

Kresin O.V. The UN decision-making mechanisms in peacekeeping. The article analyzes the statutory powers of the UN bodies in the field of peacekeeping activity, as well as the subsequent acts of this organization, which specify the clarification and interpretation of these powers. On this basis, the author reproduces a functional model for the adoption of appropriate decisions in UN.

The Security Council is responsible under the UN Charter for the maintenance of international peace and security. Decision-making (other than procedural) in the Security Council requires a joint vote of all its five permanent and at least four non-permanent members (in general, at least 9 out of 15). Any state, a permanent member of the UN Security Council, may veto a draft decision of this body or the consideration of one or another issue in its entirety. Such statutory requirements, having regard to the differences in the interests and positions of permanent members, significantly limit the scope of the issues under consideration by the UN Security Council and reduce the possibilities for making decisions.

There are certain statutory norms aimed at overcoming these restrictions. In particular, a state participating in a particular international dispute or conflict should refrain from voting on issues related to this dispute in the UN Security Council. In addition, the SC should take into account when considering the issue of maintaining international peace and security recommendations of the General Assembly of the UN, given to it before the consideration of the issue. In addition, the SC should make decisions in this area quickly and efficiently. But the mechanism for ensuring the implementation of these provisions is not provided in the UN Charter.

The statutory powers of the UN General Assembly in the field of maintaining international peace and security are, above all, advisable, it can discuss any issue that is not yet under consideration by the SC and make recommendations to the member states of the UN and the SC, and then pass on such issues for consideration of SC.

At the same time, the later UN acts provide for an expanded interpretation of the provisions of the UN Charter on the powers of the GA and the Secretary-General. In particular, it is foreseen the possibility of GA decision-making in the field of maintaining international peace and security in a situation where the SC is not able to make decisions due to differences in the positions of permanent members, but such decisions have the character of recommendations to member states on collective action. The Secretary-General may offer member states the means of peaceful settlement of disputes, his good offices, send fact-finding missions, support efforts under regional agreements and bodies. In fact, the role of the Secretary-General is much higher: UN bodies under his command prepare draft resolutions of the SC on the mandates of peacekeeping operations, as well as budget resolutions on the financing of such operations, directing the latter.

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