

# United Nations GENERAL ASSEMBLY

**1086th  
PLENARY MEETING**

Wednesday, 20 December 1961,  
at 3 p.m.



SIXTEENTH SESSION

Official Records

**NEW YORK**

## CONTENTS

## AGENDA ITEM 25

### Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

#### REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/5068)

1. The PRESIDENT (translated from French): The Assembly is now called upon to consider the report of the Special Committee [A/5068] on the report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. A corrigendum in Spanish to the Special Political Committee's report has been circulated. I invite Mr. Fukushima, the Rapporteur of the Special Political Committee, to submit the Committee's report.

*Mr. Fukushima (Japan), Rapporteur of the Special Political Committee, presented the report of that Committee and then spoke as follows:*

2. Mr. FUKUSHIMA (Japan), Rapporteur of the Special Political Committee: As Rapporteur of the Special Political Committee, I have the honour to present to the General Assembly the Committee's report [A/5068] on its consideration of the final item allocated to it at this sixteenth session, the Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. This year the Special Political Committee has again devoted earnest attention to this problem, and its deliberations have been assisted considerably by the presence of the Director of the Agency, Dr. John H. Davis, to whose devotion and ability all speakers in the Committee paid warm tribute. Nearly fifty delegations participated in the Committee's general debate on this item and the views of the parties most directly concerned were amply expressed.

3. The PRESIDENT (translated from French): I shall now give the floor to four speakers who have asked to explain their vote before the voting takes place. Other delegations also wishing to explain their vote will be able to do so after the voting. First, I shall give the floor to the representative of the Upper Volta for an explanation of vote.

4. Mr. GUIRMA (Upper Volta) (translated from French): I have listened carefully to the report [A/5068] which has just been submitted to us, and the delegation of the Upper Volta, before casting its vote, would like to make a few observations explaining why we shall oppose certain parts of the draft resolution approved by the Committee.

5. On none of the previous occasions when the question of the Palestine refugees was discussed did the phenomenon occur which we have witnessed in 1961. This year, a certain number of European, Latin American and African Powers felt that it was time for the problem to be settled through procedures consistent with the United Nations Charter. For that

	Page
Decision concerning procedure . . . . .	1143
Agenda item 25:	
Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East	
Report of the Special Political Committee	1143
Agenda items 59, 61, 67, 56, 60 and 64:	
Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions	
Review of the activities and organization of the Secretariat: report of the Committee of Experts appointed under General Assembly resolution 1446 (XIV) and recommendations thereon by the Secretary-General	
United Nations International School: report of the Secretary-General	
Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (concluded):	
(d) Investments Committee: confirmation of the appointments made by the Secretary-General;	
Report of the Negotiating Committee for Extra-Budgetary Funds	
Personnel questions:	
(a) Geographical distribution of the staff of the Secretariat;	
(b) Proportion of fixed-term staff;	
(c) Other personnel questions	
Reports of the Fifth Committee . . . . .	1148
Agenda items 62, 55, 26 and 54:	
Administrative and budgetary procedures of the United Nations: report of the working group appointed under General Assembly resolution 1620 (XV)	
United Nations operations in the Congo: cost estimates and financing (concluded):	
United Nations Emergency Force:	
(a) Cost estimates for the maintenance of the Force;	
(b) Report on the Force	
Budget estimates for the financial year 1962 (concluded):	
Reports of the Fifth Committee . . . . .	1150

**President: Mr. Mongi SLIM (Tunisia).**

### Decision concerning procedure

Pursuant to rule 68 of the Rules of Procedure, it was decided not to discuss the report of the Special Political Committee and the Fifth Committee.

reason, sixteen Powers submitted to the Special Political Committee a joint draft resolution urging the parties to this conflict in the Middle East to negotiate. The draft resolution in question was rejected by the Special Political Committee. But when we analyse the distribution of the votes, we find that if one leaves aside the parties directly concerned in this matter the remaining votes are sufficiently divided to indicate the existence of a certain body of world opinion which needs to be taken into account.

6. Thus, thirty-four delegations voted in favour of the draft resolution, while forty-four delegations opposed it and twenty delegations abstained. If we subtract from these figures the parties directly concerned in the dispute, we are left with thirty-three votes in favour and only thirty-one votes against the draft resolution. This shows that there is a very strong current of ideas in the world to-day in favour of Members of the United Nations settling their problems by negotiation, in accordance with the Charter.

7. It is time to have done with false issues, with the question whether such and such a piece of land belongs to one rather than to another. The question that matters now is whether the earth itself is to continue to exist, and that being so my delegation . . .

8. The PRESIDENT (translated from French): I should like to ask the speaker to concentrate on explaining his vote on the draft resolution before us. I should be very grateful if he would do so.

9. Mr. GUIRMA (Upper Volta) (translated from French): I am explaining why my delegation will be obliged to vote against certain provisions in the draft resolution submitted to us in the Special Political Committee's report [A/5068]. We will vote against operative paragraphs 3 and 4 because we consider that the measures envisaged are not in line with the trend of ideas which has just become apparent and to which I have tried to draw attention.

10. Mr. GALLIN-DOUATME (Central African Republic) (translated from French): A group of African and Latin-American countries, including the Central African Republic, submitted to the Special Political Committee a draft resolution which, in our opinion, was of a nature to contribute towards the solution of one of the most delicate questions with which our Organization has to deal, one which constitutes a permanent threat to peace. This political question is accompanied by a grave human problem: that of the Arab refugees.

11. Together with the other sponsors of this joint draft resolution, my delegation hoped that our appeal for efforts towards a peaceful solution, based on the principles of the United Nations Charter itself, would be heeded by all. To our deep disappointment, we found that we were mistaken.

12. In the Special Political Committee yesterday, we also had before us a draft resolution submitted by the United States delegation. This resolution was much less ambitious than ours inasmuch as it avoided touching on the political aspects of the problem and concentrated, in a spirit of realism, on the human aspect. Although that approach was in our view very inadequate failing as it did to go to the heart of the matter—which is above all the question of the relations between Israel and the Arab States—we felt that the draft resolution could be accepted as a last resort in view of the need for something to be done for the

Arab refugees. However, certain amendments were introduced yesterday into the United States draft resolution altering its character completely.

13. It seems to us that in such a grave matter the political aspects cannot be broached in an indirect and, so to speak, disguised way. If the question concerns the relations between Israel and the Arab States, this should be frankly stated and the parties should be urged to negotiate. That is what we tried to do.

14. My delegation therefore shares the view of the delegation which preceded it on this platform and considers that a separate vote is desirable. Should the changes introduced into the original text be retained, my delegation will be obliged to act accordingly.

15. Mr. COMAY (Israel): In explaining its vote, my delegation will address itself first to the two amendments to the draft resolution which now appear as operative paragraphs 3 and 4 of the draft resolution contained in the report of the Special Political Committee [A/5068]. The request to reconstitute the Conciliation Commission, which appears in paragraph 3, raises important and controversial problems. The present Commission was set up in December 1948, just after the end of the mandate and the establishment of Israel, and before hostilities were ended by the armistice agreements. Its composition was approved by the General Assembly [resolution 194 (III)] on the recommendation of the five permanent members of the Security Council.

16. On the proposal now before us to set up a larger Commission with a changed composition, the Assembly would have to examine carefully a whole series of questions: what was the basic mandate of the Commission originally? How has it discharged that mandate? If it has failed, what were the reasons for that failure? Would a different Commission overcome these obstacles? Should the original terms of reference be revised in the light of changes, circumstances and the lessons of thirteen years of experience? If there is to be a change, what are the criteria needed for the conciliators in order to gain trust and co-operation? Should a procedure quite different from the original procedure be adopted for choosing the members?

17. None of these questions has been seriously studied, since no item on this matter was included on the agenda, and we are being asked to overhaul one United Nations organ—the Palestine Conciliation Commission—in the course of discussing a report submitted by another United Nations organ—the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Misgivings about rash and hasty tinkering with this peace-making machinery were very much reinforced by the nature of the Arab attack on the Commission during the debate on this item. They criticized it severely for trying to do precisely what it was indeed set up to do, namely, on the ground that it tried to produce agreement instead of forcing its will on one party. In other words, the Arab delegations are seeking to scrap the Conciliation Commission and substitute for it a "coercion commission". They are hoping that the proposal in paragraph 3 will open the door to this very fundamental change. The proposal is by no means innocent. Its political purpose is not hard to see. That is why it is being sought to rush such a proposal through the Assembly under cover of another item and without the adequate and detailed scrutiny it would get if it

were put on the agenda in the proper way. The adoption of paragraph 3 will not in any way ease the complex problem before us, but will simply add a fresh area of contention to that problem.

18. For that reason my delegation, representing one of the Governments involved in those conflicts, will vote against paragraph 3 and it hopes that that paragraph will be rejected.

19. Paragraph 4 of the draft resolution suffers from the same basic defect as that which lurks behind paragraph 3. It constitutes an attempt to substitute coercion for conciliation. More specifically, it would have the effect of directing the Conciliation Commission to brush aside Israel's laws, to ignore its sovereignty, and to "take measures" about property in a Member State without presumably bothering to deal with the Government of that State. And how is the Commission to carry out such a curious mandate, which would be unique in the history of our Organization and in the annals of international law? Obviously, the Commission cannot carry out such a mandate. The object of this thinly-veiled United Nations custodianship proposal is not to do something helpful and constructive for the welfare of the refugees, but to advance towards purely political objectives.

20. For those delegations who are genuinely concerned for the refugees, it is as well to glance at what has happened so far in this property field. The Commission and the Government of Israel have in fact achieved a wide area of co-operation. Since 1949 Israel has offered—and still offers—to negotiate a compensation agreement for abandoned immovable property. For the last ten years we have given every facility to the Conciliation Commission experts in the gigantic task of identifying and evaluating the individual property holdings as they existed before the end of the mandate. In addition, we have, in co-operation with the Commission, released all the refugee bank accounts in Israel, amounting to nearly \$10 million, and handed over all the safe-deposit lockers and valuables left behind.

21. This is the record. We would ask in all earnestness whether this continuous process should be jeopardized in exchange for a purely political proposal whereby the United Nations is asked to take unilateral measures, which it is not competent to take and which no self-respecting Government would be able to accept. My Government, at any rate, can only deal with these property matters on the basis of its sovereignty and its legislation, and on the basis of freely negotiated agreements.

22. Once paragraph 3 and paragraph 4 are deleted, as we hope they will be, my delegation will vote for the draft resolution. If those paragraphs were to remain in the draft resolution, we would vote against it. Our support for the proposal is naturally subject to the reservations regarding its formulation which my delegation put on record in the debate in the Special Political Committee.

23. My Government maintains its position that paragraph 11 of resolution 194 (III) must be seen in the context of the basic mandate of the Commission and of the primary responsibility of the Governments concerned to reach a negotiated settlement of all their outstanding differences. In supporting the draft resolution in its original form, my delegation also wishes to reaffirm that it does not regard that proposal as inconsistent with the objectives of the sixteen-Power

draft resolution which we also supported in the Committee stage. Although that draft resolution did not gain a majority, it served, in our opinion, a valuable purpose by focusing attention on the roots of the refugee problem and by placing its solution in the context of the peaceful and negotiated solution of the basic conflict. We feel that the initiative that was taken in regard to that proposal is of great importance with regard to the prospects for the United States resolution as well.

24. To sum up, therefore, my delegation will first vote against paragraph 3; secondly, against paragraph 4; thirdly, against the draft resolution if these draft paragraphs remain in it; fourthly, vote in favour of the draft resolution if paragraphs 3 and 4 are deleted.

25. Mr. SHUKAIRY (Saudi Arabia): I shall explain the vote of my delegation on the draft resolution contained in the report of the Special Political Committee [A/5068] now before the Assembly. I shall address myself particularly to paragraphs 3 and 4 of the draft resolution. Paragraph 3 relates to the reconstitution of the United Nations Palestine Conciliation Commission. I would like to recall for the benefit of the Assembly that this Commission was established under General Assembly resolution 194 (III) of 1948. In order to justify the reconstitution of this Commission we must know what efforts have been made by the Conciliation Commission and how far the Commission has been able to report progress to the United Nations on the execution of its mandate.

26. The mandate of the Conciliation Commission is mainly composed of three tasks, and the first one is the internationalization of Jerusalem as a corpus separatum under effective United Nations control. This is part and parcel of the mandate of the Conciliation Commission. Secondly, the Conciliation Commission has been entrusted with the task of facilitating the repatriation of refugees and the compensating of those who do not wish to be repatriated. Paragraph 11 of that resolution 194 (III) made it a mandatory task entrusted to the Conciliation Commission, and gave a right of choice to the refugees, that is, those wishing to be repatriated could return to their homes, and those who did not wish to be repatriated would have the right to compensation. The third is with regard to the territorial provisions or the territorial settlement which the United Nations adopted in its 1947 resolution [181 (III)]. These are the three main tasks of the Palestine Conciliation Commission, which was established in 1948.

27. Now that we are in 1961 and at the threshold of 1962, the General Assembly can rest assured that there is no repatriation of refugees, no compensation of refugees, no internationalization of Jerusalem and no territorial settlement being made at all. This is due mainly to the failure of Israel to respond to United Nations resolutions, a failure which has resulted ultimately in the failure of the Conciliation Commission in conceiving its mandate and in implementing its tasks.

28. I think that a fourteen-year failure is a sufficient ground for a reconstitution of a United Nations organ, a United Nations agency, which has been unable to perform the task entrusted to it by the United Nations. I know of no organ in the United Nations that has been failing for fourteen years and is still continuing to function on the behalf of the Organization.



29. The United Nations cannot maintain an organ with such a record of failure, a failure due mainly to the reluctance of the Conciliation Commission itself to recommend measures, to recommend sanctions and to recommend effective steps in order to put teeth into the resolutions of the General Assembly and to give effect to its wishes.

30. That is why I think paragraph 3 which appears in the draft resolution now before the Assembly is fully justified and well grounded. Certainly, the main reason for this is the defiance of Israel. But there is also the failure of the Conciliation Commission. And it is the duty of the United Nations at least to reconstitute that Commission.

31. After all, let me suggest to this Assembly that the Commission will be composed of United Nations Members. We will not suggest those who are alien to the United Nations. It will be representative of the United Nations and there is no danger to the peace of the world if the United Nations Conciliation Commission is composed differently from the way in which it has been composed thus far. Therefore, I should like to plead with the General Assembly to accept paragraph 3 as being a wise course to adopt and to follow.

32. We have tried the Conciliation Commission in its present composition, and it has proved to be a failure. Should we continue this failure or should we ponder for a moment concerning a change? Everything has changed in the past fourteen years; even the United Nations. The composition of our Organization has changed. It has doubled. Now we would like to have a wide representation, representing all ideologies, representing all geographic areas in the world—a composition which will give effect to your wishes and which will perform the tasks entrusted to the Conciliation Commission by the United Nations.

33. There is no need to go into the terms of reference, nor to discuss all these matters which have been referred to. The Conciliation Commission would remain with its powers. It will simply have another composition, with nothing more or nothing less.

34. With regard to paragraph 4 of the draft resolution that is now before the Assembly, a quite innocent idea is injected in that paragraph. It simply asks the reconstituted Conciliation Commission to work out effective measures for the protection of the rights and interests of the refugees of Palestine.

35. It is a fact which cannot be denied that we now have 1.2 million refugees in tents and in camps, refugees who own property in their country. They have vineyards; they have land; they have houses; and they have all sorts of wealth. Why should these people now stay in exile—penniless, homeless, away from their property and their homeland? If they have property, a minimum of justice would dictate that they should be allowed to use the revenue from their property. Why should they live on charity when they can live on the income of their property? It would be the minimum of justice for the United Nations to see to it that those refugees who are under the protection of the United Nations, who are the legacy of the Arab League—the Arabs of Palestine—receive proper guarantees. Let me remind you that we were the sacred trust of the League of Nations and, as such, a legacy which devolved upon the United Nations.

36. When the Assembly adopted its resolution of 1947, it specifically provided in chapters I, II and III for the rights of the Arabs to their property, to their

church, to their land and to all human rights. It was also provided in the 1947 resolution that those guarantees would remain under the auspices of the United Nations. It is the minimum of justice for a refugee to be entitled to his property, to be entitled to his rent, to his income, so that he can live in dignity and in honour rather than in poverty, in misery, in tents and in camps, on the charity of the United Nations.

37. It will relieve the United Nations of its financial commitments. It will relieve the contributing Governments of many of their financial contributions, if those people are permitted to live on the income from their rentals. Why should we not tell the reconstituted Conciliation Commission to suggest effective measures for the protection of these rights? Is the United Nations against the protection of human rights, against the protection of property rights, against the protection of the interests which belong to those wretched refugees who have been uprooted mercilessly from their homelands? There must be a degree of mercy with regard to those refugees who are now living as a burden to the United Nations.

38. I should like to leave this impression with you now that we are close to Christmas, to the commemoration of the birth of Jesus Christ, the peace-maker of the world, and to the principles of peace which he preached in a mission of peace, in a mission of righteousness. It is, that we must extend justice to those people and extend righteousness to them. We must give the minimum of justice to the refugee, so that his property cannot be confiscated on the plea of sovereignty. There cannot be a sovereignty of robbery. There cannot be a sovereignty for any State here in the United Nations to allow it to rob one individual of his property. This is no sovereignty. Even the United Nations, in 1947, when it recommended the creation of Israel, provided that the sovereignty of Israel was limited, that the sovereignty of Israel was restricted, and that it must be restricted by the rights of the Arabs living in the area under their control. That was the provision of the United Nations. The resolution of 1947 provided that the Constitution of Israel must provide for the rights of the Arabs, that it must include as a statutory provision chapters I, II and III of the resolution. The rights of the refugees are glaring, as glaring as the daylight under a glaring sun.

39. I plead with you to seriously consider this question. This is a matter of justice. This is not a political question. This is not a conflict of ideologies. This is a question of human rights. The question before the Assembly is whether the Assembly is ready to protect human rights or ignore them. It is by the manner of voting on paragraphs 3 and 4 that we shall decide the way we shall vote on the draft resolution as a whole.

40. The PRESIDENT (translated from French): There are no further speakers to explain their votes before the voting. I shall therefore put to the vote the draft resolution appearing in the report of the Special Political Committee [A/5068]. First, however, I would inform the Assembly that the delegation of the United States of America has asked for separate votes on operative paragraphs 3 and 4.

41. I give the floor to the representative of Morocco on a point of order in connexion with the voting.

42. Mr. BENABUD (Morocco): After a separate vote is taken on paragraphs 3 and 4, my delegation

would request a separate vote by roll-call on operative paragraph 1 as a whole.

43. The PRESIDENT (translated from French): We will begin then by voting on operative paragraph 3 of the draft resolution appearing in the report of the Special Political Committee [A/5068].

*A vote was taken by roll-call.*

*Japan, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Japan, Jordan, Lebanon, Libya, Mali, Mauritania, Mongolia, Morocco, Nigeria, Pakistan, Poland, Romania, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Syria, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, China, Cuba, Cyprus, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Ivory Coast.

*Against:* Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Australia, Austria, Belgium, Central African Republic, Chile, Colombia, Congo (Leopoldville), Denmark, Dominican Republic, Finland, France, Iceland, Ireland, Israel.

*Abstaining:* Laos, Liberia, Mexico, Nepal, Philippines, Sierra Leone, Thailand, Togo, Uruguay, Venezuela, Bolivia, Burma, Cambodia, Cameroon, Canada, Chad, Costa Rica, Dahomey, Ecuador, El Salvador, Greece, Guatemala, Haiti, Iran, Italy.

*The result of the vote was 44 in favour and 29 against, with 25 abstentions.*

*Operative paragraph 3 was not adopted, having failed to obtain the required two-thirds majority.*

44. The PRESIDENT (translated from French): The Assembly will now vote on operative paragraph 4.

*A vote was taken by roll-call.*

*Guatemala, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Mali, Mauritania, Mongolia, Morocco, Pakistan, Poland, Romania, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Syria, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana.

*Against:* Guatemala, Haiti, Iceland, Ireland, Israel, Ivory Coast, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Australia, Austria, Belgium, Bolivia, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo (Leopoldville), Denmark, Dominican Republic, El Salvador, Finland, France.

*Abstaining:* Italy, Japan, Laos, Liberia, Mexico, Nepal, Nigeria, Philippines, Sierra Leone, Togo,

Venezuela, Brazil, Burma, Cambodia, Chad, China, Costa Rica, Cyprus, Dahomey, Ecuador, Greece.

*The result of the vote was 40 in favour and 37 against, with 21 abstentions.\**

*Operative paragraph 4 was not adopted, having failed to obtain the required two-thirds majority.*

45. The PRESIDENT (translated from French): I shall now invite the Assembly to vote on operative paragraph 1 of the draft resolution as a whole.

*A vote was taken by roll-call.*

*Costa Rica, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Iceland, India, Iran, Ireland, Italy, Ivory Coast, Japan, Laos, Liberia, Luxembourg, Madagascar, Mali, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Sierra Leone, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville).

*Against:* Iraq, Jordan, Lebanon, Libya, Mauritania, Morocco, Saudi Arabia, Somalia, Spain, Sudan, Syria, Tunisia, United Arab Republic, Yemen.

*Abstaining:* Cuba, Czechoslovakia, Ecuador, Hungary, Indonesia, Israel, Mongolia, Nepal, Poland, Romania, Thailand, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia,

*The result of the vote was 64 in favour and 14 against, with 21 abstentions.*

*Operative paragraph 1 was adopted, having obtained the required two-thirds majority.*

46. The PRESIDENT (translated from French): The General Assembly will now vote on the draft resolution as a whole as amended, that is, without paragraphs 3 and 4.

*A vote was taken by roll-call.*

*Albania, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Haiti, Iceland, India, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Liberia, Luxembourg, Madagascar, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Sierra Leone, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Afghanistan.

*Against:* None.

\*The representative of Thailand subsequently requested that his country should be included among those abstaining.



**Abstaining:** Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cuba, Czechoslovakia, Ecuador, Guinea, Hungary, Indonesia, Iraq, Jordan, Lebanon, Libya, Mali, Mauritania, Mongolia, Morocco, Nepal, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Syria, Thailand, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

*The result of the vote was 62 in favour and none against, with 37 abstentions.*

*The draft resolution, as amended, was adopted, having obtained the required two-thirds majority.*

47. The PRESIDENT (translated from French): I call on the representative of Ethiopia for an explanation of his vote.

48. Mr. HAILE-MARIAM (Ethiopia): During the voting my delegation asked to be recognized on a point or order in accordance with rule 90 of the Rules of Procedure, which reads as follows:

"After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting."

49. My delegation has the greatest respect for the President and my country has the greatest respect for Tunisia; that is beyond doubt. But in this connexion my delegation was prevented from exercising its right in accordance with rule 90 of the Rules of Procedure. The point I was going to make relates to operative paragraph 3 of the draft resolution, which my delegation supported wholeheartedly, in accordance with the explanation of vote which I gave in the Special Political Committee [324th meeting]. But that paragraph was not adopted, because it did not obtain the two-thirds majority. Now this particular operative paragraph was supposed to reconstitute the Conciliation Commission. However, in operative paragraph 4, reference is made to the "reconstituted Conciliation Commission". In accordance with the Rules of Procedure, I had wanted to ask the President, how this paragraph should be voted on, since operative paragraph 3 had failed of adoption?

50. The only reason why I raised this question was to afford my delegation the possibility of being better acquainted with the situation in voting for or against. In accordance with instructions from my Government, I was to vote in favour of this amendment, the amendment that was taken up in the Special Political Committee, which became operative paragraph 4 of the draft resolution and has now been rejected. The only reason why I asked for this information was to be in a better position to vote on the matter.

#### AGENDA ITEMS 59, 61, 67, 56, 60 AND 64

**Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions**

**Review of the activities and organization of the Secretariat: report of the Committee of Experts appointed under General Assembly resolution 1446 (XIV) and recommendations thereon by the Secretary-General**

#### United Nations International School: report of the Secretary-General

**Appointments to fill vacancies in the subsidiary agencies of the General Assembly (concluded):\***

(d) Investments Committee: confirmation of appointments made by the Secretary-General

#### Report of the Negotiating Committee for Extra-Budgetary Funds

**Personnel questions:**

(a) Geographical distribution of the staff of the Secretariat;  
(b) Proportion of fixed-term staff;  
(c) Other personnel questions

#### REPORTS OF THE FIFTH COMMITTEE (A/5064, A/5073, A/5067, A/5074, A/5052, A/5063)

51. The PRESIDENT (translated from French): I now invite the Rapporteur of the Fifth Committee to present, in a single statement, the reports concerning the first six items to be examined, that is, agenda items 59, 61, 67, 56, 60 and 64.

52. Mr. ARRAIZ (Venezuela), Rapporteur of the Fifth Committee (translated from Spanish): I am grateful to the President for allowing me to present jointly the six reports of the Fifth Committee covering items 6, 7, 8, 9, 10 and 11 of our agenda. These six reports deal with various matters. The first five relate to topics which gave rise to little controversy in the Fifth Committee.

53. The first of the reports which I have the honour of submitting to the Assembly [A/5064] relates to administrative and budgetary co-ordination between the United Nations, the specialized agencies and the International Atomic Energy Agency, with regard to their administrative budgets for 1962.

54. As Members of the Assembly may observe, paragraph 7 of the report states that the Committee unanimously approved a draft resolution the text of which appears in paragraph 8. I hope this draft resolution will meet with the approval of the Assembly.

55. The second report [A/5073] is entitled "Review of the activities and organization of the Secretariat". It gives an account of the debate which took place in the Fifth Committee on the report submitted by the Committee of Experts on the review of the activities and organization of the Secretariat. Part of the Experts' report, however, was considered separately, in conjunction with item 63, and is dealt with in a separate report of the Fifth Committee [A/5063].

56. The parts of the report of the Committee of Experts [A/4776] dealt with in this report are chapters III, IV, V and VII covering, respectively, the organization of the Secretariat at the top level, economic and social activities, budget stabilization and additional observations. The report describes the debates and decisions of the Fifth Committee on these topics.

57. On the question of budget stabilization, the representative of Poland made a proposal (paragraph 16 of the report) requesting the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to make various studies on the question of dividing the budget into administrative and operational

\*Resumption of discussions of the 1082nd meeting.

parts and on specific measures and procedures towards achieving a stabilization of the administrative part of the budget. This proposal was amended and put to the vote separately. The decisions taken by the Fifth Committee on this matter appear in paragraph 21 of the report.

58. The third report [A/5067] deals with the item "United Nations International School". As may be seen in paragraph 7 the delegations of Argentina, Ceylon, Denmark, Ghana, India, Jordan, Lebanon, Poland, the United States of America and Yugoslavia submitted a draft resolution [A/C.5/L.700] on the subject. As described in paragraph 9, this draft resolution was adopted by 60 votes in favour, none against and no abstentions. I hope therefore that it will meet with the approval of the Assembly. The draft resolution recommended by the Fifth Committee appears in paragraph 10 of the report.

59. The fourth report [A/5074] deals with the item "Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly: Investments Committee: confirmation of the appointments made by the Secretary-General".

60. The Fifth Committee decided without opposition to recommend that the General Assembly should confirm the appointments proposed by the Secretary-General, and the draft resolution recommended by the Committee appears in paragraph 3 of its report.

61. The fifth report [A/5052] in this group concerns the item "Report of the Negotiating Committee for Extra-Budgetary Funds".

62. As may be seen in paragraph 3 of the report, the Fifth Committee, without opposition, approved the draft resolution recommended by the Negotiating Committee, which appears in paragraph 5 of the report.

63. The sixth report [A/5063] gave rise to longer discussions in the Fifth Committee. It deals with personnel questions and has as its sub-heads: "Geographical distribution of the staff of the Secretariat", "Proportion of fixed-term staff" and "Other personnel questions".

64. Together with these matters, the Fifth Committee considered chapter IV of the report of the Committee of Experts on the review of the activities and organization of the Secretariat. The report which I have just introduced describes the debates on this important subject within the Fifth Committee.

65. Two draft resolutions were submitted, one by the United States and the other by thirteen Powers. These draft resolutions appear at the end of the report as annexes I and II.

66. As may be seen in paragraph 51 of the report, the representative of Canada formally proposed that neither of these two drafts should be put to the vote but that instead the Secretary-General should be invited to take into consideration the contents of both and also the views expressed in the Committee on this question and to present to the General Assembly at its seventeenth session a statement of his considered views on how to improve the geographical distribution of the staff of the Secretariat.

67. At the 890th meeting, the Canadian proposal was adopted by 64 votes to 9, with 8 abstentions.

68. Other decisions and recommendations by the Fifth Committee appear in paragraph 59 of the report.

69. I hope that the Assembly will approve the draft resolutions in the manner recommended by the Fifth Committee.

70. The PRESIDENT (translated from French): In view of the decision concerning procedure adopted by the Assembly, statements will be limited to explanations of vote. As regards item 59 of the agenda, I wish to draw to the Assembly's attention the fact that the draft resolution submitted to us by the Fifth Committee in its report [A/5064] was adopted by it unanimously. If there are no objections, I shall consider that this draft resolution is adopted unanimously by the Assembly also.

*The draft resolution was adopted unanimously.*

71. The PRESIDENT (translated from French): As regards item 61, the Assembly is only invited to take note of the report of the Fifth Committee [A/5073]. If there are no objections, I shall consider that it is so decided.

*It was so decided.*

72. The PRESIDENT (translated from French): The draft resolution contained in the report of the Fifth Committee [A/5067] regarding item 67 of our agenda was adopted by that Committee without opposition. Unless a formal vote is requested, I shall consider it as adopted unanimously.

*The draft resolution was adopted unanimously.*

73. The PRESIDENT (translated from French): The report [A/5074] relating to item 56 of our agenda concerns the confirmation of the appointment by the Secretary-General of Mr. William Fiske Frazier, Mr. R. McAllister Lloyd, Mr. David Rockefeller and Mr. Roger de Candolle as members of the Investments Committee. If there are no objections, I shall consider that the draft resolution submitted to us by the Fifth Committee in this report is adopted by the Assembly.

*The draft resolution was adopted.*

74. The PRESIDENT (translated from French): I wish to draw the attention of the Assembly to the fact that the draft resolution contained in the report of the Fifth Committee [A/5052] was adopted by that Committee without opposition. If there is no objection, I shall consider that this draft resolution is adopted by the Assembly.

*The draft resolution was adopted.*

75. The PRESIDENT (translated from French): We come to the report of the Fifth Committee [A/5063] relating to item 64. If no delegation requests to explain its vote on the decision of the Fifth Committee relating to points (a) Geographical distribution of the staff of the Secretariat, and (b) Proportion of fixed-term staff, as also the draft resolution recommended by the Fifth Committee regarding item (c) Other personnel questions, I shall put to the vote successively the Fifth Committee's decision and the draft resolution contained in this report.

*The Fifth Committee's decision was adopted by 82 votes to none, with 6 abstentions.*

*The draft resolution was adopted by 78 votes to 1, with 10 abstentions.*

## AGENDA ITEMS 62, 55, 26 AND 54

**Administrative and budgetary procedures of the United Nations: report of the working group appointed under General Assembly resolution 1620 (XV)**

**United Nations operations in the Congo: cost estimates and financing (concluded)\***

**United Nations Emergency Force:**

**(a) Cost estimates for the maintenance of the force;**

**(b) Report on the Force**

**Budget estimates for the financial year 1962 (concluded)\*\***

**REPORTS OF THE FIFTH COMMITTEE (A/5062, A/5066, A/5065, A/5075, A/5076)**

76. The PRESIDENT (translated from French): I invite the Rapporteur of the Fifth Committee to present the reports of the Committee on agenda items 62, 55, 26 and 54. I shall then invite discussion on each item.

77. Mr. ARRAIZ (Venezuela) Rapporteur of the Fifth Committee (translated from Spanish): I thank the President for giving me permission to submit the reports of the Fifth Committee on items 12, 13, 14 and 15 of its agenda, which are to a certain extent connected, at one and the same time.

78. The first of these reports [A/5062] relates to item 62 of our agenda, "Administrative and budgetary procedures of the United Nations: report of the working group appointed under General Assembly resolution 1620 (XV)". The report which I have the honour to submit to the Assembly gives an account of the reactions of the Fifth Committee to the various sections of the working group's report [A/4971].

79. The part which aroused the most interest in the Fifth Committee was Section D of the report, which led to the submission of a draft resolution, referred to in paragraph 26. As stated in paragraph 26 of the report, Brazil, Cameroon, Canada, Denmark, Japan, the United Kingdom and the United States of America—which were later joined by Liberia, Pakistan and Sweden—submitted a draft resolution in which the General Assembly, recognizing the need for authoritative legal guidance as to obligations of United Nations Members under the Charter in the matter of financing United Nations operations in the Congo (ONUC) and in the Middle East (UNEF), would decide to submit to the International Court of Justice, for an advisory opinion, the question of whether such expenditures, authorized in resolutions of the General Assembly and the Security Council, constituted expenses of the Organization within the meaning of paragraph 2 of Article 17 of the Charter.

80. As stated in paragraph 30 of the report, the Committee approved the ten-Power draft resolution, which appears in paragraph 34 of the report, by 31 votes to 10, with 20 abstentions.

81. I hope that the draft resolution recommended by the Fifth Committee will meet with the approval of the Members of the Assembly.

82. The second of the Fifth Committee's reports [A/5066] refers to item 55 of our agenda: "United Nations operations in the Congo: cost estimates and

financing". This item was discussed in the Fifth Committee with a certain amount of haste, since the time available was limited by the date fixed for the end of the session, and the report gives no more than an outline of the discussion. Reference is made to the records in which the opinions expressed during the debate and the explanations of votes are to be found.

83. As stated in paragraph 4 of the report, Denmark, Nigeria, Pakistan and Tunisia submitted a draft resolution on this subject. In addition, eighteen Latin American Powers—Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela—submitted a series of amendments to this draft resolution.

84. The Latin American amendments having been accepted, the revised draft resolution was put to the vote by roll-call and was approved by 57 votes to 11, with 12 abstentions, as stated in paragraph 11 of the report. The draft resolution, which is accordingly recommended to the General Assembly by the Fifth Committee, appears in paragraph 12 of the report.

85. I also have the honour to submit the report [A/5065] on agenda item 26: "United Nations Emergency Force: cost estimates for the maintenance of the Force". As in the case of the report on United Nations operations in the Congo [A/5066], this report merely outlines the course of the debate and refers to the records of the debates. Paragraph 4 of the report states that Denmark, India, Norway, Sweden and Yugoslavia, which were subsequently joined by Brazil, submitted a draft resolution and later accepted an amendment proposed by France. This draft resolution, in its revised form, was approved in a roll-call vote by 51 votes to 9, with 13 abstentions, and the text appears in paragraph 9 of the report.

86. Regarding agenda item 54, I have two separate reports to submit to the General Assembly. One of them, "Budget Estimates for the financial year 1962", appears in document A/5075 and gives an account of the various items connected with the United Nations budget estimates for 1962 in chapters, *viz.*, Introduction and general discussion, United Nations premises, United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas, Salaries of the Judges of the International Court of Justice, Post classification for Geneva, Budget appropriations—first reading and second reading and Draft resolutions. The debates to which these questions gave rise in the Fifth Committee are summarized in paragraphs 1-100 of the report.

87. The various draft resolutions which the Fifth Committee recommends the General Assembly to adopt are given as annexes to the report. Annex I gives the draft budget resolution for the financial year 1962, divided into different parts covering appropriations and income. Annex II consists of a draft resolution relating to unforeseen and extraordinary expenses. Annex III consists of a draft resolution relating to the Working Capital Fund. Annex IV consists of a draft resolution relating to modernization of the Palais des Nations and Annex V is a draft resolution relating to emoluments of Judges of the International Court of Justice.

88. Finally, I have the honour to submit another report [A/5076] relating to item 54, "Budget estimates for the financial year 1962". As in the case of the

\*Continuation of the discussion at the 1044th meeting.

\*\*Continuation of the discussion at the 1082nd meeting.



reports relating to United Nations operations in the Congo and the United Nations Emergency Force, the report merely gives an outline of the debate. As stated in paragraph 2 of the report, Denmark, Ethiopia, the Federation of Malaya, the Netherlands, Norway, Pakistan, Tunisia and Yugoslavia, to whose number Canada was subsequently added, submitted a draft resolution. It is recorded in paragraph 3 of the report that the representative of the Soviet Union maintained that this draft resolution could not be considered under item 54. The Chairman of the Fifth Committee, however, ruled against that view and his ruling was upheld when put to the vote. All of this is dealt with in paragraphs 3-5 of the report.

89. Paragraph 6 states that the sponsors of the draft resolution accepted an amendment proposed by Chile. Paragraph 7 indicates that Brazil submitted a draft resolution orally, which was later withdrawn. A request for a division of the vote on the draft resolution was rejected in a roll-call vote, the result of which is given in paragraph 9 of the report.

90. Finally, paragraph 10 gives the result of the vote on the draft resolution, which was approved in a roll-call vote by 45 votes to 11, with 21 abstentions. The text appears in paragraph 11 of the report.

91. I hope that the Members of the General Assembly will be good enough to adopt the various draft resolutions recommended by the Fifth Committee, on whose behalf I submit them.

92. The PRESIDENT (translated from French): The statement of the Rapporteur of the Fifth Committee has covered agenda items 62, 55, 26 and 54. I shall not put those items to the Assembly one by one. Item 62 concerns the administrative and budgetary procedures of the United Nations. A report by the working group appointed under General Assembly resolution 1620 (XV) was submitted to the Fifth Committee, which transmits it to us in its report [A/5062]. The General Assembly also has before it an amendment submitted by France [A/L.378], which relates to the draft resolution recommended by the Fifth Committee.

93. In view of the procedural decision which has been taken, I shall give the floor only for the presentation of this amendment and for explanations of vote, I give the floor first of all to the representative of France for the presentation of his amendment.

94. Mr. MILLET (France) (translated from French): The object of the draft resolution appearing in the report of the Fifth Committee [A/5062] is to request an advisory opinion from the International Court of Justice in order to determine whether expenditures authorized by a series of General Assembly resolutions are expenses of the Organization within the meaning of Article 17, paragraph 2, of the United Nations Charter. This text was adopted without it being possible for the Sixth Committee of the Assembly to be consulted, as it should have been in accordance with resolution 684 (VII), which was embodied as an annex to the Rules of Procedure of the General Assembly.

95. In the opinion of the French delegation, the question put to the Court does not enable the latter to give a clear-cut opinion on the juridical basis for the financial obligations of Member States or on the United Nations constitutional problems underlying them. The Court cannot, in fact, appraise the scope of those resolutions without determining what obliga-

tions they may create for Member States under the Charter. It is for this reason that the French delegation is submitting to the Assembly an amendment [A/L.378] the adoption of which would enable the Court to determine whether or not the Assembly resolutions concerning the financial implications of the United Nations operations in the Congo and the Middle East are in conformity with the Charter. Only thus, if the matter is referred to the Court, will it be done in such a way as to take into account the scope and nature of the problems raised in the proposal to request an opinion.

96. The PRESIDENT (translated from French): Might I ask the representative of France to indicate the exact place at which his amendment would be inserted in the text?

97. Mr. MILLET (France) (translated from French): This amendment would change the first word of the request in operative paragraph 1 of the draft resolution and insert some words in the penultimate line.

98. The PRESIDENT (translated from French): The amendment proposed by the French delegation would therefore replace the word "Do" by the word "Were" and would insert the words "decided on in conformity with the provisions of the Charter and, if so, do they" after the words "and 1263 (XIII) of 14 November 1958,".

99. I now give the floor to the representative of the Soviet Union for an explanation of vote.

100. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translated from Russian): The General Assembly has before it the draft resolution which is contained in the report of the Fifth Committee [A/5062, para. 34] and which proposed that an advisory opinion should be sought from the International Court of Justice on the question of whether the expenditures relating to operations in the Congo and to the maintenance of the United Nations Emergency Force in the Near East constitute expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter.

101. The Soviet delegation considers that there is no need to seek an advisory opinion from the International Court of Justice on a question which is clearly settled by the Charter of the Organization. Article 11 of the Charter states that any question relating to the maintenance of international peace and security on which action is necessary shall be referred to the Security Council by the General Assembly.

102. Articles 43, 48 and other Articles of the Charter clearly establish that it is the Security Council which decides questions concerning the participation of States in action to maintain international peace and security.

103. Under Article 43 of the Charter, the Security Council concludes agreements with Members of the Organization concerning their contribution to the maintenance of international peace and security. Such agreements are to govern the conditions under which Member States provide troops and facilities for the conduct of operations as well as the arrangements for meeting the expenses of operations. In accordance with the provisions of Article 43 of the Charter, all these questions must be decided by the Security Council.

104. A decision on peace-keeping operations therefore entails provision for all measures to ensure

their implementation, including measures for their financing.

105. To refer to the International Court of Justice a question to which the answer can be found in the Charter would merely be to cast doubt on most important principles and provisions which States Members of the United Nations accepted in signing the Charter of the Organization.

*Mr. Bitsios (Greece), Vice-President, took the Chair.*

106. The proposal to seek an advisory opinion from the International Court of Justice on this question is merely an attempt to find a way of bringing pressure to bear on those States taking the view, for which there is every political and legal justification, that they cannot participate in the financing of operations such as those for the maintenance of the Emergency Force in the Near East or those in the Congo.

107. We have repeatedly said in the General Assembly and the Fifth Committee that these operations are being carried out in violation of the Charter of the United Nations, because the Security Council has been by-passed in the matter.

108. The request for an advisory opinion from the International Court of Justice is all the more unwarranted because, at today's meeting, the General Assembly is to consider the draft resolution on the financing of United Nations operations in the Congo, contained in the report of the Fifth Committee [A/5066]. This draft resolution states that:

"The extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses."

109. The decision of the General Assembly on this point will also provide an answer to the question on which it is proposed to seek an advisory opinion from the International Court of Justice.

110. The Soviet delegation will therefore vote against the draft resolution on the request for an advisory opinion from the International Court of Justice.

111. We have just heard a statement by the representative of France, who has submitted an amendment [A/L.378] to the draft resolution proposed by the Fifth Committee. Although the amendment by France does somewhat improve the text of the resolution on the request for an advisory opinion from the International Court of Justice, its adoption would not alter the substance of the draft resolution and would therefore not affect the negative position of our delegation towards the draft resolution as a whole and as amended.

112. For these reasons, the Soviet delegation will abstain in the vote on the French delegation's amendment to the draft resolution.

*Mr. Slim (Tunisia) resumed the Chair.*

113. Mr. HODGES (United Kingdom): I should like to explain the vote of the United Kingdom delegation which we shall cast on the amendment submitted by France [A/L.378].

114. The question of the financing of peace-keeping operations has now been before the Assembly for a number of years, and there has undoubtedly emerged

a wide difference of opinion among Member States as to whether the expenditures authorized by the General Assembly in connexion with the United Nations Emergency Force in the Middle East and the United Nations operations in the Congo constitute expenses of the Organization within the meaning of Article 17, paragraph 2 of the Charter.

115. As many of the arguments put forward in earlier debates have shown, the difference of opinion on this specific question is very clearly of a legal nature, however much the whole problem may be complicated by other considerations of a political kind. This is the question which the draft resolution, originally sponsored by the United Kingdom among others, and now recommended by the Fifth Committee in its report [A/5062] would submit to the International Court of Justice for an advisory opinion.

116. The amendment to this draft resolution, which has just been introduced by the representative of France, seeks to introduce a further question. In the first place, this amendment appears to my delegation to be unnecessary, because the International Court, in considering the question which was formulated in the draft resolution recommended by the Fifth Committee, will undoubtedly be able to take into consideration all relative provisions of the Charter. Furthermore, it will of course be open, under the Statute of the Court, to any Member State that wishes to do so to submit to the Court its views on the conformity with the Charter of the decisions taken in regard to the expenditures referred to in the draft resolution. The Court will also have before it the records of the relevant discussions in the Fifth Committee and in the General Assembly on the present matter.

117. But secondly, it appears to my delegation that the amendment is not only unnecessary but also undesirable. It would complicate the clear and exact question which has been framed in the draft resolution for submission to the Court. In addition, my delegation does not believe that at this juncture in the affairs of the United Nations this Assembly will wish to frame its question to the International Court in such a way as to compel the Court to consider the validity of a large number of resolutions adopted by the General Assembly itself at successive sessions and over a period of the past several years.

118. It is for these reasons that my delegation will vote against the amendment.

119. Mr. PRICE (Canada): I wish to explain the vote of my delegation, which vote will be against the amendment just introduced by France [A/L.378].

120. Canada was one of the sponsors of the original draft resolution submitting a question to the International Court of Justice. Our motive was to seek arbitration of a question which had divided the membership over the years—that is, the question of the obligation of the membership concerning the financing of two operations of the United Nations.

121. The amendment before us attempts to broaden the question to a significant degree. Over the years the General Assembly has endorsed by large majorities the creation and continuation of UNEF and has, since the initial Security Council decisions on the Congo of July and August 1960, by large majorities endorsed that operation. The French amendment clearly calls into question every resolution which this body has passed on these two operations over a period of five years. This is not the question which has raised

difficulties over the years. Clearly, the majorities obtained on all these resolutions indicate that the membership of the United Nations is virtually unanimous on its prerogatives and responsibilities. It would therefore be invidious for this Assembly to go to the Court and call into question a large number of its own decisions taken over a number of years.

122. A clear difference does, however, exist on the application of Article 17, paragraph 2. And this specific question does not imply that all of a sudden this forum, in a flurry of self-examination and self-criticism, admits its error over a long period of time. It is therefore a legitimate and reasonable question to put to the Court. My delegation can only conclude that what is at issue here is the basic question which was raised in the introduction [A/4800/Add.1] to the Secretary-General's annual report on the work of the Organization.

123. What sort of an organization shall we have here? Shall it be limited and restricted to the most narrow interpretation of the Charter, or shall it be something more and grow with the needs of the changing currents in international life?

124. By calling into question the decisions of the General Assembly adopted over a number of years by large majorities, the amendment reflects the restrictive and narrow approach to the Organization which cannot be accepted by those of us who look to this Organization as a forum where the voice of the smaller and middle-sized Powers can be heard and can have their weight.

125. For this reason, my delegation will vote against the French amendment, as must all delegations that look to the General Assembly as the reflection of the widest expression of the opinion of the international community.

126. Mr. KLUTZNICK (United States of America): The United States delegation opposes the adoption of the amendment proposed by the delegation of France [A/L.378].

127. This submission of the pertinent subject of the International Court of Justice is, in the judgement of my delegation as well as that of many others, of prime importance to this Organization in order that this long debated matter may secure the benefit of an advisory opinion.

128. We have no doubt about the binding effect of the assessments in question, but we do not deny those who believe otherwise the opportunity to have their views examined by the Court.

129. It is illuminating to observe that in the debates in the Fifth Committee the proponent of the amendment opposed the whole idea. The purpose of an amendment urged in these circumstances requires extraordinary reasons to justify its acceptance. As a matter of orderly procedure, such an amendment should have been brought up in the Fifth Committee. It was not. This is not the time to raise a new question, and a very broad question, without the benefit of the careful consideration of the Fifth Committee.

130. The representative of France has suggested that the Fifth Committee was in error in not having consulted the Sixth Committee. As to that matter, let it be said that consultation is optional and not required. The Sixth Committee has not customarily been consulted when the General Assembly requested an advisory opinion. Let it also be added that this proposi-

tion, while discussed, was not urged formally by the delegation of France in the proceedings of the Fifth Committee. Had it been urged, my delegation at that time would have been inclined to support such a view. To urge it at this stage once again seems to us to be inappropriate and untimely.

131. We feel compelled to oppose an effort to reopen an attempt to change a question which the Fifth Committee believed it had settled.

132. We regret deeply the necessity of saying that which we are about to utter, but in fairness to the significant issues here involved, my delegation feels under an obligation to the Assembly to say a few additional words. It is not irrelevant to recall, in evaluating the French amendment, the policy of non-co-operation with the United Nations efforts in the Congo which France for its own reasons has pursued. This amendment, in accordance with French opposition to the very idea of seeking the Court's opinion, does not clarify the questions at issue. Rather it would tend to confuse it. At an hour when the United Nations is exerting its utmost efforts in the Congo, such confusion and elaboration of what is essentially a simple issue would be legally and psychologically most unfortunate. Naturally, in the proceedings before the Court, the Government of France, like those of other States parties to the Court's Statute, will have the opportunity to present its views. France may then, if it so desires, set forth its particular approach to the question before the Court.

133. Therefore, no State, including the proponent of the amendment, is confined unjustly or arbitrarily.

134. For these considerations, the United States delegation will vote against the French amendment and respectfully urges other delegations to do likewise.

135. The PRESIDENT (translated from French): I have no further speakers on the list. I shall first put to the vote the amendment [A/L.378] submitted by France.

*The French amendment was rejected by 47 votes to 5, with 38 abstentions.*

136. The PRESIDENT (translated from French): I shall now put to the vote the draft resolution as a whole, as it appears in the report of the Fifth Committee [A/5062].

*A vote was taken by roll-call.*

*Burma, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Canada, Chile, Colombia, Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, Finland, Greece, Guatemala, Iceland, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Liberia, Libya, Luxembourg, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Sierra Leone, Spain, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Argentina, Australia, Austria, Bolivia, Brazil.

*Against:* Byelorussian Soviet Socialist Republic, Czechoslovakia, France, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Albania, Bulgaria.

*Abstaining:* Burma, Cameroon, Central African Republic, Ceylon, Chad, China, Congo (Leopoldville),



Cuba, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Jordan, Lebanon, Madagascar, Mali, Mauritania, Morocco, Nepal, Niger, Somalia, South Africa, Sudan, Syria, Togo, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Belgium.

*The draft resolution was adopted by 52 votes to 11, with 32 abstentions.*

137. The PRESIDENT (translated from French): I now give the floor to the representatives for explanations of vote.

138. Mr. MILLET (France) (translated from French): France voted against the request for an advisory opinion from the International Court of Justice because the question is put in an ambiguous way and because the Assembly rejected the amendment which we put forward with a view to improving it.

139. It is necessary for the Assembly to understand clearly what is behind the proposed request for an opinion. The aim is to settle, by a devious method, some basic questions on which France takes the following position.

140. First, the General Assembly has not the right, merely by voting on a budget, to extend the competence of the United Nations; if it had, the mere competence of the Assembly in budgetary matters would confer on that organ the powers of a world government.

141. Secondly, in the case of any United Nations organ, the power to make recommendations to Member States is not sufficient to impose upon them any form of obligation.

142. Thirdly, the legal power to make recommendations to Member States does not include permission to create, by the circuitous method of a decision addressed to the Secretary-General—as in the case of the resolution on the situation in the Republic of the Congo<sup>1/</sup>—any obligations for States.

143. If all these matters were referred to the Court, it would have the real issues before it; even in that case, however, France would have considerable doubts regarding the desirability of setting the proposed procedure, which is in any event only consultative, in motion. Since, however, the question put does not meet the requirements of sincerity which the consideration of such problems deserves, the French delegation had no hesitation in voting against it.

144. Mr. URQUIA (El Salvador) (translated from Spanish): My delegation wishes to explain very briefly the reasons why it voted against the amendment [A/L.378] submitted by the delegation of France and in favour of the draft resolution given at the end of the Fifth Committee's report [A/5062].

145. Under the terms of the French amendment, the General Assembly, instead of merely requesting the International Court of Justice to give an advisory opinion on whether the expenditure authorized in the resolutions setting up the United Nations Emergency Force in the Middle East in 1956 and the Force responsible for the United Nations operations in the Congo constitute expenses of the Organization within the meaning of paragraph 2 of Article 17 of the Charter, would first ask the Court whether those expenditures were decided on in conformity with the provisions of the Charter. That is obviously tantamount to

questioning the legal validity of the resolutions adopted by the Security Council and by the General Assembly.

146. For us there is no doubt at all that both the General Assembly and the Security Council were acting in legitimate exercise of their powers—and, indeed, were discharging obligations specifically imposed on them by the Charter with respect to the maintenance of international peace and security—in adopting those resolutions and arranging for the financing of the two operations.

147. The only thing we are doubtful about is the method of financing, or, in other words, the distribution of costs among the different Member States. That is why we voted in favour of the proposal to consult the International Court of Justice in accordance with the terms of the draft resolution recommended by the Fifth Committee in its report. The first preambular paragraph of the resolution, adopted a few moments ago, reads as follows:

"Recognizing the need of the General Assembly for authoritative legal guidance as to obligations of United Nations Members under the Charter in the matter of financing United Nations operations in the Congo (ONUC) and in the Middle East (UNEF)."

148. The wording of this part of the preamble seems to us to be sufficiently clear to limit the scope of the advisory opinion to the purely legal issue, without introducing any implications of a political nature and certainly without casting doubt on the validity of the resolutions adopted in both cases by the Security Council and the General Assembly.

149. Mr. USHER (Ivory Coast) (translated from French): The delegation of the Ivory Coast would like to state briefly the reasons which led it to vote in favour of the resolution submitted to us. In the first place, it considers that the primary role of the United Nations is to maintain peace. Emergency forces are established to intervene wherever peace is disturbed and therefore to restore peace. We are all aware that in such circumstances emergency forces entail budgetary expenses which must be met.

150. The subject of our discussion is whether such expenses constitute regular expenses for which each of our delegations is obliged to pay, or whether they are extraordinary expenses. My delegation therefore considers it appropriate to put the question to the International Court of Justice in order that we may have a definitive opinion. That is why my delegation voted in favour of the resolution.

151. It opposed the amendment submitted by France because it considers that the amendment raises a political issue, the question of the legality of action taken by the General Assembly in implementation of decisions of the Security Council. It is a fact that in taking all those decisions the Security Council was aware that they had budgetary implications. Consequently, the General Assembly is bound by the decisions of the Security Council and must take all the steps which will enable it to put them into effect. My delegation therefore considers that there is no reason to raise the question of the legality of decisions taken by the General Assembly; moreover, it is very surprised that France submitted this amendment, since France is one of the great Powers which are able, through the veto, to prevent the Security Council from taking decisions.

<sup>1/</sup> Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960, document S/4387.

152. The PRESIDENT (translated from French): The discussion of agenda item 62 is thus concluded. We now come to item 55 entitled: "United Nations operations in the Congo: cost estimates and financing". I give the floor to the representative of the Soviet Union for an explanation of vote.

153. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation has already repeatedly stated its position on the question of financing of United Nations peace-keeping operations such as those being conducted in the Congo.

154. The Soviet delegation has pointed out that, according to the Charter, a decision on questions concerning the financing of such operations is a matter for the Security Council.

155. Article 11 of the Charter provides that decisions on any question relating to the maintenance of international peace and security on which action is necessary shall be taken by the Security Council. Articles 43 and 48 of the Charter define the procedure for decisions by the Security Council on questions connected with the participation of States in or their contribution to the maintenance of peace and security.

156. The participation of particular States in United Nations operations and in the provision of equipment and funds for such operations is a matter of major political importance and calls for the attainment of agreement in the Security Council, in accordance with the procedure followed in the Council.

157. The Charter stipulates that all questions connected with the participation of particular Members of the Organization in United Nations operations or action for the maintenance of peace and security, including financing and other types of support for such operations, shall be decided by the Security Council and by no other organ.

158. Under the Charter, the Security Council also approves the plans for the conduct of operations such as those being executed in the Congo. In order that the Security Council may take decision concerning military operations in a full knowledge of the facts and assume responsibility for such decisions, the Charter provides that a Military Staff Committee shall be attached to the Council. According to Article 47 of the Charter, "The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council".

159. From the very outset of the United Nations operations in the Congo, these operations have been executed in violation of most important provisions of the Charter, both with regard to the direction of the military operations and with regard to the maintenance and financing of these operations.

160. The Security Council, which bears the responsibility for the conduct of this type of operation, has been completely excluded from decisions on questions concerning both the operational plans for the conduct of the operations and the maintenance and financing of these operations.

161. As a result of the fact that the Security Council has been excluded from the United Nations operations in the Congo and has not only not directed these operations but has not played any part in decisions on such matters as the preparation of military plans and the provision of physical and financial support

for the military operations in the Congo, an extremely unsatisfactory state of affairs has been created so far as the conduct of operations in the Congo is concerned.

162. One of the consequences of these operations, in which the Security Council has been by-passed and the Charter violated, has been to confront the United Nations with a financial deficit, with financial bankruptcy.

163. In connexion with the present extremely unsatisfactory financial situation of the United Nations, we should like to emphasize that responsibility for this situation rests primarily with those countries which impelled the United Nations into adopting an illegal procedure for the financing of operations in the Congo. Responsibility for this financing procedure lies mainly with the United States, the United Kingdom and a number of other States.

164. The Soviet Union has repeatedly and decisively opposed the illegal procedure adopted for the financing of United Nations operations in the Congo. We should like to emphasize that the Soviet Union fears no responsibility for the serious financial position in which the Organization has been placed as a result of the illegal actions of certain Members of the Organization and, more particularly, of the United States, the United Kingdom and certain other States.

165. We consider that the States which are responsible for the course of events in the Congo and for the conduct of United Nations operations in the Congo in violation of the United Nations Charter should also bear full responsibility for the financial consequences of the illegal actions being taken in the Congo in the name of the Organization.

166. For these reasons, the Soviet delegation opposes and will vote against the adoption of a resolution on the financing of operations in the Congo, under which the General Assembly would decide to continue the illegal financing of these operations.

167. The Soviet delegation does not propose to explain its vote on the financing of the United Nations Emergency Force in the Near East and asks that the present statement should also be considered as an explanation of its vote on the maintenance of that Force. The Soviet delegation will vote against appropriations for the maintenance of that Force, because such appropriations are being made in violation of the Charter and without reference to the Security Council.

168. Mr. LORIDAN (Belgium) (translated from French): The Belgian delegation will vote against the draft resolution on the cost estimates and financing of the United Nations operations in the Congo which appears in the report of the Fifth Committee [A/5066]. It is firmly opposed to this draft resolution for a series of reasons, both practical and of principle, which I wish to explain.

169. Belgium considers that the question of effecting this financing otherwise than through voluntary contributions requires the most serious consideration. Moreover, it has been recommended that the opinion of the International Court of Justice should be sought on this question.

170. Even if it were admitted that the Members of the United Nations are under a legal obligation to bear these costs, such an obligation would presuppose a normal functioning of the Organization and the im-



plementation of resolutions in a manner which is in accordance with the principles of the United Nations Charter and which respects human rights and the basic humanitarian rules.

171. This, however, is not the case. The United Nations intervention has constantly been marked by flagrant and repeated abuses of power, the extent of which has entailed the most serious consequences. The events in Katanga are a tragic illustration of this.

172. The development of the United Nations action into actual warfare, which contrasts strangely with the peaceful mission assigned to the Organization under the Charter, has aroused wide-spread disapproval throughout the world. In Belgium, it has aroused deep feeling in all strata of the population. The Parliament has voiced indignant protests which my Government conveyed with firmness in the communications of its Minister for Foreign Affairs.

173. The very purpose of this debate, however, prevents my delegation from saying more on this distressing subject. It will be readily appreciated that the recent dramatic events in Katanga can only add to the reasons it already had for refusing to vote in favour of the Committee's recommendations.

174. Furthermore, Belgium cannot agree to being made the object of completely unjustified discrimination in the recruitment of personnel by the United Nations and the specialized agencies for the civilian operation undertaken in the Republic of the Congo. This discriminatory policy is still being practised, in spite of the numerous interventions made by the Belgian Government.

175. Finally, the draft resolution itself contains a paragraph 8 addressed specifically to Belgium and inviting it to make a special contribution. This text, and particularly its origin, as also certain comments which have been made, indicate, without any doubt, that it is based on a policy inspired by more or less hostile feelings towards my country. This evidence of partiality would in itself be sufficient to justify the negative vote of my delegation.

176. Mr. TOURE (Upper Volta) (translated from French): The delegation of Upper Volta will vote in favour of the draft resolution recommended by the Fifth Committee in its report [A/5066] on the financial implications of the United Nations operations in the Congo. My delegation abstained in the Fifth Committee in the vote on the draft resolution [A/L.706] on the cost estimates and financing of the United Nations operations in the Congo, because at that time it had not been able to study these questions with all the serious attention which they deserve. Today, being fully informed on these questions, my delegation will cast an affirmative vote.

177. For the same reasons, my delegation will vote in favour of the draft resolution appearing in the report of the Fifth Committee [A/5065] on the United Nations Emergency Force.

178. The PRESIDENT (translated from French): If there are no further speakers I shall ask the General Assembly to vote on the draft resolution recommended by the Fifth Committee in its report [A/5066]. I have received a request from the delegation of Greece for a separate vote on operative paragraph 7. Is there any objection to a vote by division?

179. I give the floor to the representative of Tunisia on a point of order.

180. Mr. CHELLI (Tunisia) (translated from French): In the debate on this subject in the Fifth Committee my delegation opposed any vote by division on the draft resolution which appears in the report [A/5066] submitted to us. For the same reason, I wish to oppose, under rule 91 of the Rules of Procedure, a separate vote on any part of the draft resolution.

181. The PRESIDENT (translated from French): An objection has been made under rule 91 of the Rules of Procedure to the request for division. Does anyone else wish to speak for or against the point of order on the motion for division? If not, I shall put to the vote the motion for division.

*A vote was taken by roll-call.*

*Mali, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* South Africa, Belgium, Cameroon, France, Greece.

*Against:* Mali, Mexico, Morocco, Nepal, New Zealand, Nicaragua, Nigeria, Panama, Paraguay, Peru, Senegal, Somalia, Syria, Thailand, Togo, Tunisia, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Argentina, Bolivia, Brazil, Burma, Cambodia, Ceylon, Chile, Colombia, Congo (Leopoldville), Costa Rica, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Iceland, Indonesia, Iraq, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya.

*Abstaining:* Mauritania, Mongolia, Netherlands, Norway, Pakistan, Philippines, Poland, Romania, Sierra Leone, Spain, Sudan, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Yemen, Afghanistan, Albania, Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, China, Cuba, Cyprus, Czechoslovakia, Dominican Republic, Finland, Hungary, India, Iran, Ireland, Israel, Italy, Luxembourg, Madagascar.

*The motion for division was rejected by 50 votes to 5, with 40 abstentions.*

182. The PRESIDENT (translated from French): I now put to the vote the draft resolution as a whole as submitted by the Fifth Committee in its report [A/5066].

*A vote was taken by roll-call.*

*Israel, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Israel, Italy, Ivory Coast, Japan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Senegal, Sierra Leone, Somalia, Spain, Sweden, Syria, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Austria, Bolivia, Brazil, Burma, Canada, Ceylon, Chile, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Iceland, India, Indonesia, Iran, Ireland.

*Against:* Madagascar, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet



Socialist Republics, Albania, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, Hungary.

*Abstaining:* Jordan, Mauritania, Philippines, South Africa, Sudan, United Arab Republic, Yemen, Afghanistan, Cambodia, Cameroon, Central African Republic, China, Cuba, Dominican Republic, Iraq.

*The draft resolution was adopted by 67 votes to 13, with 15 abstentions.*

183. The PRESIDENT (translated from French): I shall now give the floor to any members of the Assembly who wish to explain their vote.

184. Mr. RAKOTOMALALA (Madagascar): I thank the Chair for allowing me to explain the negative vote which my delegation cast on the resolution which has just been adopted by the General Assembly. Realizing what a heavy agenda we still have to consider in a very limited amount of time, I shall speak briefly and consequently I do not wish to go into the substance of the problem. It is nevertheless necessary for me to say a few words regarding the basic reasoning which led my Government to instruct me to cast a negative vote.

185. Voicing the feelings of the entire people of Madagascar, my Government sent to the Acting Secretary-General of the United Nations a cable of protest against the operations which are at present being conducted in Katanga by the United Nations Force. My Government considers that the United Nations Force was not sent there to fire upon peaceful inhabitants; yet blood has been shed, the blood of innocent victims. It also appears that the basic objective of the operation has been to obtain capitulation by armed force.

186. My Government does not agree with such methods or with the action now being undertaken by the United Nations in Katanga. My Government would like a general review of the whole policy of the United Nations in that part of the world to be undertaken in order to ensure that the action by our forces is henceforth restricted to what was decided upon at the outset, namely the maintenance of peace and the prevention of disorder.

187. Mr. MALALASEKERA (Ceylon): The delegation of Ceylon voted for the resolution approving financial support for the continued operations of the United Nations in the Congo. We voted for it because we feel that the firm and executive initiative of the Secretary-General, which is turning a bad situation into new, hopeful directions, should be supported wholeheartedly by the General Assembly. The resolution which we have just adopted should be taken as a vote of confidence in the Acting Secretary-General. It is a symbol of hope to the people of the Congo, who need that hope after the great ordeal in which they have been caught. In fact, we all need that hope, especially in the light of some unseemly developments within the last seventy-two hours regarding the future of this world Organization.

188. I refer to the fact that as this session of the General Assembly comes to a close the air of the world is being filled with the harsh voices of the prophets of doom. Certain delegations, and substantial sections of the Press which they inspire, have not hesitated to raise the cry that the Organization is in a state of collapse. Much of this appears to be an alarm raised by those rightist elements in

the colonial world whose vested interests are closely tied up with the wealth of Katanga. This can be ignored, because the whole world knows that when these elements wring their hands in agony for the future of the United Nations it is not for love of the ideals of the Organization but for love of their stockholdings, for which they are prepared to tear down the temple of peace.

189. But unfortunately, part of this din comes also from well-intentioned but misguided sources. It has become fashionable over the years for some Governments to announce the doom of the Organization each time they fail to get what they want. This is considered good propaganda tactics, an easy form of exerting pressure, a classic stratagem in what is called in some sophisticated circles, psychological warfare. May I suggest that this is a cruel and dangerous way of playing the game of international co-operation? The delegations which indulge in this form of politics know that they are resorting to threats which they never dare carry out; but most of their peoples do not know this. The vast majority of the people of these Governments take them at their word and, being at the mercy of their Press, have no means at their disposal by which to give this game the proper evaluation which it deserves. To these people, the prophecy of doom becomes the truth and the reality. It is a cruel thing to do—to dash the hopes of men in the United Nations, which they have been led to believe, and rightly to believe, is the last and best hope for peace in the world.

190. The small States have plainly, and very sincerely, proclaimed their dependence on this Organization and we must therefore safeguard it with all the energy in our power. As for the colonial Powers, who are annoyed with the measures being taken to liquidate their holdings, what stands between them and the unrestrained attack of the oppressed peoples except the orderly process of liquidation which the United Nations, and the United Nations alone, provides for them as a shield?

191. The last Assembly at which criticism of this sort can be directed is the one which we are winding up tonight. This Assembly restored negotiations in the stalemated field of disarmament and outer space. It has taken a moral position on nuclear weapons. It has added to its membership, which is now 104. It has initiated a process for the orderly liquidation of the remaining colonial areas.

192. In the economic field it has, with almost consistent unanimity, launched President Kennedy's Development Decade; and I would assume, therefore, that the United States thinks that the Organization will last at least one more decade. The resolutions adopted are collectively designed to restore economic justice between the "haves" and the "have nots", and to launch the latter on the path of national planning. The Organization has also met the financial crisis. The Assembly has set the International Law Commission a number of new tasks, not the least being a study of the ways of peace and peaceful coexistence. This Assembly, I think, may be credited with having exerted some influence for moderating the acute crisis confronting it in Berlin when this session first opened.

193. Great credit should be given—and my delegation would like to pay a tribute to—the Soviet Deputy Foreign Minister, Valerian Zorin and the United States Ambassador, Adlai Stevenson, for their great demonstration of peaceful negotiation, in having main-

tained a sustained series of talks which resolved the crises regarding the Secretary-General, regarding disarmament and regarding outer space.

194. The Assembly has never spoken more vigorously on behalf of human rights in all sectors, and for all peoples, colonial and non-colonial. Everything that the Assembly has done at this session has given more people more hope in more areas of the world and this hope, I am certain, will prevail over the prophets of doom. That is why we should consider ours not a time for talking about doom, but a time for hope and faith. Beyond our desire lies the vast plateau of a new world, with new concepts of peace and justice.

195. This Organization must, therefore, be protected. What happens in the United Nations operations in the Congo is vital for the future of the Organization. That is why our delegation supported the provision of financial resources for that purpose.

196. Before I conclude, will the President please allow me just one moment to say that our delegation wishes to pay its highest tribute to the ability, the objectivity and the statesmanship with which he has presided over a session of the Assembly that was launched in crisis and is now able to adjourn in the hope that it is still the only organ in the world that can meet all of the crises of the future.

197. Mr. BINDZI (Cameroon) (translated from French): Thank you, Mr. President, for giving me the floor in order to explain my delegation's vote on the financing of the United Nations expenditure in the Congo. My delegation was compelled to abstain. It may appear strange to some that my delegation should abstain in a vote on a question dealing with the expenses of an operation designed to benefit an African country. I would like to say immediately that our vote implies rather my delegation's disagreement, first and foremost, with the form of the resolution which we have just adopted. My delegation would very much have liked to be allowed to vote on the resolution in parts, for we should then have been able to indicate our agreement on the provisions which meet with our approval and our disapproval of those parts which appear to us excessive, to say the least.

198. My delegation is naturally in favour of any assistance which the United Nations may see fit to give to our sister nation, the Congo, although at this moment the Government of the Republic of Cameroon makes the most explicit reservations with regard to the form of the operations now proceeding in the Congo.

199. To revert to the resolution itself, my delegation would also like to express its surprise at the automatic nature of the financing which it calls for, in that it provides that all delegations will contribute automatically towards the cost of the operations.

200. My delegation must point out that there are among us small countries that have to cope with internal difficulties which require considerable efforts. For that reason I feel that it would not be quite fair for their budgets to be burdened automatically with expenditures for which they were not prepared. That, too, is why we should have preferred it to be left to Governments to decide if and when they should come to the help of other Governments.

201. The PRESIDENT (translated from French): We now come to the next item on our agenda, item 26—United Nations Emergency Force. It consists of two

parts: (a) Cost estimates for the maintenance of the Force, and (b) Report on the Force.

202. I would point out that, in his statement, the Rapporteur submitted the report of the Fifth Committee [A/5065] on this item. Statements will therefore be confined to explanations of vote on part (a) of the item. In the case of part (b), the Assembly is required only to take note of the report of the Secretary-General [A/4857].

203. I give the floor to the only speaker who has asked to explain his vote. I call on the representative of Upper Volta.

204. Mr. TOURE (Upper Volta) (translated from French): A few minutes ago the delegation of Upper Volta made known its views on the resolution which has just been adopted. It holds the same views concerning the draft resolution appearing in the report of the Fifth Committee [A/5065] on item 26 (a). My delegation abstained on this item in the Committee. It now finds itself obliged, having received instructions, to vote in favour of the draft resolution on the item we are now discussing.

205. The PRESIDENT (translated from French): I give the floor to the representative of Cameroon on a point of order.

206. Mr. BINDZI (Cameroon) (translated from French): Thank you, Mr. President, for giving me the floor. On reading the draft resolution submitted by the Fifth Committee in its report [A/5065], I note that its text is very like that of the resolution we have just adopted. For that reason I would request a separate vote on paragraph 4 of the draft resolution, which reads as follows:

"Decides to apportion the amount of \$9.75 million among all Member States of the United Nations in accordance with the regular scale of assessments for 1962 subject to the provisions of paragraph 6 below;"

207. The PRESIDENT (translated from French): The delegation of Cameroon has asked for a separate vote on paragraph 4 of the draft resolution in the report [A/5065] of the Fifth Committee. If there is no objection to this motion for division, we shall consider it adopted.

208. Since no objection has been raised to this motion for division, I first put to the vote paragraph 4 of the draft resolution recommended in the report [A/5065] of the Fifth Committee.

*A vote was taken by show of hands.*

*The result of the vote was 58 in favour and 13 against, with 21 abstentions.*

*Paragraph 4 was adopted, having obtained the required two-thirds majority.*

209. The PRESIDENT (translated from French): I now put to the vote the draft resolution as a whole. A roll-call vote has been requested.

*A vote was taken by roll-call.*

*The Philippines, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Senegal, Sierra Leone, Somalia, Spain, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Austria,

Bolivia, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, Colombia, Congo (Leopoldville), Cyprus, Denmark, Ecuador, El Salvador, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Liberia, Luxembourg, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay.

*Against:* Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Mongolia.

*Abstaining:* Philippines, South Africa, Sudan, Syria, United Arab Republic, Yemen, Afghanistan, Belgium, Cameroon, Central African Republic, Chad, China, Dominican Republic, Ethiopia, France, Haiti, Iraq, Jordan, Lebanon, Libya, Madagascar, Mauritania, Niger, Peru.

*The draft resolution as a whole was adopted by 61 votes to 11, with 24 abstentions.*

210. The PRESIDENT (translated from French): With regard to part (b) of item 26 (Report on the Force [A/4857]). If there is no objection I shall consider that the General Assembly notes the report.

211. The PRESIDENT (translated from French): This completes our consideration of agenda item 26 and we now turn to item 54, which relates to the budget estimates for the financial year 1962. The Rapporteur has already introduced the two reports of the Fifth Committee [A/5075 and A/5076] on this item. In accordance with the procedural decision which was taken statements will be confined to explanations of vote.

212. Mr. QUIJANO (Argentina) (translated from Spanish): The Argentine delegation only wishes to explain its vote on the draft resolution concerning the United Nations financial position and prospects [A/5076]. We have no comments to make regarding the other reports submitted by the Rapporteur.

213. The draft resolution recommended by the Fifth Committee, authorizing the Acting Secretary-General to issue United Nations bonds and to utilize the proceeds from the sale of the bonds in order to make up the Organization's financial deficit, is without any doubt one of the most important decisions taken at the sixteenth session of the General Assembly. It constitutes a reaffirmation of faith in the United Nations and an expression of the desire that the United Nations should continue to function free from restrictions and should be able to carry out all the programmes and activities which Member States have seen fit to entrust to it.

214. It is this desire to support and strengthen the United Nations at a time when it is confronted with a serious crisis, which is not just financial but also political, that will guide the delegation of Argentina, when it casts its vote on the draft resolution before us.

215. We have very serious reservations about the method proposed as a means of providing the United Nations with the funds which it urgently needs and about the suggested procedure for financing the payment of interest and the amortization of the bonds to be issued under this resolution. Our reservations are based on the fact that the proceeds of the bonds will

be used to cover expenditure which has been or will be incurred as a result of United Nations operations for the maintenance of international peace and security.

216. The draft resolution says nothing about this, for it allocates the money to the Working Capital Fund, but the reason why the Working Capital Fund is exhausted is well known, as is the reason for the Organization's financial deficit.

217. It has been our position—and the General Assembly has shown its agreement with this view in resolution 1609 (XV) and a number of other resolutions, including the one we have adopted today in order to finance the Congo operations for eight months—that these expenditures are of an extraordinary character and that the procedure for financing them is different from that which applies to ordinary expenditure.

218. The procedure for financing extraordinary expenditure is based on various principles, which have already been accepted in the resolutions I have mentioned, particularly the principle of the primary responsibilities of the permanent members of the Security Council for the maintenance of international peace and security and the need to alleviate the difficulties which countries with limited resources encounter when confronted with the financial obligations far beyond their regular contributions which these international military operations entail.

219. The delegation of Brazil submitted a draft resolution to the Fifth Committee, the text of which appears on pages 2 and 3 of the report we are considering. The draft resolution reflects these reservations, which my delegation shares with many others, and it is, in particular, an expression of Latin American thinking on this matter. As a conciliatory gesture, which does it honour, and in order not to create any further division of opinion in the Fifth Committee, the delegation of Brazil did not press its proposal to a vote. We should like, however, to state here explicitly that the ideas embodied in that draft resolution are, in our view, the basic principles which should govern the financing of extraordinary expenditure by the United Nations.

220. The draft resolution approved by the Fifth Committee, on the other hand, provides that the amortization of the bonds and the payment of interest on them shall be met from the regular budget, and thus paid by Member States in accordance with the ordinary scale of contributions; it makes no allowance at all for the different degrees of political responsibility to which I have referred. It is our firm belief that to apply this procedure in the present case is not equitable.

221. Despite these serious reservations and the heavy financial burden which this decision will impose on countries such as Argentina, which need all their resources in order to promote their own economic development and to carry out basic social programmes, we shall vote in favour of the draft resolution, which will meet the Acting Secretary-General's practical needs and enable him to proceed with his difficult task.

222. At a time such as this when the United Nations is criticized by Governments of both the left and the right, including those which bear a very serious responsibility for peace and order in the world, we feel that the adoption of this resolution will solve, at least temporarily, the problems which are affecting the work of the United Nations; our vote in favour of



it will thus be an expression of support for and faith in the United Nations as the best instrument for international co-operation. We assume, moreover, that once the present period of international crisis is over, all Member States will make an effort and a contribution towards the adoption of permanent solutions which are more regular and more in accordance with the spirit of the Charter.

223. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translated from Russian): We are in fact at present discussing two quite distinct questions. The first is the actual budget of expenditure for 1962 and the second, which is independent and is not indeed directly related to the budget for 1962, is the proposal to issue United Nations bonds in the amount of \$200 million.

224. Strictly speaking, these two questions are not connected and I propose, quite arbitrarily, to deal first with the basic question, the 1962 budget, and then separately with the question of the bonds. I shall, therefore, begin with the 1962 budget.

225. The budget estimates for 1962 [A/4770] in the amount of \$81,871,000 are submitted for the approval of the General Assembly. This budget reflects the existing tendency in the United Nations for the Organization's expenditure and the appropriations to cover that expenditure to increase substantially from year to year. As we have already repeatedly stated in the Fifth Committee and in plenary meetings of the General Assembly in connexion with the adoption of the budgets for previous years, there is no justification for such a substantial increase in the Organization's expenditure. This increase is a consequence of serious inadequacies in the financial administration of the United Nations.

226. As we have already said in the Fifth Committee, the budget appropriations for 1962 should be considerably reduced. In particular, a substantial cut should be made in the appropriations for the maintenance of the Secretariat staff. For this purpose, the organization of the Secretariat must be improved; its unwieldy structure should be simplified, unnecessary and overlapping units should be eliminated, the large number of highly paid posts should be reduced together with the supporting staff, and a number of other measures should also be taken. Stricter control should be exercised over the expenditure of funds, and the deployment and use of the Secretariat machinery should be improved. At present, the position in this connexion is clearly unsatisfactory.

227. The Soviet delegation cannot support the inclusion in the budget estimates of expenditure for the maintenance of a whole series of special missions and for related activities. Some of these missions were established in violation of the Charter of the Organization and without reference to the Security Council, and have no connexion with the work of the Organization. Some missions have been in existence for a long time, almost since the inception of the United Nations, although this has been completely unnecessary. These missions are not subject to any control and their activities are not scrutinized; each year the General Assembly approves appropriations for them without the Security Council having examined their activities and thus approving appropriations for the continuance of these activities.

228. The Soviet delegation also objects to the incorrect procedure whereby the General Assembly

takes decisions relating to the financing of operational expenses and excludes the Security Council from the settlement of questions of financing expenditure connected with action for the maintenance of peace and security undertaken by decision of the Council, although, in accordance with the provisions of the Charter and particularly with those of Article 11, the Council alone is competent to settle questions of this type.

229. The procedure followed for financing operations under the regular programmes of United Nations technical assistance to under-developed countries is also incorrect.

230. As a result of this procedure and of the present unsatisfactory system of financing technical assistance, serious obstacles are being created to the large-scale participation in these programmes of many States Members of the Organization. Operations under technical assistance programmes are being conducted on a clearly one-sided basis under the direction and control of a narrow group of Western and mainly colonialist Powers. The majority of other Members of the Organization are excluded from practical participation in these operations.

231. Delegations have repeatedly mentioned the need to improve the financial administration of the United Nations. A complete financial system must be developed for the United Nations and the financial administration must be organized in such a way as to preclude violations of the Charter and the use of the Organization's funds to further the political aims of any group of Members of the United Nations to the detriment of the interests of other Members of the Organization or to the detriment of the interests of the Organization as a whole.

232. Unfortunately, we are compelled to point out that the Organization's budget for 1962 does not strengthen the financial position of the Organization or solve the basic financial problems facing it. This budget encourages excessive spending by the Organization and makes it difficult for many Member States to participate in the Organization's practical activities, particularly in the political and technical assistance fields.

233. The Soviet delegation cannot therefore support this budget and will vote against approval of the budget for 1962.

234. I shall now deal with the other question which has been artificially linked with the Organization's budget for 1962.

235. The General Assembly has before it the draft resolution which is contained in the report of the Fifth Committee [A/5076] and which proposes that the Secretary-General should be authorized to issue bonds in the amount of \$200 million bearing interest at the rate of 2 per cent per annum, the principal amount being repayable over twenty-five years. As can be seen from the draft resolution, it is planned to use the funds obtained through this loan "for purposes normally related to the Working Capital Fund", i.e., to establish a fund which could be used to finance various kinds of operations and activities, similar to those which have taken place in the Congo, the Near East and elsewhere. The financing of United Nations activities or operations by means of loans is contrary to the Charter of the Organization. The Charter does not provide for such a method of financing United

Nations activities. It lays down a definite procedure for the financing of all United Nations activities; to be precise, regular expenses of the Organization are financed in accordance with Article 17, which states that the "expenses of the Organization shall be borne by the Members as apportioned by the General Assembly". In the case of extraordinary expenses connected with the maintenance of international peace and security, Article 43 of the Charter prescribes that such expenses shall be borne by the Members of the Organization in accordance with agreements concluded by them with the Security Council.

236. The financing of United Nations activities by other means, for example by contracting loans, is not covered by the Charter and is contrary to most important provisions of the Charter. Not only is the contracting of loans contrary to the provisions of the United Nations Charter but it also clearly conflicts with the general principles on which the United Nations is based. The activities of the Organization, which is based on the principle of the sovereign equality of its Members, may be financed only by its Members, only by the Members of the Organization. The United Nations cannot become financially dependent on institutions and associations in a position to grant loans. A bond issue creates a situation in which the bond holders will acquire certain rights with respect to the United Nations and will be able to exert pressure and influence on the political orientation of its activities.

237. The distribution of the bonds among different types of institutions and associations will make it possible not only for States which hold bonds but also for any political movements and groups within certain Powers which may acquire these bonds to exert pressure on the activities of the United Nations by financial means. As a result of the bond issue, the Organization will in fact become the hostage of the bond holders. The bond holders will obtain certain rights over all its property and assets. As a result of the bond issue, there would be a real danger of the Organization taking a new course, or its changing its character and becoming an instrument and weapon of policy in the hands of those who finance its activities through the bonds.

238. We must also point out that the procedure of examining the question of a bond issue to finance United Nations activities or operations for the maintenance of peace and security without reference to the Security Council is also contrary to the Charter.

239. The Soviet delegation has already repeatedly emphasized that all questions concerning this type of activity must, in accordance with Articles 11, 24, 43, 48 and other Articles of the Charter, be decided by the Security Council.

240. The attempt to by-pass the Security Council in taking a decision on the question of a bond issue to finance United Nations activities is quite obviously contrary to the Charter of the United Nations.

241. Under the proposal for the bond issue, the instalments of principal and the interest charges on the bonds are to be met from the regular budget of the Organization. Thus, it is intended that all the expenses of United Nations operations or activities in the Congo, in the Near East and elsewhere shall be borne by all Members of the United Nations on the basis of the regular scale of assessments.

242. Such a procedure is directly contrary to the Charter of the Organization, which provides a special procedure for decisions relating to activities for the maintenance of peace and security and for the conduct, maintenance and financing of such activities. Such a procedure is also contrary to the resolution which the General Assembly adopted a few minutes ago on the question of the financing of operations in the Congo. This resolution states that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses.

243. The Assembly is thus faced with the fact that it is now being asked to adopt a resolution directly contradictory to the one adopted only a few minutes ago on the question of the financing of operations in the Congo.

244. The sponsors of the resolution on the United Nations bond issue are obviously attempting to find a roundabout method of forcing all Members of the Organization to meet the expenses which have arisen in connexion with the aggressive actions of certain Powers, namely the United Kingdom, France and Israel, in the Near East.

245. The sponsors of the resolution are also anxious that the expenses connected with events in the Congo and with the struggle which has taken place between the imperialist Powers in the Congo should similarly be borne by all Members of the United Nations.

246. However, we must all realize that the events in the Congo were caused by Belgium's opposition to the unification of the Congolese Republic. United Nations efforts to counteract Belgium's colonialist ambitions have been so protracted primarily because certain permanent members of the Security Council, namely, the United Kingdom and France, have obstructed the successful conduct of these operations in the Congo and thus forced the Organization to continue these operations over a long period and to meet the heavy expenses involved. These facts cannot be disregarded in reaching a decision on the question of meeting the United Nations deficit resulting from the expenses and operations in the Congo.

247. The Soviet delegation wishes to stress that the Soviet Union, like most other Members of the Organization, bears no responsibility for the manner in which the United Nations operations in the Congo have been conducted in the past, a manner which accounts for the fact that these operations ultimately led to the death, the murder of Mr. Patrice Lumumba, the Prime Minister of the Congolese Republic, although it was at his request that the Security Council took the decision to give assistance to the Congolese Republic in combating the actions of the Belgian colonialists.

248. We should like to emphasize that the Soviet Union, like many other Members of the Organization, bears no responsibility for the events in the Near East, which necessitated the intervention of the United Nations and the resulting considerable financial expenditure.

249. The adoption by the General Assembly of the proposal to issue United Nations bonds, a proposal which is linked with an attempt to apportion responsibility for the deficit arising from the Congo operations

and for the maintenance of the Force in the Near East, would cause serious harm to the United Nations, and would not only aggravate the financial crisis facing the United Nations but would undermine the Organization as a whole.

250. The Soviet delegation feels it necessary to state that, inasmuch as the bond proposals are contrary to most important provisions of the Charter, the Soviet Union will consider a decision adopted on the basis of this proposal as illegal and will disregard such a decision by the General Assembly.

251. Mr. KITTANI (Iraq): My delegation wishes to make a very brief explanation of vote on the draft resolution contained in the report of the Fifth Committee [A/5076].

252. My delegation is going to abstain, as it did in the Fifth Committee, on this draft resolution for precisely the same reasons we stated in the Committee [910th meeting] at the time of the vote, namely, that my delegation lacks instructions on this very important and complex problem. Also, in the absence of definite instructions from my Government, my delegation feels compelled to make the following reservation.

253. The financing of the peace-keeping operations of the United Nations is an extremely complex problem with political, constitutional, and budgetary, as well as other, ramifications. The views of my delegation on this very complex subject have been stated repeatedly and extensively in the Fifth Committee. It is not our intention to reiterate those views here in detail, but there is one aspect of our position on this subject which needs reiteration in the present context, and I can best illustrate this by quoting from a resolution which this body adopted less than an hour ago, in which the following paragraph occurs in the preamble. I quote from the resolution on the "United Nations operations in the Congo: cost estimates and financing", which the Assembly has just adopted:

"Bearing in mind that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses".

254. We find that the last operative paragraph of the resolution we are asked to vote upon now certainly has elements of contradiction with this earlier decision of the Assembly, and although my delegation abstained on the resolution on the financing of the Congo operation, we would have voted on this paragraph of the preamble had it been put to the vote separately.

255. The PRESIDENT (translated from French): There are no further speakers wishing to explain their vote. I shall therefore put to the vote the various draft resolutions to be found in the five annexes to the report of the Fifth Committee [A/5075]. I shall put them to the vote annex by annex. Annex I contains three draft resolutions, A, B, and C, which I shall put to the vote one after the other. To begin with, I put to the vote draft resolution A of annex I to the report of the Fifth Committee.

*Draft resolution A of annex I was adopted by 76 votes to 10, with 2 abstentions.*

256. The PRESIDENT (translated from French): I draw the Assembly's attention to the fact that draft resolution B of annex I was approved unanimously by the Fifth Committee. If there is no objection, I shall assume that the General Assembly adopts it unanimously.

*The draft resolution was adopted unanimously.*

257. The PRESIDENT (translated from French): Before putting draft resolution C of annex I to the vote, I must inform you that a separate vote has been requested on sub-paragraph (c) of operative paragraph 1. We shall vote first on that sub-paragraph.

*Operative paragraph 1 (c) of draft resolution C of annex I was adopted by 76 votes to 10, with 2 abstentions.*

*Draft resolution C of annex I, as a whole, was adopted by 77 votes to none, with 12 abstentions.*

*The draft resolution in annex II was adopted by 80 votes to 11.*

*The draft resolution in annex III was adopted by 81 votes to none, with 11 abstentions.*

*The draft resolution in annex IV was adopted unanimously.*

*The draft resolution in annex V was adopted unanimously.*

258. The PRESIDENT (translated from French): I now invite the Assembly to vote on the draft resolution in the report of the Fifth Committee [A/5076].

*A vote was taken by roll-call.*

*Guatemala, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Guatemala, Guinea, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Lebanon, Liberia, Luxembourg, Madagascar, Mali, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Senegal, Sierra Leone, Somalia, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Yugoslavia, Argentina, Australia, Austria, Bolivia, Burma, Cameroon, Canada, Ceylon, Chad, Chile, Colombia, Cyprus, Denmark, Ethiopia, Federation of Malaya, Finland, Ghana.

*Against:* Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Albania, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France.

*Abstaining:* Haiti, India, Iraq, Jordan, Libya, Mexico, Philippines, South Africa, Spain, Sudan, Syria, Togo, United Arab Republic, Yemen, Afghanistan, Brazil, Cambodia, Central African Republic, China, Congo (Leopoldville), Dominican Republic, Ecuador, El Salvador, Greece.

*The draft resolution was adopted by 58 votes to 13, with 24 abstentions.*

259. The PRESIDENT (translated from French): I give the floor to the representative of the Congo (Leopoldville) for an explanation of vote.

260. Mr. NDUKI (Congo, Leopoldville) (translated from French): Thank you, Mr. President, for giving me an opportunity to explain our abstention in the



vote which has just taken place. In abstaining, both in the Committee and in the General Assembly, my delegation took no position on the substance of the problem before the Assembly. It was only the lack of specific instructions from our Government—and the fact that we are not empowered to commit the Republic on a matter of such importance—which compelled us to take this position.

261. Mr. URQUIA (El Salvador) (translated from Spanish): My delegation would have liked to vote in favour of the draft resolution recommended by the Fifth Committee in its report [A/5076], which was adopted a few minutes ago.

262. We should have liked to vote in favour of this proposal because we realize that the loan of \$200 million for which it provides is probably the only

means open to the United Nations of solving the grave financial crisis confronting it.

263. Nevertheless, as we have not yet received instructions on the matter and since the resolution is one which imposes an obligation on States Members of the United Nations to contribute to the payment of a considerable sum for a period of twenty-five years and in accordance with the general scale of contributions, my delegation preferred to abstain from voting, which does not in any way mean that we have taken a position on this serious problem.

264. The PRESIDENT (translated from French): If there are no further speakers on this item we shall close the discussion of the items considered by the Fifth Committee.

*The meeting rose at 7.40 p.m.*