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LETTER DATED 30 SEPTEMBER 1966 FROM THE DEPUTY PERMANENT
REPRESENTATIVE OF THE ARGENTINE REPUBLIC ADDRESSED TO THE
PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the letter dated 27 August 1966 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the Security Council (S/7478).

The Argentine Government wishes to state that it cannot share the views expressed by the Permanent Representative of the USSR concerning the decision taken by the Secretary-General, in consultation with the Governments of Cambodia and Thailand, to appoint Ambassador Herbert de Ribbing as his Special Representative in these two countries. My Government considers that the action taken by the Secretary-General is fully justified and falls within the competence conferred upon him by the Charter of the United Nations.

My Government's position is based exclusively on its interpretation of the Charter provisions concerning the functions and responsibilities of the Secretary-General and on the directives given to the Secretary-General in this regard by the General Assembly at its first session.

It is pertinent to recall that the functions and responsibilities of the Secretary-General were the subject of careful study by the Preparatory Commission of the United Nations in 1945. In its report of 23 December 1945, the Preparatory Commission, inter alia, made the following observations on the matter:

"The Secretary-General may have an important role to play as a mediator and as an informal adviser of many Governments, and will undoubtedly be called upon from time to time, in the exercise of his administrative duties, to take decisions which may justly be called political. Under Article 99 of the Charter, moreover, he has been given a quite special right which goes beyond any power previously accorded to the head of an international organization, viz: to bring to the attention of the Security Council any matter (not merely any dispute or situation) which, in his opinion, may threaten the maintenance

of international peace and security. It is impossible to foresee how this Article will be applied; but the responsibility it confers upon the Secretary-General will require the exercise of the highest qualities of political judgement, tact and integrity."

The General Assembly unanimously resolved at its first session, on 13 February 1946, to transmit the section of the Preparatory Commission's report which contained the observations reproduced above to the Secretary-General for his guidance.

In the light of the provisions of Article 99 of the Charter and the directives addressed by the General Assembly to the Secretary-General concerning his functions and responsibilities, my Government has no doubt whatever that the Secretary-General has the authority, and even the duty, to keep himself informed on all matters which may threaten the maintenance of international peace and security and to exert the utmost effort to relieve situations which may become threats to international peace and security. Most particularly, when a dispute arises between two or more countries, it lies within the authority of the Secretary-General to offer his good offices to the parties concerned, either directly or through a representative, in order to reduce tension and resolve the disagreement between them. The Secretary-General's appointment of a representative for this purpose is, in my Government's view, subject to only two requirements: that he should consult the parties concerned and obtain their consent to his appointment of a representative and that he should inform the Security Council of his decision.

This is precisely what the Secretary-General has done in the case concerning the appointment of his Special Representative in Cambodia and Thailand. Furthermore, it should be pointed out that in this case the two Governments concerned have signified their willingness to share all costs involved in the Special Representative's mission, so that no costs will be incurred by the United Nations.

In concerning itself with this question, the Argentine Government has been prompted basically by its desire to promote in all cases the ability of

the various organs of the United Nations to facilitate the peaceful settlement of disputes, observing the most scrupulous respect for the provisions of the United Nations Charter.

I should be grateful if you would have this communication circulated as an official Security Council document.

Accept, Sir, etc.

(Signed) Raúl QUIJANO
Deputy Permanent Representative of the Argentine
Republic to the United Nations
Chargé d'affaires a.i.
