

I have the honour to refer to your report of 12 July 1994 on the situation in Yemen. The members of the Security Council welcome this report and are grateful to you and your Special Envoy for your efforts pursuant to Council resolutions 924 (1994) of 1 June 1994 and 931 (1994) of 29 June 1994.

The members of the Council agree that the cessation of fighting in the Republic of Yemen, in itself, will not bring a lasting solution to the crisis in that country and that it is essential to start a process of political dialogue between the parties.

The members of the Council expect the Government of the Republic of Yemen to fulfil the commitments and decisions contained in the letter from the Acting Prime Minister, referred to in paragraph 15 of your report, in accordance with resolutions 924 (1994) and 931 (1994), which have been accepted by the Government of the Republic of Yemen, and international

humanitarian law. Refugees and displaced persons must be allowed to return in safety to their homes.

The members of the Council are concerned at reports of continuing looting in Aden. They agree that firm action is urgently needed to put an end to such acts. They also remain concerned at the humanitarian situation in the Republic of Yemen and look forward to the United Nations inter-agency assessment of the humanitarian needs of the country.

The members of the Council welcome your readiness to continue to use your good offices, including through your Special Envoy, to bring about reconciliation in Yemen and to extend all possible help and cooperation, and urge the parties to cooperate fully with you to this end.

## Thematic issues

### 27. Items relating to an Agenda for Peace

#### A. An agenda for peace: preventive diplomacy, peacemaking and peacekeeping

##### Decision of 28 January 1993 (3166th meeting): statement by the President

At its 3166th meeting, on 28 January 1993, the Security Council included in its agenda the report of the Secretary-General of 17 June 1992 entitled “An agenda for peace: preventive diplomacy, peacemaking and peacekeeping”,<sup>1</sup> which was submitted pursuant to the statement adopted at the summit meeting of the Security Council on 31 January 1992.<sup>2</sup> Following the adoption of the agenda, the President (Japan) stated that, following consultations with the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>3</sup>

The Security Council has continued its examination of the Secretary-General’s report entitled “An Agenda for Peace”.

The Council notes with appreciation the views of the Secretary-General, as presented in paragraphs 63, 64 and 65 of his report, concerning cooperation with regional arrangements and organizations.

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<sup>1</sup> S/24111.

<sup>2</sup> S/23500. See Supplement 1989-1992 to the *Repertoire*, chap. VIII, sect. 28.

<sup>3</sup> S/25184.

Bearing in mind the relevant provisions of the Charter of the United Nations, the pertinent activities of the General Assembly and the challenges to international peace and security in the new phase of international relations, the Council attaches great importance to the role of regional arrangements and organizations and recognizes the need to coordinate their efforts with those of the United Nations in the maintenance of international peace and security.

While reaffirming its primary responsibility for the maintenance of international peace and security and being aware of the variety of mandate, scope and composition of regional arrangements and organizations, the Council encourages and, where appropriate, supports such regional efforts as undertaken by regional arrangements and organizations within their respective areas of competence in accordance with the purposes and principles of the Charter of the United Nations.

The Council therefore invites, within the framework of Chapter VIII of the Charter, regional arrangements and organizations to study, on a priority basis, the following:

- ways and means to strengthen their functions to maintain international peace and security within their areas of competence, paying due regard to the characteristics of their respective regions. Taking into account the matters of which the Council has been seized and in accordance with the Charter, they might consider, in particular, preventive diplomacy including fact-finding, confidence-building, good offices and peacebuilding and, where appropriate, peacekeeping;
- ways and means further to improve coordination of their efforts with those of the United Nations. Being aware of the variety of mandate, scope and composition of regional

arrangements and organizations, the Council stresses that the forms of interaction of these arrangements and organizations with the United Nations should be flexible and adequate to each specific situation. These may include, in particular, the exchange of information and consultations with the Secretary-General or, where appropriate, his special representative, with a view to enhancing the United Nations capability including monitoring and early-warning; participating as observers in the sessions and the work of the General Assembly; secondment of officials to the United Nations Secretariat; making timely and specific requests for United Nations involvement; and a readiness to provide necessary resources.

The Council requests the Secretary-General:

- to transmit this statement to those regional arrangements and organizations which have received a standing invitation to participate in the work of the General Assembly as observers, and to other regional arrangements and organizations, with a view to promoting the aforementioned studies and encouraging the replies to the United Nations;
- to submit to the Council as soon as possible and preferably by the end of April 1993 a report concerning the replies from the regional arrangements and organizations.

The Council invites the States which are members of regional arrangements and organizations to play a constructive role in the consideration by their respective arrangements and organizations of ways and means to improve coordination with the United Nations.

In discharging its responsibilities, the Council will take into account the replies as well as the specific nature of the issue and the characteristics of the region concerned. The Council considers it important to establish such forms of cooperation between the United Nations and the regional arrangements and organizations, in the area of maintaining peace and security, that are appropriate to each specific situation.

The Council, noting the constructive relationship it has maintained with the League of Arab States, the European Community, the Organization of the Islamic Conference, the Organization of American States and the Organization of African Unity, supports the intention of the Secretary-General as described in paragraph 27 of his report to ask regional arrangements and organizations that have not yet sought observer status at the United Nations to do so.

The Council notes the importance of the understanding reached at the Conference on Security and Cooperation in Europe to consider the CSCE a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations and of the further examination within the framework of the CSCE of the practical implications of this understanding. The Council welcomes the role of the CSCE, together with the European

Community, in the implementation of action required to carry out the pertinent resolutions of the Council.

The Council intends to continue its consideration of the report of the Secretary-General, as indicated in the President's statement of 29 October 1992.

**Decision of 26 February 1993 (3178th meeting):  
statement by the President**

At its 3178th meeting, on 26 February 1993, the Council included in its agenda the report of the Secretary-General of 17 June 1992.<sup>4</sup> Following the adoption of the agenda, the President (Morocco) stated that, following consultations with the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>5</sup>

The Security Council has continued its examination of the report of the Secretary-General entitled "An Agenda for Peace".

The Council welcomes the observations contained in "An Agenda for Peace" concerning the question of humanitarian assistance and its relationship to peacemaking, peacekeeping and peacebuilding, in particular those contained in paragraphs 29, 40 and 56 to 59. It notes that in some particular circumstances there may be a close relationship between acute needs for humanitarian assistance and threats to international peace and security.

In this respect, the Council notes the Secretary-General's assessment that the impartial provision of humanitarian assistance could be of critical importance in preventive diplomacy.

Recalling its statement on fact-finding in connection with "An Agenda for Peace", the Council recognizes the importance of humanitarian concerns in conflict situations and thus recommends that the humanitarian dimension should be incorporated in the planning and dispatching of fact-finding missions. It also recognizes the need to include this aspect in connection with information-gathering and analysis, and encourages Member States concerned to provide the Secretary-General and the Governments concerned with relevant humanitarian information.

The Council notes with concern the incidence of humanitarian crises, including mass displacements of population, becoming or aggravating threats to international peace and security. In this connection, it is important to include humanitarian considerations and indicators within the context of early-warning information capacities as referred to in paragraphs 26 and 27 of "An Agenda for Peace". The Council emphasizes the role of the Department of Humanitarian Affairs in coordinating the activities of the various agencies and functional offices of the United Nations. It believes that this capacity

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<sup>4</sup> S/24111.

<sup>5</sup> S/25344.

should be utilized systematically at a pre-emergency phase to facilitate planning for action to assist Governments in averting crises that could affect international peace and security.

The Council notes the ongoing and constructive collaboration between the United Nations and various regional arrangements and organizations, within their respective areas of competence, in identifying and addressing humanitarian emergencies, in order to solve crises in a manner appropriate to each specific situation. The Council also notes the important role which is being played by non-governmental organizations, in close cooperation with the United Nations, in the provision of humanitarian assistance in emergency situations around the world. The Council commends this cooperation and invites the Secretary-General to further explore ways in which this cooperation can be advanced in order to enhance the capacity of the United Nations to prevent and respond to emergency situations.

The Council expresses concern about the increased incidence of deliberate obstruction of delivery of humanitarian relief and violence against humanitarian personnel, as well as misappropriation of humanitarian assistance, in many parts of the world, in particular in the former Yugoslavia, Iraq and Somalia, where the Council has called for secure access to affected populations for the purpose of providing humanitarian assistance. The Council stresses the need for adequate protection of personnel involved in humanitarian operations, in accordance with relevant norms and principles of international law. The Council believes that this matter requires urgent attention.

The Council believes that humanitarian assistance should help establish the basis for enhanced stability through rehabilitation and development. The Council thus notes the importance of adequate planning in the provision of humanitarian assistance in order to improve prospects for rapid improvement of the humanitarian situation. It also notes, however, that humanitarian considerations may become or continue to be relevant during periods in which the results of peacemaking and peacekeeping efforts are beginning to be consolidated. The Council thus recognizes the importance of ensuring a smooth transition from relief to development, and notes that the provision of coordinated humanitarian assistance is among the basic peacebuilding tools available to the Secretary-General. In particular, it fully endorses the Secretary-General's observations in paragraph 58 of "An Agenda for Peace" regarding the problem of land mines and invites him to address this as a matter of special concern.

The Council intends to continue its consideration of the report of the Secretary-General, as indicated in the President's statement of 29 October 1992.

**Decision of 31 March 1993 (3190th meeting):  
statement by the President**

At its 3190th meeting, on 31 March 1993, the Council resumed its consideration of the item. Following the adoption of the agenda, the President

(New Zealand) stated that, following consultations with the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>6</sup>

The Security Council has continued its examination of the report of the Secretary-General entitled "An Agenda for Peace", including the problem identified in paragraphs 66 to 68 — the safety of United Nations forces and personnel deployed in conditions of strife. The Council has considered this question with regard to persons deployed in connection with a Council mandate.

The Council commends the Secretary-General for drawing attention to this problem, including the unconscionable increase in the number of fatalities and incidents of violence involving United Nations forces and personnel. The Council shares fully the Secretary-General's concerns.

The Council recognizes that increasingly it has found it necessary, in discharging its responsibility for the maintenance for international peace and security, to deploy United Nations forces and personnel in situations of real danger. The Council greatly appreciates the courage and commitment of these dedicated people who accept considerable personal risk in order to implement the mandates of this Organization.

The Council recalls that it has been necessary on a number of occasions to condemn incidents directed against United Nations forces and personnel. It deplores the fact that, despite its repeated calls, incidents of violence continue.

The Council considers that attacks and other acts of violence, whether actual or threatened, including obstruction or detention of persons, against United Nations forces and personnel are wholly unacceptable and may require the Council to take further measures to ensure the safety and security of such forces and personnel.

The Council reiterates its demand that States and other parties to various conflicts take all possible steps to ensure the safety and security of United Nations forces and personnel. It further demands that States act promptly and effectively to deter, prosecute and punish all those responsible for attacks and other acts of violence against such forces and personnel.

The Council notes the particular difficulties and dangers that can arise where United Nations forces and personnel are deployed in situations where the State or States concerned are unable to exercise jurisdiction in order to ensure the safety and security of such forces and personnel, or where a State is unwilling to discharge its responsibilities in this regard. In such an eventuality, the Council may consider measures appropriate to the particular circumstances to ensure that persons responsible for attacks and other acts of violence against United Nations forces and personnel are held to account for their actions.

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<sup>6</sup> S/25493.

The Council requests the Secretary-General to report as soon as possible on the existing arrangements for the protection of United Nations forces and personnel, and the adequacy thereof, taking into account, inter alia, relevant multilateral instruments and status of forces agreements concluded between the United Nations and host countries, as well as comments he may receive from Member States, and to make such recommendations as he considers appropriate for enhancing the safety and security of United Nations forces and personnel.

The Council will consider the matter further in the light of the Secretary-General's report and of work done in the General Assembly and its subsidiary bodies, including, in particular, the Special Committee on Peacekeeping Operations established pursuant to General Assembly resolution 2006 (XIX). In that regard, the Council recognizes the need for all relevant bodies of the Organization to take concerted action to enhance the safety and security of United Nations forces and personnel.

The Council intends to continue its consideration of the report of the Secretary-General entitled "An Agenda for Peace", as indicated in the President's statement of 29 October 1992.

**Decision of 30 April 1993 (3207th meeting):  
statement by the President**

At its 3207th meeting, on 30 April 1993, the Council resumed its consideration of the item. Subsequent to the adoption of the agenda, the President (Pakistan) stated that, following consultations with the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>7</sup>

Continuing its examination of the Secretary-General's report entitled "An Agenda for Peace", the Security Council during the month of April 1993, emphasizing the importance of building strong foundations for peace in all countries and regions of the world, considered the subject of post-conflict peacebuilding.

The Council supports the view that the United Nations, in order to meet its responsibilities in the context of international peace and security, should view its objectives in respect of economic and social cooperation and development with the same sense of responsibility and urgency as its commitments in the political and security areas.

The Council stresses that, in examining the question of post-conflict peacebuilding, it wishes to highlight the importance and the urgency of the work of the United Nations in the field of development cooperation, without prejudice to the recognized priorities for the activities of the United Nations in that field as defined by the competent bodies.

The Council took note of the Secretary-General's observation that, to be truly successful, peacemaking and

peacekeeping operations "must come to include comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people". It agreed that in addition to the specific measures mentioned by the Secretary-General in paragraph 55 of his report, "An Agenda for Peace", activities such as disarming and demobilization of belligerent forces and their reintegration into society, electoral assistance, the restoration of national security through formation of national defence and police forces and mine-clearing, where appropriate and within the framework of comprehensive settlements of conflict situations, strengthen national political structures and enhance institutional and administrative capabilities and are important in restoring a sound basis for sustainable peace.

The Council further agrees that in the aftermath of an international conflict, peacebuilding may, inter alia, include measures and cooperative projects linking two or more countries in mutually beneficial undertakings which contribute not only to economic, social and cultural development but also enhance mutual understanding and confidence that are so fundamental to peace.

In discharging its responsibilities in the prevention of breaches of peace and in the resolution of conflicts, the Council encourages coordinated action by other components of the United Nations system to remedy the underlying causes of threats to peace and security. The Council is convinced that the organizations and agencies of the United Nations system, in the development and implementation of their programmes, need to be constantly sensitive to the goal of strengthening international peace and security as envisaged in Article 1 of the Charter.

The Council recognizes that post-conflict peacebuilding, in the context of overall efforts to build the foundations of peace, in order to be effective, also needs adequate financial resources. The Council, therefore, recognizes that it is important for Member States and financial and other United Nations bodies and agencies, as well as other organizations outside the United Nations system, to make all possible efforts to have adequate funding available for specific projects, such as the earliest possible return of refugees and displaced persons to their homes of origin, in post-conflict situations.

The Security Council, as the organ having primary responsibility for the maintenance of international peace and security, fully recognizes, as stated in paragraph 59 of "An Agenda for Peace", that social peace is as important as strategic or political peace and supports the Secretary-General's view that there is a new requirement for technical assistance for the purposes described in that paragraph.

The Council intends to continue its consideration of the Secretary-General's report entitled "An Agenda for Peace", as indicated in the President's statement of 29 October 1992.

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<sup>7</sup> S/25696.

**Decision of 28 May 1993 (3225th meeting):  
statement by the President**

At its 3225th meeting, on 28 May 1993, the Council resumed its consideration of the item. Following the adoption of the agenda, the President (Russian Federation) stated that, following consultations with the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>8</sup>

In accordance with its statement of 29 October 1992, the Security Council held a special meeting devoted to the Secretary-General's report entitled "An Agenda for Peace". This meeting concluded the present stage of the examination of this report by the Council. On this occasion, the Council wishes to express once again its gratitude to the Secretary-General for this report.

The Security Council recommends that all States make participation in and support for international peacekeeping a part of their foreign and national security policy. It considers that United Nations peacekeeping operations should be conducted in accordance with the following operational principles consistent with the provisions of the Charter of the United Nations: a clear political goal with a precise mandate subject to periodic review and to change in its character or duration only by the Council itself; the consent of the government and, where appropriate, the parties concerned, save in exceptional cases; support for a political process or for the peaceful settlement of the dispute; impartiality in implementing Security Council decisions; readiness of the Security Council to take appropriate measures against parties which do not observe its decisions; the right of the Security Council to authorize all means necessary for United Nations forces to carry out their mandate and the inherent right of United Nations forces to take appropriate measures for self-defence. In this context, the Security Council emphasizes the need for the full cooperation of the parties concerned in implementing the mandates of peacekeeping operations as well as relevant decisions of the Council and stresses that peacekeeping operations should not be a substitute for a political settlement nor should they be expected to continue in perpetuity.

The Council has studied thoroughly the recommendations of the Secretary-General contained in "An Agenda for Peace". It pays tribute to the valuable contributions made by the Special Committee on Peacekeeping Operations and other relevant bodies of the General Assembly. These discussions and consultations make it possible to formulate more clearly the common priorities of the Member States.

In the context of the rapid growth in and new approaches to peacekeeping operations, the Council commends the initial measures taken by the Secretary-General to improve the capacity of the United Nations in this field. It believes that bold new steps are required and invites all Member States to make

their views known to the Secretary-General. It also invites the Secretary-General to submit by September 1993 a further report addressed to all the Members of the United Nations containing specific new proposals for further enhancing these capabilities including:

- the strengthening and consolidation of the peacekeeping and military structure of the Secretariat, including creation of a plans and current operations directorate reporting to the Under-Secretary-General for Peacekeeping Operations to facilitate planning and to enhance coordination;
- notification by Member States of specific forces or capabilities which, with the approval of their national authorities, they could make available on a case-by-case basis to the United Nations for the full spectrum of peacekeeping or humanitarian operations; in this context the Council welcomes the Secretary-General's effort to ascertain the readiness and availability of Member States' forces or capabilities for peacekeeping operations and encourages Member states to cooperate in this effort;
- the feasibility of maintaining a limited revolving reserve of equipment commonly used in peacekeeping or humanitarian operations;
- elements for inclusion in national military or police training programmes for peacekeeping operations to prepare personnel for a United Nations peacekeeping role, including suggestions concerning the feasibility of conducting multinational peacekeeping exercises;
- refinement of standardized procedures to enable forces to work together more effectively;
- developing the non-military elements of peacekeeping operations.

In view of the mounting cost and complexity of peacekeeping operations, the Security Council also requests the Secretary-General in his report to address measures designed to place them on a more solid and durable financial basis, taking into account where appropriate the Volcker-Ogata report and addressing the necessary financial and managerial reforms, diversification of funding, and the need to ensure adequate resources for peacekeeping operations and maximum transparency and accountability in the use of resources. In this context the Council recalls that, in accordance with the Charter and the relevant resolutions of the General Assembly, financing of peacekeeping operations is the collective responsibility of all Member States. It calls upon all Member States to pay their assessed contributions in full and on time and encourages those States which can do so to make voluntary contributions.

The Council expresses gratitude to the soldiers and civilians who have served or are serving in United Nations peacekeeping operations. It pays tribute to the courageous nationals of dozens of States who have been killed or wounded while fulfilling their duty to the United Nations. It also strongly condemns attacks on United Nations peacekeepers and declares its determination to undertake more decisive efforts to ensure

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<sup>8</sup> S/25859.

the security of United Nations personnel in the course of fulfilling their duties.

In accordance with Chapter VI of the Charter, the Security Council notes the necessity to strengthen the United Nations potential for preventive diplomacy. It welcomes General Assembly resolution 47/120 of 24 November 1992. It notes with satisfaction the increased use of fact-finding missions. It invites Member States to provide the Secretary-General with relevant detailed information on situations of tension and potential crisis. It invites the Secretary-General to consider appropriate measures for strengthening the Secretariat capacity to collect and analyse information. The Council recognizes the importance of new approaches to prevention of conflicts, and supports preventive deployment, on a case-by-case basis, in zones of instability and potential crisis the continuance of which is likely to endanger the maintenance of international peace and security.

The Council underlines the close link which may exist, in many cases, between humanitarian assistance and peacekeeping operations and highly appreciates recent efforts by the Secretary-General aimed at further improvement of coordination among Member States and relevant agencies and organizations, including non-governmental organizations. It reiterates, in this context, its concern that humanitarian personnel should have unimpeded access to those in need.

The Council reaffirms the importance it attaches to the role of regional arrangements and organizations and to coordination between their efforts and those of the United Nations in the maintenance of international peace and security. The Council welcomes the readiness of Member States, acting nationally or through regional organizations or arrangements, to cooperate with the United Nations and other Member States by providing their particular resources and capabilities for peacekeeping purposes. The Council, acting within the framework of Chapter VIII of the Charter of the United Nations, calls upon regional organizations and arrangements to consider ways and means of enhancing their contributions to the maintenance of peace and security. For its part the Council expresses its readiness to support and facilitate, taking into account specific circumstances, peacekeeping efforts undertaken in the framework of regional organizations and arrangements in accordance with Chapter VIII of the Charter. The Council looks forward to the report of the Secretary-General on cooperation between the United Nations and regional organizations.

The Council draws attention to the increasing significance of post-conflict peacebuilding. The Council is convinced that in present circumstances peacebuilding is inseparably linked with the maintenance of peace.

The Council stresses the value of high-level meetings of the Security Council and expresses its intention to convene such a meeting on the subject of peacekeeping in the near future.

### **Decision of 20 January 1994: letter from the President to the Secretary-General**

By a letter dated 20 January 1994,<sup>9</sup> the President of the Security Council informed the Secretary-General of the following:

The members of the Security Council have reviewed your report concerning the cooperation between the United Nations and regional arrangements and organizations with regard to international peace and security.<sup>10</sup> This is a subject the members of the Council consider very important.

On behalf of the members of the Council, I wish to thank you for your report and for the efforts that went into soliciting and collating the documents it contains. The members of the Council request you to convey to regional arrangements and organizations concerned their gratitude for their contributions, and to send them copies of the report in question.

The members of the Council recall that the United Nations is at this very moment in a number of instances engaged in such cooperation, in efforts to resolve difficult problems in various parts of the world.

The members of the Council would welcome any further responses from regional arrangements and organizations. They would also welcome an addendum to the report in which you would elaborate on your views on this subject and present your analysis and assessment of the actual experiences of cooperation that have taken place and on the prospect for such cooperation in the future.

During the consideration of the report, it was suggested that it might be useful to hold a seminar on these issues, with the participation of interested delegations, of the Secretariat and of representatives of interested regional arrangements and organizations.

### **Decision of 3 May 1994 (3372nd meeting): statement by the President**

On 14 March 1994, pursuant to the presidential statement of 28 May 1993,<sup>11</sup> the Secretary-General submitted to the Council a report on improving the capacity of the United Nations for peacekeeping.<sup>12</sup> The report contained a number of proposals in the area of budget and finance and several suggestions as to how each Member State could enhance its capacity to

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<sup>9</sup> S/1994/61.

<sup>10</sup> S/25996 and Corr.1 and Add.1-6. The report, by which the Secretary-General transmitted to the Council replies from regional arrangements and organizations, was submitted pursuant to the presidential statement of 28 January 1993 (S/25184).

<sup>11</sup> S/25859.

<sup>12</sup> S/26450.

contribute to effective peacekeeping. Outlining the vital role played by Member States in peacekeeping, the Secretary-General urged those States to establish appropriate legal and administrative mechanisms so that they could act promptly once the decision to contribute to an operation had been taken. Noting the inevitable delays in the initial establishment of peacekeeping operations, he suggested that the difficulty could be reduced by having a more precise understanding between the United Nations and each Member State regarding the capabilities the latter would be prepared to make available, should it agree to contribute to an operation. It was with that in mind that he had established a special team to devise a system of “national standby forces and other capabilities”, which Member States could maintain at an agreed state of readiness as a possible contribution to a United Nations peacekeeping operation.

He also referred to the issue of personnel, noting that recent multidimensional operations required additional sources of qualified and readily available civilian personnel. While rosters of experts were being developed by the Secretariat it was hoped that the Member States which had begun to help fill the gap would continue to do so. It had also proved difficult to obtain police in the numbers required and trained to serve in peacekeeping operations. As a first step towards the establishment of standard procedures, a handbook was under preparation that would serve as a standard manual for preparing police for United Nations service and would also be used for the guidance of civilian police in the field. He stressed however that training of personnel provided by Member States would remain primarily the responsibility of Governments and encouraged the practice of cooperation among Member States in training their personnel in peacekeeping, including multilateral training arrangements. The Secretary-General further noted that members of peacekeeping operations had to be under the exclusive operational command of the United Nations during the period of their assignment. Any views and concerns of troop-contributing countries concerning a particular operation should be raised at the United Nations Headquarters, and, if necessary, could be brought by the Secretary-General to the attention of the Security Council for decision. The recent practice of members of the Council attending meetings of troop-contributing countries was a step towards the development of improved mechanisms for effective consultation.

Addressing the budgetary and financial aspects of peacekeeping operations, he noted that under Article 17 of the Charter the payment of all assessed contributions, as decided upon and apportioned by the General Assembly, was an unconditional international legal obligation for all Member States and not simply a commitment of a political or voluntary nature. However, a large amount of revenues for peacekeeping remained outstanding. The main reason advanced as to why Member States were in arrears of their payments was that United Nations assessments for peacekeeping operations came at irregular times of the year and were not in step with national budget cycles. That difficulty could be ameliorated by (a) increasing the Peacekeeping Reserve Fund to accommodate better the needs of peacekeeping operations; and (b) the establishment by individual Member States of their own respective reserves for unforeseen peacekeeping assessments. In order to provide a sufficient level of funding to meet the immediate start-up costs of new peacekeeping operations, the Secretary-General proposed for approval by the General Assembly that Member States be assessed for one third of the total amount included in the estimate of financial implications provided to the Security Council. With regard to ongoing peacekeeping operations, the Secretary-General proposed that the budget period of operations be “de-linked” from the mandate period so as to allow all ongoing missions that have reached stability in their operation to be normally budgeted for at maintenance level and on an annual basis.

In his observations, the Secretary-General noted that while Member States increasingly supported and participated in peacekeeping activities, the same level of support had not been extended to the payment of the financial contributions assessed on Member States in order to meet the peacekeeping expenses of the Organization. Noting also that a number of Member States had had difficulty providing their troops with the equipment they required in order to function, he did not believe that the United Nations should take upon itself the task of providing the troops made available to it with essential equipment, but stated that it had to remain the responsibility of each Member State. At the same time, Governments contributing troops or other personnel for United Nations service had the right to expect timely reimbursement from the organization. That had not always been possible, however, because of the shortfall in assessed contributions. Acknowledging the concern of Member States about

the level of guidance and support peacekeeping operations in the field received from United Nations Headquarters, the Secretary-General shared the view that the Secretariat units directly involved in peacekeeping needed to be significantly strengthened.

At its 3372nd meeting, on 3 May 1994, the Council included in its agenda the report of the Secretary-General of 14 March 1994 and the addenda thereto.<sup>13</sup> Subsequent to the adoption of the agenda, the President (Nigeria) stated that, following consultations with the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>14</sup>

Aware of its primary responsibility for the maintenance of international peace and security, the Security Council has begun its consideration of the report of the Secretary-General entitled "Improving the capacity of the United Nations for peacekeeping" of 14 March 1994. The Council welcomes the useful account the report provides of the measures the Secretary-General has taken to strengthen the capacity of the United Nations to undertake peacekeeping operations. The Council notes that this report follows the report of the Secretary-General entitled "An Agenda for Peace" and that it responds to the statements made by successive Presidents of the Security Council on "An Agenda for Peace", including in particular the statement made by the President of the Security Council on 28 May 1993.

The Council notes that the report entitled "Improving the capacity of the United Nations for peacekeeping" has been transmitted to the General Assembly and also notes that the Special Committee on Peacekeeping Operations has made recommendations on the report.

*Establishment of peacekeeping operations*

The Security Council recalls that in the statement made by its President on 28 May 1993 it was stated, inter alia, that United Nations peacekeeping operations should be conducted in accordance with a number of operational principles, consistent with the provisions of the Charter of the United Nations. In that context, the Council is conscious of the need for the political goals, mandate, costs, and, where possible, the estimated time frame of United Nations peacekeeping operations to be clear and precise, and of the requirement for the mandates of peacekeeping operations to be subject to periodic review. The Council will respond to situations on a case-by-case basis. Without prejudice to its ability to do so and to respond rapidly and flexibly as circumstances require, the Council considers that the following factors, among others, should be taken into account when the establishment of new peacekeeping operations is under consideration:

(a) Whether a situation exists, the continuation of which is likely to endanger or constitute a threat to international peace and security;

(b) Whether regional or subregional organizations and arrangements exist and are ready and able to assist in resolving the situation;

(c) Whether a ceasefire exists and whether the parties have committed themselves to a peace process intended to reach a political settlement;

(d) Whether a clear political goal exists and whether it can be reflected in the mandate;

(e) Whether a precise mandate for a United Nations operation can be formulated;

(f) Whether the safety and security of United Nations personnel can be reasonably ensured, including in particular whether reasonable guarantees can be obtained from the principal parties or factions regarding the safety and security of United Nations personnel; in this regard it reaffirms the statement by the President of the Security Council of 31 March 1993 and its resolution 868 (1993) of 29 September 1993.

The Council should also be provided with an estimate of projected costs for the start-up phase (initial ninety days) of the operation and the first six months, as well as for the resulting increase in total projected annualized United Nations peacekeeping expenditures, and should be informed of the likely availability of resources for the new operation.

The Council emphasizes the need for the full cooperation of the parties concerned in implementing the mandates of peacekeeping operations as well as relevant decisions of the Council.

*Ongoing review of operations*

The Security Council notes that the increasing number and complexity of peacekeeping operations, and of situations likely to give rise to proposals for peacekeeping operations, may require measures to improve the quality and speed of the flow of information available to support Council decision-making. The Council will keep this question under consideration.

The Council welcomes the enhanced efforts made by the Secretariat to provide information to the Council and underlines the importance of further improving the briefing for Council members on matters of special concern.

*Communication with non-members of the Security Council  
(including troop contributors)*

The Security Council recognizes the implications which its decisions on peacekeeping operations have for the States Members of the United Nations and in particular for troop-contributing countries.

The Council welcomes the increased communication between members and non-members of the Council and believes

<sup>13</sup> S/26450 and Add.1 and Corr.1 and Add.2.

<sup>14</sup> S/PRST/1994/22.



that the practice of monthly consultations between the President of the Security Council and competent groups of Member States on the Council's programme of work (which includes matters relating to peacekeeping operations) should be continued.

The Council is conscious of the need for enhanced consultations and exchange of information with troop-contributing countries regarding peacekeeping operations, including their planning, management and coordination, particularly when significant extensions in an operation's mandate are in prospect. Such consultations can take a variety of forms involving Member States, troop-contributing countries, members of the Council and the Secretariat.

The Council believes that when major events occur regarding peacekeeping operations, including decisions to change or extend a mandate, there is a particular need for members of the Council to seek to exchange views with troop contributors, including by way of informal communications between the Council's President or its members and troop contributors.

The recent practice of the Secretariat of convening meetings of troop contributors in the presence, as appropriate, of Council members, is welcome and should be developed. The Council also encourages the Secretariat to convene regular meetings for troop contributors and Council members to hear reports from special representatives of the Secretary-General or force commanders and, as appropriate, to make situation reports on peacekeeping operations available at frequent and regular intervals.

The Council will keep under review arrangements for communication with non-members of the Council.

#### *Standby arrangements*

The Security Council attaches great importance to improving the capacity of the United Nations to meet the need for rapid deployment and reinforcement of peacekeeping operations.

In this context the Council welcomes the recommendations in the Secretary-General's report of 14 March 1994 concerning standby arrangements and capabilities. The Council notes the intention of the Secretary-General to devise standby arrangements or capabilities which Member States could maintain at an agreed state of readiness as a possible contribution to a United Nations peacekeeping operation and welcomes the commitments undertaken by a number of Member States.

The Council welcomes the request by the Secretary-General to Member States to respond positively to this initiative and encourages Member States to do so insofar as possible.

The Council encourages the Secretary-General to continue his efforts to include civilian personnel, such as police, in the present standby arrangements planning initiative.

The Council also encourages the Secretary-General to ensure that the Standby Arrangements Management Unit carries on its work, including the periodic updating of the list of units and resources.

The Council requests the Secretary-General to report by 30 June 1994, and thereafter at least once a year, on progress with this initiative.

The Council will keep this matter under review in order to make recommendations or take decisions required in this regard.

#### *Civilian personnel*

The Security Council welcomes the observations made by the Secretary-General in his report in respect of civilian personnel, including civilian police, and invites Member States to respond positively to requests to contribute such personnel to United Nations peacekeeping operations.

The Council attaches importance to full coordination between the different components, military and civilian, of a peacekeeping operation, particularly a multifaceted one. This coordination should extend throughout the planning and implementation of the operation, both at United Nations Headquarters and in the field.

#### *Training*

The Security Council recognizes that the training of personnel for peacekeeping operations is essentially the responsibility of Member States, but encourages the Secretariat to continue the development of basic guidelines and performance standards and to provide descriptive materials.

The Council notes the recommendations of the Special Committee on Peacekeeping Operations on training of peacekeeping personnel. It invites Member States to cooperate with each other in the provision of facilities for this purpose.

#### *Command and control*

The Security Council stresses that as a leading principle United Nations peacekeeping operations should be under the operational control of the United Nations.

The Council welcomes the call by the General Assembly that the Secretary-General, in cooperation with the members of the Council, troop-contributing States and other interested Member States, take urgent action on the question of command and control, notes the comments of the Secretary-General in his report of 14 March 1994 and looks forward to his further report on the matter.

#### *Financial and administrative issues*

Bearing in mind the responsibilities of the General Assembly under Article 17 of the Charter of the United Nations, the Security Council notes the Secretary-General's observations and recommendations on budgetary matters relating to peacekeeping operations in his report of 14 March 1994 and

notes also that his report has been referred to the General Assembly for its consideration.

The Council confirms that estimates of the financial implications of peacekeeping operations are required from the Secretariat before decisions on mandates or extensions are taken so that the Council is able to act in a financially responsible way.

#### *Conclusion*

The Security Council will give further consideration to the recommendations contained in the report of the Secretary-General.

#### **Decision of 27 July 1994 (3408th meeting): statement by the President**

At its 3408th meeting, on 27 July 1994, the Council included in its agenda the report of the Secretary-General of 30 June 1994 on progress made on standby arrangements with Member States concerning their possible contribution to United Nations peacekeeping operations,<sup>15</sup> which was submitted pursuant to the presidential statement of 3 May 1994.<sup>16</sup>

In the report, the Secretary-General recalled that the purpose of standby arrangements was to have a precise understanding of the forces and other capabilities a Member State would have available at an agreed state of readiness, should it agree to contribute to a peacekeeping operation. For planning purposes, the Secretariat would maintain a comprehensive database of detailed information regarding the numbers, volume and size of the units and other capabilities involved in the standby arrangement system, especially with regard to transport and possible procurement requirements. The Secretary-General informed the Council that 21 Member States so far had confirmed their willingness to provide standby resources totalling some 30,000 personnel and 27 other Member States were expected to do so. He noted, however, that these commitments did not yet cover adequately the spectrum of resources required to mount and execute future peacekeeping operations. He therefore urged those Member States which were not already doing so to participate in the system.

After the adoption of the agenda, the President (Pakistan) stated that, following consultations with the

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<sup>15</sup> S/1994/777.

<sup>16</sup> S/PRST/1994/22.

members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>17</sup>

The Security Council has considered the report of the Secretary-General of 30 June 1994 concerning standby arrangements for peacekeeping, submitted pursuant to the statement by the President of the Council of 3 May 1994.

The Council reiterates the importance it attaches to improving the capacity of the United Nations for rapid deployment and reinforcement of peacekeeping operations. The recent history of United Nations peacekeeping operations demonstrates that such an effort is essential.

In this context, the Council is grateful for the efforts undertaken by the Secretary-General in respect of standby arrangements and welcomes the responses so far received from Member States. It also welcomes the intention of the Secretary-General to maintain a comprehensive database of the offers made, including the technical details of these offers.

The Council notes that one of the major limiting factors in the timely deployment of troops for United Nations peacekeeping is the lack of readily available equipment. It stresses the importance of urgently addressing the issue of availability of equipment both in the context of standby arrangements and more broadly.

The Council notes the Secretary-General's view that the commitments made so far do not yet cover adequately the spectrum of resources required to mount and execute future peacekeeping operations. It also notes that additional commitments are expected from other Member States. In this context, it welcomes the Secretary-General's call to those Member States which are not already doing so to participate in the arrangements.

The Council looks forward to a further and more comprehensive report on the progress of the standby arrangements initiative.

#### **Decision of 19 December 1995 (3609th meeting): statement by the President**

At its 3609th meeting, on 19 December 1995, the Council included in its agenda a further report of the Secretary-General on standby arrangements for peacekeeping,<sup>18</sup> which was submitted pursuant to the presidential statement of 3 May 1994.<sup>19</sup> The Secretary-General described the progress made on standby arrangements with Member States concerning their possible contribution to United Nations peacekeeping operations. He stated that significant progress had been

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<sup>17</sup> S/PRST/1994/36.

<sup>18</sup> S/1995/943.

<sup>19</sup> S/PRST/1994/22.

achieved since his report of 30 June 1994.<sup>20</sup> As at 31 October 1995, 47 Member States had confirmed their willingness to provide standby resources involving a total of 55,000 personnel.<sup>21</sup> Two of them, Denmark and Jordan, had formalized their standby arrangements through a memorandum of understanding. The Secretary-General indicated that the Secretariat would continue its discussion to seek the broadest possible participation by Member States as well as to arrive at a proper mix of troops and supporting units. He further informed the Council that the Secretariat was currently aiming to improve and expand its database with detailed information to be provided by participating Governments. The Secretary-General underlined the importance of providing information on the level and status of equipment at the time a standby arrangement was agreed upon. He reiterated his suggestion that partnerships be established between Governments that needed equipment and those ready to provide it. Referring to the problem of the delays between the decision to establish an operation and the arrival of troops and equipment in the mission area, he indicated that the Secretariat had begun to register response times, according to the declared individual capacities of Member States. That information would enable the Secretariat to call on all potential troop contributors, since units with longer response times may be planned for employment in the later stages of a peacekeeping operation. Another important factor in rapid deployment was the time needed to deploy resources in the field once they were ready. Deployment could be shortened dramatically if sea/airlift resources were to be made available by Member States having that capacity.

After the adoption of the agenda, the President (Russian Federation) stated that, following consultations with the members of the Council, he had

<sup>20</sup> S/1994/777.

<sup>21</sup> Argentina, Australia, Bangladesh, Belarus, Belgium, Bulgaria, Canada, Chad, Czech Republic, Denmark, Egypt, Finland, France, Germany, Ghana, Guatemala, Hungary, India, Indonesia, Italy, Jordan, Kenya, Malaysia, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Republic of Korea, Romania, Senegal, Slovenia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Turkey, Ukraine, United Kingdom, United Republic of Tanzania, United States, Uruguay, Zambia and Zimbabwe.

been authorized to make the following statement on behalf of the Council:<sup>22</sup>

The Security Council has noted with interest and appreciation the report of the Secretary-General of 10 November 1995 on standby arrangements for peacekeeping operations. It recalls earlier statements by its President on this subject and strongly supports the efforts of the Secretary-General to enhance the capacity of the United Nations for the planning, rapid deployment and reinforcement and logistical support of peacekeeping operations.

The Council encourages Member States not yet doing so to participate in the standby arrangements. It invites them, and those States already participating in the arrangements, to provide information in as detailed a manner as possible on those elements which they are ready to make available to the United Nations. It also invites them to identify components, such as logistic support elements and sea/airlift resources, presently underrepresented in the arrangement. In this context the Council welcomes the initiative undertaken by the Secretariat for the creation of a standby headquarters component within the Mission Planning Service of the Department of Peacekeeping Operations.<sup>23</sup> The Council also joins with the Secretary-General in suggesting the establishment of partnerships between those troop-contributing countries that need equipment for units that may be provided to the United Nations and those Governments ready to provide such equipment and other support.

The Council looks forward to further reports from the Secretary-General on the progress of the standby arrangements initiative and undertakes to keep the matter under review.

## B. An agenda for peace: peacekeeping

### Decision of 4 November 1994 (3448th meeting): statement by the President

By a letter dated 15 September 1994, addressed to the President of the Security Council,<sup>24</sup> the representatives of Argentina and New Zealand requested, in accordance with rule 2 of the Council's provisional rules of procedure, that the Council be convened to consider various procedural questions that concerned the operation of the Council. Specifically, the letter referred to the presidential statement of 3 May 1994 in which the Council stated that it would keep under review its consideration of a number of proposals designed to improve the procedures that it employed in its consideration of peacekeeping

<sup>22</sup> S/PRST/1995/61.

<sup>23</sup> See the report of the Secretary-General of 14 March 1994 (S/26450), para. 36.

<sup>24</sup> S/1994/1063.

matters.<sup>25</sup> In particular, the Council had considered the need for consultations with interested States, especially with troop-contributing countries, and the need to further improve the briefing methods for Council members. On that basis, the representatives of Argentina and New Zealand proposed that the Council decide to structure certain procedures as follows: (a) to improve its internal procedure the President or a member of his delegation would convene on a weekly basis an informal working group of the members of the Council to review the “Weekly digest of peacekeeping missions”; the group would be convened on a more regular basis as necessary if and when daily situation reports from the Department of Peacekeeping Operations suggested this was desirable; staff of the Department would be invited to participate in the meeting; (b) to provide for appropriate consultation with countries outside the Council: (i) the President (or a member of his delegation) would convene, normally in the second week of every month, informal discussions involving the members of the Council and all troop-contributing countries to review the digest of peacekeeping missions and the monthly forecast of the Council’s programme of work; an agenda for the meeting would be circulated a week in advance; (ii) in the event that this regular meeting revealed areas of substantial concern which warranted further discussion, the Presidency would convene specific ad hoc meetings of the troop-contributing countries involved in the operation in question; (iii) the President would consider also inviting to participate in such specific ad hoc meetings neighbouring or regional States whose interests were or might be specially affected; and (iv) representatives of the Secretary-General would be requested to participate in the regular and specific meetings and invited to brief delegations and respond to questions as appropriate.

At its 3448th meeting, on 4 November 1994, the Council included in its agenda the letter dated 15 September 1994 from the representatives of Argentina and New Zealand.<sup>26</sup> Following the adoption of the agenda, the President (United States) drew the attention of the members of the Council to several other documents.<sup>27</sup> The President then stated that,

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<sup>25</sup> S/PRST/1994/22.

<sup>26</sup> S/1994/1063.

<sup>27</sup> Letter dated 6 October 1994 from the representatives of Denmark, Finland, Norway and Sweden addressed to the President of the Security Council (S/1994/1136); letter

following consultations with the members of the Council, she had been authorized to make the following statement on behalf of the Council:<sup>28</sup>

The Security Council has given further consideration to the question of communication between members and non-members of the Council, in particular troop-contributing countries, which was addressed in the statement by the President of the Council of 3 May 1994. The Council remains conscious of the implications that its decisions on peacekeeping operations have for troop-contributing countries. Having regard to the increase in the number and complexity of such operations, it believes that there is a need for further enhancement, in a pragmatic and flexible manner, of the arrangements for consultation and exchange of information with troop-contributing countries.

To this end, the Council has decided in future to follow the procedures set out in the present statement:

(a) Meetings should be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat to facilitate the exchange of information and views in good time before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peacekeeping operation;

(b) Such meetings would be chaired jointly by the presidency of the Council and a representative of the Secretariat nominated by the Secretary-General;

(c) The monthly tentative forecast of work of the Council made available to Member States will in future include an indication of the expected schedule of such meetings for the month;

(d) In the context of their review of the tentative forecast, the members of the Council will examine this schedule

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dated 20 October 1994 from the representatives of Belgium, Luxembourg and the Netherlands addressed to the President of the Security Council (S/1994/1193); letter dated 17 October 1994 from the representative of Uruguay addressed to the President of the Security Council (S/1994/1201); letter dated 26 October 1994 from the representative of Austria addressed to the President of the Security Council (S/1994/1219); letter dated 26 October 1994 from the representative of Ireland addressed to the President of the Security Council (S/1994/1221); letter dated 27 October 1994 from the representative of Egypt addressed to the President of the Security Council (S/1994/1231); letter dated 1 November 1994 from the representative of Turkey addressed to the President of the Security Council (S/1994/1237); and letter dated 1 November 1994 from the representative of Portugal addressed to the President of the Security Council (S/1994/1238).

<sup>28</sup> S/PRST/1994/62.

and communicate any suggested changes or proposals as to the timing of meetings to the Secretariat;

(e) Ad hoc meetings chaired jointly by the presidency of the Security Council and a representative of the Secretariat nominated by the Secretary-General may be convened in the event of unforeseen developments in a particular peacekeeping operation which could require action by the Council;

(f) Such meetings will be in addition to those convened and chaired solely by the Secretariat for troop contributors to meet with special representatives of the Secretary-General or force commanders or to discuss operational matters concerning particular peacekeeping operations, to which members of the Council will also be invited;

(g) An informal paper, which includes topics to be covered and draws attention to relevant background documentation, will be circulated by the Secretariat to the participants well in advance of each of the various meetings referred to above;

(h) The time and venue of each meeting with members of the Council and troop contributors to a peacekeeping operation should, where possible, appear in advance in the *Journal of the United Nations*;

(i) The President will, in the course of informal consultations of members of the Council, summarize the views expressed by participants at each meeting with troop contributors.

The Security Council recalls that the arrangements described herein are not exhaustive. Consultations may take a variety of forms, including informal communication between the President or the members of the Council and troop-contributing countries and, as appropriate, with other countries especially affected, for example countries from the region concerned.

The Council will keep arrangements for the exchange of information and views with troop contributors under review and stands ready to consider further measures to enhance arrangements in the light of experience.

The Council will also keep under review arrangements to improve the quality and speed of the flow of information available to support Council decision-making, bearing in mind the conclusions contained in the statement by the President of the Security Council of 3 May 1994.

At its 3449th meeting, also on 4 November 1994, the Council resumed its consideration of the letter dated 15 September 1994 from the representatives of Argentina and New Zealand. Following the adoption of the agenda, the Council invited the representatives of Australia, Austria, Belgium, Canada, Egypt, Germany, Greece, Ireland, Italy, Japan, Malaysia, the Netherlands, Sweden, Turkey and Ukraine, at their request, to participate in the discussion without the right to vote.

Referring to the presidential statement adopted on the same day, the representative of France stated that the formula that had been worked out demonstrated progress in the way in which briefing sessions had been held so far with troop contributors and was entirely supported by his delegation. When consultations dealt with establishment, extension or substantial modification of the mandate of an operation, a co-chairmanship formula would be used whereas in all other cases the current formula would be used. It was the view of his delegation that there should be no question of removing the operational conduct of operations away from the Secretariat. On questions of deployment or withdrawal of forces, it would merely be a question of the Secretariat providing information. On questions of briefings, the presence in the room of members of the Security Council and at the rostrum of the President of that body would help to avoid the impression that certain troop contributors had of being insufficiently heeded by the Security Council. That would not prejudice the principles governing the Council's procedures according to which that body remained the sole master of its decisions, for there would be no setting up of a subsidiary body of the Council, no creating of a category of members with special prerogatives, and no encroachment on missions entrusted only to the Secretary-General. The speaker, however, underlined that the briefing was still a partial, insufficient solution to the general problem of transparency in the activities of the Council. His delegation believed that the Council should return to the principle of the rules of procedure whereby the Council meets in public unless it decides otherwise. The non-public work should eventually be limited to what was necessary in order to reach a broadly acceptable decision as speedily as possible.<sup>29</sup>

The representative of Argentina stated that the procedure adopted by the Security Council opened a new era in the history of the Council's procedures because it created a foreseeable procedure for communication between the Council, troop-contributing countries and the Secretariat. That mechanism did not in his view prejudice either the

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<sup>29</sup> S/PV.3449, pp. 2-3. For similar views, see S/PV.3449, statements of the representatives of China, the Russian Federation and the United Kingdom, and the President speaking in her capacity as the representative of the United States.

direct decision-making process of the Council or the fundamental role played by the Secretariat with respect to the management of peacekeeping operations. In enabling troop-contributing countries to have the opportunity for dialogue, the Council was acting in accordance with the spirit implied in Article 44 of the Charter itself, although in a somewhat different context. The procedures contained in the presidential statement responded to requests which, above all, were concerned with the principle of representativeness of the Security Council vis-à-vis the Members of the Organization, as implied in Article 24(1) of the Charter. They also responded to the need to make the work of the Council more efficient and all of its procedures more transparent, thereby strengthening its legitimacy and efficiency.<sup>30</sup>

The representative of New Zealand recalled that his delegation's original proposal was for the establishment of a Council committee in accordance with Article 29 of the Charter. The proposal was based on the precedent established by subsidiary organs of the Security Council, such as the sanctions committees, which conducted consultations with Member States that were not on the Security Council, even allowing them to participate in the meetings. However, in the face of firm opposition to the establishment of a specific institution for that purpose, New Zealand had agreed to look at alternative options provided that there was a clear decision that consultation would become the norm, that it would be systematized and institutionalized even if it could not be within the framework of a new institution. Furthermore, the question had to be viewed as a procedural matter regulated solely by Article 27(2) of the Charter, as a decision on which only the affirmative vote of nine members were required. Addressing the argument according to which the initial proposal would have resulted in a shift of power within the Organization away from the Secretariat and the Security Council and in favour of the wider membership of the United Nations, he stated that the intention had never been to change the power relationships prescribed in the Charter. On the contrary, the intention was rather to give proper effect to the provisions of the Charter and the power relationships envisaged in it. Notwithstanding technical arguments, which were unsound and quite wrong in law, against the relevance or applicability of Article 44 of the Charter, that

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<sup>30</sup> S/PV.3449, pp. 3-4.

provision was very important in as much as it reflected the intention of the Charter founders that troop-contributing countries would participate in decisions taken by the Council. That was quite different from the formulation used in Article 31, which provides only that States whose interests are specially affected may participate in the discussion, without the right to vote, or in Article 32, which provides only that States that are parties to disputes may participate. Therefore, it was clear that the Charter envisaged a much higher level of participation by troop-contributing countries in Council decisions. Compliance with the Charter actually did involve a shift in the balance of power which had prevailed, and the diminution of assumed prerogatives. He concluded by reiterating that his country's original proposal for an institutionalised approach to the oversight of peacekeeping operations would, because of the information flows that would occur, significantly enhance the quality of Security Council policy decisions.<sup>31</sup>

The representative of the United Kingdom stated that the rapid growth in the scale, complexity and danger of peacekeeping operations had made evident the need for a more regular and predictable pattern of consultations between troop contributors, the Secretariat and Council members. However, any steps taken to develop, regularize and make more predictable the pattern of consultations should respect the different roles and responsibilities of the Security Council, the Secretary-General and the troop-contributing countries. It should also avoid the creation of procedures which might lead to micromanagement of peacekeeping operations by the Security Council or to disruption of the chain of command running through the force commander and the Secretary-General's special representative to the Secretary-General. It was on this basis that his delegation had circulated an informal paper combining the ideas contained in the Argentina and New Zealand proposal and those of other delegations.<sup>32</sup>

The representative of the Russian Federation stated that his delegation was prepared to expand the existing practice of consultations. He supported the idea that the exchange of views with troop contributors should focus on questions that require special attention, especially with regard to any extension or change in

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<sup>31</sup> *Ibid.*, pp. 4-6.

<sup>32</sup> *Ibid.*, p. 6.

existing mandates and the deployment of new peacekeeping operations, so that operational questions could be discussed with the special representatives of the Secretary-General or troop commanders. The mechanism for consultations with troop-contributing countries should, however, be applied in a flexible and pragmatic way and take into account the authority of the Security Council and the Charter.<sup>33</sup>

The representative of China stated that the primary responsibility for the maintenance of international peace and security entrusted to the Council under the Charter demonstrated that the Council should be responsible to the Member States in carrying out its duties. Before making such major decisions as one authorizing a peacekeeping operation, the Security Council should engage in a timely exchange of information with Member States and with the Secretariat and should listen to the views of all — in particular, the parties directly involved, as well as the neighbouring countries and the regional organizations concerned. He contended that that would not only increase transparency and democratization in the Council's work and improve its efficiency and efficacy, but more important — further enhance the authenticity of its decision. However, links between the Council and the States Members of the Organization — especially the troop-contributing countries, should continue to be strengthened in a flexible and practical manner.<sup>34</sup>

The President, speaking in her capacity as the representative of the United States, stated that fuller and more regular exchanges between Security Council members, troop contributors and the Secretariat were a necessary step in ensuring that Council decisions to extend, terminate or significantly change peacekeeping mandates were taken with the benefit of the views of those Member States whose personnel were most directly involved. The action taken by the Security Council in its presidential statement would significantly enhance the working relationship between the Council and troop contributors. First, it created predictability since meetings between the Council, troop contributors and the Secretariat would be held on a regular basis and, whenever possible, announced in advance in the *United Nations Journal* whenever mandate extensions, terminations or significant

changes were in view. Secondly, it initiated a monthly review by the Council of the expected schedule of meetings involving the Secretariat, troop contributors and Council members. Thirdly, it provided for enhanced opportunities for timely and urgent exchanges of information and views in the event of unforeseen developments profoundly affecting peacekeeping operations. Fourthly, it provided for a discussion that was well informed and well focused by providing an agenda in advance to all participants. And finally, it provided the basis for more direct exchanges between the troop contributors and Council members by means of meetings jointly chaired by the President of the Security Council and a representative of the Secretariat. The speaker emphasized, however, that the procedural changes introduced by the presidential statement did not and could not in any way alter the fundamental division of competence and responsibility between the Secretariat and the Security Council. The meetings with troop-contributing countries would not supplant, but be an addition to, the normal troop-contributor consultations concerning operational and similar matters. Furthermore, the new procedures were to be pursued in a pragmatic and flexible manner, in order not to overburden the Council or to encroach on its primary security tasks. Finally, it would remain the Council's unique responsibility to mandate peacekeeping operations, as it would remain the Secretariat's task to implement and manage them.<sup>35</sup>

The representative of Sweden, speaking on behalf of the four Nordic troop-contributing countries, Denmark, Finland, Norway and Sweden, expressed the view that consultations with troop-contributors should be structured, focused on areas of particular concern and take place on a regular basis, as well as when extensions and/or modifications of existing mandates are being considered. Efforts should also be considered to engage in consultation those countries that realistically may be in a position to contribute troops to a new peacekeeping operation before a decision is taken by the Council to launch the new operation in question.<sup>36</sup>

The representative of Italy expressed the view that the presidential statement was an important step forward but did not represent the achievement of the final goal. The focus of the discussion should be on

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<sup>33</sup> *Ibid.*, pp. 6-7.

<sup>34</sup> *Ibid.*, pp. 9-10.

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<sup>35</sup> *Ibid.*, p. 12.

<sup>36</sup> *Ibid.*, p. 14.

three needs: consultation with troop-contributing countries before the Council made any decision, dual representation by the Secretary-General and the Council at the highest level, and a steady flow of information and regular announcements of meetings before they take place. Moreover, it was necessary to define consultation procedures in a precise and binding fashion. Without underestimating the importance of the presidential statement, he felt that a resolution would have been more appropriate. He also contended that some parts of the text led to misinterpretation.<sup>37</sup>

Welcoming the procedures set forth in the presidential statement, the representative of Turkey referred to Article 25 of the Charter, under which Member States agreed to accept and carry out the decisions of the Security Council, and stated that the authority of the Council emanated from the fact that it acted on behalf of all Members of the United Nations, in accordance with Article 24. The fact that Council decisions must have an adequate consensual base was also inherent in the letter and spirit of Article 1(4) of the Charter, which described “harmonizing the actions of nations” as one of the purposes of the United Nations. It was in that context that the lack of a sufficient consultation mechanism undermined the legitimacy of Council decisions on peacekeeping operations.<sup>38</sup>

According to the representative of Ukraine, the proposal to convene informal discussions involving the members of the Council and all troop-contributing countries every second week of the month, contained in the joint proposal by Argentina and New Zealand, should be supported. Also deserving consideration were the issues of participation by regional organizations engaged in peacekeeping operations in the specific and ad hoc meetings provided for in the presidential statement as well as the procedures for the formation of a United Nations force.<sup>39</sup>

Other speakers emphasized the importance that they attached to improving procedures for the exchange of information and consultations between the Council, the Secretariat and troop-contributing countries. Many contended that that would enhance the effectiveness and transparency of the work of the Security Council as well as its credibility and

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<sup>37</sup> Ibid., pp. 19-20.

<sup>38</sup> Ibid., pp. 20-21.

<sup>39</sup> Ibid., pp. 23-24.

authority.<sup>40</sup> Some speakers further contended that the new procedures did not prejudice in any way the respective competences of the Security Council and the Secretariat with regard to peacekeeping operations.<sup>41</sup> Some argued that the arrangements fell within the ambit of Article 44 of the Charter.<sup>42</sup> Several speakers called for inclusion of countries or groups of countries other than troop-contributors in the consultation procedures.<sup>43</sup> A number of speakers supported the proposal of New Zealand and Argentina on the establishment of a subsidiary organ of the Security Council, in accordance with Article 29 of the Charter.<sup>44</sup>

#### **Decision of 25 November 1994: letter from the President to the Secretary-General**

By a letter dated 25 November 1994,<sup>45</sup> the President of the Security Council informed the Secretary-General of the following:

The members of the Security Council express their appreciation for your letter dated 14 November 1994 (S/1994/1349) regarding meetings of members of the Council, troop contributors and the Secretariat pursuant to the statement I made as President of the Security Council on 4 November 1994.

The members of the Council welcome your designation of Mr. Chinmaya Gharekhan to co-chair these meetings on the Secretariat side.

The members of the Council believe that in order fully to serve the purpose of these meetings it is important that the co-chairmen, members of the Council and troop contributors for the operation be able to draw upon the expertise and information provided by senior members of the Secretariat dealing directly with peacekeeping operations. In that regard, they also welcome your intention to assign senior officials from the Department of Peacekeeping Operations and the Department of Political Affairs to attend the meetings as well. They attach particular importance

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<sup>40</sup> Ibid., pp. 7-8 (Brazil); pp. 8-9 (Spain); p. 9 (Pakistan); p. 10 (Czech Republic); pp. 10-11 (Nigeria); p. 11 (Oman); pp. 12-13 (Japan); pp. 13-14 (Austria); p. 15 (Germany); pp. 15-16 (Canada); pp. 16-17 (Netherlands); pp. 17-18 (Malaysia); pp. 18-19 (Ireland); p. 19 (Belgium); p. 21 (Australia); p. 22 (Egypt); pp. 22-23 (Greece); and p. 24 (Ukraine).

<sup>41</sup> Ibid., pp. 3-4 (Argentina); p. 9 (Pakistan); and pp. 10-11 (Nigeria).

<sup>42</sup> Ibid., p. 9 (Pakistan); p. 11 (Nigeria); pp. 17-18 (Malaysia); p. 21 (Australia); and p. 22 (Egypt).

<sup>43</sup> Ibid., pp. 7-8 (Brazil); pp. 8-9 (Spain); pp. 12-13 (Japan); and pp. 22-23 (Greece).

<sup>44</sup> Ibid., pp. 13-14 (Austria); pp. 17-18 (Malaysia); p. 21 (Australia); and p. 22 (Egypt).

<sup>45</sup> S/1994/1350.



to attendance at the meetings of the Under-Secretary-General or one of the Assistant Secretaries-General for Peacekeeping Operations.

**Deliberations of 20 December 1995  
(3611th meeting)**

By a letter dated 8 December 1995, addressed to the President of the Council,<sup>46</sup> the representatives of Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Honduras, Ireland, Italy, Japan, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Romania, Spain, Sweden, Turkey, Ukraine, the United Kingdom and the United States requested that the Council be convened to examine specifically the issue of consultations between the Security Council and troop-contributing countries in order to consider further measures to enhance the mechanism introduced under the presidential statement of 4 November 1994.<sup>47</sup> The letter also referred to the current General Assembly debate on the issue as reflecting, on the one hand, the usefulness of the mechanism and, on the other hand, the need both to review the implementation of the presidential statement and to improve the efficiency, effectiveness and representativity of the consultations, in the interest of creating the broadest possible support among Member States for peacekeeping operations mandated by the Council.

At its 3611th meeting, on 20 December 1995, the Council included the above-mentioned letter in its agenda. Following the adoption of the agenda, the Council invited the representatives of Algeria, Australia, Austria, Brazil, Canada, Colombia, Cuba, Egypt, Greece, India, Ireland, Japan, Luxembourg, Malaysia, New Zealand, Norway, Pakistan, the Republic of Korea, Spain, Tunisia, Turkey, Ukraine and Zimbabwe, at their request, to participate in the discussion without the right to vote. The President (Russian Federation) then drew the attention of the members of the Council to a letter dated 18 December 1995 from the representative of Djibouti addressed to the President of the Council<sup>48</sup> requesting that Djibouti be added to the signatories of the letter dated 8 December 1995.

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<sup>46</sup> S/1995/1025.

<sup>47</sup> S/PRST/1994/62.

<sup>48</sup> S/1995/1043.

The representative of Argentina stated that, while the consultations mechanism between troop contributors and the Security Council introduced pursuant to the presidential statement of 4 November 1994 was recognized as useful, there was a feeling that it should be reviewed, in order to improve the efficiency, effectiveness and representativity of these consultations. A number of Member States had been meeting informally to address the issue.<sup>49</sup> Those States were of the opinion that there should be a more formal and institutionalized mechanism of consultations, through the establishment of a subsidiary organ of the Council, as foreseen in Article 29 of the Charter. The mechanism should include the following features: (a) each consultations meeting should be held between Council members and the contributors of troops to the peacekeeping operation in question, assisted by the Secretariat; (b) when the Council considers establishing a new operation, it should consult potential troop contributors already approached by the Secretariat; (c) the existing practice of inviting to these meetings Member States which make special contributions to peacekeeping operations other than troops should be continued; (d) the mechanism of consultations should be chaired by a member of the Council specially appointed every year and the chairman could be assisted by one or more additional members of the Council, as appropriate; (e) the meeting should be held in good time before the Council takes decisions on the extension, modification or termination of the mandate of a particular peacekeeping operation; such meetings should also be convened in the event of unforeseen developments in a particular operation which could require action by the Council; (f) in those operations where the mandate is routinely renewed, the chairman of the mechanism could decide, after consulting with the troop contributors, whether or not to hold a meeting; (g) meetings should be included in the monthly tentative forecast of work of the Council and should be announced in the *Journal of the United Nations*; (h) those meetings would be in addition to those convened and chaired solely by the Secretariat for

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<sup>49</sup> Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, Czech Republic, Denmark, Egypt, Finland, Germany, Greece, Honduras, Hungary, Indonesia, Ireland, Italy, Japan, Luxembourg, Malaysia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Republic of Korea, Romania, Spain, Sweden, Turkey, Ukraine and Uruguay.

troop contributors to meet with Special Representatives of the Secretary-General or Force Commanders, or to discuss operational matters concerning particular peacekeeping operations; (i) members of the Council would also be invited to those meetings; (j) background information and a clear agenda should be provided by the Secretariat and/or the Presidency or the chairman of such meetings to all participants well in advance; (k) the chairman of the mechanism should report to the Council the views expressed by participants at each meeting with troop contributors; and, (l) the Security Council should periodically report to the General Assembly on the work of the mechanism.<sup>50</sup>

The representative of the United States stated that the positive effects of the changes introduced in November 1994 included a higher degree of predictability and a more meaningful opportunity for a timely exchange of views between the Council, troop contributors and the Secretariat. He noted, however, that the mechanism intended to promote a more dynamic and substantive discussion than was the case, as well as greater participation by the Security Council President. With a view to strengthening the mechanism, he suggested the following: First, Council Presidents should be encouraged to take a greater part in the discussion. Secondly, the President should brief orally the Council members on the views of troop contributors in order to ensure that the information got to all Council members in a timely manner. Thirdly, the distribution of relevant papers, the timing of meetings with troop contributors and of Council “informals” should be scheduled so as to give the fullest opportunity for an informed discussion. Finally, troop contributors would benefit from somewhat greater consultations among themselves ahead of meetings on the major peacekeeping missions. He concluded by stating that efforts should be directed towards the strengthening of the existing basic format rather than setting it aside in favour of new arrangements.<sup>51</sup>

The representative of the United Kingdom stated that, while the arrangements established by the presidential statement of 4 November 1994 represented a considerable step forward, they were not working as well as they should. He stressed that the meetings with troop contributors should not only be an opportunity

for the Secretariat to brief on developments in operations but should also be the occasion for serious discussion between troop contributors and members of the Council on the mandates of those peacekeeping operations. Moreover, the meetings should be held in good time and be provided with adequate documentation. Troop contributors had to make their voices heard and most important their views needed to inform the work of the Council. For those reasons, the President of the Council should report back to its members during their informal consultations, on the views expressed by troop contributors. It was unfortunate that that provision had not been as fully respected over recent months as the system permitted. He noted that while there was little disagreement on the need to make the existing system of consultations more dependable and effective, differences existed, however, on the means by which that should be done. For example, the proposal to establish a subsidiary organ under Article 29 of the Charter was a matter which his delegation viewed differently from Argentina. Furthermore, the operational responsibilities of the Secretary-General, as well as the decision-making ability of the Security Council itself, had to be protected and preserved.<sup>52</sup>

The representative of France stressed the importance to find improved consultation procedures that were consistent with the balances established by the Charter and to make it possible for those States which undertook the effort of making personnel available for United Nations peacekeeping operations to be appropriately heard as to the use that might be made of their contingents. He stated that the Security Council could, in that regard, either consider, through its working group on procedures, what action should be taken with regard to the existing format of meetings of troop contributors (which would not automatically require institutional reform); or it could consider adopting a presidential statement, which was the way the Council customarily took a stand on its own procedural practices. He recalled certain principles to which his delegation was dedicated in respect of the issue. In that connection, it was important that the Secretariat preserve its prerogatives in any exercise relating to the conduct of peacekeeping operations. It had never been the practice of the Council to assume responsibility for the conduct of operations. The Secretary-General should therefore be associated under

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<sup>50</sup> S/PV.3611, pp. 2-3.

<sup>51</sup> *Ibid.*, pp. 3-4.

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<sup>52</sup> *Ibid.*, pp. 4-5.

all circumstances with the chairmanship of meetings that were of concern to him. It was also untimely to make of troop contributors an abstract category of Member States which, for all operations, would have the right to participate in the decisions of the Security Council, whereas other Member States would not have that right. The consequence of that concern to comply with the Charter was that the consultation procedures had to be established operation by operation. His delegation was also reluctant to accept the idea of "potential contributors" to an operation, since any Member State was, in principle, a potential contributor. Consequently, the idea of consultations held prior to the adoption of the mandate of a force did not seem realistic. Furthermore, it had doubts about the advantages to be derived from turning consultation and information sessions into a form of Security Council meetings, and expressed reservations about resorting to Article 29 of the Charter for that purpose. He recommended maintaining a clear distinction between, on the one hand, debates with a political flavour, in which all Members of the Organization should be able to express their views and which, accordingly, had to be held as public meetings under Articles 31 and 32 of the Charter and, on the other hand, dialogue of a more practical and technical nature between the Secretariat, the troop contributors and the members of the Security Council. While it was possible to make better use of the existing framework, his delegation was not convinced that it was inadequate or must be changed in order to improve matters.<sup>53</sup>

Referring to the Security Council's primary responsibility for the maintenance of international peace and security under the Charter, the representative of China stated that the decisions and the decision-making process of the Council should reflect the will and wishes of the general membership. He took note of the proposals made by troop contributors and hoped that the Council could enhance its efficiency, improve its working methods and increase its transparency to better fulfil its functions.<sup>54</sup>

The representative of Germany stated that troop-contributing countries were really interested in having more of a political impact on decisions taken by the Security Council. His delegation supported the suggestions made by Argentina and particularly the

idea of appointing a chairman from among the members of the Council for the period of one year in order to give more continuity to the relationship with the troop contributors. The idea of nominating a chairman for each operation or group of operations could also be looked at. In his view, none of the proposals submitted unduly infringed on the prerogatives of the Security Council.<sup>55</sup>

The representative of Italy pointed out that the establishment of a structured mechanism would assure not only a constant flow of information between Council members and troop-contributing countries but also consultation on matters of substance. That corresponded to the expectations that full use be made of the possibilities offered by the Charter. Furthermore, the consultation mechanism should not only invest the political sphere, but should be extended to the military sphere as well. He suggested, in that regard, consideration of the idea of revitalizing the Military Staff Committee, providing for inclusion in it of the countries that contributed troops to each operation.<sup>56</sup>

The President, speaking in his capacity as the representative of the Russian Federation, stated that innovations in the working methods and procedures of the Security Council, which were necessary, should not work against the Council's functions under the Charter or its prerogatives in the maintenance of international peace and security. The most important thing was not the formalization of meetings as a goal in itself, but rather making it possible for the view of all potential participants in a given operation to be effectively taken into account. He favoured timely involvement, prior to the adoption by the Council of decisions on a given operation, in particular on the deployment of a new operation, by countries contributing not only troops but also equipment and other services. The Special Representatives of the Secretary-General and force commanders should also be invited to certain meetings. Overall, the consultative mechanism should help the Council in carrying out its Charter functions.<sup>57</sup>

The representative of Japan pointed out that the Security Council, in the final analysis, was the master of its own procedures. While his country did not insist on the creation of a subsidiary organ under Article 29 of the Charter, it believed that a further

<sup>53</sup> Ibid., pp. 5-7.

<sup>54</sup> Ibid., p. 7.

<sup>55</sup> Ibid., pp. 7-8.

<sup>56</sup> Ibid., pp. 10-11.

<sup>57</sup> Ibid., pp. 12-13.

institutionalization of the consultation mechanism, along the lines described in the statement made by the representative of Argentina, would be highly desirable. That could include measures relating to adequate prior notice and information, periodicity, and reports to the Council on the views expressed by the contributing countries in the course of such consultations. Japan also attached great importance to the current practice whereby the concept of “troop-contributing countries” included countries making various contributions of a substantive nature, including but not limited to the contribution of troops. His delegation suggested that the countries contributing to peacekeeping operations could exchange ideas among themselves beforehand, with a view to preparing themselves for the consultations. That, however, would be possible only if ample advance notice were given of the forthcoming consultative meetings.<sup>58</sup>

While endorsing the Argentinean proposal, the representative of New Zealand suggested, as a next step, that an informal joint working group be established, involving Council members and troop contributors, to discuss how best to ensure progress on the issue under consideration. He emphasized that it was a procedural issue rather than a matter of substance. In reaction to the concern expressed by France about establishing new separate groups of Member States, he noted that Article 44 of the Charter already recognized the existence of a particular group of Member States that could and did make special contributions to international peace and security. Addressing another concern of France about the prerogatives of the Secretary-General, he noted that there was a distinction between peacekeeping forces operating in a benign environment and those inserted into a situation of active hostilities. It was in the latter case that troop-contributors needed to be involved in the decision-making process concerning a given operation. Those decisions could either be taken “behind the scenes” through informal, non-existent, non-institutional processes, or in a clearly open and transparent process involving all those with serious interests engaged. While the Security Council had the final responsibility to decide, troop-contributing countries were responsible to contribute input to that decision. He also reiterated his country’s support for an earlier proposal by France for further orientation meetings. That practice, which should be reinvigorated,

<sup>58</sup> Ibid., pp. 13-14.

was precisely one which provided an opportunity for participation by those Members of the United Nations that had no other opportunity to make a contribution.<sup>59</sup>

The representative of Canada expressed his delegation’s belief that a distinction needed to be drawn between the discussion of political and mandate issues, on the one hand, and of operational issues, on the other. While the former were the concern of the Council and should be discussed directly with it, the latter were the responsibility of the Secretariat and needed to be addressed between it and troop contributors. The current process of joint Secretariat and Council chairmanship of meetings with troop contributors tended to confuse political and operational issues. Consultations with the Security Council on mandate issues should therefore be chaired by the Council with the Secretariat present as a matter of course. In the context of enhancing the United Nations rapid-reaction capability, he also stressed the need for the Council to consult potential troop contributors, identified by the Secretariat, before launching an operation.<sup>60</sup>

The representative of Luxembourg, speaking on behalf of the Benelux countries, proposed the following measures in order to make the meetings with the troop contributors more effective: First, meetings should be announced in the *Journal* early enough to allow delegations to prepare themselves adequately; secondly, the necessary documentation should also be made available to delegations before meetings; thirdly, the Secretary-General’s reports on an operation under consideration should be distributed to the delegations concerned to enable them to study the options suggested by the Secretary-General; fourthly, consultations with troop-contributors should take place on a systematic basis, and early enough to be useful, every time a peacekeeping operation was created, modified, expanded or terminated; fifthly, records of the meetings with troop contributors should be circulated among all the members of the Council. In conclusion, the speaker noted that in order to formalize those modalities for consultation and cooperation, it would be appropriate to adopt a resolution.<sup>61</sup>

The representative of Colombia stated that any solution to the issue under consideration should emerge

<sup>59</sup> Ibid., pp. 18-20.

<sup>60</sup> Ibid., pp. 23-24.

<sup>61</sup> Ibid., pp. 31-32.

from the Working Group on the reform of the Security Council or from the Working Group on the Strengthening of the United Nations System. He observed that the proposed consultation mechanism, although aimed at broadening the participation of Member States in the discussion on peacekeeping operations, reinforced the tendency to make discussions on peacekeeping operations exclusive instruments of the Security Council, thereby marginalizing other main organs of the United Nations. It was his delegation view that any effort to enhance the transparency of the Council should proceed from the premise that it was necessary to strengthen the role of the General Assembly on issues of international peace and security. It was unadvisable to deny an organ authorized to order the deployment of peacekeeping operations the ability to contribute to their success. As for the Secretariat, it was advisable for it to retain the role of Co-Chairman which it enjoyed. His delegation saw no advantage in diminishing the role of the Secretariat as the organ responsible for implementing operations, nor did it favour establishing a subsidiary organ of the Security Council under Article 29 of the Charter, contending that the proposed mechanism required flexibility and that nothing would be gained simply by making the mechanism more formal.<sup>62</sup>

The representative of India stated that his delegation had found the existing mechanism quite satisfactory although it could be improved and streamlined. Emphasizing that the Security Council and the Secretary-General were two important agents responsible for the implementation of the Council's decisions, he contended that without the presence of the Secretary-General's representative as Co-Chairman, the existing balance between political responsibility and operational control would be missing. He did not believe that granting this task to a subsidiary body of the Council or keeping the Secretary-General's representative on the sidelines would enhance the effectiveness of such consultations.<sup>63</sup>

Other speakers stressed the need to further develop the existing consultation system into a more formal and institutionalized mechanism and supported the proposals put forward by Argentina, including the establishment of a subsidiary organ under Article 29 of

the Charter. They contended that such a mechanism would not infringe upon the Council's prerogatives and would improve the representative character of the decision-making process in the Council which acted on behalf of the membership in accordance with Article 24 of the Charter. Moreover, such a mechanism would give full effect to Article 44 of the Charter.<sup>64</sup> Several speakers emphasized that consultations with troop contributors should be held before decisions are taken to launch new operations.<sup>65</sup>

### C. An Agenda for Peace

#### Decision of 22 February 1995 (3503rd meeting): statement by the President

At its 3492nd meeting, on 18 and 19 January 1995, the Council included in its agenda the document entitled "Supplement to an Agenda for Peace: position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations".<sup>66</sup> The Secretary-General noted that the purpose of his position paper was not to revise "An Agenda for Peace" but rather to highlight selectively certain areas where unforeseen, or only partly unforeseen, difficulties had arose and where there was a need for the Member States to take "hard decisions". Those areas included preventive diplomacy and peacemaking, peacekeeping, peacebuilding, disarmament, sanctions and peace enforcement. Recalling the Security Council's statement of 31 January 1992,<sup>67</sup> he pointed out that while collectively Member States encouraged him to play an active role in preventive diplomacy, individually they were often reluctant that he should do so when they were a party to the conflict. That was as true of inter-State conflicts as it was of internal ones, even though United Nations action on the former was

<sup>64</sup> Ibid., pp. 8-9 (Czech Republic); pp. 9-10 (Botswana); pp. 11-12 (Indonesia); pp. 14-15 (Ukraine); pp. 15-16 (Algeria); pp. 17-18 (Egypt); pp. 20-21 (Spain); pp. 21-22 (Australia); pp. 24-25 (Malaysia); pp. 25-26 (Tunisia); pp. 26-27 (Norway on behalf of the Nordic countries); pp. 27-29 (Ireland); p. 29 (Austria); pp. 29-30 (Pakistan); pp. 30-31 (Brazil); p. 34 (Greece); pp. 34-35 (Turkey); pp. 35-36 (Zimbabwe); pp. 36-37 (Republic of Korea); and pp. 37-38 (Cuba).

<sup>65</sup> Ibid., pp. 11-12 (Indonesia); pp. 17-18 (Egypt); pp. 26-27 (Norway on behalf of the Nordic countries); and pp. 29-30 (Pakistan).

<sup>66</sup> S/1995/1.

<sup>67</sup> S/23500. See footnote 2.

<sup>62</sup> Ibid., pp. 32-33.

<sup>63</sup> Ibid., pp. 33-34.

fully within the Charter, whereas in the latter case it had to be reconciled with Article 2(7) of the Charter. Clearly, the United Nations could not impose its preventive and peacemaking services on Member States who did not want them. In that regard, he called for the development of an ethos within the international community in which the norm would be for Member States to accept an offer of United Nations good offices. More specifically, he noted two practical problems that had emerged in that field. The first was the difficulty of finding qualified senior persons willing to serve as special representative or special envoy of the Secretary-General. The second related to the establishment and financing of small field missions to support the work of special envoys in the field. There was no clear view among Member States, however, about whether legislative authority for such matters rested with the Security Council or the General Assembly, nor were existing budgetary procedures well geared to that need. Possible solutions included the inclusion in the regular budget of a contingency provision for such activities or the enlargement of the existing provision for unforeseen and extraordinary activities made available for all preventive and peacemaking activities.

In relation to peacekeeping, the Secretary-General recalled three principles essential to the success of any operation: the consent of the parties; impartiality; and the non-use of force, except in self-defence. Recently, however, peacekeeping operations had been led to forfeit those principles because of additional mandates given to them requiring the use of force. In that regard, the Secretary-General stated that peacekeeping and the use of force (other than in self-defence) should be seen as alternative techniques and not as adjacent points on a continuum, permitting easy transition from one to another. He also noted that a number of practical problems had arisen during the last three years, especially relating to command and control, to the availability of troops and equipment and to the information capacity of peacekeeping operations. Concerning command and control, he noted that there had been an increasing tendency in recent years for the Security Council to micromanage peacekeeping operations. At the same time, it was right and proper that the Council be closely consulted and informed. That should not, however, lead to any blurring of the three distinct levels of authority: overall political direction, which belonged to the Security Council, executive direction and command, for which he was

responsible; and command in the field, which was entrusted by him to the chief of mission. Unity of command was also necessary for a peacekeeping operation to function as an integrated whole. On the question of the availability of troops and equipment, the Secretary-General had come to the conclusion that the United Nations needed to give serious thought to the idea of a rapid reaction force. Such a force would be the Security Council's strategic reserve for deployment when there was an emergency need for peacekeeping troops. Equipment and adequate training was another area of growing concern. The principle was that contributing Governments were to ensure that their troops be fully operational. Increasingly, however, Member States provided troops without the necessary equipment and training. The Secretary-General offered, in that regard, to establish within the United Nations a reserve stock of standard peacekeeping equipment and partnerships between Governments needing equipment and those ready to provide it. In connection with the information capacity of peacekeeping operations, he had instructed that, in the planning of future operations, the possible need for an effective information capacity be examined at an early stage and the necessary resources included in the proposed budget.

With regard to post-conflict peacebuilding, the Secretary-General noted that the timing and modalities of the departure of a peacekeeping operation and the transfer of its peacebuilding functions to others should be carefully managed in consultation with the Government concerned. While the resumption of activities in the economic, social, humanitarian, and human rights fields might initially be entrusted to a multifunctional peacekeeping operation, the relevant programmes, funds, offices and agencies of the United Nations system should re-establish themselves and gradually take over responsibility, as the peacekeepers succeeded in restoring normal conditions. In such a case, it might be necessary to arrange the transfer of decision-making responsibility from the Security Council to the General Assembly or other intergovernmental bodies with responsibility for civilian peacebuilding activities. In cases where a peacekeeping deployment did not take place, the Secretary-General pointed out that the early warning had to lie with the United Nations Headquarters, using all the information available to it. The Secretary-General, acting on the basis of his general mandate for preventive diplomacy, peacemaking and peacebuilding,

could then take the initiative of sending a mission, with the Government's agreement, to discuss with it measures it could usefully take.

Concerning disarmament, the Secretary-General stated that progress made since 1992 in the area of weapons of mass destruction and major weapons systems had to be followed by parallel progress in conventional arms, particularly with respect to light weapons responsible for most of the deaths in current conflicts. The practical disarmament in the context of the conflicts the United Nations was actually dealing with, otherwise called "micro-disarmament", required that the problem be urgently addressed as effective solutions would take a long time. He intended to play his full part in that regard.

In relation to sanctions, the Secretary-General recalled Article 41 of the Charter as the legal basis for the application of sanctions by the Security Council in order to underline that the purpose of sanctions was to modify the behaviour of a party that is threatening international peace and security and not to punish or otherwise exact retribution. The Council's greatly increased use of this instrument had brought to light a number of difficulties, relating especially to the objectives of sanctions, the monitoring of their application and impact, and their unintended effects. While recognizing that the Council was a political body rather than a judicial organ, he stated that it was of great importance that when it decided to impose sanctions it should at the same time define objective criteria for determining that their purpose had been achieved. With a view to alleviating some of the negative effects of sanctions, he proposed two possibilities for the Member States' consideration: firstly, that whenever sanctions were imposed, provision be made to facilitate the work of humanitarian agencies; secondly, to respond to the expectations raised by Article 50 of the Charter. On the latter point, since sanctions were a measure taken collectively by the United Nations to maintain or restore international peace and security, the cost involved in their application should be borne equitably by all Member States and not exclusively by the few who had the misfortune to be neighbours or major economic partners of the targeted country. In order to address these and other problems, the Secretary-General suggested the establishment of a mechanism which would assist the Security Council by carrying out the following five functions: (a) to assess at the

request of the Council, and before sanctions are imposed, their potential impact on the target country and on third countries; (b) to monitor the application of the sanctions; (c) to measure their effects in order to enable the Council to fine tune them; (d) to ensure the delivery of humanitarian aid to vulnerable groups; and (e) to explore ways of assisting Member States that suffered collateral damage and to evaluate claims submitted by them under Article 50.

Regarding enforcement action, the Secretary-General noted that neither the Security Council nor he himself currently had the capacity to deploy, direct, command and control operations for the purpose of taking enforcement action under the Charter against those responsible for threats to the peace, breaches of the peace or acts of aggression. While he believed it would be desirable in the long term for the United Nations to develop such a capacity, it would however be folly to attempt to do so at the present time when the Organization lacked resources and was hard pressed to handle the less demanding peacemaking and peacekeeping responsibilities entrusted to it. Recent experience had demonstrated both the value and the difficulties of the Security Council entrusting enforcement tasks to groups of Member States. On the positive side, that arrangement provided the Organization with an enforcement capacity it would not otherwise have and was greatly preferable to the unilateral use of force by Member States without reference to the United Nations. On the other hand, the arrangement could have a negative impact on the Organization's stature and credibility. There was also the danger that the States concerned might claim international legitimacy and approval for forceful actions that had not in fact been envisaged by the Council when it had given its authorization to them.

Addressing issues of coordination, and in particular the cooperation between the United Nations and regional organizations under Chapter VIII of the Charter, the Secretary-General identified the following principles on which such a relationship should be based: (a) agreed mechanisms for consultations should be established; (b) the primacy of the United Nations, as set out in the Charter, should be respected; (c) the division of labour had to be clearly defined and agreed; and (d) there had to be consistency by members of regional organizations that are also Members of the United Nations in dealing with a common problem.

Finally, the Secretary-General stressed that none of the various instruments for peace and security could be used unless Governments provided the necessary financial resources. He referred to a package of proposals, ideas and questions on finance and budgetary procedures which he had put to the Member States in October 1994.<sup>68</sup>

Following the adoption of the agenda, the Council invited the representatives of Australia, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Colombia, Egypt, Hungary, India, Ireland, Japan, Latvia, the Libyan Arab Jamahiriya, Malaysia, the Netherlands, New Zealand, Norway, Pakistan, Poland, Romania, Sierra Leone, Slovenia, Sri Lanka, Turkey and Ukraine, at their request, to participate in the discussion without the right to vote.

The representative of the United Kingdom recalled that his country had long championed greater recourse by the United Nations to preventive action. While recognizing that more such action had been taken presently than a few years ago, he believed the United Nations could still be more imaginative and more proactive in that regard. Greater coordination between the different parts of the United Nations was needed to identify potential crises as well as a greater willingness to address such crises, before they escalated into armed conflicts. Noting that preventing conflicts, although not cost-free, might be cheaper than resolving them after they broke out, he expressed doubts about the idea of a fixed contingency provision for preventive action in the regular budget, but was willing to consider enlarging the existing provision for unforeseen and extraordinary activities. Greater use of voluntary contributions to finance longer term preventive missions could also be considered. Small United Nations support missions could be a useful model to follow. Turning to peacekeeping matters, he said that peacekeeping was most likely to be successful when it was strictly impartial and based upon the consent of the parties. Unity of command was also vital, as complemented by the fullest possible information to troop contributors as well as the development of an effective information capacity. Referring to the proposal of the Secretary-General for a rapid reaction force, he stated that it was not necessarily the most cost-effective or realistic way of approaching the issue of rapid deployment. More

needed to be done on the “embryo system” of standby arrangements, including the provision of equipment to those troops in need thereof, through the development of a planning database. Also, better-equipped contributors with high-readiness forces could be deployed quickly at the outset of a United Nations operation, to be replaced by other troop contributors that might need more time to prepare for deployment. In relation to post-conflict peacebuilding, he supported the Secretary-General’s integrated approach of making best use of the United Nations system as a whole. With regard to disarmament, he noted that the Secretary-General in his report had focused attention primarily on “micro-disarmament”. While supporting efforts to address the problem of proliferation of small arms and anti-personnel landmines, he said that the question of the proliferation of weapons of mass destruction should not be neglected, pointing out the fundamental role of the Council in this area. Stressing that the cooperation between the United Nations and regional organizations was crucial in many of the areas relating to the maintenance of international peace and security, he welcomed the Secretary-General’s offer to assist regional organizations, particularly in the field of peacemaking and peacekeeping.

With reference to Chapter VII of the Charter, he stated that armed force should be used only as a last resort, in cases of aggression or support for terrorism. Short of that, sanctions remained a valid and sometimes necessary option. While it was important to devise sanctions regimes that had the greatest effect on the target Government and its supporters and the least effect on innocent civilians, one should not be seduced by partially and narrowly targeted “smart sanctions”. These were, in general, difficult to enforce and were therefore unlikely to have the desired effect of bringing about a change of policy. Addressing the issue of conflict between sanctions and development raised by the Secretary-General, he noted that a decision to impose sanctions under Chapter VII presupposed that there was a threat to international peace and security, which, in itself, was inimical to the parties’ development goals. In his view, the Council had to be able to impose sanctions at short notice and without undue delay. While he did not concur with all the points made on sanctions by the Secretary-General, he did agree that there was a need to strengthen the Secretariat to address the issues of monitoring the application and effects of sanctions and the delivery of

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<sup>68</sup> See A/49/PV.28.



humanitarian assistance in a more coherent and effective manner.<sup>69</sup>

The representative of France stated that in order to improve the United Nations capacity to maintain international peace and security, special attention should be given to preventive diplomacy and peacemaking, rapid deployment of peacekeeping operations and imposition of sanctions. Preventive diplomacy should be used to forestall the outbreak or aggravation of conflicts and to settle their underlying disputes. At the same time, stable funding should be provided for the initiation and conduct of preventive diplomacy missions and peacemaking, including long-term missions. The preventive deployment of peacekeeping troops was also one way to help stabilize tense situations, including deployment on one side of the border when there was a lack of consent by all the Governments concerned. Pointing out that peacebuilding activities were a necessary corollary to preventive action and peacemaking, he noted that they could occur during, or as a continuation of, a peacekeeping operation and could be initiated independently from such an operation. Regarding the rapid deployment of peacekeeping operations, he contended that the concept of standby forces put forward by his Government was an excellent way of reducing the time required for deployment, on condition that a sufficient number of Member States committed themselves to it. Arrangements for standby forces should be maintained and the inter-operational nature of the forces should be developed. He took note with great interest of the Secretary-General's proposal regarding the creation of United Nations rapid reaction force, although questions concerning agreements between the Governments concerned and the United Nations, the command of the force and its financing had not yet been spelled out. With reference to Article 41 of the Charter, he stated that sanctions were the only enforcement instruments available to the Security Council short of recourse to military force. That explained why their use was not subject to any restriction. The Charter only referred to the ability of third States to consult the Council over specific economic difficulties they may encounter. While the imposition of sanctions had to have a specific aim and criteria for lifting sanctions should be stipulated from the outset, it was necessary to preserve the Security Council's autonomy in decision-making. In that

<sup>69</sup> S/PV.3492, pp. 2-5.

respect, he stated that his Government was not able to endorse the proposal of the Secretary-General to establish a mechanism whose primary function would be to evaluate, prior to any decision of the Council, the potential impact of planned sanctions and to measure their effects as implemented, arguing that it would lead to all sorts of pressure being exerted on the Council.<sup>70</sup>

The representative of Indonesia, speaking on behalf of the Movement of Non-Aligned Countries, noted that the "Supplement to an Agenda for Peace" was relatively silent on the role of the General Assembly in contributing to the maintenance of international peace and security, as specified in the Charter and reaffirmed in General Assembly resolutions 47/120 A and 47/120 B. It was important, in that regard, that respect for State sovereignty be recognized as one of the basic principles in the conduct of international relations. He concurred with the Secretary-General that commitment to development was the best means to uproot the fundamental causes of conflicts that posed threats to international peace and security. In relation to peacekeeping, he called for the strengthening of the following traditional principles of peacekeeping operations: support of the general membership of the Organization; consent of the States involved; non-intervention in the internal affairs of States; impartiality; non-use of force; equitable opportunity for all States to participate; and, above all, a clearly-defined mandate, time-frame and secure financing. He also emphasized that coercive measures and military means had to remain the last resort, and agreed that unity of command and control was a *sine qua non* for peacekeeping operations to proceed effectively and safely. As a matter of principle, peacekeeping operations should be under the operational control of the United Nations. The concept of multifunctional peacekeeping operations required further clarification. Similarly, in order to avoid any challenges to the sovereignty and independence of States, the idea of a rapid reaction force required greater clarity regarding the scope and circumstances under which it could be deployed, as well as cost implications, modality of establishment and use, the need for consent before deployment as well as command and control structure. It was not clear, for instance, what types of emergency were referred to and who would determine the existence of such crises. In addition, the concept of enforcement action needed to

<sup>70</sup> *Ibid.*, pp. 5-7.

be further evaluated, *inter alia*, on the basis of the Secretary-General's report. Equally important were the consultations with troop-contributing countries which should focus on political and military objectives, the responsibilities and expectations of their troops and the conduct of the operations in general. Further specific improvements, including the possible expansion of the consultative mechanism to any other interested countries, would depend on how effective the new set-up would prove to be.

Turning to the funding of peacekeeping operations, the speaker stated that the costs of peacekeeping operations should continue to be calculated, in accordance with the existing scale of assessments established by General Assembly resolution 3101 (XXVIII), which took into account the special responsibility of some Member States and economic considerations. Those arrangements should be institutionalized and in conformity with Article 17(2) of the Charter. In addition, the Secretariat should continue to facilitate prompt reimbursement to troop-contributing countries. He also noted the Secretary-General's proposals with regard to preventive diplomacy and peacemaking. Concerning the Secretary-General's reference in his report to a norm for Member States to accept offers of United Nations good offices, he felt such a rule could only be created by the free will and consent of the States concerned. In relation to disarmament, he reaffirmed the importance of the non-proliferation of weapons of mass destruction. With regard to sanctions, he noted that Member States were obligated to comply with Security Council decisions concerning sanctions, in conformity with Article 41 of the Charter. Several issues, however, needed clarification prior to the imposition of sanctions, including their potential impact, timeframe, clearly defined objectives, humanitarian aspects and special provisions to minimize collateral damage. With respect to the latter, he stressed that more extensive use of Article 50 of the Charter had become essential as a means to limit the impact of sanctions, including through compensation. It was the Security Council, rather than the Bretton Woods institutions, which had the responsibility of providing relief. In conclusion, he welcomed close cooperation between the United Nations and regional organizations in the resolution of conflicts in their region, on the basis of Chapter VIII of the Charter and

within their respective mandates and spheres of competence.<sup>71</sup>

The representative of China contended that, in fulfilling their responsibilities for the maintenance of international peace and security, the United Nations and the Security Council, in particular, had to strictly abide by the following purposes and principles of the Charter: respect for State sovereignty and non-interference in the internal affairs of States; peaceful settlement of disputes; cooperation and coordination among United Nations agencies in accordance with the Charter; a more effective role for the General Assembly in the maintenance of international peace and security; and the Security Council's fulfilment of its responsibility for the maintenance of international peace and security on behalf of all Member States. Noting the recent "conditional involvement" of the United Nations in the settlement of internal disputes, he observed that such involvement risked making the United Nations a party to such conflicts. He deemed it imperative to establish certain principles which should include the following: conflicts or disputes should pose a real threat to international or regional peace; a United Nations operation had to be at the request and obtain the consent of the parties concerned; the United Nations role should be confined to assisting in the settlement of disputes or conflicts by peaceful means; and full play should be given to the role of neighbouring countries and relevant regional organizations. Regarding peacekeeping operations, which he clearly distinguished from peace enforcement actions, he agreed that the consent of the parties concerned, impartiality and the non-use of force, except in self-defence, were essential principles to ensuring successful operations. He noted an increasing number of cases in which the Security Council, invoking Chapter VII of the Charter on "flimsy grounds", resorted to, or authorized a few countries to take, enforcement actions. Stressing that his Government had never endorsed such peace enforcement actions, he maintained that they should only be used against acts of aggression that endanger or undermine peace, in accordance with Chapter VII, and that they should have a clear-cut mandate and the political guidance of the Council, as well as be placed under the unified command of the United Nations. His Government was not in favour of using sanctions to exert pressure.

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<sup>71</sup> *Ibid.*, pp. 7-10.

Sanctions should not be used as a punitive means and their objectives, scope and time limit should be clearly defined. At the same time, appropriate mechanisms should be established to reduce the impact of sanctions on the population of the countries concerned and to resolve, in accordance with Article 50 of the Charter, the problems faced by third countries. As far as preventive diplomacy and post-conflict peacebuilding were concerned, he stressed the need to respect State sovereignty and obtain the consent of the States concerned. Moreover, the Security Council should not take over the responsibilities of United Nations agencies in post-conflict rehabilitation, reconstruction and other follow-up activities or get involved in what was beyond its terms of reference. He also expressed the need to distinguish and define, within the framework of the Charter, the concept, scope and mutual relationship of economic, social, development, humanitarian and other activities in relation to activities for the maintenance of peace and security, "so as to provide them with a solid legal basis".<sup>72</sup>

The representative of the Russian Federation concurred with the Secretary-General's conclusion that there should be greater use of preventive diplomacy. In that regard, he saw some rationality in the idea of creating small field missions, provided that the consent of the country concerned had been obtained. The Secretary-General should define the general criteria for establishing and making use of such missions. Stressing the importance of determining primary conditions for conducting peacekeeping operations he expressed concern that, despite decisions taken by the Security Council, it had so far been impossible to adopt standard criteria and conditions for involving the United Nations "in extinguishing various hotbeds of tension". He agreed with the views expressed by the Secretary-General on the need to observe the principle of unity of command and to determine three levels of authority. On the latter, he assumed that the Secretary-General would be guided by the political instructions of the Security Council as well as keep the Council informed and consult it on any steps of a political nature. At the same time, troop-contributing countries should be kept informed about all aspects of the operation at all times. Overall, he emphasized the Council's exclusive authority under the Charter over the mandate of peacekeeping operations. He also called for perfecting the system of standby arrangements and

<sup>72</sup> Ibid., pp. 12-15.

expressed his Government's readiness to consider the proposal to create rapid reaction forces. Such a proposal would require taking into account the provisions of Article 43 of the Charter and would entail a greater role for the Military Staff Committee. On the issue of sanctions, the speaker stated that one should be clear about the goals of the sanctions imposed, the need for a timely agreement on precise conditions and machinery for lifting them once they had fulfilled their purpose, the inadmissibility of tightening sanctions if that would hinder the process of a political settlement, and the vital need to consider humanitarian factors. In connection with Article 50, and taking into account the possibilities afforded by Article 65 of the Charter, his delegation was prepared to consider the creation of a special mechanism within the Secretariat to address sanctions issues. His delegation supported the further strengthening of cooperation with regional organizations in accordance with Chapter VIII of the Charter, while maintaining the statutory role and responsibility of the Security Council. He specified that in all instances of regional peacekeeping carried out in accordance with Article 52 of the Charter, United Nations involvement should be on the basis of voluntary, equitable cooperation without any monitoring or attempt to interfere in the settlement process, without having responsibility, political or financial, for the outcome of that process. Referring to post-conflict peacebuilding, he pointed out the need to study the whole range of possibilities open to the United Nations, to carry out both preventive and post-conflict peacebuilding, based on major improvements in coordination and on the division of labour between all relevant organs and institutions, taking into account the sphere of competence of each.<sup>73</sup>

The representative of the United States stated that peacekeeping operations established since 1988 had provided a number of lessons, among which the most important was that peacekeeping operations inside a country made different and greater demands on peacekeepers than did missions that separated two hostile States. Another important lesson was the need for rigorous decision-making in deciding whether, and how, to initiate a peace operation. In that context, she rejected the Secretary-General's contention that the Security Council was engaged in micromanagement because it sought information about a peace operation. She stressed that it was the Council's responsibility to

<sup>73</sup> Ibid., pp. 17-19.

create, extend, alter or terminate peace operations. Those decisions could be made only on the basis of complete, accurate and timely information provided by the Secretariat. Therefore, there should be no question about providing such information. A third important area of United Nations experience related to the appropriate use of force by United Nations peacekeepers. She fully agreed with the Secretary-General that peacekeeping and peace enforcement were not adjacent points on a continuum and emphasized that it was essential that when the Council turned to individual Member States or coalitions, it should retain the capacity to monitor such operations to ensure that they were conducted in accordance with international standards. Regarding peacebuilding, the speaker recalled that she had proposed the exploration of a mechanism whereby the Economic and Social Council would work in partnership with the Security Council to better identify and address economic and social tensions before the outbreak of conflict or after its conclusion. In relation to sanctions, she cautioned that procedures designed to mitigate the unintended effects of sanctions should not render them useless as a means for influencing the behaviour of a given Government. Finally, she pointed out that further major progress was required to improve the overall capacity of the United Nations to conduct and manage peace operations. In that regard, she questioned whether a rapid reaction force was the right course of action at that time to enhance the United Nations readiness for peacekeeping operations.<sup>74</sup>

Speaking on behalf of the European Union, the representative of France stated that the European Union attached particular importance to preventive diplomacy and supported the intensification of efforts between the United Nations system and regional organizations in order to better identify situations that might give rise to conflicts. He also recalled the European Union's support for the preventive deployment of troops, including stationing them on only one side of a border, in order to help stabilize a tense situation, where the consent of all the Governments concerned was lacking. With regard to peacekeeping, he noted the importance of maintaining a presence on the ground after the end of a given operation. Moreover, the transfer to the competent bodies of the peacebuilding functions assumed within the framework of a peacekeeping operation should be

planned and organized, so as to allow a transitional phase between an operation under the auspices of the Security Council and actions that were the responsibility of other parts of the United Nations system. On the issue of rapid deployment of peacekeeping operations, the European Union favoured the idea of studying the stockpiling of reserves of the United Nations to use material left over from already completed operations as well as calling upon Member States to equip and train troops provided by other States. Although standby forces did not guarantee that contingents would be provided for a given operation, since States which agreed to participate were under no obligation to respond automatically, the European Union saw it as an appropriate response to rapid deployment. Other measures to improve the capacity of rapid deployment could be considered within a regional framework. The Secretary-General's proposal to create a United Nations rapid reaction force needed to be examined more carefully. On the issue of sanctions, the European Union agreed on the need to develop precise goals and criteria for their termination, to evaluate them regularly, as well as to study their humanitarian impact and effect on third States. On the latter point, the European Union noted the possibility to resort to the expertise of the Bretton Woods institutions. With regard to enforcement action, he stated that the international community should never exclude the possibility — in the absence of the consent of the parties, and even against their will, if the situation so required — of the United Nations deciding to have recourse to the enforcement measures provided for in Chapter VII of the Charter. Finally, the European Union supported the development of the coordination and cooperation with regional organizations consistent with the following principles: primacy of the United Nations in accordance with the Charter; clear-cut division of labour; and consistency, especially with regard to the norms for peacekeeping. Furthermore, the European Union considered that the United Nations could, on a case-by-case basis, benefit from the delegation by the Security Council of certain operational tasks to regional organizations and arrangements. The Security Council, to which any Member State could bring any dispute which posed a threat to international peace and security, should be kept informed of action taken or contemplated in this area by regional organizations. The speaker recalled, in that regard, that only the Security Council could

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<sup>74</sup> Ibid., pp. 22-26.

mandate enforcement action in the case of a threat to the peace, breach of the peace or act of aggression.<sup>75</sup>

Other speakers expressed interest in the Secretary-General's call for the development of a norm according to which Member States would accept an offer of United Nations good offices.<sup>76</sup> Some pointed out that such a norm was already enshrined in the Charter, citing Article 37.<sup>77</sup> Some, however, observed that good offices were efforts under Chapter VI of the Charter and, hence, were predicated on the principle of consent of the parties concerned. They warned that the creation of norms, automatically applicable, would lead to the dilution of that principle.<sup>78</sup>

Several speakers supported or expressed interest in the Secretary-General's proposal to establish a mechanism to assess, monitor and measure the effects of sanctions imposed under Article 41,<sup>79</sup> and to explore ways of assisting Member States that were suffering collateral damage and to evaluate claims of such States under Article 50. Some suggested the establishment of a compensation fund in that regard.<sup>80</sup> Some expressed doubts about the practicability of conducting an in-depth assessment before sanctions were imposed, in the light of the urgency imposed by events giving rise to sanctions. They also warned that such a mechanism would unduly delay the imposition of sanctions.<sup>81</sup>

A number of speakers endorsed or expressed interest in the Secretary-General's concept of the role that regional organizations should play and of the

principles that should guide relations between the United Nations and the latter in the maintenance of international peace and security.<sup>82</sup> Some, however, stressed that most regional organizations lacked the structures for establishing, financing and directing peacekeeping operations and called for adequate assistance from the United Nations, in order to fully implement Chapter VIII of the Charter.<sup>83</sup> A few also called for closer cooperation between the Economic and Social Council and the United Nations, in particular the Security Council.<sup>84</sup>

At its 3503rd meeting, on 22 February 1995, the Council resumed its consideration of the item. Following the adoption of the agenda, the President (Botswana) stated that, following consultations among Council members, he had been authorized to make the following statement on behalf of the Council:<sup>85</sup>

The Security Council welcomes the position paper of the Secretary-General entitled "Supplement to an Agenda for Peace" as an important contribution to the debate on the development of the United Nations activities related to international peace and security in all its aspects at the beginning of the year in which the Organization celebrates its fiftieth anniversary. The Council notes that the paper contains a wide range of conclusions and recommendations with regard to instruments for resolving conflict. The Council is of the view that in the light of recent developments and experience gained, efforts should be made to further enhance the Organization's ability to perform the tasks laid down for it under the Charter. The Council reiterates that, in performing the above-mentioned tasks, the purposes and principles of the Charter should always be strictly observed.

The Council welcomes and shares the priority given by the Secretary-General to action to prevent conflict. It encourages all Member States to make the fullest possible use of instruments of preventive action, including the Secretary-General's good offices, the dispatch of special envoys of the Secretary-General and the deployment, with the consent as appropriate of the host country or countries, of small field missions for preventive diplomacy and peacemaking. The Council believes that adequate resources must be made available within the United Nations system for these actions. It notes the problem identified by the Secretary-General in finding senior

<sup>75</sup> S/PV.3492 (Resumption 1), pp. 15-18.

<sup>76</sup> S/PV.3492, pp. 10-12 (Botswana); S/PV.3492 (Resumption 1), pp. 7-10 (Czech Republic); pp. 18-20 (India); pp. 24-26 (Pakistan); pp. 27-29 (Netherlands); S/PV.3492 (Resumption 2), pp. 4-7 (New Zealand); pp. 7-10 (Slovenia); pp. 21-22 (Latvia); pp. 27-28 (Sierra Leone); and pp. 28-31 (Norway).

<sup>77</sup> S/PV.3492 (Resumption 2), pp. 4-7 (New Zealand).

<sup>78</sup> S/PV.3492 (Resumption 1), pp. 18-20 (India).

<sup>79</sup> S/PV.3492 (Resumption 1), pp. 7-10 (Czech Republic); pp. 18-20 (India); pp. 20-22 (Malaysia); pp. 20-22 (Ukraine); pp. 24-26 (Pakistan); pp. 29-31 (Turkey); S/PV.3492 (Resumption 2), pp. 2-4 (Brazil); pp. 4-7 (New Zealand); pp. 7-9 (Slovenia); pp. 9-11 (Sri Lanka); pp. 14-15 (Colombia); pp. 16-19 (Ireland); pp. 19-21 (Romania); pp. 22-23 (Bulgaria); pp. 27-28 (Sierra Leone); and pp. 31-33 (Egypt).

<sup>80</sup> S/PV.3492 (Resumption 1), pp. 18-20 (India); and pp. 22-24 (Ukraine).

<sup>81</sup> S/PV.3492, pp. 15-17 (Germany); and S/PV.3492 (Resumption 1), pp. 31-33 (Canada).

<sup>82</sup> S/PV.3492, pp. 10-12 (Botswana); pp. 19-22 (Honduras); S/PV.3492 (Resumption 1), pp. 3-6 (Nigeria); pp. 11-15 (Argentina); pp. 27-29 (Netherlands); pp. 29-31 (Turkey); pp. 31-33 (Canada); pp. 33-36 (Japan); S/PV.3492, pp. 16-19 (Ireland).

<sup>83</sup> S/PV.3492, pp. 10-12 (Botswana); pp. 19-22 (Honduras); S/PV.3492 (Resumption 1), and pp. 3-6 (Nigeria).

<sup>84</sup> *Ibid.*, pp. 31-33 (Canada); S/PV.3492 (Resumption 2), pp. 16-19 (Ireland).

<sup>85</sup> S/PRST/1995/9.

persons to act as his special representative or special envoy and encourages Member States which have not yet done so to provide the Secretary-General with the names of persons who might be considered by him for such posts, together with other resources both human and material which might be useful to such missions. It encourages the Secretary-General to make full use of resources thus put at his disposal.

The Council endorses the view expressed by the Secretary-General concerning the crucial importance of economic and social development as a secure basis for lasting peace. Social and economic development can be as valuable in preventing conflicts as in healing the wounds after conflicts have occurred. The Council urges States to support the efforts of the United Nations system with regard to preventive and post-conflict peacebuilding activities and, in this context, to provide necessary assistance for the economic and social development of countries, especially those which have suffered or are suffering from conflicts.

The Council welcomes the analysis of the Secretary-General regarding peacekeeping operations. It recalls the statement made by its President on 3 May 1994 which, inter alia, listed factors to be taken into account in establishing peacekeeping operations. It notes that in resolving conflicts, primary emphasis should continue to be placed on the use of peaceful means rather than force. Without prejudice to its ability to respond to situations on a case-by-case basis, and rapidly and flexibly as the circumstances require, it reiterates the principles of consent of the parties, impartiality and the non-use of force except in self-defence. It underlines the need to conduct peacekeeping operations with a clearly defined mandate, command structure, time frame and secure financing, in support of efforts to achieve a peaceful solution to a conflict: it stresses the importance of the consistent application of these principles to the establishment and conduct of all peacekeeping operations. It stresses the importance it attaches to the provision of the fullest possible information to the Council to assist it in making decisions regarding the mandate, duration and termination of current operations. It also emphasizes the importance of providing troop contributors with the fullest possible information.

The Council shares the concern of the Secretary-General regarding the availability of troops and equipment for peacekeeping operations. It recalls earlier statements by the President of the Council on the subject and reiterates the importance of improving the capacity of the United Nations for rapid deployment and reinforcement of operations. To that end, it encourages the Secretary-General to continue his study of options aimed at improving the capacity for such rapid deployment and reinforcement. The Council believes that the first priority in improving the capacity for rapid deployment should be the further enhancement of the existing standby arrangements, covering the full spectrum of resources, including arrangements for lift and headquarters capabilities, required to mount and execute peacekeeping operations. It strongly encourages the Secretary-General to take further steps in this regard, including the establishment of a comprehensive database

to cover civilian as well as military resources. In this context, it considers that particular attention should be given to the greatest possible interoperability between elements identified in such arrangements. The Council reiterates its call to Member States not already doing so to participate in the standby arrangements. While affirming the principle that contributing Governments should ensure that their troops arrive with all the equipment needed to be fully operational, the Council also encourages the Secretary-General and Member States to continue to consider means, whether in the context of standby arrangements or more broadly, to address the requirements of contingents which may need additional equipment or training.

The Council strongly supports the Secretary-General's conclusion that peacekeeping operations need an effective information capacity, and his intention to address this requirement in future peacekeeping operations from the planning stage.

The Council welcomes the ideas of the Secretary-General regarding post-conflict peacebuilding. It agrees that an appropriately strong overall United Nations contribution needs to be sustained after the successful conclusion of a peacekeeping operation, and encourages the Secretary-General to study ways and means of ensuring effective coordination between the United Nations and other agencies involved in post-conflict peacebuilding, and to take active steps to ensure that such coordination takes place in the immediate aftermath of a peacekeeping operation. The measures described by the Secretary-General may also be required, with the consent of the State or States concerned, after successful preventive action and in other cases where an actual peacekeeping deployment does not take place.

The Council shares the assessment of the Secretary-General of the paramount importance of preventing the proliferation of weapons of mass destruction. Such proliferation is a threat to international peace and security. Appropriate measures will be taken in this respect in particular where international treaties provide for recourse to the Council when their provisions are violated. The Council underlines the need for all States to fulfil their obligations in respect of arms control and disarmament, in particular in regard to weapons of mass destruction.

The Council takes note of the assessment of the Secretary-General of the importance of "micro-disarmament", as described in his paper, in the solution of conflicts with which the United Nations is currently dealing and of his view that small arms are probably responsible for most of the deaths in these conflicts. It shares the concern of the Secretary-General at the negative consequences for international peace and security which often arise from the illicit traffic in conventional weapons, including small arms, and takes note of his view that the search for effective solutions to this problem should begin now. In this context the Council stresses the vital importance of the strict implementation of existing arms embargo regimes. It welcomes and supports efforts with regard to international measures to curb the spread of anti-personnel landmines and to deal with the

landmines already laid, and in this regard welcomes General Assembly resolutions 49/75 D of 15 December 1994 and 49/215 of 23 December 1994. It reaffirms its deep concern over the tremendous humanitarian problems caused by the presence of mines and other unexploded devices to the populations of mine-infested countries and emphasizes the need for an increase in mine-clearing efforts by the countries concerned and with the assistance of the international community.

The Council stresses the importance it attaches to the effective implementation of all measures taken by it to maintain or restore international peace and security including economic sanctions. It agrees that the object of economic sanctions is not to punish but to modify the behaviour of the country or party which represents a threat to international peace and security. The steps demanded of that country or party should be clearly defined in Council resolutions, and the sanctions regime in question should be subject to periodic review and it should be lifted when the objectives of the appropriate provisions of the relevant Council resolutions are achieved. The Council remains concerned that, within this framework, appropriate measures are taken to ensure that humanitarian supplies reach affected populations and appropriate consideration is given to submissions received from neighbouring or other States affected by special economic problems as a result of the imposition of sanctions. The Council urges the Secretary-General, when considering the allocation of resources available to him within the Secretariat, to take appropriate steps to reinforce those sections of the Secretariat dealing directly with sanctions and their various aspects so as to ensure that all these matters are addressed in as effective, consistent and timely a manner as possible. It welcomes the efforts of the Secretary-General to study ways and means of addressing the various aspects related to sanctions in his report.

The Council reaffirms the importance it attaches to the role that regional organizations and arrangements can play in helping to maintain international peace and security. It underlines the need for effective coordination between their efforts and those of the United Nations in accordance with Chapter VIII of the Charter. It recognizes that the responsibilities and capacities of different regional organizations

and arrangements vary, as well as the readiness and competence of regional organizations and arrangements, as reflected in their charters and other relevant documents, to participate in efforts to maintain international peace and security. It welcomes the willingness of the Secretary-General to assist regional organizations and arrangements as appropriate in developing a capacity for preventive action, peacemaking and, where appropriate, peacekeeping. It draws particular attention in this regard to the needs of Africa. It encourages the Secretary-General and Member States to continue to consider ways and means of improving practical cooperation and coordination between the United Nations and regional organizations and arrangements in these areas. The Council encourages the Secretary-General to continue the practice of meetings on cooperation between the United Nations and regional and other organizations.

The Council recognizes the crucial importance of the availability of the necessary financial resources both for preventive action and operations undertaken to sustain international peace and security. It therefore urges Member States to honour their financial obligations to the United Nations. At the same time, the Council emphasizes the continuing necessity for careful control of peacekeeping costs and for the most efficient possible use of peacekeeping funds and other financial resources.

The Council will keep the Secretary-General's paper under consideration. The Council invites all interested Member States to present further reflections on United Nations peacekeeping operations, and in particular on ways and means to improve the capacity of the United Nations for rapid deployment. It invites the Secretary-General to keep it closely informed of the action he takes in follow-up to the paper and to the present statement. It hopes that the General Assembly, as well as other organizations and entities, will give consideration of the paper a high degree of priority and will take decisions on those matters which fall within their direct responsibility.