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## **The United Nations Peace-Making Operation**

According to Article 2 (3) of the United Nations Charter "All members should settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered" if the disputants fail to resolve their dispute, the continuance of which is likely to endanger the maintenance of international peace and Security by peaceful means they are obliged to submit it to the Security Council. Under the terms of Article 24" In order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf ." Any party, whether a member or not can submit a question or bring a dispute to the attention of the Security Council or the General Assembly. In addition the General Assembly may notify the Security Council of a dangerous situation. Under Article 99, the Secretary - General may also bring to the attention of the security Council any matter that in his opinion might endanger international peace and security. According to this Article, the Secretary - General can play an important role in this connection. In certain circumstances the Secretary - General has asked the Security Council to consider some specific question or situation, which in his opinion, that particular question might threaten international peace. In different occasions, the Secretary - General has intervened in an effort to present his opinion on the matter which is under the Council's consideration. Despite the United Nations Charter has no provision to empower the Secretary - General to bring any question or situation to the attention of the General Assembly, but

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the Provisional Rules has made the secretary - General responsible for preparing the provisional agenda of the General Assembly.

The mechanism of peace-making between period of the League of Nations and the United Nations Operations, shows that the record of peace-making procedures during the United Nations operation has improved significantly. In the League period, almost two out of three conflicts were settled by military conquest and forceful annexation. In contrast, in the period of the United Nations operation only 1 percent of the conflicts involved outright conquest, while 26 percent were settled by compromise, 8 percent by awards, 8 percent by passive behavior and the rest by voluntary withdrawal or avoidance. <sup>1</sup>

Not only member states can submit a question or bring international disputes to the United Nations, but the Charter provides that non-member states can also bring any international dispute to the attention of the Security Council or the General Assembly. Under Article 35 (2) "A state which is not a member of the United Nations may bring to the attention of the Security Council or the General assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute the obligations of pacific settlement provided in the charter". This should be quite clear that this permission does not extend to "Situation" but only "Dispute". According to the charter there is a difference between "Dispute" and "Situation". Disputes grew out of border incidents, and caused by accidents and minor provocations. Presumably, they are relatively easy to settle, because the causes are clearly identifiable and they involve specific grievances. <sup>2</sup> Whereas, situations usually

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1- K.J. Holsti, **International politics: A Framework for analysis** (Prentice - Hall, Englewood Cliffs, New jersey, 1967), pp. 65-66

2- **Ibid.** p. 445



have no single sources, they are more difficult to solve, because occasionally the causes are not clearly identifiable. An additional point that might be mentioned in connection with the submission of questions by states not members of the United Nations is interpretation given by one of the committees at the San Francisco conference to the effect that former enemy states shall not have the right of recourse to the Security Council or the General Assembly until the Security Council has given them that right.<sup>1</sup>

Once the question submitted to the Security Council or the General Assembly it is not taken up automatically and itself. Both the organs after much discussion decide the question by a majority vote. The preliminary discussion clarifies the matters whether it is under the domestic jurisdiction of a state, and whether it endanger international peace. Under Article 2 (7) of the Charter; "Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under charter". Many believe that the domestic jurisdiction has been the obstacle in the way of the United Nations functions, particularly for the maintenance of international peace and security. Under the terms of Article 35, any member can bring any dispute or any situation which might lead to international friction or endangers international peace and security. The Security Council or the General Assembly are taking to considerations or making recommendations only with respect to those disputes the continuance of which is likely to endanger the maintenance of international peace and security. The Article has

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1 - U.N. Information organization and U.S. Library of Congress, **Documents of the U.N. Conference on International Organization** , Vol. 12, 1945, p. 560.

emphasized on the term "International", therefore, members should avoid from referring those questions or disputes that are within the domestic jurisdiction of a state.

In certain circumstances, the Security Council and the General Assembly may discuss the case or the situation which has been brought to them in an effort to determine whether it is a political or a security issue. According to the charter, the primary responsibilities of the Security Council lie with political issues. Therefore, it is important to distinguish between a "Political Issue" and a "Security Issue". The difference between political and security issues are: the security issues are not related to matters of aggression, dispute and conflict ; but to the promotion of general security . In a simple term , the security issues are not deal with one state aggression against another state, but deals with the responsibility of the United Nations to promote international security in an effort to reduce the possibility of breach of peace by any state and to use effective measures (sanction) against any state that breaches peace and order. The main security responsibilities of the United Nations are: (a) to place the military forces at its disposal (b) the regulation of armaments and (c) the control and supervision of atomic energy. In the political issues the United Nations responsibilities pertain to the maintenance of international peace and security through peaceful settlement of disputes. Unlike the security issues, the political issues deal with state which has been charged of aggression against another state, or misconduct by one state against another state. Its function is to persuade the disputing parties to settle their problem through negotiation or other peaceful means.

### **Submission of Questions**

A question or situation which is submitted to the Security Council or



the General Assembly should be in form of a written communications requesting the Council or the Assembly for the inclusion of the matter on their agenda. States submitting their questions to the Security Council, have usually referred to Article 35 of the charter;" Any member of the United Nations may bring any dispute, or any situation which might lead to international friction or give rise to a dispute to the attention of the Security Council or the General Assembly. " In certain cases, states have referred to other Articles, like Article 37 and 33. When Egypt brought its dispute with the United Kingdom to the attention of the Security Council, it referred to Article 37, " Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council. "If the letter of submission is for the security Council alone, then is often a request as well, asking to take up the case. A state which is submitting a dispute or question to the security council or the General Assembly , must render enough evidence and give satisfactory explanation concerning its view about the nature of the question and , steps that the General Assembly or the Security Council should take. In some cases, the submitting state can request the Security Council or the General Assembly that' the required information and evidence could be sent afterwards. Thus, in some cases, the documentations are not attached to the initial request. Sometimes, the submitting state may also writes briefly regarding the steps and efforts have already been taken to resolve the dispute through peaceful means.

According to the Rule of Procedure which has been adopted by the General Assembly in 1949 , all items proposed for inclusion in the agenda should be accompanied by an explanatory memorandum , if possible by basic documents or by a draft resolution. Thus, under the terms of this new Rule of procedure which was adopted in 1949, submission of the memorandum

became obligatory for states submitting questions or situations to the Security Council or the General Assembly.

There are different ways of submitting a question to the United Nations. At this initial stage, a question may be submitted to the Security Council or the General Assembly simply as a letter containing the title of a proposed agenda without any evidence or information. It can be rendered with sufficient amount of information, documentation and related evidence.

The nature of question or situation rendered to the Assembly or the Council, is usually in the form of Communication containing charges, accusations and statements that one state is claiming that another state is interfering in its domestic affairs. The Soviet Union was charged with interfering in the domestic affairs of Iran in connection with the Azerbaijan problem in 1946. In some cases the charges have been made that a state by its gestures and behaviors is either failing to accomplish, or behaving contrary to its obligations under international treaties or agreements. This was the basis of the charges made by the Iranian Government against the Soviet Union in connection with the evacuation of foreign troops from Iran in 1946. Also, the basis of the United Kingdom complaint against Iran in connection with the Anglo-Iranian oil Company in 1951, was that, the Iranian Government is acting contrary to its obligations under international treaties and agreements.<sup>1</sup> There have been many cases that one state charges another state for direct intervention, aggression, or invasion. In 1950, the People Republic of China made charges against the United States concerning the invasion of Formosa. States can not submit those questions or disputes that are within their domestic jurisdiction, but only those questions the continuance of which is likely endanger international peace and security. The most often question

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1- K.J. Holsti, *OP. Cit.* P. 158



which has been submitted to the United Nations is the violation of human rights and fundamental freedoms. Most questions has been brought to attention of the Security Council rather the Assembly or the International Court of Justice. The reason is, under the United Charter the primary responsibility for the maintenance of international peace and security has been given to the Security Council.

### **Preliminary Steps**

Once a dispute or question submitted to the United Nations, both the Security Council and the General Assembly invite the involved parties to present their opinion. This device enable both the organs to hear and understand both sides of the story clearly. Nonetheless, if the question is of a serious nature and can breach international peace and security, the Security Council or the General Assembly can ask the disputants to halt hostilities and discourage them from any radical gesture which can deteriorate the situation. Following the presentation of the dispute by the parties concerned, full scale discussion of the dispute will take place in the Security Council or the General Assembly and its various committees. Under Article 32 of the U.N. charter, the Council may invite any member of the U.N. which is not a member of the Council or any state not a member of the United Nations to participate in the discussion without vote. The Council can also invite different members under Rule 39 of the Provisional Rules of Procedure. The Security Council "May invite the members of the Secretariat or other persons, whom it considers competent for the purpose of supplying it with information or give other assistance in examining matters within its competence. "It is important to mention that, any member invited under the Provisional Rules of Procedure does not have the same right and privileges as a member of the Council. He Can not vote , intervene in the discussions

or introduce proposal ect. Unless the Council request so.

The reason behind the invitation of the envolved and non- envolved parties to participate in the discussion, is to encourage the envolved parties to contribute and co- operate directly in the resolution of the dispute, and simultaneously to hear and obtain various views, proposals and new information that have been exposed by different members. The discussion usually initiates by the concerned parties with charges and counter charges against each other. Afther the full scale discussion, it is time for the inclusion of the question in the agenda more seriously by the parties.

After the preliminaries steps the Security Council and the General Assembly will decide whether the question should be placed on their agenda and want to consider the question or not. In many cases there have been considerable differences of opinion among its members regarding a particular question. On the surface, it seems that any question which has been brought to the attention of the Security Council or the General Assembly will be included in their agenda automatically. But in real term, it is not easy to include a new item on the provisional agenda of the Council. Usually serious disagreement will arise among its members and in certain cases, it will take a number of meetings and lengthy discussions to overcome these disagreements and reach to a decision concerning the adoption of the agenda. The Security Council considers the adoption of the agenda as a private matter and hence it has refused to let states who are not members of the Council to participate in its discussions. Therefore, the Council alone can discuss and decide the aboption of the agenda.

If it is necessary to have a provisional agenda, however, the Secretary-General is responsible for the preparation of the provisional agenda, but in practice and in the last analysis the President of the Council decides what the provisional agenda of each meeting should be contained. In this case, the



provisional agenda of each meeting should be discussed during different meetings and if needed voting procedure will take place in the Council. If any item in the agenda needed changes or amendment, the voting procedure is required. In accordance with the Rules of procedure, after the inclusion of the question in the agenda, the Secretary- General will bring all the communications and related materials from states and different organs concerning the question to the attention of the Security Council. The Rule of procedure has also provided for the circulation of any supplementary items which have been submitted after the provisional agenda circulated.

In the General Assembly, the provisional agenda and all additional and supplementary items are referred to the General Committees of the General Assembly for making recommendations to the Assembly. The discussion on the adoption of items in the agenda takes place in the General Committees and in the plenary meeting. All members of the United Nations are represented at the plenary meetings of the Assembly, but the General Assembly has refused to permit states not member of the United Nations to participate at the plenary discussion. The Security Council and the General Assembly usually avoid to include and question in their agenda easily, because they believe all means of settlement have not been tried seriously by the parties to solve their problem.

### **Clarification of issues**

Once the preliminary steps worked out, a detail and comprehensive discussion takes place in the Security Council and in the various committees of the General Assembly for the purpose of clarifying the issues. The detailed discussions usually start by the states who have brought the question to the attention of the United Nations. If that state is a party to the dispute, the Rules has provided that the same opportunity should be given to the other

party. This discussion will be followed by a full scale discussion in which the other members of the Council or the Assembly expose their opinion in an effort to help the clarification of the issues.

#### **a- Clarifying the issue of competence**

There is a major differences of opinion among the members regarding when the issue of competence should be considered. The majority of members support this idea that, discussion of clarification of the issue of competence should start after the item has been included in the agenda. Whereas, others believe, this procedure is in contrast with Article 2 (7) and argue that, discussion constitutes intervention. The Rules of procedure of the Assembly provide the order of voting in the General Assembly. For instance, during the debate on the Palestine Question, Syria proposed that the General Assembly request for an advisory opinion concerning its competence, this proposal was adopted by a tie vote. Syria made another suggestion regarding the Palestine Question, it proposed that the Security Council request for an advisory opinion from the Court concerning its competence, but this proposal was also defeated by a single vote. In general, however, this idea has been prevailed that the different organs of the United Nations should themselves decide any issue about their competence.

Although the majority members believe that a request for an advisory opinion is the appropriate device for considering the question, but in most cases the Security Council and the General Assembly keep continue their consideration over the specific question without sufficient discussion and taking a clear decision regarding their competence until the concerned party declared that the question has been within the domestic jurisdiction and consequently, outside the competence of the United Nations. For instance , in the Anglo - Iranian oil company question, the International Court of Justice



decided in favor of the Iranina claim and stated that this question was within the domestic jurisdiction and the United Nations was not competent to consider the case.

#### **b- Clarification of Legal issues**

In certain cases, both the Security Council and the General Assembly may set up different committees or sub- committees for the purpose of clarifying the legal issues or referring legal issues to them for legal advice.

The committees can also consider the right of a state or party to take back its claim or complaint from the agenda. For instance, when the Iranian government tried to take back its complaint in connection with the Azarbaijan crisis from the Council's agenda in 1946. In the General Assembly, this task has been vested with the sixth committee. The sixth committee of the General Assembly is responsible to clarify the legal questions in an effort to clarify the issues for settlement of a dispute. Both the organs in an appropriate circumstances can ask the International Court of Justice for an advisory opinion concerning the meaning of a provision of the charter, or they might refer the question to the court for an advisory opinion. This procedure has been employed oftenly by the General Assembly. Nevertheless, the General Assembly in its resolutions and recommendations has encouraged greater use of the court as an advisory body by different organs of the United Nations. During the debate on the Palestine question, Syria introduced a Proposal for requesting an advisory opinion by the Court.

#### **Public Debate**

Needless to say that, Public Debate in the Security Council and the General Assembly not only gives an equal opportunity to the parties involved to express their opinions on the question, but it is also provides same

opportunity to other members of the Council and the Assembly to explain their views on the issue and put pressure on the intransigent party to make concession and compromise for settlement of the dispute. In many cases, public debate has worked as a conciliatory method to fill the gap or at least narrowed the distance between disputants. Sometimes the conciliatory measures of the public debate can turn into a quite diplomacy device which helps the disputants to find a common ground for resolving their dispute without losing their face. By quite diplomacy we mean an informal contact, private negotiation and exchange of opinion with disputants by members of the Security Council or the General Assembly for obtaining accurate and actual facts from the disputants who might not disclose those facts publicly. By this way the president of the Council, Assembly or the Secretary - General might make a secret deal with the parties involved in order to ask them to make some concession or to renounce some of their claims secretly without losing their face. In the case of Thailand - Cambodian border dispute, the Secretary - General Dag Hammarskjold, informally and privately sent a special delegation to the area and helped the parties to resolve their dispute with minimum publicity.

### **Primary Attempts to Work Out Agreements**

The Security Council and the General Assembly do not regulate a common rule or a common formula that can be applied automatically to all questions.

The procedure concerning settlement of disputes vary from case to case depends on upon the situation and circumstances. Once a situation or dispute brought to the attention of the Council or the Assembly, immediately after the initial statements by the parties, the parties involved should be invited to meet with the president of the Council or the Assembly and present to them a



representative from the Council to act as a rapporteur or conciliator. The rapporteur will help the parties for more private discussions and conversations in an effort to reach an agreement. It is much easier for parties to carry out political negotiations secretly rather than publicly . As long as this procedure is going on, the Council will stop from further action until the rapporteur report its progress to the Council.

According to the United Nations Charter, after the inclusion of question in the agenda, the representations of the parties shall, before or immediately after the opening statement and in any case before the item is preferred by the General Assembly to its appropriate committees, be invited by the President to meet under his direction for the purpose of reaching agreement as to the facts underlying the question and of conciliation.<sup>1</sup>

The Security Council and the General Assembly both have reached to this conclusion that, the most appropriate procedure for resolving the dispute is to bringing the concerned parties together and to work out an agreement or understanding between the parties. In many cases, for the purpose of reaching an agreement between the parties, both the organs have established subsidiary organs or special committees in an effort to assist the parties in working out agreement. During the debate on the India- Pakistan question, immediately after initial statements by the parties, the Council proposed that private conversations between the parties should be continued under the auspices of the Council's president for reaching an agreement. The result of these conversations was positive and encouraging.

### **Initial Efforts to prevent Deterioration of a Dispute**

In some cases, that hostilities between the parties have appeared

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1- Article 34 , section 2

imminent or have already started, an initial attempt has been made to prevent deteriorating of a dispute. The Security Council and the General Assembly try to reach to an agreement with the parties or to convince them to take certain measures or to avoid from certain actions that might deteriorate the situation. According to Article 41 of the statute of the International Court of Justice, the Court is authorized to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party." For instance, shortly after the submission of the Anglo - Iranian oil company question to the International Court of Justice by the Britain, the representative of that country requested the Court to indicate certain measures of protection. Although, this was the first and the only case in which the Court had ever been requested to take such a measure, the president of the Court immediately asked the Iranian government to stop and halt any measures that might aggravate or deteriorate the question. In accordance with Article 61, under the Rules of the Court, a request for such interim measures of protection is to be given priority and regarded as a matter of urgency.

### **procedure for Obtaining Information**

In some occasions, the members of the security council and the General Assembly have found out that it is necessary to have more accurate facts and information than what they already have in an effort to establish a factual basis for the consideration of a question and to decide what further action should be taken. Therefore, they request the concerned parties for further information. For instance, during the consideration of the Palestine Question, the president of the Council addressed questionnaires to the Arab states, Jewish representatives in Palestine and the Arab High Command. Usually the main sources of information are: statements, memorandums, communications,



documentations and related materials that have been submitted by the parties concerned. In many cases if the parties refuse or are not in a position to present more specific information that have been asked by the Council or the Assembly, then different techniques of obtaining information regarding the adequacy and accuracy of the facts have been employed by both the organs. Under Rules 39 of the provisional Rules of Procedure " The Security Council may invite members of the Secretariat or other persons, who it considers competent for the purpose to supply it with information or to give it other assistance in examining matters within its competence." Besides, the Council and the Assembly may establish certain Commissions or Committees to obtain specific information. Usually these Commissions are free to decide from what sources they can obtain necessary information. In many occasions, the parties concerned have been the primary sources of information. However, Commissions are free to receive these informations from official sources, from representatives of the people in the concerned territory, from private persons or any other organizations they believe it is necessary.

### **Fact- Finding Committees and Commissions**

In an effort to clarify facts in the dispute or question between parties involved, in different occasions, fact - finding committees have been established. The Hague conventions have provided the establishment of International Commissions of inquiry for the purpose of clarifying facts in the dispute in order to facilitate the settlement of a question by explaining the facts through a just and honest investigation. The efforts of the Commissions was confined to a fact finding process.

Therefore, the parties involved remained free to chose their own method of pacific settlement. At its earlier stages, the emphasis of this device primarily was concentrated to perform its limited function of clarifying facts

for the concerned parties, but after the First World War , this procedure was improved and obtained a new significance. The Commissions were not only clarify the facts, but were also assisting the Security Council and the General Assembly in the performance of their functions. The United Nations Charter, especially included this device " inquiry" as one of the chief methods of pacific settlement of disputes. In certain case, the Council and the Assembly have realized that the information they have in their disposal are inadequate and insufficient to conciliate differences and facilitate settlement of the dispute. Thus, they have established various commissions and committees in any specific case not only for clarifying and investigating the facts, but also for obataining necessary information.

Since the charter contains no provisions to empower and authorize the Council and the Assembly for investigation this function has been given to committees or commissions especially established for this purpose. Under the charter, both the organs have been empowered to set up commissions that are necessary to carry out this task. However , under the U.N. Charter " The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a disput". <sup>1</sup>

Investigation may also be carry out under Article 39 of the charter "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations , or decide what measures shall be taken in accordance with Articles 41 and 42 to maintain or restore international peace and security". Article 41 "The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the members of the United Nations to apply such measures. These may include complete or

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1- Article 34 of The U.N. Charter



partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations"

Article 42 " Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security . Such action may include demonstrations, blockade, and other operations by air, sea or land forces of members of the United Nations." It is appropriate to mention that the United Nations members are not compelled to refer or submit their questions to inquiry . However, if the Security Council while considering the case, found out that an investigation is necessary , under Article 25 of the charter "The members of the United Nations agree to accept and carry out the decisions of the Security Council."

### **Commissions of investigation**

In certain cases, a state or party which has brought a question to the attention of the Security Council or the General Assembly has requested the organ to carry out an investigation. For instance, in 1946, the Greek government brought to the attention of the Security Council the situation along its northern borders, requesting for the appointment of a special Commission to accomplish an investigation. However, the General Assembly does not have the same power as the security Council to establish commissions of investigation but in certain cases, the general Assembly has appointed a special commission for investigation. For example , in 1974 , the General Assembly established the Palestine conciliation commission to assist the parties concerned to achieve settlement of question. In many occasions the Council and particularly the Assembly have assigned this task of

investigation to subsidiary organs.

### **Peace - Keeping Operations**

The United Nations Charter contains no provisions for peace -keeping operations, but it will soon become apparent that some means and certain procedures should be planned to contain and halt situations that might breach the international peace and security. There is a gap between the charter provisions for conciliation and for enforcement actions. peace - keeping operations evolved as a practical means to bridge that gap. They are essentially a holding actions, designed to halt or contain the fighting in a conflict while concerted efforts are made to bring the warring parties to the negotiation table or otherwise provide the time and create the climate necessary to bring about a peaceful settlement.

The peace - keeping operation is an operation involving military personnel without enforcement power, which has been set up by the United Nations to prevent conflict and to help maintain peace in the conflict zone. Peace - keeping operation contains two main categories: Observer Mission and Peace - Keeping Forces.

1) Military observer: the use of military observers, has been more frequent. When a question or dispute causing threat to peace, the United Nations tries to stabilize the situation by persuading the disputed parties to agree to a cease- fire, to withdraw troops from the disturbed area and accept military observers. The task of military observers is of a merely non- political. They supervise observance of cease - fire and collect facts when any violation occurs.

2) Observation Commission: the uniting for peace resolution provides for the formation of a peace observation commission to be initially of fourteen



members of the United Nations including the five permanent members of the Security Council. The function of commission is to observe and report on the situation in any area where there is international tension, the continuance of which is likely to endanger the international peace and security.

The observer mission and peace-keeping forces are set up usually by the Council and, in some case by the Assembly under the instruction of the Secretary- General. They are provided by member states that are not armed, while the peace-keeping forces are provided with defensive weapons for self defence.

The term peace-keeping has in recent years referred to the use of military personnel for preventing or controlling violence within or between states. Peace-keeping is essentially a holding operation to try to create a favorable situation and to gain time for a peaceful settlement. The operation should not interfere in the domestic affairs of the host country, and can not take side in favour of one party. The contingents of forces should be sought from states that are acceptable to the country or countries in which they are to be posted.

At the present time there are over 17, 500 persons from 35 countries involved in 9 peace - keeping operations. The first peace-keeping operation was implemented in the Middle East in 1948. In 1988 Nobel Peace Prize awarded to the United Nations peace - keeping forces. As The United Nations Secretary - General Javier Perez de Cuellar told in the General Assembly "The prize is a tribute to the idealism of all those who have served the Organization, and in particular to the courage and sacrifices of all those who have contributed, and continue to contribute , to the peace-keeping operations." <sup>1</sup> Peace - keeping forces, risk their lives in the cause of peace. A

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1- U.N. chronicle , December 1988, P.6

total of 733 peace - keepers have died while serving the United Nations, and one Lieutenant - Colonel Willam Higgins of the U.S.A., was being held hostage in southern Lebanon.<sup>1</sup> The peace - keeping forces should be absolutely impartial observer who report only the objective truth of what they have seen on the basis of related agreement. Peace - keeping and making: It is quite clear that peace- keeping can not solve the problem by itself. peace-keeping can create conditions in which peace- making can take place. Obviously peace- making should be done by the United Nations, Security Council and Secretary - General

One important factor in submitting a question to the United Nations is , to what organ the question should be submitted. Since the charter has determined the functions and responsibilities of each organ, thus, any state which is planing to bring any question to the attention of the United Nations, should first considers and decides following points: a - Which organ is the most appropriate and effective for providing the most auspicious forum for resolving the dispute. b- Which organ has the most influence in a specific question. c- The composition of the organ and it's methods of operations, therefore, a state may considers the power, function, composition and operation.

Procedure of what organ which is most likely helpful for resolving the question in a proper way and in its favor. Moreover, it depends on the nature of the question too. For instance, if by nature it is a serious question, it should usually go to the security council, because the charter has given the primary responsibilities for the maintenance of international peace and security to the Security Council. The charter has also given some specific authorization to the General Assembly in connection with those matters like,

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1- U.N. Chronicle, December 1988 , p.8



principles of international co- operation, promotion of human rights and fundamental freedom. The International Court of Justice has been empowered to considers legal question concerning international law, international treaties and agreements and international obligations ect.