution of 5 November 1956, by the reference to its resolution of 2 November, has wished to reserve for itself the full determination of the tasks of this emergency Force, and of the legal basis on which it must function in fulfilment of its mission. It follows from its terms of reference that there is no intent in the establishment of the Force to influence the military balance in the present conflict and, thereby, the political balance affecting efforts to settle the conflict. By the establishment of the force, therefore, the General Assembly has not taken a stand in relation to aims other than those clearly and fully indicated in its resolution of 2 November 1956.

9. Functioning, as it would, on the basis of a decision reached under the terms of the resolution "Uniting for Peace", the Force, if established, would be limited in its operations to the extent that consent of the parties concerned is required under generally recognized international law. While the General Assembly is enabled to establish the Force with the consent of those parties which contribute units to the Force, it could not request the Force to be stationed or operate on the territory of a given country without the consent of the Government of that country. This does not exclude the possibility that the Security Council could use such a Force within the wider margins provided under Chapter VII of the United Nations Charter. I would not for the present consider it necessary to elaborate this point further, since no use of the Force under Chapter VII, with the rights in relation to Member countries that this would entail, has been envisaged.

10. The point just made permits the conclusion that the setting up of the Force should not be guided by the needs which would have existed had the measure been considered as part of an enforcement action directed against a Member country. There is an obvious difference between establishing the Force in order to secure the cessation of hostilities, with a withdrawal of forces, and establishing such a Force with a view

to enforcing a withdrawal of forces. It follows that while the Force is different in that, as in many other respects, from the observers of the Truce Supervision Organization, it is, although para-military in nature, not a force with military objectives.

QUESTIONS OF FUNCTIONS

11. The question of determining the functions of the United Nations Force has been dealt with in part in the preceding paragraphs. It is difficult in the present situation and without further study to discuss it with any degree of precision. However, the general observations which are possible should at this stage be sufficient.

12. In the General Assembly resolution the terms of reference are, as already stated, "to secure the cessation of hostilities in accordance with all the terms" of the resolution of 2 November 1956. This resolution urges that "all parties now involved in hostilities in the area agree to an immediate cease-fire and as part thereof halt the movement of military forces and arms into the area;" and also "urges the parties to the Armistice Agreements promptly to withdraw all forces behind the armistice lines, to desist from raids across the armistice lines into neighbouring territory, and to observe scrupulously the provisions of the Armistice Agreements." These two provisions combined indicate that the functions of the United Nations Force would be, when a cease-fire is being established, to enter Egyptian territory with the consent of the Egyptian Government, in order to help maintain quiet during and after the withdrawal of non-Egyptian troops, and to secure compliance with the other terms established in the resolution of 2 November 1956. The Force obviously should have no rights other than those necessary for the execution of its functions, in co-operation with local authorities. It would be more than an observers' corps, but in no way a military force temporarily controlling the territory in

which it is stationed; nor, moreover, should the Force have military functions exceeding those necessary to secure peaceful conditions on the assumption that the parties to the conflict take all necessary steps for compliance with the recommendations of the General Assembly. Its functions can, on this basis, be assumed to cover an area extending roughly from the Suez Canal to the armistice demarcation lines, established in the Armistice Agreement between Egypt and Israel.

QUESTIONS OF SIZE AND ORGANIZATION OF THE FORCE

13. Time has so far not permitted the necessary technical studies. It is therefore not yet possible to say what should be the size of the Force. In my first report, I pointed out that the situation is likely to involve two stages: the first one when certain immediate tasks have to be fulfilled, the second one when somewhat different tasks, although within the framework set out in paragraph 12 above, will fall upon the Force. It is likely that the size of the Force will require some adjustment to the development of the tasks. Further study of such matters is required, and I have invited the Chief of the United Nations Command, Major-General E.L.M. Burns, to present his views urgently.

14. It is not possible at this time to make any proposals as to the general organization of the Force beyond those clearly following from the resolution of 4 November 1956. General experience seems to indicate that it is desirable that countries participating in the Force should provide self-contained units in order to avoid the loss of time and efficiency which is unavoidable when new units are set up through joining together small groups of different nationalities. The question requires additional study and is obviously closely linked to the condition that various Member countries will provide sufficiently large units. The difficulty in presenting a detailed plan of organization need not delay the establishment

of the Force. It is likely that during the first period, at all events, the Force would have to be composed of a few units of battalion strength, drawn from countries or groups of countries which can provide such troops without delay. It is my endeavour in the approaches to Governments to build up a panel sufficiently broad to permit such a choice of units as would provide for a balanced composition in the Force. Further planning and decisions on organization will to a large extent have to depend on the judgement of the Chief of Command and his staff.

QUESTIONS OF FINANCING

15. The question of how the Force should be financed likewise requires further study. A basic rule which, at least, could be applied provisionally, would be that a nation providing a unit would be responsible for all costs for equipment and salaries, while all other costs should be financed outside the normal budget of the United Nations. It is obviously impossible to make any estimate of the costs without a knowledge of the size of the corps and the length of its assignment. The only practical course, therefore, would be for the General Assembly to vote a general authorization for the cost of the Force on the basis of general principles such as those here suggested.

QUESTIONS OF RECRUITMENT

16. Time permitted me to discuss the question of participation in the Force with only a limited number of Member Governments. Offers of assistance in writing so far received are annexed to the present report. In other cases than those covered by the annexed letters, the question of participation is under consideration by the Governments. It is my hope that broader participation will be possible as soon as a plan is approved, so that a more definite judgement may be possible concerning the implications of participation. The reactions so far received lead me to believe that it should be possible to meet quickly at least the most basic need for personnel. The possibilities, as finally established, may call for an adjustment later of the size and organization of the Force in relation to what would in principle be the most satisfactory solution.

GENERAL QUESTIONS

17. In my first report it was stated that the later stage in the development to which I referred in paragraph 13 above "is likely to correspond to a period where the functions should be viewed in the light of efforts over a longer range". While mentioning this point I reserved my right to elaborate the consideration briefly dealt with. After further reflection, I would not for the present, wish to go beyond what I have said on the subject in previous parts of the present report, especially concerning the functions of the force. It would be premature to express views on problems likely to arise after the immediate crisis is passed.

18. On several matters mentioned above it has been necessary to leave the question open. This is explained in part by a lack of time, and in part by the need for further study. I suggest that these open matters be submitted to exploration by a small committee of the General Assembly; this body, if established, might also serve as an Advisory Committee to the Secretary-General for questions relating to the operations. On the other hand, on all points where a decision of significance to the further development of the plan seems possible now, the General Assembly should proceed to action forthwith.

19. I am fully aware of the exploratory character of this plan in many respects. Time is vital and this is some excuse not only for the lack of detail in this first approach but also for decisions by the General Assembly reached in more general terms than is customary. If the Force is to come into being with all the speed indispensable to its success, a margin of confidence must be left to those who will carry the responsibility for putting the decisions of the General Assembly into effect.

ANNEX 1

LETTER DATED 4 NOVEMBER 1956 FROM THE SECRETARY
OF STATE FOR EXTERNAL AFFAIRS OF CANADA,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 4 November 1956

[ORIGINAL: ENGLISH]

With respect to the proposed international United Nations force referred to in resolution A/3276, approved by the General Assembly on 3 November 1956, the Canadian Government has decided to make an appropriate contribution, the details of which will be communicated to you shortly, subject to the required constitutional action which will be put in motion without delay.

(Signed) L.B. PEARSON
Secretary of State for
External Affairs

ANNEX 2

LETTER DATED 4 NOVEMBER 1956 FROM THE PERMANENT REPRESENTATIVE
OF COLOMBIA TO THE UNITED NATIONS, ADDRESSED TO THE
SECRETARY-GENERAL

New York, 4 November 1956

[ORIGINAL: SPANISH]

I beg to inform you that my Government, faithful to its tradition of respect for international commitments, is ready to send the military forces for which you asked me this morning, in pursuance of resolution A/3275 adopted by the First Emergency Assembly in the early hours of today.

It will of course be necessary, in conformity with resolutions A/3256 and A/3275 and the ideas on solidarity and collective measures discussed in the Committee of the United Nations, to agree upon the details, conditions and methods of co-operation to be afforded to the United Nations by those countries contributing armed forces to the establishment of the proposed emergency force.

(Signed) Francisco URRUTIA
Permanent Representative
of Colombia

ANNEX 3

LETTER DATED 5 NOVEMBER 1956 FROM THE PERMANENT
REPRESENTATIVE OF DENMARK TO THE UNITED NATIONS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 5 November 1956

ORIGINAL: ENGLISH

In reply to your inquiry yesterday concerning the possibility of assistance from Denmark in the setting up of an emergency international United Nations force to secure and supervise the cessation of hostilities in the Suez Canal area in accordance with the terms of the resolution of 4 November 1956 (A/3276), I hereby have the honour to state that the Danish Government accepts participation in the projected force on condition that the Danish Parliament gives its consent, which will be sought Tuesday, 6 November.

(Signed) Karl I. ESKELUND
Permanent Representative of
Denmark to the United Nations

ANNEX 4

LETTER DATED 4 NOVEMBER 1956 FROM THE PERMANENT
REPRESENTATIVE OF NORWAY TO THE UNITED NATIONS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 4 November 1956

ORIGINAL: ENGLISH

In response to your request I have the honour to inform you that my Government has given immediate consideration to the question of the dispatch of a Norwegian Military Unit to the area of conflict in the Middle East to be put at the disposal of the United Nations Command. Such a unit will be available at the earliest possible moment and will be transferred in accordance with directions which may be issued to my Government by the United Nations Command.

(Signed) Hans ENGEN
Permanent Representative
of Norway to the United
Nations

ANNEX 5

SECOND LETTER DATED 5 NOVEMBER 1956 FROM THE PERMANENT
REPRESENTATIVE OF NORWAY TO THE UNITED NATIONS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 5 November 1956,

ORIGINAL: ENGLISH

I have the honour to inform you about the following message which I received today from my Government:

"The Storting (Parliament) today 5 November unanimously approved a bill authorizing the Government to put at the disposal of the United Nations Command for an Emergency International Force one Infantry Company (some 190 men). The Company is ready for dispatch to the area tonight and stands ready for immediate dispatch upon the receipt of instructions with respect to time of departure and means of transportation. The Government feels that it is of utmost importance that the Emergency International Forces be established at the earliest possible moment in order to facilitate the prompt cessation of hostility and evacuation of foreign troops in the area."

(Signed) Hans ENGEN
Permanent Representative of Norway
to the United Nations

ANNEX 6

LETTER DATED 5 NOVEMBER 1956 FROM THE PERMANENT
REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 5 November 1956

ORIGINAL: ENGLISH

I have the honour, upon instructions from my Government, to inform you with reference to the resolution adopted on 4 November 1956 at the first emergency special session of the General Assembly (document No. A/3290) that the Government of Pakistan offers to contribute a contingent of Pakistan armed forces for the emergency international United Nations force.

(Signed) M. Mir KHAN
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Pakistan to the
United Nations

ANNEX 7

LETTER DATED 5 NOVEMBER 1956 FROM THE PERMANENT
REPRESENTATIVE OF SWEDEN TO THE UNITED NATIONS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 5 November 1956

[ORIGINAL: ENGLISH]

In reply to our conversation yesterday I have the honour to inform you that I am directed by my Government to state the following.

The Swedish Government are prepared, in principle, to establish a Swedish military unit, to be included in the emergency international force, which is to be organized in accordance with the resolutions of the General Assembly of 4 and 5 November 1956, with a view to secure and supervise the cessation of the hostilities in the Middle East in accordance with the resolution of the General Assembly of 2 November.

The Swedish Government presume that the task of the force should be limited to the objective, set out in the above mentioned resolution of 4 and 5 November, and that it should not imply that the force should remain on watch duty in the area for an unspecified period of time, or pending the solution of the political questions affecting that area.

Further, the Swedish Government presume that the Swedish unit shall not be stationed in foreign territory without the consent of the State concerned, and that the costs involved will, to a considerable extent, be borne by the United Nations in accordance with a specific agreement to be concluded for that purpose with the United Nations.

(Signed) Gunnar JARRING
Permanent Representative
