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Press Release

Statement by Sec.-Gen. before The Special
Political Committee.

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STATEMENT BY SECRETARY GENERAL DAG HAMMARSKJOLD
BEFORE THE SPECIAL POLITICAL COMMITTEE, 5 NOVEMBER 1958

My reason for asking for the floor now is not because I have anything to add to the substance of the report before you in which I have presented a summary of the conclusions which can be drawn from the experiences gathered with the UNEF. I hope that the text is clear and complete enough for your purposes. Should, however, there be any need for clarifications, I and my collaborators will be at the disposal of the Committee.

My purpose on this occasion is to make a few observations on the line of thinking which has prompted me to take the initiative in undertaking a study of the UNEF and in presenting this report which attempts to bring out what seems to be of lasting significance in our experience with this operation.

When the General Assembly decided on the establishment of an Emergency Force to be sent to Egypt, the United Nations had no precedents to follow and could not build on any previous studies of the political, legal and technical problems involved. Nor could the Governments, on whose assistance the Organization had to rely, be suitably informed about the scope or the significance of their participation. In consequence, we had to work under heavy pressure, at great speed and with a considerable risk of making mistakes or running into misunderstandings. Now that many of the problems which arise in this type of operation have been solved and the solutions reached have stood the test of experience, there is neither reason nor excuse for us to be unprepared to meet any new emergency requiring similar treatment.

Naturally, I hope -- and I am sure this hope is shared by all -- that the UN will not be called upon again to intervene in this way, but conscious of the fact that the UN, not less than three times in two years, has faced and has had to meet demands for assistance in the field, I can only conclude that we would be unrealistic if we did not recognize at least the possibility that similar situations may arise in the future. This in itself might be sufficient reason for making the

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study of the UNEF experience, for placing the results before the Member Governments and for giving them an opportunity to comment on the conclusions of the study if they should wish to do so.

Whatever significance may be attached to the decisions of the General Assembly in the fall of 1956 and, later, by the General Assembly and the Security Council in the course of 1958, as precedents to be kept in mind were similar situations to arise again, it is obvious that these actions, and the operations to which they gave rise, have not in any way changed or enlarged the obligations of Member Nations under the Charter. The rights of the General Assembly and the Security Council, and the functions of the Secretary-General, remain unaltered, and a study and consideration of our experience in no way implies any intention to alter them. Under Article 22, the General Assembly is entitled to create subsidiary organs and Chapter VI of the Charter entitles the Security Council, at any stage of a dispute, to recommend appropriate procedures or methods of adjustment. In other words, the questions considered in the report before you fall entirely within the wide framework of actions which the General Assembly and the Security Council are entitled and frequently required to take under the Charter.

Another reason for the presentation of the report has been a wish to give some guidance to the public discussion, which in the course of the last two years has been indicative of some uncertainty as to the limits which the

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Charter and international law put on actions by the UN of the type envisaged in the report. It is my hope that the study before you will clarify the situation and will facilitate a discussion which takes fully into account the legal restrictions imposed on the Organization by national sovereignty, as recognized in the Charter. Most important in this respect is the need for the consent of the host country as well as of contributing countries to any operation of this kind. Another element which has not always received sufficient attention, is that UN field operations on the legal basis just indicated cannot have purposes which require initiative in the use of armed force. It would be my hope that, as a result of the present discussion, it would become more widely recognized that both the UNEF and subsequent arrangements in Lebanon and Jordan, as well as all similar measures in the future, are to be clearly distinguished from arrangements and operations that would require the organization of a force of a military nature and entitled to initiative in the use of armed force.

A third reason for the study and for the report is that Member Nations need to know as fully as possible what potential requests of the UN for assistance, of the kind here considered, may involve. I must pay high tribute to the Governments which have responded with contributions to the UNEF and to UNOGIL in Lebanon at times when the information available to them regarding the implications of their participation was quite incomplete. The present report would, I hope, afford all Member Governments such guidance as to enable them to evaluate the various aspects of these UN operations but especially the solid facts of participation in them.

Thus I would emphasize that our approach to this problem is guided by the strictest respect for the rules of the Charter. It is entirely pragmatic in nature. It does not involve, even by implication, the creation of any new obligations for Member Nations. It does not affect, or seek in any way to affect the competence of the UN organs or their interrelations under the Charter. It does not try to freeze a pattern of action, nor would it give rise to arrangements conducive to a premature or inappropriate use of similar means in the future. It does not presume to lay down legal rules binding in all circumstances. But it does, I hope, create a preparedness for such action as may later be found necessary, in so far as our previous experience of more general application can be utilized. Such preparedness in the

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future would almost certainly lead to economies in time and money. Finally, the approach does provide both Member Governments and the public at large with all information which can now be given with a view to narrowing areas of uncertainty, ambiguity and misunderstanding.

I hope that the Member Governments will consider the report in the light of these intentions and objectives and that such consideration may contribute to a further development of the UN as an organization which can learn and is learning by living.

The Committee will observe that the three purposes which have prompted me to undertake this study and put on record its results, to a large extent are met by the study itself and by the fact that Member Governments are now informed about the conclusions reached. The political issues involved have to be resolved if and when the United Nations face a concrete situation in which the Members wish to decide on a field operation by the United Nations of the kind considered here. That would also be the best time for a consideration of the principles that should apply in a particular case. In those circumstances I feel no need for the General Assembly to take any action at the present time.

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