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The situation in the Republic of the Congo

(continued) 1467

President: Mr. Frederick H. BOLAND (Ireland).

AGENDA ITEM 85

The situation in the Republic of the Congo (continued)

1. The PRESIDENT: Before I call on delegations to speak in explanation of their votes, I shall call on two representatives who have asked to be heard in exercise of their right of reply.

2. Mr. LORIDAN (Belgium) (translated from French): I have asked permission to exercise the right to reply to the statements made here at the last meeting by the representative of India. Let me, however, reassure you; I shall not be long-winded. I shall not misuse the patience of the Assembly. I shall not oblige it to listen to a two-hour speech, but only one or two minutes.

3. I shall, therefore, not take up the muddled remarks with which the representative of India sought to refute the facts and figures which I put forward. But there is one remark, one accusation, which I cannot let pass and which I must, on behalf of my Government, refute, namely, that concerning an alleged concentration of troops in Ruanda-Urundi. This is not a new accusation uttered by the representative of India. It was made previously in the Security Council by Mr. Menon himself, on 10 December, and in the Fourth Committee. In the latter Committee adequate explanations were given by the representative of Belgium but that has not prevented Mr. Menon from reiterating these baseless charges.

4. What does he actually say? He accuses the Belgians of having concentrated troops in Ruanda-Urundi and of having transformed this territory into a base for operations. He does not say against whom but it appears from the context that it would be a base for an attack against the Congo. In the Security Council, moreover, he was careful to put it: "We believe that the Belgians have concentrated troops in Ruanda-Urundi ...", and after affirming this belief, he declared: "That is a gross violation of the Charter ..."^{1/} and he made the comments to which I have just referred. I feel, therefore, that it is essential to re-establish the true facts here. There are at this moment in the territory of Ruanda-Urundi 1,200 officers and men to ensure security and tranquillity in a territory with almost 5 million inhabitants; I do

not think that is excessive. I would add that these 1,200 men took the place of the troops of the "Force publique" who were in the territory when the Congo became independent and who were withdrawn on 30 June 1960.

5. The representative of India thought fit to regard my remarks as intimidation. It would be rather odd if Belgium were to engage in intimidation towards India. In any case, I can assure him that there was no such intention on my part and I would reiterate here that Belgium's only wish is to maintain good and co-operative relations with India.

6. The PRESIDENT: I call on the representative of Congo (Leopoldville) in exercise of his right of reply.

7. Mr. CARDOSO (Congo, Leopoldville) (translated from French): I have no intention here of starting an argument between "old hands" and "newcomers". I shall tell my very old friend, the representative of India, that, as far as representation of countries in this Organization is concerned, age makes no difference to the matter, particularly when one thinks that the average age in the Congo is twenty-seven years.

8. Never have I seen greater frustration than that which age produces in representatives who are cantankerous and garrulous about other peoples' problems and close-mouthed about their own. Can you not understand that we do not want to talk about India so that India will cease talking about us?

9. I shall give a few explanations about the crisis at the Kitona base. Two hundred and fifty Congolese soldiers took possession of the Kitona base because they were led to believe that the Belgians were going to reoccupy the base; as they are opposed to the Belgians returning, they reoccupied the base without a shot being fired. When the report was contradicted, our soldiers withdrew.

10. With regard to the Bukavu incident, I would like to read you the following clarifications:

"Incidents had occurred between the Armée nationale congolaise and the United Nations Force at Bukavu on Friday, 16 December. An Austrian Medical mission, consisting of fifty-two members, arrived at Bukavu to set up a hospital there as part of the United Nations assistance programme for the Congo. Although the Foreign Ministry was informed about the negotiations between Austria and the United Nations Mission in the Congo for installing this hospital, it knew nothing at all about the location and, particularly, the date of arrival of the medical personnel. As a matter of fact, the Bukavu local authorities had been given no notification and the medical mission had also been unable to produce any authorization or explanation from the Central Government and possessed only documents issued by the United Nations Mission to the Congo. This was the reason which the local authorities had

^{1/} Official Records of the Security Council, Fifteenth Year, 917th meeting, para. 126.

for deciding on the arrest of the fifty-three members of the medical mission and for keeping them under supervision pending receipt of the necessary instructions from the Central Government.

"The Foreign Ministry notes that the United Nations Mission to the Congo has again failed to co-operate as it should with the Government of the Congo. This failure is all the more serious and regrettable in that it has led to bloodshed."

11. I was anxious to be brief. I merely intended to offer a few explanations in order to dispel certain misunderstandings.

12. The SECRETARY-GENERAL: In view of the last observations made by the spokesman of the Congo (Leopoldville), the full report on the Bukavu incident^{2/} will be circulated. It will give a somewhat different picture.

13. The PRESIDENT: Coming now to the explanations of vote before voting, I call first on the representative of Chad.

14. Mr. TOURA GABA (Chad) (translated from French): Yesterday, and at one o'clock this morning, various speakers supported vigorously the two draft resolutions submitted to us. Speaking for myself, I would not wish to go into the details of any of these draft resolutions and I shall confine myself for three minutes to explaining the vote of my delegation.

15. My delegation and those of some new French-speaking States had, as everyone knows, helped by their mass vote on 22 November 1960 [924th meeting] to seat among us the delegation of the Republic of the Congo (Leopoldville).

16. The gesture we made has been variously interpreted but it seems to us that our intentions have been misunderstood. We want formally to declare that they are pure. They are not meant in any way to favour one group to the detriment of another. We propose to impart to our presence here a moderating effect which will induce the two blocs gradually to become reconciled in the interest of world peace, for war, be it cold or hot, can only retard our development.

17. Jealous as we are of our young independence, we intend to do everything in our power to avoid the emergence in our country of the governmental instability which characterizes certain small Powers. We regard non-interference in the affairs of a sovereign State as a matter of principle. In so doing we are acting in conformity with the spirit of the Charter of the United Nations.

18. For the reasons that I have briefly indicated, my delegation regrets that it cannot vote in favour of the draft resolution submitted by eight Powers [A/L.331/Rev.1], nor of the draft submitted by the United Kingdom and the United States [A/L.332]. If either of these two draft resolutions—which contain more than mere hopes—were adopted, it would create a regrettable precedent and would henceforth make United Nations interference in our internal affairs almost automatic, not to say legal. We are not in favour of intervention by the United Nations without previous agreement with the leaders of the country concerned. That does not in the least mean that we wash our

hands of what is going on at the present time in the Congo; quite the contrary.

19. Mr. COMAY (Israel): When the report of the Credentials Committee [A/4578] on the seating of the delegation of Congo (Leopoldville) came before the plenary meeting of the General Assembly on 22 November, my delegation abstained in the voting. We did so partly because we did not feel competent to judge the constitutional issues which had been raised, and partly because my Government was reluctant to intervene in a matter in which Congolese were pitted against Congolese and African States against African States. We were hoping, like many others, that the Congolese leaders themselves would soon compose their differences and restore peaceful and orderly government to their strife-torn land. Unhappily, we cannot disguise from ourselves that in the month that has gone by since then, the situation seems to have worsened and the clashes to have become more violent and bitter. We have heard talk in this debate of a second Spanish war or a second Korean war. While we hope and pray that time will disprove such gloomy predictions, none of us can afford to be optimistic about a situation in which an internal conflict is being caught up in larger external conflicts in which the United Nations is so deeply involved.

20. In these circumstances, no Member State, large or small, can shirk the moral duty to clarify for itself what principles should guide its position and to cast its vote accordingly. If that means that we are reluctantly obliged to differ at this moment from African Governments whose friendship we cherish, it does not mean that we, for one moment, doubt the sincerity and conviction with which they themselves are facing their responsibilities towards a sister African State which is in trouble.

21. The basic premises which my Government feels should guide it now need to be formulated in simple language, however difficult they may be to apply in practice. In discussing them, I shall confine myself to five points.

22. Firstly, we must support the United Nations. I do not think it matters at this moment whether we fully agree with everything that has been done by the Secretary-General and his representatives on the spot. What matters is that it is the United Nations and only the United Nations which can still hope to bring the situation under control and to deflect the grim prospect of a civil war with all its dangerous international complications. This larger view impels us to support the efforts of the Secretary-General and to regret attitudes, policies and actions which would have the effect of undermining the authority and the effectiveness of the United Nations machinery in the Congo.

23. Secondly, we recognize that the authority of the United Nations in the Congo, and more specifically, that of the Secretary-General and the United Nations Force, can operate only within the legal framework of the Charter as applied by the resolutions of the Security Council and the General Assembly. The United Nations is not a super State, nor can its agents take the law into their own hands in the territory of any Member State through the application of military force. My delegation does not see on what basis the units of the United Nations Force could be ordered to take the offensive against local armed forces, and we wonder whether all the Governments which have sup-

^{2/} Subsequently circulated as A/4682.

plied these units to the United Nations would be willing to vest such powers in the Secretary-General.

24. Thirdly, my delegation believes that the full weight of the United Nations membership should be put behind constructive efforts to bring Congolese leaders together and, by the process of negotiation and conciliation, to work for a régime which will be stable and generally acceptable. It is only by this road that we can hope to see a government in Leopoldville with sufficient national authority and sufficient cohesion to prevent the shattering of the country's unity and to restore normal life. We feel somewhat encouraged by the report that the Chairman of the Conciliation Commission, Mr. Jaja Wachuku of Nigeria, together with his Ethiopian and Malayan colleagues, are now in Leopoldville and that they are about to confer with the President of the Republic.

25. Fourthly, we unreservedly endorse the principle of non-intervention in the present Congo situation by all States except through the United Nations. Naturally, the capacity of the United Nations and the specialized agencies to supply outside aid for keeping the essential civilian services going is dependent upon available men and money, but, in our view, the principle of exclusive United Nations channels must apply unconditionally to all kinds of military assistance, direct or indirect, in personnel, weapons or equipment.

26. Fifthly, the United Nations must insist on everything possible being done to mitigate the human suffering of individuals and of the civilian population generally, whether this involves humane and decent treatment for political captives or famine relief or action in any other way.

27. My delegation is not so naïve as to believe that this or that resolution adopted by the United Nations will supply a magic formula for resolving the complex and tragic problem which confronts us, but we are in duty bound to grope through the fog of charge and counter-charge in order to find some guide for the perplexed.

28. The principles to which I have referred have been only too briefly and inadequately set out but they are those which we have to apply as criteria in testing the draft resolutions before us. I do not propose, at this late and weary stage of the debate, to try to analyse those draft resolutions. I can merely state our conclusion that of the proposals before us draft resolution A/L.332, jointly sponsored by the United Kingdom and the United States on balance approximates more closely to the basic premises to which I have referred, and we shall therefore give that draft resolution our support.

29. Mr. HASAN (Pakistan): I hope that you will not consider me very vain for presuming to think that an explanation of my vote will be of interest. I do not do so normally, and in fact today is the first time I am using the opportunity to explain my vote. I am doing so because the discussion is on a subject which has aroused passions and tempers, and it is not unlikely that the way one votes might be interpreted to indicate much more than is really intended.

30. It has been suggested that the United Nations must intensify its activities in the Congo, and many reasons have been adduced for this exhortation. It has been said that the Congolese authorities have

defied the Security Council and General Assembly resolutions relating to the Congo, and because they have defied the United Nations they have incurred the penalty of disobedience. This thought leads naturally to the question whether this demand that the United Nations must take strong and stern action in the Congo, because those in command in that country have dared to disobey and defy the United Nations, is to be a general rule applicable in all cases in which a resolution of the Security Council or the General Assembly is blocked by a country. If this is so—that is, if this is to have general and universal application—and if we receive acceptable and dependable assurances on that account, I am sure that most small countries would agree to this. But is it so?

31. Some representatives have expressed surprise that 20,000 United Nations troops in the Congo should not have been able to neutralize the much smaller force under Colonel Mobutu. I for one am surprised that even a vague suggestion should have been made proposing a struggle between the United Nations troops and a national army. It is inconceivable, at least to us, that the United Nations troops should fight the troops of a nation which invited the United Nations to help it in the hour of need. It would be a historic betrayal of its principles and its Charter if the United Nations used troops given to it for humanitarian purposes only to subjugate a freedom-loving people. Why is the Congo being chosen for very special treatment? Are there no other countries which have had civil strife, revolutions, the overthrow of one form of government and its replacement by another? Then why has the Congo been chosen for the very desperate remedies that are being applied there? Why has it been suggested that "strong persuasion must be used" in the Congo, that "the United Nations must govern or get out"? In fact, these suggestions have been made and this line of action has been urged. I was reminded of the worst days of foreign rule in Asia by these angry suggestions. It is only because the Congo today is weak and torn with internal dissensions that countries which have nothing to do with the Congo and its people are urging interference in its affairs.

32. I shall now deal with the draft resolution submitted by eight States. Although there are some parts of this draft resolution with which we agree in substance, we regret we are not in a position to subscribe generally to the somewhat extreme language used in various paragraphs. We feel that such language does not add to, and in fact detracts from, the primary purposes of this draft resolution.

33. We feel that operative paragraph 1, drafted as it is, suggests that the mandate of the United Nations has not been properly implemented, and as such it implies criticism of the Secretary-General. We do not agree with this interpretation. Fortuitous circumstances have associated the Pakistan delegation here with the Advisory Committee on the Congo, and day after day we have heard the Secretary-General criticized—I almost said "reviled"—for doing too much or not doing enough either for Lumumba or for Kasa-Vubu. In our judgement, the Secretary-General has carried out as faithfully as he could, to the extent possible under the difficult, trying and often confused circumstances prevailing in the Congo, the directives he has been given. We have faith in his ability to carry out the task assigned to him, consistent with the highest purposes of the Charter, but this is as

far as the Secretary-General himself is concerned. It was interesting, in this connexion, to note the suggestion made by the very able and distinguished representative of Romania, who proposed [953rd meeting] the appointment of a commission of supervision to ensure that the command in the Congo carried out the operations in accordance with the Secretary-General's instructions. Later we saw a revised version of the eight-Power draft resolution [A/L.331/Rev.1], to which I have been referring, which now proposes the appointment of a standing delegation to advise on the United Nations operations in the Congo.

34. I suggest that the General Assembly continue to place full confidence and responsibility in the Secretary-General. If he chooses to appoint some advisers, to ensure the loyal implementation of his policies and instructions—and sometimes I feel that is necessary, on his account—it should be his affair and his responsibility. There should be no division or diversion of responsibility as far as the General Assembly is concerned, and the Secretary-General alone, as the chief executive, must be responsible to the United Nations. This is a basic and elementary principle of good administration.

35. While we subscribe to the thought contained in operative paragraph 2, we think that, worded as it is, it brings up the very difficulty which many of us in the Assembly have encountered in earlier weeks. It refers to the identification of the Central Congolese Government. Which is the Central Government of the Congo is precisely the question many of us have asked when faced with the confused internal political situation in that unfortunate country. Operative paragraph 2 could usefully end with the words "under detention". The subsequent phrases add nothing to the sense. In fact, because of the known views at least of some of the co-sponsors of the revised draft resolution, those words which follow "under detention" import an element which is at best controversial.

36. We favour the convening of Parliament and we regard it as imperative that its members should meet free from external pressures or influences, but the question which addresses itself to our minds is: to whom is operative paragraph 3 addressed? We presume it is not the United Nations Command that is being directed to convene the Parliament of the Congo. We hope that is not the intention. In any case, there is no indication of to whom this operative paragraph is addressed.

37. It is not clear, again, from the wording of the operative paragraph, but presumably the United Nations Command is being directed to take measures to prevent armed intervention in the political life of the country. There appears to be a tendency in some quarters to regard the Congo as an area in which we can intervene to take whatever action we like and impose whatever decisions we like.

38. The United Nations must dispassionately consider the status of the Congo. If the United Nations decides to interfere in the internal affairs of the Congo, justified by and clothed in whatsoever phraseology it might be, we must ask ourselves the question as to where we derive the authority to do so. We must consider the question not only from the narrow standpoint of the Congo but also from the wider implications of actions elsewhere. Is this Assembly prepared to create a precedent of interference in the Congo

which it may be called upon to apply elsewhere? We believe that operative paragraph 4 goes far beyond the purposes for which the United Nations went to the Congo and has implications which are unacceptable to us.

39. While the operative paragraph could have been somewhat differently worded, we are not quite sure what precisely are the implications of operative paragraph 6. It is not clear whether account is at all taken of the sovereign rights of the Congo, and we presume that the Congo still has some such rights, which have been clearly taken account of in the resolution [1474(ES-IV)] adopted at the fourth emergency special session of the General Assembly.

40. We regret to find no reference in the draft resolution to the work of the Conciliation Commission, whose task in the circumstances to which the draft resolution addresses itself has never been more urgent than it is now. Nor do we see any mention of the absolute need for all countries present in the Congo, irrespective of their political sympathies, to refrain from participating in political activity in that country. We regard this as one of the principal factors contributing to the constitutional chaos now apparent in the Congo.

41. If I have gone into some of the views stated by some of the co-sponsors of the eight-Power draft resolution, it is because these views comprise the legislative history of the proposed resolution and provide an explanation of the intentions. These intentions appear to us to urge a course of action which is not in conformity either with the mandate given by the Security Council to the Secretary-General or with the Charter. We are, therefore, unable to support this draft resolution.

42. As regards the draft resolution co-sponsored by the United Kingdom and the United States [A/L.332], it provides a line of action alternative to the extremities of the other draft resolution which I have just stated I cannot support. The draft resolution co-sponsored by the United Kingdom and the United States has at least the merit of endeavouring to give some positive guide-lines for the action, though the action suggested would, in our opinion, be inadequate for bringing peace back to the Congo immediately. We recognize, however, that that inadequacy is imposed by the Charter.

43. Mr. AIKEN (Ireland): I should like very briefly to explain the attitude of my delegation to the draft resolutions that are now before us. In approaching these proposals, as with the other proposals put before us in connexion with the Congo situation, the Irish delegation, like others, is conscious of particularly grave responsibilities. Not merely is the Congo situation in itself extremely serious but the crisis in the United Nations in relation to the Congo is most menacing and ominous for the future of our Organization and of world peace.

44. In addition to these general considerations, those of us who have contributed forces to the United Nations operation in the Congo may well be conscious of particular responsibilities to our soldiers. We have the duty to ensure as far as we can that the great work on which these gallant men are engaged—and for which some of them have died—shall not be frustrated. We have the duty also to see that the tasks imposed on them are clear-cut and feasible. We must

therefore be extremely careful as we examine the proposals put forward in this Assembly, to consider exactly what commitments they imply for the United Nations Force in the Congo.

45. These, in very summary form, are the considerations we have had in mind in examining these draft resolutions. We have studied these resolutions in the light of the Secretary-General's impressive and challenging statement of 17 December. We believe that the principles laid down in that statement [923rd meeting], and in other statements of the Secretary-General, including the statement we heard at the last meeting, will be the guiding light of all delegations who sincerely wish this Organization to weather its crisis and the Republic of the Congo to preserve its independence and unity.

46. We have given close attention to the revised draft resolution submitted by Ghana and seven other countries. We understand the apprehensions which that resolution reflects, and indeed we share many of them. We share the concern of the sponsors at the menacing situation in the Congo; we share their wish to see parliamentary institutions functioning there and we believe with them that all parliamentary representatives should be protected; we also consider it imperative that armed units should cease to interfere in the political life of the country and should accept civil control. We demand that not merely Belgium but all nations should refrain from interfering in the political or military affairs of the Congo, and should canalize all aid through the United Nations.

47. We respectfully differ from the sponsors of this draft resolution in that we feel that the rather vaguely stated "measures" which they call for imply incalculable, and therefore unacceptable, responsibilities for the United Nations Force in the Congo. As I said at the opening of my speech, we have the duty to see that the task imposed on our forces there are clear out and feasible, and if they are incalculable, they are unacceptable. Interpreting the draft resolution in the light of certain statements made by some of its supporters, it seems to us that it involves a United Nations decision immediately to disarm by military action the Armée nationale congolaise. Such action would imply novel responsibilities for a United Nations force, even if it were to be carried out at the request of a universally recognized Congolese Government. But if—as now appears to be the case—it would have to be taken against the wishes of the recognized Head of the Republic of the Congo and without the support of any generally recognized constitutional authority, then it would clearly be regarded by many Congolese as an act of war against the Congolese people. In our belief the United Nations should on no account allow itself to be drawn into such a position. We, therefore, cannot support the draft resolution in question.

48. The draft resolution sponsored by the United Kingdom and the United States, on the other hand, while inspired by similar aims, does not imply any unacceptable responsibilities. This resolution, it seems to us, carries the imprint of the central idea in the Secretary-General's statements: that is to say, that the United Nations must work to achieve its political aim—the protection of the independence and integrity of the Congo—through diplomatic means and a process of conciliation, not through military action. We welcome in this resolution its support for the

Secretary-General's action; its clearly stated and universally applicable demand that all States should refrain from any form of military intervention in the Congo; its call for the establishment of conditions in which Parliament can meet; its stand against all violations of human rights, and its support for an active process of conciliation between the various parties in the Congo. This draft resolution in our view points the way towards a just and stable solution of the problems presented by the existing threats from within and without the Congo to the independence and integrity of the Congo. We shall therefore vote for this draft resolution and we hope that the great majority of the Assembly will do likewise.

49. Mr. PERERA (Ceylon): The delegation of Ceylon would have liked to have dispensed with this intervention to explain its vote on the two draft resolutions that are now before us, but I have instructions from my Government to make the position of the Government of Ceylon quite clear on the issue arising from the situation in the Congo. Therefore, though I will try to be brief, I would like to state the various points on which the Government of Ceylon has made its decisions. I should also like to say that, as a member of the Security Council, Ceylon is conscious of its obligations as well as of its responsibilities not only to this Assembly, but to the world community.

50. On the revised draft resolution which we and seven other Powers have submitted, the representative of India has cogently put forward the reasons for our support of that draft.

51. I have now to state specifically the reasons why the Government of Ceylon will oppose the draft resolution submitted by the United Kingdom and the United States, whether, when the voting takes place, it is put to the vote in parts or as a whole. The first reason is that the Government of Ceylon considers that our concern in the Congo flows from the fact—and here we are very emphatic—that Belgian imperialism is attempting to re-establish itself in the Congo. The second reason is that we are convinced that the present policy of the Belgian Government is that of liquidating the Parliament and the legitimate Government of the Republic of the Congo and of destroying its national independence by its actions. Thirdly, we are convinced that what is taking place in the Congo now under the façade of United Nations operational command—I am not saying anything about the way that command is operating as such—is a real occasion of political and economic influence among certain colonial Powers.

52. The next reason is that the draft resolution submitted by the United Kingdom and the United States, if I take the operative paragraphs *seriatim*: the operative paragraph 1 is, if I may be pardoned the expression, a rehash of operative paragraph 3 of the original resolution, submitted by Argentina, Italy, the United Kingdom and the United States before the Security Council on 13 December^{3/} of this year.

53. Operative paragraph 6, in the view of the delegation of Ceylon, is a rehash of operative paragraph 2 of the very same resolution submitted to the Security Council.

^{3/} Official Records of the Security Council, Fifteenth Year, Supplement for October, November and December 1960, document S/4578/Rev.1.

54. As regards operative paragraphs 5 and 6 taken together, we see only an attempt to substitute "faith, hope and charity" for what appropriately could be called "rent, profit and interest".

55. That, broadly, are the reasons which the Government of Ceylon also adduces as to its opposition to operative paragraph 7 in the resolution submitted by the two Powers.

56. Coming now to the other reasons, it is the view of the Government of Ceylon that although Mr. Kasavubu's delegation was seated, there is no legal effective Government in the Congo—although the delegation was seated in this Assembly—and there is no Parliament. And it goes further. How can there be a Parliament with Mr. Lumumba, Mr. Gizenga and several other Parliamentary members arrested and held in prison without trial. We are not convinced that due process of law will be observed, because before due process of law begins, the elementary rights—to which every citizen is entitled in the Congo or elsewhere—must be observed.

57. Among the general reasons which, of course, are very important to our Government, we are convinced that the so-called scientific and technical advisers which the Belgian Government has sent to the Congo are a mere camouflage for the resurgence of Belgian imperialism in the Congo. We are not only convinced of this fact, but we have evidence and we have proof that these so-called advisers constitute the Trojan Horse now introduced in the Republic of the Congo. One of the arguments in this connexion is that we are indeed surprised that the Belgian Government, after eighty years of Belgian administration or occupation in the Congo, has now become very concerned about technical and scientific advisers. We reject it, not as a fairy tale, but because it has been repeated here so often ad nauseam as justification by Belgium because there is one atomic reactor established in the Congo, whereas in some other parts of Africa and Asia there are no other atomic reactors whatsoever. We do not think that one atomic reactor is a justification for the maladministration of the Belgian Government in the eighty years of its occupation.

58. It is for that reason that the Government of Ceylon sees in the Anglo-American draft resolution a complete non-observance of the crucial issue in the Congo, namely, it has no reference whatsoever to the fact that Belgian personnel, whether military or paramilitary, or technical or scientific, are there. They constitute the spearhead of a movement to re-establish Belgian imperialism in the Congo. We are not convinced that the independence which was granted was a genuine independence. We are not convinced that Belgian personnel are present in the Congo for the good of the Congolese Republic.

59. On that assumption, therefore, we submit to this Assembly as our explanation on this particular point with respect to the internal affairs of the Congo, although we do not want to interfere as such in the internal affairs of the Congo, that United Nations intervention—whatever the term that may be used—was justifiable; it was to prevent an international conflagration or a conflict fraught with great peril.

60. A certain heresy has been uttered, and we, as a member of the Security Council and as a Member of this Assembly must meet this heresy. It has been

argued—because that goes to the root of both resolutions—in favour of those who oppose the resolution of the African-Asian Powers that the United Nations intervention was unjustifiable and that we should not go on with intervention any further. The Government of Ceylon takes its position on Articles 10 and 22 of the Charter with respect to this intervention—I am not trying to argue what should be the correct word to be used in this context—and that Articles 10 and 22 give us every justification for our concern in the Congo. We go further and say that Article 12 (1), does not operate against any actions which this Assembly may take; and that Chapters V, VI and VII of the Charter are definitely to be read as subordinate to the general principles involved in Articles 10 and 22 of the Charter or, I would submit on behalf of the Government of Ceylon, taking the Charter as a whole, and that therefore any action which the Secretary-General may take in pursuance of his mandate or that the Security Council may take, is subject to the ultimate and final sovereignty of this Assembly.

61. Among the other specific reasons why we oppose the draft resolution of the United Kingdom and the United States *in toto* is that operative paragraph 2 does not contribute anything new to what has already taken place. It does not refer specifically to the most important aspects of the question which I have dealt with regarding Belgian technical advisers or military or paramilitary personnel.

62. Operative paragraph 3 would only be giving a mandate in that sense, not to the Secretary-General, but for the discontinuance of certain colonial countries to continue to re-establish themselves and thereby destroy the Congolese Republic.

63. With respect to operative paragraph 4, I need not give my explanation because it was dealt with so ably at the last meeting by the Minister of Defence of India. But I should like to say this: why talk of a Chief of State when the so-called Chief of State has no Parliament, no judiciary, no legislature, and no executive of any kind, but he is a Chief of State, and we do not subscribe to the view that under the "*Loi fondamentale*" the Chief of State has any powers as such, because he is a mere formal Chief of State as opposed to a presidential type of executive where the President is also the Chief Executive as well as the Head of the State. I do not want to elaborate that point because I have dealt with that in my general statement.

64. I have already dealt with operative paragraphs 5 and 6, but I should like to say one more word on this. To offer International Red Cross intervention to the Congolese people, or whatever section, would be adding insult to injury. To offer the remedy of International Red Cross intervention, as such, is a mockery of what we have done; it is a travesty of justice. It is in this connexion that the Government of Ceylon is very emphatic that illegality cannot be condoned by offering such help as the International Red Cross may give or is likely to give.

65. With respect to operative paragraph 7 we reject the idea completely because there cannot be any round table conference in a country which is at the moment held enslaved by a lawless, marauding army; and a round table conference would only mean that one section of the people would have a voice in arriving at a decision.

66. Operative paragraphs 8 and 9, in essence, mean nothing.

67. For those reasons, the delegation of Ceylon will vote against the draft resolution of the United Kingdom and the United States. We will also vote against even the preambular parts of that draft, and we also submit to the Assembly that in doing so, in voting against the Anglo-American draft, in this connexion we give strong support to the African-Asian draft, of which Ceylon is honoured to be a co-sponsor. We feel that operative paragraphs 3, 4, 5, 6, 7 and 8 constitute the next step in the actions hitherto taken, and that would be the only way out, not only for the fruition of our actions, not only to bring our actions to a logical conclusion, but also to co-operate with the world community in preventing Belgian imperialism, even if protected by other Powers in re-establishing itself in the Congo and destroying once and for all the Congolese Republic, its territorial integrity and its political independence.

Mr. Matsudaira (Japan), Vice President, took the Chair.

68. Mr. SULE (Nigeria): I wish to ask the indulgence of the Assembly because I may appear to take an unusually long time in explaining our vote. I do so because my country attaches the greatest importance to this particular issue that is now under discussion. As we did not intervene during the general debate, we felt that we should make our stand quite clear before the vote is taken.

69. Nigeria has all along watched the events of the Congo and has acted on all matters concerning the Congo with absolute impartiality, always guided by the truth. We intend to continue on these lines, always being guided by the truth, until we all succeed in restoring peace and order to this hapless country. We shall not spare any reasonable efforts in order that we may achieve this objective so that there may eventually be established a constitutional institution freely chosen by the people of the Republic of the Congo themselves. We therefore feel that it is our responsibility; in fact, we owe it as a duty to the Republic of the Congo and indeed to mankind, to bring peace and calm so that these unhappy brothers of ours may settle down and embark upon the task of building their own nation and their economy.

70. Nigeria, as all other countries, is deeply concerned about the situation in the Congo. We are concerned not only because of the direct effect it has on us as members of the same race living on the same continent, but we are also concerned because we are members of the human race, for we believe that this situation, if it is not checked without much delay, may lead to disastrous and unhappy consequences which will affect the peace and security of the whole world.

71. The situation in the Republic of the Congo had received the attention of my country long before the Republic attained her independence. Indeed, it was in June of this year at the Conference of Independent African States that the African countries, on the initiative of the delegation of Nigeria, at that particular conference decided to send a goodwill mission to the Congo with the hope of reconciling the Congolese leaders who were then, as they are now, at daggers drawn with one another. Since that time the situation has deteriorated and even the effort of the United Nations has failed to restore the situation to normal.

72. As I said, the United Nations, with all the forces at its command, has been unable to control the situation. On the contrary, it has been the eye-witness of an unceasing succession of disasters plunging the Congo and Africa into greater and greater misery. Is it not surprising, then, that the United Nations, acting on and with the authority of all Member States here assembled, and having such a large army at its command, is still unable to arrest the situation and stop it from continuing to deteriorate? It is obvious that there is a stumbling block in the way of the United Nations. The United Nations Organization, we feel, is certainly capable and competent—I repeat, competent—of easing the tension and restoring peace and order. Some forces are behind this stumbling block.

73. Under these circumstances, therefore, we are compelled to ask who these forces of evil are that are behind it. Who are these cowards that have from behind the scene been agitating and inciting these brothers of ours in the killing of each other? Who are these traitors—if I may say so—to the cause of the United Nations that have been maintaining the armies which are constantly defying authority and therefore challenging the integrity of this great Organization? Who are they? Let them speak. They will not because they know what they are doing, but we know them and history will judge them.

74. Let me make it quite clear that my delegation believes that the situation in the Congo can be handled effectively and successfully by the United Nations. We further believe that the United Nations is the Organization that is most capable of restoring the situation in the Congo to normal. In this connexion, I wish to state that we have implicit confidence in the United Nations and its ability to handle the situation. But we must point out that this world Organization can only carry out this task if efforts are not made by certain countries to sabotage the efforts made by the United Nations. As long as certain Powers continue to aid and abet certain sections of the Congolese people to fight against other sections, and thereby to defy the authority of the United Nations, there will be no end to this disaster. It is a fact—whether we wish to accept it or not—that certain countries have been actively engaged in interfering in the affairs of the Congo regardless of the United Nations appeal, and in all cases they have so interfered in order to promote their own selfish interests.

75. I wish to take this opportunity to warn that the Congo issue must not be made a cold war issue and must never be taken advantage of to promote ideological warfare. It is clear that certain Powers are least interested under these circumstances—if they are at all interested—in seeking a peaceful, genuine and honest solution, and they are only interested in solving the problem their own way. We must remember, however, that it is not for us to decide for the Congolese. I entirely agree with that. It is for the Congolese themselves to decide their own fate and make their own choice. Ours is to make things easy for them and thereby help them in the best way we can and in their own interests. In this connexion, we should always be guided by what is right and not who is right. Unless we adopt this attitude and therefore stop meddling in the internal affairs of the Congo individually, the situation in the Congo will never be saved.

76. When the United Nations decided to and later appointed, a commission for conciliation, we felt, as we still do, that it was and still is a move in the right direction. The recent unfortunate and unhappy incidents that have occurred in the Congo could have been averted if the task of this commission had not been made so difficult right from the very beginning. We are confident that this Conciliation Commission, given the chance, can achieve the purpose for which it has been set up. It was necessary, we felt right from the very beginning, in order not to prejudice the work of this commission, not to take, or even appear to take, sides in any matter affecting the persons to be reconciled, for we all know that in this connexion there is more than one person to reconcile and each one feels that he is the innocent one.

77. It is difficult to get all persons to co-operate if we, as the Conciliators, appear to be biased against the others. This would appear to be the case even if the other person were right. We felt, therefore, that the recognition or seating of any representative at that time was detrimental to the work of the Conciliation Commission and would, we further thought, give rise to some suspicion. It would also tend to give the impression that the United Nations was taking sides in the issue.

78. With this in view we supported, along with many other countries, the adjournment of the discussion of the draft resolution submitted by Guinea, Ghana and others [A/L.319/Rev.2]. The co-sponsors, in the same spirit, were themselves not eager to continue with the discussion, and they therefore supported the adjournment motion. Wise counsel prevailed, and the Assembly saved the situation by voting by a large majority for the motion of adjournment [913th meeting]. However, we were later faced with a similar situation, the discussion of the report of the Credentials Committee [A/4578]. It is of no use at this stage to argue the merits or demerits of the Credentials Committee's report; indeed, from a purely legal point of view, if we prefer to be too legalistic to face the realities, it would appear that the credentials were valid. I do not wish to go into the details of the position of the Head of State of the Republic of the Congo. Of course, many delegations have categorically stated that they do realize and accept the fact that Joseph Kasa-Vubu is the undisputed Head of State of the Congo. We, too, share the same view and do not dispute it. In fact, we never did. On the other hand, in view of the fact that a Conciliation Commission has been set up, we felt that the seating of any representatives at that time might be detrimental to the work of the Conciliation Commission no matter how valid the credentials might be, since this act might jeopardize the work of the Commission. It was this feeling, therefore, that made us conclude that the best we could do then was to adjourn also the discussion of the report of the Credentials Committee, as we did on the draft resolution mentioned above, until such time as the Commission had time to report. However, we abstained for obvious reasons. No doubt we did this with the best intention. But we did go further, to appeal to many delegations that they should at least not press the issue since it might lead to very dangerous consequences. But as it was, the decision was taken and the representatives of Joseph Kasa-Vubu were seated.

79. Now, let me say this: I have nothing against Joseph Kasa-Vubu, whom I recognize as the undis-

puted Head of State of the Republic of the Congo. I have all affection and respect for him; affection for him as a brother, and respect for him as the Head of State.

80. Recently we have noticed the arrest of Mr. Lumumba, the threat against the lives of many more people throughout the Congo, the setting-up of a rival government in Oriental province, and indeed the worsening of the whole situation and the likelihood of a civil war which may lead to another Korea. Today in the Congo there is nothing but confusion, chaos and disaster, none of which any one of us would approve. Shall we then sit by and watch these events with our arms folded, or shall we be human enough to continue the work we have started? I feel we should make efforts to arrest the situation as soon as possible, without letting it explode and set fire to the continent of Africa and perhaps to the whole world.

81. What, then, are we to do? My delegation feels that peace and law and order must be restored. The restoration of peace, law and order is the gateway to success in this matter. Peace, law and order—these are essential. They must exist before we can talk of anything else. We believe that it is impossible to try to do anything else so long as these people continue to fight against one another. I do not believe that it is possible to effect any reconciliation while fighting is still going on. We must stop this fighting, and we can do it by seeing that there is only one effective army—the United Nations army—in the Congo, and that all other armies in the country should join with the forces of the United Nations in maintaining law and order, if it is law and order that they wish to maintain. This, according to some delegations, is possible only by the use of force. I agree that force could do it, but I do not agree that it is the only way. Are we assuming that all these army leaders will not be and can never be reasonable, reasonable enough to listen to the appeal of world opinion, or can we not get all the different factions of the Congolese Army to be under the command of the United Nations so that all may maintain law and order in this Republic?

82. At any rate, we believe that we must, as a step towards the restoration of peace and law and order, stop these tribal fights and clashes between the United Nations forces and the Congolese forces.

83. Secondly, we believe that we must stop interfering in the domestic affairs of this country by aiding militarily, financially or otherwise any section of the people of the Congo. And please let us be honest about this and let us be honest with ourselves.

84. Thirdly, the Congolese leaders should be encouraged and helped, through the medium of the Conciliation Commission, to convene a meeting to decide their future. This in effect means that all the political detainees should be released and free to take part in the discussion.

85. Fourthly, in the same way, we believe that Parliament could be reconvened, at this time not as some people seem to have suggested before, at gun-point or under a threat to the lives of the Members of Parliament, but by mutual agreement. This Parliament can act as a constituent assembly, if the Congolese people themselves so wish, and then draw up a constitution for their country; or if it is their desire to continue on the basis of the present constitution, they are the masters of their fate and they can have

their way. The United Nations forces, however, will not be expected to leave until fresh elections are held, if it is the decision of this constituent assembly, and a new government is installed.

86. If we are really sincere in our declared policy—and I believe we are—then we must use every effort to bring about an end to this disaster. We have talked a lot, we have said enough; we must now act. We are tired of pretence. We hate any delaying tactics aimed at helping the imperialists at the expense of the Congolese. Any deliberate act by any one country to undo what the United Nations is trying to do, in secret or in the open, is a direct and flagrant violation of the United Nations Charter. We wish to stress that we have nothing against Joseph Kasa-Vubu. Equally, we have nothing against Mr. Lumumba. Both are Congolese leaders interested in the welfare of the Republic of the Congo.

87. I think Nigeria can be said to have no imperialistic territorial ambitions. We have no taste for dogmas, no matter from what point of the compass they issue. Our interests are in and with the Congo and in the maintenance of peace and security throughout the world. We do realize that the United Nations task is not a small one nor is it easy, for in the course of the discussion we have seen how opinions have differed and we have also heard a lot of arguments and a lot of disagreements. Naturally, such things are bound to happen, even in normal circumstances, all the more so in these exceptional circumstances.

88. It is also true that since the situation became so tense, there has not been any unanimous decision on how best to effect any solution. The big Powers have never agreed; perhaps because of the unfortunately established principle of supporting at whatever cost their respective blocs, an idea that is contrary, I think, to the principles establishing this Organization. And in an attempt to score points, each has tried to "grab" some of the uncommitted nations, amongst which are certainly the African States, which have been dragged into the cold war over this issue. It is all very well for some countries to rejoice now over the splitting of the African States on this issue, but let everyone remember that we cannot be deceived all the time. I have no doubt that all the uncommitted nations, which are indeed as much concerned as anyone else, will soon realize, and this not in the distant future, that only by coming together and standing solidly together can they help their unhappy sister, the Republic of the Congo.

89. It appears to me that we have been deliberately kicked about, perhaps, like a football, and I warn that this should stop. I appeal to all African countries and to all Member States in this Assembly to act together, through thick and thin. And let us, by so doing, discard any idea of power politics. The great continent of Africa, of which the Republic of the Congo is a part, can be made much greater by our attitude here; it can be made smaller still by the attitude of the African States. The greatness, or otherwise, of Africa depends on our attitude. Africa, including the Republic of the Congo, has, like any other part of the world, a culture, and I believe that the African, by virtue of his culture, his direct vision and innate kindness, can bring humanitarianism to what I sometimes call the materialistic and technical thinking of certain countries.

90. Let us therefore use this, our heritage, within the concept of the United Nations to bring an end to the disaster and misery that are prevalent in the heart of our continent. Let us embrace our task with a full sense of responsibility. We believe that we are right—and there is a saying that if you know you are in the right stick to it, no matter whether the heavens fall; if you lose a friend, God will provide another.

91. Indeed, the tragedy of the Congo, the concomitant humiliation of Africa, and the most serious threat to the prestige and usefulness of this Organization are not subjects for eloquence or for lengthy speech-making. I shall therefore conclude my brief intervention by repeating my appeal.

92. So far many African nations and nations from other continents, mindful of the promise of United Nations action, have supported this Organization even when academic interpretations of certain questions of competence have caused widespread concern. There is a limit to patience. We should not wish to see a situation in which the majority of the nations most intimately affected by the events in the Congo and Africa would be forced by larger and interested Powers to confirm by the total withdrawal of their efforts that they were powerless to help. That would be a very sad day, and I hope it will never come. In any case, after many disasters have further darkened the pages of the history of that unhappy country, it will be realized by those who may now be rejoicing in the short-term successes of their clandestine, or even open, intervention that genuine indigenous forces and voices, responsive to the needs of the people, will triumph in the Congo.

93. I am sure that I am voicing the feeling of many delegations when I say that every single country which has answered the call of the United Nations and sent troops to the Congo would be only too pleased to see the accomplishment within as short a time as possible and with the minimum struggle possible, of the purpose for which those troops are in the Congo. They would also be glad to see their troops back home, proud of what they have achieved: peace for the Congo, Africa and the world. We would be much happier to see a Congo, free from war, clashes and from greed than to continue to see a terror-stricken Congo with troops always on the alert. All countries should have the same feeling and should both see this with us and go with us.

94. I am not saying that other countries are not making any contribution through this Organization. Far from it. They are contributing as much as anybody else, in one form or another. But I doubt whether it is the intention of any delegation here to keep the Congo in distress perpetually. It is only by facing the problem realistically now that we can help the Congolese in this their hour of misery and disaster. Let us all think of and place the Congo first, before anything else, before any personalities.

95. Let me say this: Nigeria will continue to support the cause of the Congolese people and will, as always, remain impartial in regard to its obligations towards its sister country.

96. The Republic of the Congo is not rich in trained personnel at present. Those who love the Congo, therefore, should not aid and abet exclusively internecine feuds which are aimed at liquidating certain persons who have a genuine contribution to make to

the progress of the Congo. Is it really claimed that, if the Congo is now fragmented into four or six units, one group of leaders and their friends will control all of those units forever? In the final analysis let us all realize that a united, strong and prosperous Congo will contribute much more in the long run to those causes which all honest men here and everywhere hold dear. Let us not be tempted by illusory attractions of prestige to sow the seeds of catastrophe in the very heart of Africa.

97. It is in this spirit that my delegation supports the eight-Power draft resolution. We believe that that draft resolution provides for the minimum practicable measures that are necessary if the United Nations presence in the Congo is to be saved and permitted to be effective even at this late hour.

98. If we continue to advance complex reasons for refusing to do in the Congo what is possible in the name of this great Organization, to which the Congolese themselves appealed in their hour of need, then we shall have cause, all of us, to regret our inaction. We sincerely hope that that will not be so.

99. My delegation therefore hopes that the eight-Power draft resolution will be supported, if not unanimously, at least by a large majority of the General Assembly.

100. In conclusion I would say the following. To quote from a certain journal, let us be "God's instrument for bringing about world peace". And I would add: Let us start from our own home—for charity begins at home. That is the stand of my delegation.

Mr. Boland (Ireland), resumed the Chair.

101. Sir Patrick DEAN (United Kingdom): Since I spoke yesterday [956th meeting] the sponsors of the eight-Power draft resolution have presented a revision of that text. The effect of this revision is to add two new operative paragraphs to the original draft resolution. My delegation understands that the addition of the paragraphs 7 and 8 may in part have been intended to respond in some way to the ideas put forward by the Secretary-General in the course of the recent debate in the Security Council, and again yesterday in the General Assembly, with regard to the need for continuing support, both at Headquarters and in the Congo, from representatives of the main organs of the United Nations in the discharge of his mandate.

102. However, having most carefully examined paragraph 7 of the revised draft resolution and the arguments which have been addressed to that point, my delegation does not believe that the adoption of the paragraph by the General Assembly could in fact make the Secretary-General's task, or that of his Special Representative in the Congo, in any way easier. The paragraph does not explain what the function of the proposed standing delegation would be or in what way it would "function in full co-operation with the United Nations Special Representative located in the Congo". Nor is there any indication of how the Assembly could decide what States are "specially qualified to advise on the United Nations operations in the Congo". It might be thought that any such group should be a committee of the Security Council, which authorized the dispatch of the United Nations Force to the Congo. Alternatively, it might be drawn in some way proportionately from those countries con-

tributing financially or by contingents to the United Nations effort.

103. I fear that in practice the resolution of those questions would be impossible and that, by approving this paragraph now, the Assembly would be in danger of creating a situation of divided responsibilities and divided energies which would hamper rather than assist the Secretary-General and his Special Representative.

104. My delegation can well understand the Secretary-General's desire for the assistance of the Security Council and the General Assembly in bearing the truly exceptional load of responsibility which has been placed on his shoulders. He deserves this assistance in full measure. My delegation has already made that clear on a number of occasions. However, the true and the practical sense of the matter is that the final responsibility for conducting the United Nations effort in accordance with the mandate from the Security Council and the General Assembly must remain with the Secretary-General and his representatives. It is entirely reasonable that the Secretary-General should make arrangements for the assistance and advice of suitable and responsible Members of the Assembly, and he may well think it wise to extend this arrangement to the responsibilities carried out by his representatives in the Congo who are dealing with the day-to-day conduct of operations. But I feel bound to add a word of warning to the Members of the Assembly as they consider this revised draft resolution.

105. The conduct of an operation such as that now being carried out by the United Nations in the Congo inevitably demands that it should be possible for rapid decisions to be made. The authority to make these decisions must remain in the hands of the executive branch of this Organization. Any arrangements which hamper the power of executive decision by political control would lead to divided counsels, indecision and inaction.

106. Operative paragraph 8 of the revised draft resolution deals with the question of the provision of economic and technical assistance to the Congo. Its meaning appears to be that no economic or technical assistance should be afforded to the Congo except through the United Nations. While my delegation would agree that in the present circumstances it is desirable that, to the greatest extent possible, economic and technical assistance to the Republic of the Congo should be channelled through the United Nations, we cannot agree that any resolution of the Assembly can properly inhibit the Republic of the Congo from arranging for non-military assistance from other sources.

107. Therefore, for the reasons which I explained, my delegation is opposed to the two new paragraphs introduced into the resolution tabled by Ghana and seven other countries. We continue to believe that in the circumstances the needs of the situation and the anxieties of the Members of this Assembly will best be met by the resolution standing in the name of the United States and the United Kingdom.

108. Mr. BELAUNDE (Peru) (translated from Spanish): On the subject of the Congo, I had occasion to say, from the high seat occupied by the President, that mankind had applauded the Security Council's decision, confirmed and reiterated by the General

Assembly at its fourth emergency special session, to give every possible aid to the Congo in restoring order and protecting its identity and territorial integrity.

109. I believe that the General Assembly and the Security Council—in brief, the United Nations—discharged a duty, which is part of their functions under the Charter, and settled a debt of honour. Yet they did something more, for, over and above honour, which is a human concept, and duty, which is often merely a legal obligation, there is what might be termed the call of destiny, the call of Providence. Providence called upon the United Nations to save the Republic of the Congo from the perils which threatened it. The United Nations has done its best, in the face of tremendous difficulties, to fulfil its glorious destiny. And it cannot stop now.

110. Certainly the present situation seems desperate enough: there is division in the Security Council; there is, unhappily, division in the General Assembly, as may be seen from the fact that we have two draft resolutions before us; lastly, there is division in the Republic of the Congo itself. There is fear of disintegration of the various elements which form and must form an indivisible whole; of chaos which must result from this division; and, in the wake of chaos, disruption and death. Yet I must say that when an organization is doing its duty, it has no right to consider obstacles, difficulties and barriers, save with a view to overcoming them.

111. At the moment, there are certain elements which constitute grounds for optimism, despite the dark clouds gathering on the horizon. These elements, to which I wish to draw the attention of this Assembly, are the following. We have a mandate, laid down by the Security Council in various resolutions and endorsed by ourselves at the fourth emergency special session. Consequently, all we have to do is to go on discharging this mandate. It would be unthinkable for us to revoke it, explicitly or implicitly. To do so explicitly would be absurd, and no one would consider it. The mandate could, however, be revoked implicitly if we did not continue to take all the measures required to enable the United Nations to fulfil its chosen destiny. Nevertheless, the mandate exists, and it is on that basis that we must act.

112. No one has revoked, and no one can revoke the wise resolutions of the Security Council which were confirmed—or rather, supplemented—by resolution 1474 (ES-IV), setting up a Conciliation Commission.

113. There is a second element, and I say this advisedly. That is the courageous, energetic, thoughtful attitude of the Secretary-General, who is well aware of his duty. I am confident that the Secretary-General will rise to the great mandate conferred upon him by the Security Council and the General Assembly.

114. The third element is the existence of an executive power which stands for the Congo, a central authority which is not questioned save as regards its relations with the Parliament, for I believe that in its main aspect, that of personifying the entire nation, it is accepted by all.

115. I shall never cease to adhere to Bolívar's doctrine of public law, for on public law Bolívar was one of the great masters of mankind. Our Liberator taught us that in times of crisis we must support and strengthen the executive power.

116. The executive power represents unity in action; it personifies the nation; it stands for the integrity and identity of the State. Whatever conspires against the executive power in this case is bad. I know, of course, that this executive power must comply with the law and the constitution. But it must carry out this function without any harsh and upsetting intervention on our part, which would disturb the harmony of this process.

117. There is yet a fourth element: the Conciliation Commission. I know that the Conciliation Commission has been hesitant; it may also have been divided. I wish to pay a tribute to it, because I am sure that all its members have been prompted by the most generous motives. But the Conciliation Commission has already appointed a group which is now working in the Congo. It may therefore have been free from the divisions and the great controversies which unfortunately marked our long debates in the Assembly, for men unite in the face of necessity. Seeing the yawning abyss before which the Congo stands, there must of necessity have been a profound harmony in the proposals and actions of the Conciliation Commission. The Conciliation Commission, as its name tells us, has a great mission to perform. The political problem of the Congo—the conflict between the executive power and the Parliament—cannot be settled by the General Assembly, cannot be settled by the United Nations Force, cannot be settled by the Secretariat acting on the Assembly's behalf.

118. This is a problem we cannot solve. More than that; for us to try to solve it would be contrary to international public law. This problem must be solved by the Conciliation Commission, and the Conciliation Commission must be given wide powers. This is its mission, its mandate; this is what it was created for, and we would be failing in our duty and defeating the very purpose of the Conciliation Commission if we were to intervene ourselves, instead of allowing it to pursue its beneficent action of "advising and consenting", to paraphrase the happy title of a recent novel—of offering disinterested advice and aid with the consent of the recipient. This can be done by the Conciliation Commission, but it cannot be done, in any form whatever, by the United Nations Force or the United Nations Secretariat, out of respect for universal public law and the sacred text of the Charter.

119. Let us establish a clear division of tasks. Civilization consists in the division of labour. There is a political problem in the Congo; that problem is within the jurisdiction of the Conciliation Commission. Let us not confuse jurisdictions; all confusion is unfortunate, and sometimes suspect.

120. Lastly, there is still another and a very important element, and that is the technical aspect. As some representatives rightly pointed out, the ideal would be for all the countries which are in a position to offer technical assistance to give such assistance to the Congo now. There may be countries which cannot contribute economically, but many countries could help by sending their technicians: their pilots for transport, their doctors for the sick, without any "commitment", without self-interest, without "arrière-pensée" as the French say, with but a single thought in mind, the need to help a sister republic which still holds a seat in this Assembly.

121. I wish to commend the decision of many countries, great and small, to contribute to the expenses

in the Congo to the best of their ability, and the praiseworthy attitude of certain Powers which, together with the political responsibilities, have taken on the economic responsibilities which are the necessary and inevitable consequence thereof.

122. And so I come to this conclusion: the picture is a gloomy one, but the United Nations has seven elements to enable it to fulfil its glorious destiny. These elements have to be maintained within a scientific and legal technique—the division of labour.

123. Having looked at the two draft resolutions from this angle, I shall state my opinion frankly. I have read them with great interest, I have pondered them, indeed, I have studied them, as one ought to study draft resolutions, and my first conclusion is an encouraging one. I find agreement on many points: the Congo's independence, the Congo's identity, respect for the rights of the individual, and the need to restore normal political life in the Congo. These are all points which the two draft resolutions have in common.

124. I am sure that if we were not pressed for time, we could easily reach a solution, because both texts make generous proposals in favour of the Congo and because what we might term the natural course of ideas would eventually lead to an agreement. Unfortunately, life is apt to press in on us. We must act on the "spur of the moment", for we are indeed being spurred on by time and events, and that is why I cannot undertake a task which I should be glad to perform, because of the love I bear the United Nations and because of my love, my sympathy and my fond hopes for the African countries. But since it is not possible at this late hour, at the eleventh hour, as the saying goes, to reconcile the two texts, the time has come when "il faut choisir", we have to choose. I have to choose, I would say, not the more perfect, but the less imperfect text; I have to choose the text which contains all the principles that are acceptable to all and objected to by none, all the principles contained in the resolutions of the Security Council and in the resolution of the General Assembly. And, with deep regret, paying a tribute to the generous intentions and lofty views of the representatives of Ceylon, Ghana, India, Indonesia, Iraq, Morocco, the United Arab Republic and Yugoslavia, I must dissociate myself from something which is contrary to my convictions.

125. I cannot accept that the Secretariat and the United Nations should undertake any specific task other than the maintenance of order, the defence of individual freedoms, and economic assistance; I absolutely cannot accept that our United Nations should intervene, directly or indirectly, explicitly or implicitly, in matters which are exclusively within the internal jurisdiction of the Congo, or that it should take upon itself the very functions of a Conciliation Commission which it itself set up for this specific purpose.

126. Because of this legal scruple, as one of those who signed the Charter, I cannot allow myself—although I am often tempted to do so—to be carried away by the generous sentiments and broad idealism of the Assembly into expressing opinions or hopes which go beyond the precise functions of the Assembly. I must remind myself that the Charter can continue to exist only if it is held sacred, if it is

respected, if it is allowed to be fruitful, paradoxically enough, because of its very virginity. That is what I must bear in mind; and for that reason, having this scruple, I cannot in all honesty vote for the African-Asian proposal because, out of excessive eagerness—what the French call "excès de zèle"—it seeks to endow the Secretariat, the United Nations Force, and the United Nations itself with functions outside their competence.

127. I would appeal to all groups: since there is so little difference between the two draft resolutions, let us vote for the less imperfect of the two, let us vote for the one which best meets current needs. I wish to pay a sincere tribute to those who proposed the other draft resolution and to express my regret at not being able to vote for it; I shall vote in favour of the proposal of the United Kingdom and the United States, because it respects the seven principles I have mentioned.

128. I make a general appeal that we should preserve our generous spirit and our awareness that the United Nations has accomplished many fine things in its fifteen years of existence. Let us not leave our programme unfinished, let it not be said that we refused to crown our achievement, let us adopt a resolution unanimously today—and if we cannot have a unanimous vote on the provisions themselves, let there at least be unanimity in our intentions as regards the identity, integrity and independence of the Congo.

129. The PRESIDENT: The Assembly will now proceed to the vote in accordance with rule 93 of the rules of procedure. I propose to put to the vote first the draft resolution proposed by Ceylon, Ghana, India, Indonesia, Iraq, Morocco, the United Arab Republic and Yugoslavia [A/L.331/Rev.1].

A vote was taken by roll-call.

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

In favour: Cuba, Czechoslovakia, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Libya, Mali, Morocco, Nigeria, Poland, Romania, Saudi Arabia, Sudan, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon.

Against: China, Colombia, Congo (Leopoldville), Costa Rica, Denmark, France, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile.

Abstaining: Congo (Brazzaville), Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, Finland, Gabon, Iran, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Madagascar, Nepal, Niger, Pakistan, Senegal, Somalia, Tunisia, Venezuela, Burma, Cambodia, Central African Republic, Chad.

The draft resolution was rejected by 42 votes to 28, with 27 abstentions.

130. The PRESIDENT: The Assembly will now proceed to vote on the draft resolution proposed by the United Kingdom and the United States [A/L.332].

A vote was taken by roll-call.

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

In favour: Denmark, Ecuador, El Salvador, Federation of Malaya, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Laos, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica.

Against: Ghana, Guinea, Hungary, India, Indonesia, Iraq, Mali, Morocco, Poland, Romania, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yugoslavia, Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia.

Abstaining: Dominican Republic, Ethiopia, Finland, France, Gabon, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mexico, Nepal, Niger, Nigeria, Portugal, Senegal, Somalia, Sudan, Togo, Tunisia, Union of South Africa, Venezuela, Yemen, Burma, Cambodia, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey.

The result of the vote was 43 in favour, 22 against and 32 abstentions.

The draft resolution was not adopted, having failed to obtain the required two-thirds majority.

131. The PRESIDENT: I call now on the Secretary-General.

132. The SECRETARY-GENERAL: Just as a short time ago the Security Council, so now after a long debate the General Assembly has failed to reach a positive decision regarding the problem of the Congo, further developing the stand of the Organization as already defined. The most serious aspect of this dual failure is what it reveals of the present split within the Organization on this issue of vital significance.

133. Naturally, the operation will be continued under the previous decisions with all energy, within the limits of the law, with an adjustment—to the best of our understanding—of the implementation of our mandate to the needs, and with aims which, in spite of all, I believe remain common, at least, to the vast majority of Member States. However, the outcome here, as it now stands, has not given us the moral or political support of which the operation is in need.

134. May I hope that in spite of the division of opinion, the representatives of the Organization may count on the continued good co-operation which they have enjoyed in the past from those countries which have shown their willingness to shoulder responsibility in the matter, and that those same countries in co-operation also outside the formal framework of the United Nations, will act in support of a final solution of our problem in a way which fully reflects the seriousness of the situation, will provide us with the necessary means and will do all that in other respects is possible in order to neutralize the loss we may have suffered.

135. One thing should be firmly on record; the previous resolutions on the Congo remain fully valid, and so do, to the full, all the obligations they impose on all Member Nations. This is of special importance, retroactively as well as for the next future, in respect of the request for abstention from bilateral action as ruled out by this Assembly on 20 September 1960 [1474 (ES-IV)].

136. The PRESIDENT: I call on the representative of Austria on a point of order.

137. Mr. MATSCH (Austria): My delegation considers it most unfortunate indeed that both draft resolutions on the situation in the Congo did not receive the required majority.

138. In view of the serious situation in the Republic of the Congo (Leopoldville), the Austrian delegation feels that the General Assembly should continue to have this item under consideration. It is for this reason that the Austrian delegation wishes to propose to the Assembly the adoption of the following procedural decision:

"The General Assembly,

"Having considered the item entitled 'The situation in the Republic of the Congo',

"Noting that the previous resolutions of the Security Council and the General Assembly on this subject are still in effect,

"Decides to keep this item on the agenda of its resumed fifteenth session."

139. My delegation hopes that this proposal can be put to the vote immediately and that it will be adopted unanimously.

140. The PRESIDENT: Is there any objection to the proposal made by the representative of Austria?

141. In the absence of any objection, I would propose to take it that the Assembly agrees that the item entitled "The situation in the Republic of the Congo" should remain on the agenda of the fifteenth session.

It was so decided.

The meeting rose at 1.15 p.m.