

Possible Mechanisms to Improve Council Oversight of Peacekeeping Operations
(Proposals circulated informally in March 1994 by incoming Presidency New Zealand)

DRAFT RESOLUTION

The Security Council

Desiring to make better provision for effective political oversight of the principal United Nations operations established by mandate of the Council,

Desiring also to make better provision for consultation between the Council and member states not represented on it,

Recalling Article 44 of the Charter of the United Nations,

Acting under Article 29 of the Charter of the United Nations,

1. Decides to establish a subsidiary organ to be known as “the Security Council Committee for Monitoring Peacekeeping Operations” for the purposes of regular monitoring of United Nations operations established by mandate of the Security Council and for consultation between the Council and member states not represented on it who have contributed armed forces to such operations or are in a special position to assist the Committee discharge its functions,
2. Decides further that
 - a. the committee shall be comprised of all members of the Security Council;
and
 - b. the Chair of the Committee shall rotate following the same pattern as the Presidency of the Council.
3. Authorises the Committee
 - a. to meet informally or in closed session as may be necessary for the proper discharge of its functions including in particular consultations with States not represented on the Council;
 - b. to establish effective procedures for liaison with and briefings from representatives of the Secretariat including Special Representatives, Force Commanders and staff of the Situation Room;
 - c. to establish sub committees or working groups as may be necessary.
4. Requests the Committee
 - a. to focus its attention on the work of the principal United Nations operations being those with a total personnel in excess of 500;

- b. to ensure that consultations are held with States contributing armed forces to United Nations operations in the event of significant developments relating to such operations and in connection with reviews or renewals of mandates;
- c. to report to the Council at least once every six months and at any time if in the course of carrying out its functions it becomes apparent that there are matters which should be drawn to the attention of the Council;
- d. to cooperate as may be appropriate with the Special Committee of the General Assembly on Peacekeeping Operations.

5. Requests the Secretary-General to establish, in cooperation with the Committee, procedures for regular liaison with and briefing of the Committee by members of the Secretariat including Special Representatives, Force Commanders and staff of the Situation Room and to provide the necessary facilities for the discharge of the Committee's functions.

DRAFT PRESIDENTIAL STATEMENT

The Security Council has reviewed certain aspects of its role in respect of peacekeeping operations. This review has covered:

- the establishment of new operations
- oversight and management of current operations;
- the appropriate relationship between the Council and the wider UN membership including Troop Contributing Countries and Regional Groups and Organisations.

New Peacekeeping Operations

The Security Council confirms that in general it will only consider establishing a new peacekeeping operation in circumstances where:

- a ceasefire is in existence and is being generally observed;
- the parties to the conflict have agreed on a peace process that is designed to reach a political settlement of the issues giving rise to the conflict;
- it is possible for the Council to define clearly the mandate of the operation, including its rules of engagement, the period of United Nations commitment and a review process based on measurable progress;
- reasonable guarantees can be obtained regarding the safety and security of United Nations personnel; in this regard the Council reaffirms its statement of 31 March 1993 (S25493) and its Resolution 868 of 29 September 1993.

Notwithstanding this general principle the Security Council believes it is nevertheless essential that no mistaken conclusions are drawn in connection with the responsibilities conferred on the Council under the Charter especially articles 40, 41 and 42 in the event of aggression. Similarly the Council recalls that operations such as UNPROFOR and UNOSOM became necessary because of especially grave and tragic events. The Security Council will therefore evaluate all situations on their merits.

Oversight of Peacekeeping Operations

The Security Council, through the mandates it establishes and the policies it sets, accepts political responsibility for peacekeeping operations. The Secretary-General is responsible for the implementation of mandates and policies and management of operations in the field under the administrative and financial oversight of the General Assembly acting on the advice of the Fifth Committee and its Special Committee on Peacekeeping Operations.

The Security Council is concerned that this structure designed to deal with very low levels of peacekeeping activity in relatively benign environments has not performed as well as it would have wished in the face of the recent substantial expansion of peacekeeping requirements. Problems include:

- lack of common understanding on requirements for command and control;
- excessively complex processes for consideration of financial aspects of peacekeeping operations and inadequate systems for administrative and management reviews;
- unacceptable levels of budgetary arrears and associated problems;
- insufficient information reaching the Security Council for proper consideration of policies and mandates and the review thereof;
- inadequate communication to the field of the policies of the Security Council.

The Security Council commends the initiative of the General Assembly (Res.....) to take the urgent action on the question of command and control and invites the Secretary-General to accelerate his report. In the interim the Security Council stresses that in establishing mandates for peacekeeping operations the Council proceeds on the assumption that all Troop Contributing Countries while retaining national command and control requirements assign operational command and control to the United Nations. Composite units cannot function effectively or safely if from different quarters. The achievement of the mandate established by the Security Council could be jeopardised, personnel put at unnecessary risk and the United Nations credibility undermined.

With respect to financing and administration the Security Council recognises that under the Charter appropriation of contributions is a matter for the General Assembly. However the Council is aware that its decisions on the scope of mandates, length of operations and the timing of its decisions impose burdens not only on other organs of the United Nations but also, eventually, in subscription on all member states. The Council has therefore decided on a number of steps;

- fully costed proposals will be required from the Secretariat before decisions on mandates or extensions are taken so that not only is the Council able to act in a financially responsible way but also that material is immediately available for members of the General Assembly;
- the members of the Council will play an active and constructive role in the consideration within the General Assembly of the processing, financing and review of peacekeeping operations.

With respect to the availability of information to the Council and communication with the field—the Security Council considers that measures are necessary to enhance two way communication. Such measures are necessary to promote confidence both on the part of Troop Contributing Countries, and national legislatures that are responsible for appropriating the financial resources to pay for peacekeeping, that there is a sound mechanism for properly informing policy decisions for translating policy decisions into action.

The Security Council has therefore decided to establish a Standing Working Group on Peacekeeping.

The Standing Working Group will be organised as follows:

- It will be comprised of all members of the Security Council and will normally meet at the level of Deputy Permanent Representatives.
- The Chair of the Working Group shall rotate following the same pattern as the Presidency of the Council.
- It will meet informally as may be necessary for the proper discharge of its functions.
- It will establish effective procedures for liaison with and briefings from representatives of the Secretariat including as appropriate Special Representatives, Force Commanders and staff of the Situation Room.
- It may establish sub committees or working groups as may be necessary in particular for the purpose of visiting operations in the field.

Communication on Peacekeeping Matters With Wider UN Membership

The Security Council understands the desire of Troop Contributing Countries and, in some cases, regional groupings closely associated with a peacekeeping operation and regional organisations for a better mechanism for communication with the Council.

The member states of the Security Council are charged with responsibility under the Charter for exercising the functions of the Council. The decisions of the Council are not open to negotiation. But within that constraint the Council believes there is scope to improve consultation.

The Security Council has therefore decided on the following measures:

1. Whenever appropriate at the commencement of its consideration of an item on its agenda it will convene a public session of the Council for the purpose of hearing views from non members of the Council and, if appropriate, an exchange of views of members of the Council.
2. The Standing Working Group of the Council will be charged with convening from time to time, and in particular at the point of major reviews of a peacekeeping operation, informal consultations with member States contributing troops to that operation.
3. The Standing Working Groups may also be requested by the Council, as necessary, to meet with groups of regional countries closely associated with a specific peacekeeping operation or with a regional organisation.