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ASSEMBLY



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SPECIAL COMMITTEE ON PEACE-KEEPING OPERATIONS

SUMMARY RECORD OF THE EIGHTH MEETING

Held at Headquarters, New York,  
on Tuesday, 25 May 1965, at 11.25 a.m.

PRESENT:Chairman:

Mr. McCARTHY

(Australia)

Members:

Mr. PAZHWAQ

Afghanistan

Mr. AZZOUT

Algeria

Mr. QUIJANO

Argentina

Mr. POCOQK

Australia

Mr. WALDHEIM

Austria

Mr. SETTE CAMARA )

Mr. BUENO )

Brazil

Mr. COX

Canada

Mr. HAJEK

Czechoslovakia

Mr. ALVAREZ VIDAURRE

El Salvador

Mr. GEBRE-EGZY

Ethiopia

Mr. ARNAUD

France

Mr. CSATORDAY

Hungary

Mr. CHAKRAVARTY

India

Mr. SALEEM

Iraq

Mr. TORNETTA

Italy

Mr. MATSUI

Japan

Mr. MISKE

Mauritania

Mr. CUEVAS CANCINO

Mexico

Mr. de BEUS

Netherlands

Mr. SANU

Nigeria

Mr. Amjad ALI

Pakistan

Mr. LEWANDOWSKI

Poland

Mr. HASEGANU

Romania

Mrs. ZIANABU KAMARA

Sierra Leone

Mr. de PINIES

Spain

Mr. HEDIN

Sweden

Mr. PANYARACHUN

Thailand

Mr. FEDORENKO )

Mr. FEDOSEEV )

Union of Soviet Socialist  
Republics

PRESENT (continued):

Members (continued):

Mr. EL-KONY)

Mr. ALLAM )

Lord CARADON

Mr. PLIMPTON)

Mr. FINGER )

Mr. SOSA-RODRIGUEZ

Mr. LEKIC )

Mr. BERNARDIC)

Secretariat:

U THANT

Mr. VELLODI

United Arab Republic

United Kingdom of Great  
Britain and Northern  
Ireland

United States of America

Venezuela

Yugoslavia

Secretary-General

Secretary of the Committee

Mr. FEDORENKO (Union of Soviet Socialist Republics) said that at the present stage of the Committee's work he wished to make some comments in connexion with the discussion on the question of increasing the effectiveness of the United Nations in maintaining international peace and security.

First, he welcomed the fact that, as the Argentine representative had pointed out, the Committee's discussions were being held in the light of day. Those who based their positions on the United Nations Charter had no reason to be afraid of expressing their views openly. The discussion must remain open, with an exchange of views of which all Members of the United Nations should learn, because only in that way could the problems before the Committee be solved.

The first stages of the discussions had yielded some positive results. That was because the aim of certain Western countries, headed by the United States, to undermine and circumvent the Security Council, which held primary responsibility for the maintenance of international peace and security, had met with growing resistance from those genuinely interested in strengthening the United Nations. More and more representatives were stressing the need, in the present situation, for strict compliance with the Charter as the only means of strengthening the effectiveness of the United Nations in the maintenance of international peace and security.

His delegation had been gratified by the convincing statements of the representatives of Romania, Poland, Czechoslovakia and Hungary, and was sympathetic to many of the points made by the representatives of Yugoslavia, India, Afghanistan, Mexico and others. The statement by the French representative at the previous meeting, stressing the firm and inescapable nature of the provisions of the Charter, deserved the most careful consideration. That was particularly necessary in the light of suggestions that the Charter required revision and of the attacks on the rule of unanimity between the permanent members of the Security Council. His delegation opposed and would continue to oppose any rupturing of the Charter, such as that desired by the imperialist Powers in their attempts to convert the United Nations into a tool of their policies. The Soviet Union, along with other States, had become a Member of the United Nations under the specific conditions stated in the Charter; it had unswervingly adhered to those conditions during the twenty years of the Organization's existence, and any attempt to impose new conditions on it would fail. However, it was not only the founder Members of the United Nations

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which were obliged to abide by the Charter. The newer Members had also given a solemn promise to respect it. The trouble was, not that the Charter was imperfect, but that its possibilities had not always been utilized and implemented. Moreover, its principles were often flagrantly flouted by the imperialist Powers, principally the United States, and the United Nations flag had been used as a cover for the actions of colonizers and aggressors. The United States was now openly, in flagrant violation of the Charter, committing aggression in Viet-Nam, the Congo, the Dominican Republic and elsewhere.

Under the Charter, all Members were obliged to refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any State. Yet the United States continued its barbaric bombing of a sovereign country, the Democratic Republic of Viet-Nam. It daily extended its dirty war in South Viet-Nam. The Charter prohibited interference in the domestic affairs of other countries; and the people of South Viet-Nam clearly had a right to settle its fate itself, in accordance with the programme of the National Liberation Front, its only authentic representative. However, the United States was interfering in its internal affairs, thus violating the Geneva Agreements of 1954. Despite those Agreements, the United States had turned South Viet-Nam into a United States military base, occupying it, blocking the democratic elections in Viet-Nam which should have led to the country's unification, and setting up its own puppets and dictators who were hated by the people but were faithful lackeys of United States imperialism.

By no manoeuvres or tricks could the United States avoid responsibility for the dangerous course of events in Indo-China and for its crimes in Viet-Nam. The Soviet Union sympathized deeply with the South Viet-Nameese people in its struggle for liberation, and would continue to give the necessary aid to the Democratic Republic of Viet-Nam.

It was precisely in actions taken in violation of the Charter that the reasons for the inability of the United Nations to carry out its duties, and for its present difficulties, should be sought.

The Soviet Union would spare no effort to increase the effectiveness of the United Nations, which it regarded as an important instrument for international co-operation and for the maintenance of international peace and security. That had been stressed by the Chairman of the Council of Ministers of the USSR, A.N. Kosygin,

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speaking in the Supreme Soviet. The Soviet Minister for Foreign Affairs, A.A. Gromyko, had said, during the nineteenth session of the General Assembly (1292nd meeting), that there would be no lack of readiness on his country's part to utilize the United Nations for the maintenance of peace and the relaxation of international tension, for the struggle against the remnants of colonialism and racism, for international co-operation and for the development of relations between States with different social systems, on the basis of peaceful coexistence.

His country had shown the greatest possible goodwill in the efforts to settle the present financial difficulties of the United Nations. It had accepted the proposal of the Afro-Asian countries of 30 December 1964, thus making a very important contribution towards a reasonable solution in the interest of the overwhelming majority of Member States. In so doing, it had given evidence of its friendly attitude towards the countries of Asia and Africa and of its sincere desire to strengthen the United Nations. For the Soviet delegation, that proposal was a compromise which did not wholly satisfy it. Nevertheless, the important point was to ensure beyond all doubt that Article 19 of the Charter would not be invoked for provocative purposes and that the General Assembly could resume its normal activities. Firm guarantees to that effect appeared in the provision, in the Afro-Asian plan, that "the question of the applicability of Article 19 should not be raised". A repetition of what had happened at the nineteenth session of the General Assembly could thereby be prevented. Accordingly, he could not agree that the provision in question should be replaced by the formula proposed by the Ethiopian representative (A/AC.121/L.1), and he confirmed his previous comments on that subject.

The United States representative had attempted to convey the impression that it was not the United States but the Soviet Union which had opposed a proposal having the support of the majority of Member States. However, at the nineteenth session of the General Assembly there had been only one such proposal, that of the Afro-Asian countries of 30 December 1964; and unfortunately the United States had rejected it. That was why the General Assembly had failed to settle the financial difficulties of the United Nations at its nineteenth session.

There were two aspects to the problems facing the United Nations: the narrow aspect of its present financial difficulties, and the broader aspect of the competence of particular United Nations bodies in taking decisions. He need hardly repeat that the first aspect had been artificially inflated by the United States,

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and that his country was in no way bound to pay expenses in respect of illegal operations undertaken in flagrant violation of the Charter. His Government conscientiously fulfilled all its obligations under the Charter, financial or otherwise, and owed no "arrears". It could not accept as legitimate the so-called financial obligations arising from the cost of the United Nations Operation in the Congo (ONUC) and of the United Nations Emergency Force (UNEF). Nevertheless, bearing in mind the present financial difficulties, his country had been and still was willing to accept the proposal of the Afro-Asian countries of 30 December 1964. The payment by the Soviet Union of a voluntary contribution - the size of which the Soviet Government would itself determine - in accordance with the Afro-Asian proposal of 30 December 1964 must, of course, entirely do away with the artificial question of the so-called "arrears" and the provocative application of Article 19 of the Charter to countries to which it was being sought illegally to allocate those "arrears".

As had been repeatedly stressed, his Government would not accept any advice concerning the amount of its voluntary contribution. If the United States and other Western Powers attempted to turn the issue into a political plaything and prevent a settlement in line with the proposal of the Afro-Asian countries of 30 December 1964, the Soviet Union would return to its earlier position and make no contribution whatsoever. The Afro-Asian proposal had the agreement of the overwhelming majority of Member States, and if the United States would accept it, the way to an understanding would be open.

He would again stress that an essential condition for such an extreme measure as the use of United Nations armed forces should always be strict compliance with all provisions of the Charter concerning the use of force for the maintenance or restoration of international peace. On that question, the Charter drew a clear line between the competence of the Security Council and that of the General Assembly. Under Article 24, the Security Council had "primary responsibility for the maintenance of international peace and security", and under Article 25 Member States agreed to accept and carry out its decisions. The essence of that primary responsibility was that the Security Council had sole power, under the Charter, to decide all questions concerned with taking action for the maintenance of international peace and security, which included operations using United Nations armed forces. As Article 39 stated, it was the Security Council which determined

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the existence of any threat to the peace, breach of the peace, or act of aggression and should make recommendations or decide what measures should be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security. All the subsequent Articles in Chapter VII confirmed those provisions. For example, Article 48 provided that the action required to carry out the decisions of the Security Council for the maintenance of international peace and security should be taken by all the Members of the United Nations or by some of them, "as the Security Council may determine". Articles 5 and 50 both referred to "preventive or enforcement" action to be taken by the Security Council and by no other body.

The Charter was equally categorical with regard to action at the regional level. Under Article 53, the Security Council could utilize regional arrangements or agencies for enforcement action "under its authority". The Article specifically provided that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council" (with the exception of measures against former enemy States). Article 54 stated that the Council "shall at all times be kept fully informed" of activities at the regional level undertaken or contemplated for the maintenance of international peace and security. Thus the Council was supreme with regard to regional measures also, and its rights in that respect were interpreted by the Charter as being inalienable and exclusive. In that connexion, the attempt to set up, at the behest of the United States, a so-called "inter-American force" to carry out enforcement action against the Dominican Republic, a sovereign State Member of the United Nations, was not only a screen for United States armed intervention in that small country, but was fraught with the most serious consequences for the future of the United Nations. It represented a flagrant violation of the Charter, unprecedented lawlessness, and a challenge to the Security Council, without whose permission, according to Article 53, regional organizations had no right to undertake enforcement action. The unlawful actions of the United States could lead to arbitrariness, to the complete collapse of United Nations responsibility for the maintenance of international peace and security under the Charter, and to the destruction of the United Nations.



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As for the General Assembly, his delegation had pointed out on many occasions that, under Article 11 of the Charter, the Assembly was empowered to discuss any questions relating to the maintenance of international peace and security and to make recommendations with regard to any such questions, but any such question on which action was necessary should be referred to the Security Council by the General Assembly either before or after discussion. Obviously, any enforcement measures within the meaning of the Charter constituted "action". The Soviet Union was not attempting, as the United States representative had tried to suggest, to deny any rights to the General Assembly with regard to the maintenance of international peace and security. On the contrary, it favoured full use of those rights, as provided, in particular, by Articles 11, 12, 14 and 35 of the Charter. Any question on which it was necessary to take action had, however, to be referred to the Security Council; and if the Council was for any reason unable to take a decision, there was nothing to prevent the General Assembly from reconsidering the question and making new recommendations. It was therefore quite clear that, under the Charter, the only organ empowered to take action for the maintenance or restoration of international peace and security was the Security Council. In that connexion, the Council's competence included the taking of decisions on all questions dealing with the creation of United Nations armed forces, the determination of their tasks, the membership and number of such forces, the command of the operations, the structure of the command, the length of the forces' stay in the area of operations, and the financing of the expenses involved.

It was sometimes alleged that the provisions granting the Security Council the exclusive right to act in such cases were undemocratic; but it should be remembered that, in signing the Charter, all Members of the United Nations had agreed, as stated in Article 24, that in carrying out its duties the Security Council should act on their behalf. Attacks had also been levelled against one of the basic principles of the Charter - the principle of unanimity between the permanent members of the Security Council. That principle in fact provided the only basis which could ensure that United Nations forces were not used in a narrow, unilateral fashion in the interests of any individual country or group of countries - a procedure which could not strengthen peace but could lead only to increased tension. That basis was the agreement of all the permanent members of

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the Security Council on all basic issues relating to the creation, use and financing, in each individual case, of United Nations armed forces. The Soviet Union, as a permanent member of the Council, had stood firm in the defence of small countries against aggressive designs on the part of the imperialist Powers, and in the defence of the just cause of national freedom and independence as against colonizers and racists.

Certain delegations had tried to draw a distinction between operations for the maintenance of peace and enforcement actions proper. Such a distinction proceeded from the supposition that the United Nations could employ or dispatch armed forces for actions not falling within the scope of Chapter VII of the Charter. The representative of Brazil had in fact proposed that the Charter should be supplemented by a further chapter dealing with that type of operation, and that such a chapter should be placed between Chapter VI and Chapter VII. It was possible to agree or to disagree with such a proposal, but at least it was a direct proposal to change the Charter and not an attempt to include in it concepts which were alien to it. The very making of such a proposal further confirmed that assertions to the effect that there might be some operations, connected with the use of United Nations armed forces, which would come under Chapter VI were incompatible with the Charter. Any use whatsoever of United Nations armed forces constituted enforcement action and had therefore to be governed by the relevant provisions of Chapter VII of the Charter. None of the provisions of Chapter VI gave any indication that the measures to be used for the pacific settlement of disputes could include any action by the United Nations which might involve the use of armed forces. The agreement, or otherwise, of the countries concerned to the presence of United Nations armed forces on their territory could not change the nature of the operations themselves - the use of armed forces on behalf of the United Nations. The governing criterion was, according to the Charter, that armed forces should be used only where it was necessary to avert or halt an act of armed aggression against the territorial independence, integrity and sovereignty of the country concerned.

Experience had shown that so far, whenever United Nations armed forces had proceeded to a country with the agreement or at the request of its Government, such action had been caused by the aggressive acts of imperialist Powers and was due to the desire of the country concerned to defend its sovereignty and territorial and political independence against foreign aggression and intervention.

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The political nature of the attempts to assert that United Nations armed forces could be dispatched on the basis of Chapter VI was very clear. The United States and some of its allies had tried and were trying to use United Nations armed forces in the fight against national liberation movements, and for interference in the internal affairs of other countries under the cover of so-called agreement by puppet régimes, frequently set up, to the presence of United Nations forces on their territories.

For further clarification, it should be recalled that reference was often openly made to so-called police actions, or the dispatch of United Nations police forces to various countries. It was the function of a police force to maintain internal order; but such a function was not, and never had been, that of the United Nations. The maintenance of internal order in a country fell within the exclusive competence of the sovereign State concerned, and recognition of the principle of State sovereignty was one of the basic provisions of the Charter. His delegation therefore fully and categorically rejected any suggestion that it was possible, on the basis of Chapter VI of the Charter, to take any decisions involving the use of armed forces on behalf of the United Nations.

The Soviet delegation had given to the Committee a series of explanations concerning the Soviet proposal, included in document A/AC.121/2, for the use of the Military Staff Committee. The Soviet Government considered that that Committee should include a large number of States - not merely the non-permanent members of the Security Council, but also those Members of the United Nations which, although not members of the Council, might supply troops and other facilities for United Nations operations. The representatives of such countries should be associated not only in the general strategic leadership but also in the command of United Nations forces. His delegation had pointed out that the Military Staff Committee, pursuant to Article 47 of the Charter, could also establish its own regional sub-committees, with the participation of the countries concerned, for various regions of the world, after consultation with appropriate regional agencies - in the case of Africa, for example, with the Organization of African Unity. The Soviet Union proposed that the Military Staff Committee, without awaiting the conclusion of the

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work of the Special Committee on Peace-Keeping Operations, should embark, in consultation with all Members of the United Nations concerned, on the preparation of a draft of the basic provisions of the special agreements to be negotiated between Member States and the Security Council, in accordance with Article 43 of the Charter, for presentation to the Council. His delegation noted with satisfaction that those proposals had received a favourable response from many members of the Committee. The representative of Czechoslovakia had also put forward certain ideas and proposals regarding the principles upon which such agreements should be based; and those constructive proposals, which were in line with the Charter, merited full support.

With regard to the Committee's discussion of the question of the command of United Nations armed forces, his Government favoured a procedure whereby one commanding officer was appointed for each specific operation. The officer should be appointed by the Security Council on the recommendation of the Military Staff Committee, following consultations with the Governments of the countries directly concerned, including those Governments which were providing troops and other facilities for the operation. Should contingents from the socialist countries participate in United Nations armed forces, their representatives would have to be given responsible posts on the commanding officer's staff.

He also wished to point out that the Soviet Union's position with regard to the financing of United Nations operations for the maintenance of international peace and security - i.e., that all such questions should be decided by the Security Council - made it possible for the most appropriate method of financing to be selected in each particular case. Those methods could include the charging of the expenses to the aggressor, the distribution of expenses among States Members of the United Nations, voluntary contributions, and payment of the expenses by the countries directly concerned. Such broad possibilities would make it less likely that the Security Council would be unable to take decisions with regard to operations for the maintenance of international peace and security simply because some members of the Security Council, for political or other reasons, did not find it possible to take part in the financing of the operations, even though they might have no objection to the operations themselves.

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The views expressed by his delegation during the Committee's work had clearly taken into account the wishes of the peace-loving countries of Asia, Africa and Latin America, which had legitimately brought up the question of their more extensive participation in decisions connected with the mounting of United Nations operations for the maintenance of international peace and security. It was well known that his Government supported the demands of the Asian and African countries for an expansion in the membership of the Security Council so as to give them greater opportunities for taking a direct part in the Council's work for the maintenance of international peace. If that question were settled in accordance with General Assembly resolutions, the countries of Asia, Africa and Latin America would occupy seven of the Council's fifteen seats. It was naturally a welcome development that already, in the Council, the voices of the young States were being raised, ever more firmly and clearly, on behalf of the strengthening of peace, against colonialism, and in favour of a relaxation of international tension. The Soviet Union had been the first permanent member of the Security Council to ratify the relevant amendments to the Charter, and expected its example to be followed very shortly by other permanent members of the Council. If, as he was convinced would happen, the Council were shortly joined by new young States, defending the cause of peace and speaking out against imperialists and aggressors, against colonialism and racism, that would strengthen the Council and the United Nations as a whole and increase the Council's effectiveness as an instrument for the maintenance of peace throughout the world.

Mr. PLIMPTON (United States of America), speaking in exercise of the right of reply, expressed regret that the Soviet representative had seen fit to use the Committee as a forum for further propaganda attacks on the United States. He had hoped that discussions could and would be confined to the serious problems before the Committee. He would not reply to the propaganda attacks, but would point out that the aggression in Viet-Nam was aggression from North Viet-Nam, and that as to the Dominican Republic, the voicing of the views of the Soviet representative had resulted in one vote - his own - for his draft resolution.

As to the past, just before the Assembly had convened, the suggestion for a voluntary fund by the representatives of Nigeria, Afghanistan, Venezuela and Norway had been rejected by the Soviet Union.

Later, the suggestion of the President of the Assembly for voluntary contributions before the Assembly reconvened had been rejected by the Soviet Union.

(Mr. Plimpton. United States)

The suggestion of the Secretary-General on 29 December 1964, for voluntary contributions had been rejected by the Soviet Union.

The suggestion of the Algerian representative on 30 December 1964, referred to by the Soviet representative, had foundered because the Soviet Union had refused to tell the Secretary-General, in confidence, what voluntary contribution it was willing to make.

The Soviet Union was refusing to contribute to the costs of UNEF and ONUC.

As to UNEF, when the Security Council had been unable to act in the Suez crisis because of vetoes, the Soviet Union had supported the Security Council resolution, introduced by Yugoslavia, referring the crisis to the General Assembly, and had abstained from voting on the Assembly resolution requesting the Secretary-General to establish UNEF. There had been no votes against that resolution; the Soviet Union had abstained.

As to ONUC, the Congo operation had been authorized by the Security Council on 13 July 1960 by a resolution for which the Soviet Union had voted in favour. The resolution authorized the Secretary-General to determine the composition of ONUC, and on 22 July 1960 the Council commended him for what he had done by a resolution on which the Soviet Union voted in favour. And on 9 August 1960 the Council confirmed the Secretary-General's authority, and requested him to continue, by a resolution on which the Soviet Union voted in favour. On 20 February 1961 the Council adopted a further resolution broadening the mandate of ONUC and reaffirming the three prior resolutions; the Soviet Union did not vote against it - it abstained. Finally on 24 November 1961 the Council, recalling the earlier Council resolutions and intervening Assembly resolutions, broadened ONUC's mandate by a resolution on which the Soviet Union voted in favour.

At no meeting of the Security Council had the USSR contended that the financing of the Congo operation should have been determined by the Security Council; by general agreement that question had been left to the General Assembly.

The Soviet representative had advanced a number of arguments about the powers of the General Assembly and the Security Council, but they were mainly theoretical, for both UNEF and ONUC had in effect been authorized by the Security Council; the Council had itself referred the Suez crisis to the General Assembly for its recommendations and had itself authorized the Congo operation and shown no interest in its financing. The Soviet arguments thus had no applicability to the two operations which the USSR had refused to pay for - a failure which had brought the United Nations to its present difficult situation.

(Mr. Plimpton, United States)

The core of the USSR argument was that the Security Council alone was competent to decide upon the use of military forces by the United Nations - no matter how pacific their mission, or if only observers - and to decide how they were to be financed. It was clear that what the Soviet Union wanted was to have a veto over any involvement of any military forces at all.

The United States could not agree with the USSR theoretical arguments. All of them had been presented to the International Court of Justice and rejected by it in its advisory opinion of July 1962 regarding certain expenses of the Organization, an opinion overwhelmingly accepted by the General Assembly in its resolution 1854 (XVII).

As to the arguments themselves, all agreed that, as provided in Article 24, the Council had primary responsibility for the maintenance of international peace and security. But the Soviet representative was trying to amend "primary" to "exclusive" - an amendment which no one interested in the powers of the membership at large would agree to.

The Soviet representative had said that there was nothing in the Charter authorizing the Assembly to act in that area. But Article 11, paragraph 2, did authorize the Assembly to discuss questions relating to the maintenance of peace and make recommendations in the area unless the Security Council was handling the matter and except that "any... question on which action is necessary shall be referred to the Security Council". "Action" had been held by the International Court of Justice to mean the sort of enforcement action contemplated by Chapter VII of the Charter, and not, as the Soviets claimed, the use of any sort of military forces for any purpose whatsoever.

Were we to say that, if there were a veto in the Council, the Assembly was powerless to do, for example, what had been done in the case of UNEF, where, with the UAR's consent, uniformed forces were patrolling a cease-fire line and keeping the peace? Was that forbidden by the Charter? The Soviet position did not have the support of Members who were really interested in peace, more than in the veto.

The United States was interested in strengthening the United Nations, including the Security Council, which had recently proved its ability to handle certain matters satisfactorily; but if the Council was tied up by a veto the United States could not believe that it was the intention of the Charter that the United Nations would be helpless.

Mr. FEDORENKO (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said it was understandable that the United States representative did not find the Soviet comments about United States action in Viet-Nam and the Dominican Republic very palatable; but it was obvious that, in a statement dealing with violations of the Charter, the USSR delegation could not omit all reference to the most recent United States actions which were contrary to the Charter. The facts were perfectly clear. The Soviet delegation regretted that the United States representative had not seen his way to commenting constructively on the proposals which it had put forward earlier in the meeting.

The United States representative had attempted to justify his country's position, in a way that was now familiar in the United Nations; but he could not conceal the fact that the proposal made by the Afro-Asian group on 30 December 1964 - which had been supported by the great majority of Member States - had come to nothing purely because of United States opposition. Intent upon imposing its own will, the United States had refused to accept a compromise satisfactory to most other Member States. The United States representative had given no explanation of his country's obstructionist attitude, and had merely presented recent events in a distorted manner.

That representative's references to the advisory opinion of the International Court of Justice were a case in point. The Soviet delegation did not wish to take up the Committee's time with a rebuttal of those arguments; the USSR had set out its position very clearly in document A/5777. In any event, it was futile to argue that, because the International Court of Justice had given its advisory opinion, the case of principle was settled; its decisions were not binding on Member States, and General Assembly resolution 1854 (XVII) could not make them so. It had been recognized at the San Francisco Conference that no United Nations organ could enunciate binding interpretations of the Charter, and that, if differences arose regarding its interpretation, they must be overcome by amendments to the Charter itself - in other words, through negotiation and compromise. The United States representative in referring to the advisory opinion, could have had only one aim in mind - to confuse the issue and to justify his own country's violations of the Charter.

The United States was not even consistent in its argument. It now maintained that the cost of peace-keeping operations must be shared by all Member States, in accordance with the advisory opinion of the International Court of Justice; but



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when it had used the United Nations flag as a cover for its own intervention in Korea in 1950, it had made not the slightest attempt to force other Member States to bear the cost of the operation. The United States memorandum of 8 October 1964 (A/5739) entirely ignored the main issue - namely, the circumstances in which the United Nations operations in the Congo and the Middle East had been undertaken. It was obvious that the United States really had no case at all.

Mr. AZZOUT (Algeria) pointed out that in resolution 2006 (XIX) the General Assembly had given the Special Committee two separate tasks: to help to find ways of overcoming the financial difficulties of the Organization, and to undertake a review of the whole question of peace-keeping operations. Although the two tasks were closely linked, there had been more progress with one than with the other. The position with regard to the former had changed since the adoption of the General Assembly resolution, for the Afro-Asian group, the President of the General Assembly and the Secretary-General had put forward proposals which should pave the way for the resumption of the nineteenth session on 1 September 1965. It was essential that the Assembly should resume its work, for its adjournment had been a serious blow to the prestige of the United Nations.

His delegation welcomed the fact that its views on that point were shared by the great majority of the Committee's members. The Committee would be able to congratulate itself on the resumption of the nineteenth session when that took place, and the adoption of the Afro-Asian plan for voluntary contributions would be a further step in the right direction.

The root cause of the Organization's present difficulties must be looked for in the difficulty it had in adapting itself to changing circumstances. As the representative of Algeria had pointed out at the 1322nd meeting of the General Assembly, the Organization was faced with a political problem which went beyond all juridical and financial considerations - namely, the problem of whether the United Nations, as conceived in 1945, still met the needs of a world that had greatly changed. Any solution to its problems must be envisaged against the background of the situation in the world of today. It was obvious that it would not be easy to find an acceptable solution to the problems, but the Committee must face its task with determination and courage. In reviewing the whole question of peace-keeping operations, it must strive to define guiding principles which would

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make future decisions easier. That the Organization must return to normal operation was generally admitted; the point had also been clearly made in the communiqué published by President Tito and President Ben Bella at the conclusion of the Yugoslav President's recent visit to Algeria. The Committee's principal aim must be to enable the Organization to follow that course.

The meeting rose at 1.5 p.m.