

The representatives of France, Canada, Germany and the United Kingdom stressed that the Council needed to build into its thinking, particularly in connection with mandates, an awareness of the possible need for change, with the representatives of France and the United Kingdom highlighting the fact that clear objectives for a peacekeeping operation were not always possible.<sup>8</sup> Similarly, the representative of Denmark suggested that a mandate should not inappropriately limit the Secretary-General's ability to shape and adjust the operation or mission to take account of evolving circumstances.<sup>9</sup>

The representative of Egypt stated that the Council should not resort to exerting political pressure on any side by hinting at terminating an operation, reducing an operation or resorting to any method of political pressure that would serve the political interests of one or more States in the Council without paying attention to the interests of the host State or region in which the operation was conducted, not to mention the interests of the members of the society

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<sup>8</sup> *Ibid.*, p. 6-7 (France); p. 11 (Canada); and pp. 23-24 (United Kingdom); S/PV.4223 (Resumption 1), p. 3 (Germany).

<sup>9</sup> S/PV.4223 (Resumption 1), p. 18.

hosting the operation.<sup>10</sup>

The representative of India emphasized that successful peacekeeping could be carried out only by countries that were neutral and had no interests of their own to pursue. He continued that there was also renewed confusion over what peacekeeping was. While the Council's humanitarian impulse was natural, conducting humanitarian relief through peacekeeping undermined both. Moreover, the delegate recalled that there was a gap between emergency relief and long-term development and reconstruction programmes, and, during that gap, societies could unravel again and conflicts resume.<sup>11</sup>

The representative of Argentina noted that even in conventional armed conflicts, the conflict might remain latent, and the mission might be given a stabilization function that could lead to a syndrome in which the parties became dependent on the peacekeeping operation, thereby making it more difficult for the Council to take the decision to put an end to it.<sup>12</sup>

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<sup>10</sup> *Ibid.*, p. 13.

<sup>11</sup> *Ibid.*, pp. 23-25.

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

## B. Strengthening cooperation with troop-contributing countries

### Decision of 31 January 2001 (4270th meeting): statement by the President

At its 4257th meeting,<sup>13</sup> on 16 January 2001, the Security Council included in its agenda a letter dated 8 January 2001 from the representative of Singapore addressed to the Secretary-General, announcing the organization of an open debate on strengthening cooperation with troop-contributing countries, and

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<sup>13</sup> For more information on the discussion at this meeting, see chap. I, part V, case 9, with regard to special cases concerning the application of rules 27-36; chap. VI, part IV, sect. A, case 20, with regard to practice in relation to the election of members of the International Court of Justice; and chap. XI, part V: sect. B, with regard to the discussion relating to Article 43 of the Charter; sect. D, with regard to the discussion relating to Article 44; and sect. F, with regard to the discussion relating to Articles 46-47.

enclosing background papers and suggesting some specific questions for discussion.<sup>14</sup>

At the meeting, the Council was briefed by the Deputy Secretary-General. Statements were made by all Council members<sup>15</sup> and the representatives of Argentina, Australia, Bulgaria, Canada, Egypt, Fiji, India, Japan, Jordan, Malaysia, Nepal, New Zealand, Nigeria, Pakistan, Poland, the Republic of Korea, Romania, Senegal, South Africa, Sweden (on behalf of the European Union<sup>16</sup>) and Zambia.

In his introductory statement, the President (Singapore) stressed that the success of peacekeeping operations depended on a healthy triangular

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<sup>14</sup> S/2001/21.

<sup>15</sup> Singapore was represented by its Minister for Foreign Affairs.

<sup>16</sup> Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia aligned themselves with the statement.

relationship between the Council, the Secretariat and troop-contributing countries. He suggested a number of issues to be addressed, such as identifying the key problems in the relations between the three partners, mechanisms to strengthen the link between the Council and the troop-contributing countries, and ways to improve cooperation between the three partners in addressing peacekeeping problems.<sup>17</sup>

The Deputy Secretary-General stated that closer cooperation between the three partners could help to address commitment gaps in the contribution of troops, failures or shortcomings in operations and problems concerning safety and security. Recognizing the importance of communication between the Secretariat and the troop-contributing countries, she highlighted measures taken by the Secretariat and pledged to explore how that relationship could be strengthened. She pointed out that the need for partnership and close communication was stressed in the report of the Panel on United Nations Peace Operations.<sup>18</sup> She also cited various suggestions made by the Panel, such as improved planning and better articulation of the mandates of peacekeeping missions, the establishment of an on-call list of military and civilian police specialists and the strengthening of standby arrangements. In conclusion, the Deputy Secretary-General emphasized that the strength and promise of peacekeeping lay in its collaborative nature.<sup>19</sup>

Speakers focused on the need to improve the existing consultation mechanism for troop-contributing countries by making it more timely and interactive and providing for a real exchange of views. The representative of Pakistan, echoed by the representative of Nepal, stated that the guidelines laid down in previous Council decisions on consultations with troop-contributing countries<sup>20</sup> had been largely ignored and that the consultations had become ritualistic, convening more out of form than purpose.<sup>21</sup> Similarly, the representative of India observed that, notwithstanding the presidential statements of 1994 and 1996, the meetings with troop-contributing countries had become pro forma and ritualistic and not

an occasion for fruitful deliberations and enabling forming of shared perspectives, as they should be.<sup>22</sup>

A number of representatives argued for broadening participation in consultations to include not only troop-contributing countries but also the countries making contributions of civilians, logistics and equipment, as well as major financial contributors.<sup>23</sup> The representative of Argentina held that other concerned parties, such as the operation's host country and the countries affected in the region, should be included in the discussions.<sup>24</sup> With respect to the timing of consultations, many speakers stressed that the Council should meet with troop-contributing countries prior to establishing a mission's mandate, and also when the Council considered substantive changes to an operation's mandate.<sup>25</sup>

Many speakers noted the existence of a commitment gap with regard to troop contributions, developing countries contributing the majority of the troops deployed in United Nations peacekeeping operations. Some speakers representing troop-contributing countries lamented that the risk burden was uneven, as developing countries were providing the majority of the troops but troop-contributing countries had little voice in decision-making by the Council, and called on Council members and developed States to share the risks of deploying troops in the field.<sup>26</sup> The representative of Mali drew attention to the need to build up trust, which was essential if Member States were to provide the necessary resources and shoulder the risks involved in deploying peacekeepers. That confidence, he stressed, must be based on true partnerships between those who made the decisions and those who implemented them.<sup>27</sup> The representative of the United States emphasized that it would not be wise to blur the responsibilities of the participants in the partnership formed by troop-

<sup>17</sup> S/PV.4257, pp. 2-3.

<sup>18</sup> S/2000/809.

<sup>19</sup> S/PV.4257, pp. 3-4.

<sup>20</sup> See S/PRST/1994/62, S/PRST/1996/13 and resolution 1327 (2000).

<sup>21</sup> S/PV.4257, p. 5 (Pakistan); S/PV.4257 (Resumption 1), p. 28 (Nepal).

<sup>22</sup> S/PV.4257, p. 9.

<sup>23</sup> *Ibid.*, pp. 14-15 (Japan); S/PV.4257 (Resumption 1), p. 8 (Jamaica); and p. 24 (Senegal).

<sup>24</sup> S/PV.4257, pp. 19-20.

<sup>25</sup> *Ibid.*, pp. 9-11 (India); pp. 13-14 (Republic of Korea); p. 16 (Australia); p. 20 (Argentina); p. 24 (Egypt); and p. 31 (Nigeria); S/PV.4257 (Resumption 1), p. 13 (Ireland); p. 19 (Colombia); p. 20 (Mauritius); p. 25 (Poland); and p. 27 (Bulgaria).

<sup>26</sup> S/PV.4257, p. 7 (Jordan); and pp. 24-25 (Egypt); S/PV.4257 (Resumption 1), p. 10 (Bangladesh); and p. 28 (Nepal).

<sup>27</sup> S/PV.4257 (Resumption 1), p. 21.

contributing countries, the Council and the Secretariat, nor hinder Council decision-making.<sup>28</sup>

In responding to the statements made by troop-contributing countries, the representative of China noted that while positive steps had been taken towards improving consultations and cooperation with those countries, there was much room for improvement.<sup>29</sup>

Several representatives called for an institutionalized mechanism to allow for genuine participation by troop-contributing countries.<sup>30</sup> Many speakers pointed out that the best way to achieve a more formalized process of consultations was through the establishment of ad hoc subsidiary organs of the Council, as provided in Article 29 of the Charter.<sup>31</sup> The representative of Pakistan held that such bodies could be mission-specific and based around a core group of troop-contributing countries for each mission.<sup>32</sup> Similarly, the representative of Canada suggested that the Council and troop contributors establish a joint committee for each peace operation.<sup>33</sup> The representative of New Zealand advocated creating a formal committee composed of all Council members and every Member State contributing troops to the peacekeeping operation on the committee's agenda.<sup>34</sup> Stressing the need for a new approach, not simply new procedures, the representative of the United Kingdom reiterated his suggestion to form a working group of the Council to examine overall peacekeeping trends and working methods and play a role in establishing a more direct and proactive relationship between the Council and troop-contributing countries.<sup>35</sup> Several speakers endorsed the creation of such a working group.<sup>36</sup> The representative of the United States noted

that a real partnership between the Council, troop-contributing countries and the Secretariat required a change of mentality, not necessarily new mechanisms, and suggested using existing mechanisms to have more interactive exchanges.<sup>37</sup> Similarly, the representative of France emphasized that what mattered was not so much the formal machinery as the use to which it was put.<sup>38</sup>

Summing up the discussion, the representative of Singapore noted the widespread agreement among speakers that new mechanisms needed to be established, although there were differing views on what form such mechanisms should take. He expressed the hope that the concrete recommendations that had emerged from the discussion could be incorporated into a Council resolution or presidential statement.<sup>39</sup>

At its 4270th meeting, on 31 January 2001, the Council again included in its agenda the letter dated 8 January 2001 from the representative of Singapore addressed to the Secretary-General.<sup>40</sup>

The President (Singapore) made a statement on behalf of the Council,<sup>41</sup> by which the Council, *inter alia*:

Stressed the importance of full implementation of the provisions of resolution 1327 (2000) and in the statements by its President of 3 May 1994 and 28 March 1996;<sup>42</sup>

Stressed the importance of full participation by all those involved and encouraged troop-contributing countries to take the initiative to call for meaningful exchanges of information;

Encouraged the Secretary-General to continue his efforts to improve coordination and cooperation on peacekeeping issues within the United Nations system and the Secretariat;

Encouraged the Secretary-General to raise globally public awareness of the positive contribution of peacekeeping operations;

Acknowledged that the Secretariat must be able to rely on sufficient human and financial resources to respond to the demands placed upon it;

Reiterated that the problem of the commitment gap with regard to personnel and equipment for peacekeeping operations required that all Member States assume the shared responsibility to support United Nations peacekeeping;

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<sup>28</sup> *Ibid.*, p. 2.

<sup>29</sup> *Ibid.*, p. 15.

<sup>30</sup> S/PV.4257, p. 13 (India); p. 14 (Republic of Korea); p. 24 (Egypt); p. 25 (Zambia); p. 28 (Malaysia); and p. 32 (Nigeria); S/PV.4257 (Resumption 1), p. 5 (Tunisia); p. 11 (Ukraine); p. 16 (Norway); and p. 22 (Romania).

<sup>31</sup> S/PV.4257, p. 5 (Pakistan); p. 14 (Republic of Korea); p. 22 (Sweden on behalf of the European Union); p. 27 (New Zealand); p. 28 (Malaysia); and p. 31 (Nigeria); S/PV.4257 (Resumption 1), pp. 9-10 (Bangladesh); p. 16 (Norway); p. 20 (Mauritius); and p. 30 (Nepal).

<sup>32</sup> S/PV.4257, p. 5.

<sup>33</sup> *Ibid.*, p. 23.

<sup>34</sup> *Ibid.*, p. 27.

<sup>35</sup> S/PV.4257 (Resumption 1), p. 4.

<sup>36</sup> *Ibid.*, p. 11 (Ukraine); p. 15 (China); and p. 24 (Senegal).

<sup>37</sup> *Ibid.*, p. 2.

<sup>38</sup> *Ibid.*, p. 18.

<sup>39</sup> *Ibid.*, pp. 30-32.

<sup>40</sup> S/2001/21.

<sup>41</sup> S/PRST/2001/3.

<sup>42</sup> S/PRST/1994/22 and S/PRST/1996/13, respectively.

Acknowledged that the delay in reimbursement placed severe budgetary constraints upon troop-contributing countries; urged all Member States to pay their assessed contributions in full and on time;

Decided to establish a Working Group of the Whole on United Nations peacekeeping operations, which would address both generic peacekeeping issues relevant to the responsibilities of the Council, and technical aspects of individual peacekeeping operations.

**Decision of 13 June 2001 (4326th meeting): resolution 1353 (2001)**

At its 4326th meeting,<sup>43</sup> on 13 June 2001, the Council included in its agenda a letter dated 31 May 2001 from the Chairman of the Security Council Working Group on Peacekeeping Operations addressed to the President of the Council,<sup>44</sup> transmitting the first report of the Working Group, which examined the relationship between the Council, troop-contributing countries and the Secretariat.

At the meeting, at which no statements were made, the President (Bangladesh) drew the attention of the Council to a letter from the representatives of Argentina, Canada, Ghana, India, Jordan, the

Netherlands and New Zealand addressed to the President, providing thoughts on implementing the concept of a mission-specific cooperative management committee as a way of improving cooperation between the Council and troop-contributing countries.<sup>45</sup>

The President also drew the attention of the Council to a draft resolution;<sup>46</sup> it was put to the vote and adopted unanimously and without debate as resolution 1353 (2001), by which the Council, *inter alia*:

Agreed to adopt the decisions and recommendations contained in the annexes to the resolution;

Requested its Working Group on Peacekeeping Operations to continue its work on strengthening the capacity of the United Nations to establish and support efficient and effective peacekeeping operations;

Undertook to follow closely the implementation of the agreed measures for cooperation with troop-contributing countries, and requested its Working Group to assess within six months of the adoption of the resolution the efficiency and effectiveness of the agreed measures, to consider their further improvement taking into account the proposals of the troop-contributing countries and to report to the Council on those matters.

<sup>43</sup> For more information on the discussion at this meeting, see chap. VI, part VI, case 20, with regard to relations with the Military Staff Committee.

<sup>44</sup> S/2001/546, submitted pursuant to the presidential statement of 31 January 2001 (S/PRST/2011/3).

<sup>45</sup> S/2001/535.

<sup>46</sup> S/2001/573.

## C. Security Council Working Group on Peacekeeping Operations

### Initial proceedings

**Decision of 14 January 2002 (4447th meeting): note by the President of the Council**

By a letter dated 31 December 2001 addressed to the President of the Security Council, the Chairman of the Security Council Working Group on Peacekeeping Operations transmitted the third report of the Working Group and, annexed to the report, a draft note by the President of the Council on an agreement to convene joint meetings of the Working Group and troop-contributing countries as an additional mechanism for strengthening cooperation with those countries on specific peacekeeping operations.<sup>47</sup>

At its 4447th meeting, held in private on 14 January 2002, the Council considered the above-mentioned report. At the meeting, the Council heard a briefing by Mr. Curtis Ward, the former Chairman of the Working Group. Members of the Council also made comments and asked questions in connection with the briefing. The members of the Council approved a note by the President of the Council.<sup>48</sup>

<sup>47</sup> S/2001/1335.

<sup>48</sup> S/2002/56.