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

AGENDA ITEMS 13 AND 47

Report of the Trusteeship Council (*concluded*)

Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General

REPORT OF THE FOURTH COMMITTEE (A/4738)

AGENDA ITEM 37

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (*concluded*):*

(a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter;

(b) Information on economic conditions;

(c) Information on other conditions;

* Resumed from the 948th meeting.

- (d) **General questions relating to the transmission and examination of information;**
- (e) **New developments connected with the association of Non-Self-Governing Territories with the European Economic Community: report of the Secretary-General**

1. Mr. BOEG (Denmark), Rapporteur of the Fourth Committee: The report of the Fourth Committee [A/4738] covers two items of the agenda: it partly covers item 13 concerning the report [A/4404] of the Trusteeship Council, or, to be exact, it covers this item to the extent that it was not covered by the report [A/4737] on which we took action this afternoon [994th meeting]; and secondly, the present report covers agenda item 47, concerning offers by Member States of study and training facilities for inhabitants of Trust Territories.

2. On these items the Fourth Committee adopted three draft resolutions, the full text of which is given in paragraph 17 of the report. Two of the draft resolutions, draft resolutions II and III, are merely of a procedural nature. Draft resolution II, largely in line with what the Assembly has been doing for a number of years, takes note of the report of the Trusteeship Council in its operative paragraph 1, and in its operative paragraph 2, which has a wording somewhat different from what has been the tradition, it recommends that the Administering Authorities take account of the recommendations and observations contained in the Trusteeship Council report. The reason for the difference to which I have referred is that the Fourth Committee did not this year have time to have a debate on this report, and consequently could not, as previously, recommend that the Trusteeship Council take into account any debate which had taken place.

3. Draft resolution III in the report deals with offers by Member States of study and training facilities, and the crucial paragraph of this draft resolution is paragraph 2. Here again, the essential element is that, owing to lack of time, the Fourth Committee could not really go into this matter and, consequently, suggests that the General Assembly should decide to postpone full consideration of it until its sixteenth session.

4. The most important of the draft resolutions is draft resolution I, concerning the future of Tanganyika. It notes that, under an agreement between the United Kingdom and Tanganyika, Tanganyika will become independent on 28 December 1961. Therefore, it is decided that, at that time, the Trusteeship Agreement shall cease to be in force. It is also recommended that, upon the attainment of independence, Tanganyika shall be admitted to membership of this Organization.

5. I believe that I faithfully reflect the spirit of the Fourth Committee when I say that the adoption yesterday of this draft resolution concerning the emergence into independence of the greatest of all the Trust Territories was an occasion of much rejoicing and harmony. This appeared not only from the speeches made in the Committee, but was particularly manifest in the fact that, in conformity with the mood and the spirit of the Fourth Committee on that occasion, the representative of India, one of the original sponsors, suggested—after the Administering Authority, which was also an original sponsor and had immediately accepted an amendment proposed by the Soviet Union,

and after the Soviet Union had joined in sponsoring the draft resolution—that all members present in the Committee might join in sponsoring this draft resolution. All members present gladly accepted this invitation, which is the background of paragraph 9 of the report, thereby bringing the number of sponsors of this draft resolution to fifty-nine—which is, to my knowledge, apart from the 1959 resolution 1378 (XIV) on disarmament, a record in the annals of the United Nations.

6. I might conclude my introduction of this report by recommending to the Assembly the adoption of these three draft resolutions, but I am conscious that I have been coming to the rostrum quite frequently today and, as there remains one other Fourth Committee item—item 37—on which there is very little to say and on which there is no report before the Assembly, I would suggest, if it meets with the President's approval, that while I am at the rostrum I might briefly explain the situation on this item.

7. The situation is as follows. The General Assembly actually dealt with this item—which concerns information from Non-Self-Governing Territories—at the first part of the fifteenth session. However, it was decided at that time that the matter should be left open so that the Fourth Committee might take further action in the light of the Declaration on the granting of independence to colonial countries and peoples [resolution 1514 (XV)]. For this reason the matter was taken up yesterday in the Fourth Committee at its last meeting of this session of the Assembly. At that meeting the representative of Burma informed the Committee that he had had informal consultations concerning the matter with some interested and like-minded delegations which were close to agreeing on the text of a draft resolution. However, since time did not permit a proper debate on this question during the fifteenth session, the representative of Burma suggested that the matter should be postponed until the sixteenth session of the Assembly, when more time should be devoted to this item.

8. The Fourth Committee took note of this statement and instructed me, as its Rapporteur, to report these facts to the Assembly. Having done so, I recommend that the General Assembly likewise take note of this, thereby concluding its consideration of this item of its agenda.

9. The PRESIDENT: Before asking whether any representative wishes to explain his vote, may I recall that, unless rule 68 of the rules of procedure is invoked, interventions in connexion with these Committee reports will be limited to explanations of vote, and I would sincerely request representatives, especially in view of the shortness of the time now remaining to us at this session, to confine their interventions to explaining their votes, and to keep them as brief as they possibly can.

10. Does any representative desire to explain his vote on the various recommendations of the Fourth Committee contained in its report [A/4738]? Since no one wishes to explain his vote, we shall now proceed to vote on the recommendations of the Fourth Committee, which are set forth in paragraph 17 of this report.

11. I put first to the General Assembly draft resolution I, concerning the future of Tanganyika. As the Rapporteur has just recalled, this draft resolution was approved unanimously by the Fourth Committee. May I take it, without putting it to the vote, that this draft

resolution is also unanimously acceptable to the Assembly and that we may, therefore, consider it adopted?

Draft resolution I was adopted unanimously.

12. The PRESIDENT: I now put to the vote draft resolution II which refers to the report of the Trusteeship Council [A/4404] covering the period 7 August 1959 to 30 June 1960. As the Rapporteur said, this is largely of a procedural character, but I put the draft resolution to the Assembly.

Draft resolution II was adopted by 70 votes to none, with 10 abstentions.

13. The PRESIDENT: We now come to draft resolution III, which deals with offers by Member States of study and training facilities for inhabitants of Trust Territories. This draft resolution was unanimously recommended by the Fourth Committee. If there is no request for a vote, may I take it as being also unanimously acceptable to the General Assembly?

Draft resolution III was unanimously adopted.

14. The PRESIDENT: In explanation of vote, after the voting, I call on the representative of the United Kingdom.

15. Sir Andrew COHEN (United Kingdom): I should like to make a very brief statement which I feel I owe to the General Assembly as representing the Administering Authority for Tanganyika.

16. Tanganyika is the largest of the Trust Territories, and this occasion, when the General Assembly is approving by unanimous vote the termination of trusteeship on the attainment of independence by Tanganyika on 28 December 1961, is therefore, in a sense an historic occasion in the progress of the Trusteeship System and our work here in the United Nations.

17. It happens that today, 21 April 1961, the General Assembly has approved the termination of trusteeship and the laying down of our trust on the attainment of independence both by the British Cameroons [994th meeting] and Tanganyika. And from the end of this year when Tanganyika becomes independent, the United Kingdom will no longer be an Administering Authority for Trust Territories except in so far as we exercise a somewhat formal position as joint Administering Authority with our friends from Australia and New Zealand for the Trust Territory of Nauru in the Pacific.

18. May I therefore on this occasion, first of all, pay our tribute to the people of Tanganyika and to their great leader, Mr. Julius Nyerere? They have in the largest measure contributed to the process which has brought Tanganyika to independence and freedom in harmony and in close co-operation between all its inhabitants and between them and the Administering Authority.

19. May I on this occasion also pay a very warm and sincere tribute on behalf of the United Kingdom, as the Administering Authority for this Territory, to the United Nations, to the General Assembly, to the Trusteeship Council, and to all those in the Secretariat who over these years, since the inception of the Trusteeship System, have played their part in this great process of progress towards independence in this great new country in Africa which we all salute today?

20. It so happens by chance that this is the last occasion when I shall address the General Assembly. I am very happy that in doing so I shall be speaking here on this happy moment when we have just approved the

termination of trusteeship for Tanganyika on its attainment of independence.

21. The PRESIDENT: I now ask the General Assembly to turn its attention to No. 6 of the items listed in today's *Journal*, which deals with Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations.

22. Regarding this item the Assembly has heard the statement made by the Rapporteur of the Fourth Committee, to the effect that owing to lack of time the Committee decided that it could not consider further this matter but that it would take it up again at the sixteenth session. In the absence of objection I will take it that this decision is agreeable to the Assembly.

It was so decided.

AGENDA ITEM 51

Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (concluded):*

(b) Committee on Contributions (concluded);

(e) United Nations Administrative Tribunal (concluded)

REPORTS OF THE FIFTH COMMITTEE (A/4729, A/4730)

23. The PRESIDENT: Under the item "Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly—(b) Committee on Contributions", the draft resolution recommended by the Fifth Committee is contained in page 2 of its report [A/4729].

24. In the absence of objection, I take it that the Assembly adopts the draft resolution.

The draft resolution was adopted.

25. The PRESIDENT: Under the item "Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly—(e) United Nations Administrative Tribunal", the draft resolution recommended by the Fifth Committee is contained in page 2 of its report [A/4730].

26. In the absence of objection, I take it that the Assembly adopts the draft resolution.

The draft resolution was adopted.

AGENDA ITEM 63

Comprehensive review of the United Nations Joint Staff Pension Fund (concluded)*

REPORT OF THE FIFTH COMMITTEE (A/4731)

27. The PRESIDENT: Under the item "Comprehensive review of the United Nations Joint Staff Pension Fund—Supplementary amendment to the Regulations of the United Nations Joint Staff Pension Fund", the draft resolution recommended by the Fifth Committee is contained in page 2 of the Committee's report [A/4731].

28. Since this draft resolution was recommended by the Fifth Committee without objection, may I take it that, in the absence of objection, it is adopted by the Assembly?

The draft resolution was adopted.

* Resumed from the 954th meeting.

AGENDA ITEM 50

**Budget estimates for the financial year 1961
(concluded)***

REPORT OF THE FIFTH COMMITTEE (A/4739)

29. The PRESIDENT: The next item is entitled "Budget estimates for the financial year 1961: report of the Advisory Committee on Administrative and Budgetary Questions on the question of the review of the resolution relating to unforeseen and extraordinary expenses of the United Nations: report of the Fifth Committee" [A/4739].

30. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): We have now to consider a question of great importance from the standpoint of the principles whereby the extraordinary expenses of the United Nations are to be financed.

31. On 20 December 1960, during the first part of the General Assembly's fifteenth session, resolution A/1585 (XV) was adopted. This resolution empowered the Secretary-General, with the concurrence of the Advisory Committee, to expend an unlimited amount in order to meet extraordinary expenses. At that time attention had already been drawn, in the Fifth Committee, to the entirely incorrect nature of the procedure for financing extraordinary and unforeseen expenses in so far as such expenditure would be decided upon essentially by the Advisory Committee on Administrative and Budgetary Questions.

32. It was entirely impossible to agree with this proposition. The Advisory Committee on Administrative and Budgetary Questions can merely engage in consultations; in no case can it concur in expenditure, it cannot decide questions about the expenditure of extraordinary funds under extraordinary circumstances. The Soviet delegation therefore raised this question during the first part of the session, and it was finally decided to review the decision taken during the first half of the General Assembly's fifteenth session.

33. This question has now been considered by the Fifth Committee, and a draft resolution that made some improvement in the situation was approved. It fixed a ceiling of \$10 million representing the amount which could be expended by the Secretary-General with the concurrence of the Advisory Committee. Here again, however, the power to decide about expenses under extraordinary circumstances is given to an organ not entitled to take decisions. The Advisory Committee has the right only to advise the General Assembly or its Fifth Committee, to consult with them.

34. Thus—proceeding from the standpoint that the resolution now recommended by the Fifth Committee is contrary to the most elementary principles and to the rules of procedure of the General Assembly, which provide that the Advisory Committee may only consult, give advice or state, so to speak, its attitude, but cannot decide any question—we consider in this case that the Advisory Committee is not entitled to decide these questions, and therefore that the draft resolution recommended by the Fifth Committee is not in accordance with the rules of procedure approved by the General Assembly itself.

35. But there is a still more serious question, which compels us to appeal to the General Assembly. This question is as follows: When extraordinary circum-

stances arise, when action by the General Assembly is required, when action by the United Nations is required, who can take decisions in respect of such action?

36. We turn to the Charter, to Article 11, which prescribes who may take decisions under extraordinary circumstances requiring action by the United Nations.

37. Article 11 reads: "The General Assembly may discuss any questions relating to the maintenance of international peace and security, . . . make recommendations with regard to any such questions to the State or States concerned or to the Security Council . . ."—it may make recommendations. But where decisions are concerned, the Charter explicitly provides that any question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion. Thus, where action is necessary, the question must be referred to the Security Council.

38. Under Article 43, under Article 48, and finally under Article 106 of the Charter, the Security Council must decide how to proceed in such a case. Article 43 prescribes that the Security Council must determine what forces are to be dispatched and what material assistance the States must provide for these forces, and the Security Council must conclude the relevant agreements. Any such agreement must cover questions of material assistance, including financing.

39. The draft resolution which the Fifth Committee now submits for adoption by the General Assembly evades these provisions of the Charter that have been accepted by all, and proposes that the Advisory Committee—which merely has a consultative right, a non-deciding right—shall concur in the expenditure of funds by the Secretary-General, to the extent, moreover, of an unusually large amount, namely \$10 million.

40. We cannot agree to this. We wish to emphasize that it is precisely because of irregular financial procedure, because of the employment of incorrect rules of procedure for the taking of decisions in connexion with the need for appropriations to meet extraordinary expenditures, that the United Nations is now passing through a grave financial crisis. We demand that the United Nations follow the path prescribed by the Charter, so that the Organization may avoid all incorrect courses in the appropriation of funds. Only by adhering firmly to the provisions of the Charter, and to the rules of procedure adopted by the General Assembly itself, can we place the finances of the United Nations on a sound base.

41. For the reasons which I have given, the Soviet delegation objected to and voted against the draft resolution now recommended for the approval of the General Assembly; and it will in the same way object to and vote against this draft resolution now, on the grounds that its adoption will result in the finances of the United Nations being weakened and disorganized.

42. Mr. KITTANI (Iraq): We understand and respect the views of the Soviet delegation just presented by the representative of the Soviet Union, Mr. Roshchin, on the draft resolution before us but, since my delegation, together with the delegation of Argentina, was responsible for initiating this draft resolution in the Fifth Committee, I feel it incumbent upon myself to explain the background as well as the motives behind the draft resolution.

43. The members of the Fifth Committee especially are aware of the historical fact that, until the time when my delegation, together with the delegation of Argentina,

* Resumed from the 973rd meeting.

took this initiative, there has been annually a traditional resolution entitled "Unforeseen and extraordinary expenses of the United Nations", which gave the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions unlimited authority to enter into commitments concerned with extraordinary expenses of the United Nations. Members of the Fifth Committee who were there during the first part of the session will also remember that my delegation was among the first, if indeed it was not the first, to raise this point—and here I must admit that we agree wholeheartedly with the representative of the Soviet Union—namely, that we felt, and we still feel—and this is one of the main motives behind our draft resolution—that for the General Assembly to delegate to the Advisory Committee on Administrative and Budgetary Questions the unlimited authority to commit this Organization to spending money without any ceiling was too onerous a power to be delegated to that Committee. I confess that perhaps the fact that I personally was a member of the Advisory Committee had a good deal to do with bringing this point home to me and to my delegation. It was precisely for this reason that my delegation, during the first part of the fifteenth session of the General Assembly—as a matter of fact, at the 824th meeting of the Fifth Committee before it adjourned for Christmas—attempted unsuccessfully to place a ceiling on the traditional resolution devoted to extraordinary expenses of the Organization. A compromise was reached, as members of the Fifth Committee are well aware.

44. The matter was referred to the Advisory Committee for a report. The Advisory Committee reported [A/4715] on the subject and recommended that the Secretary-General should be authorized between sessions to spend up to \$2 million—and this has always been the traditional resolution devoted to extraordinary and unforeseen expenses—without the concurrence of the Advisory Committee. Then the Advisory Committee recommended that for expenses between \$2 million and \$10 million the concurrence of the Advisory Committee should be necessary. The Advisory Committee also recommended—this is something new and is the core of the whole recommendation of the Advisory Committee—that, should expenses arise exceeding \$10 million, the Secretary-General should convene an emergency session of the General Assembly to look into the matter.

45. My delegation agreed wholeheartedly with this recommendation of the Advisory Committee, and we felt it to be the overwhelming consensus of the members of the Fifth Committee. Here again the direction in which this draft resolution is supposed to move the procedures of the United Nations is entirely in agreement with the thesis presented by the representative of the Soviet Union.

46. We believe that what happened, for example, in the situation of the Congo—and this is only an example which could, of course, repeat itself—whereby the Advisory Committee concurred in an expenditure up to \$40 million before the Assembly had a chance to look into the matter, was not a desirable situation to prevail in the United Nations. Since the Advisory Committee itself had recommended that, should expenses exceed \$10 million, the Assembly should be called into session, we felt that this step was in the right direction, and that is the sole motive of the draft resolution now before the Assembly.

47. We believe it is a step in the right direction to exclude some of the things that arose in connexion with the Congo, and that might again arise in similar situations. We believe it is an honest and constructive attempt, a modest one, to bring the procedural functions of the Assembly, the Advisory Committee and the Secretary-General into a more workable and a more acceptable position. That is why we did submit this draft resolution which we, of course, commend to the Assembly, although it is not in our name but in the name of the Fifth Committee.

48. The PRESIDENT: Does any other delegation desire to explain the vote on the recommendation of the Fifth Committee? If not, I will now put the draft resolution proposed by the Fifth Committee to the Assembly. The text of this is contained in paragraph 8 of the Committee's report [A/4739].

The draft resolution was adopted by 66 votes to 10, with 10 abstentions.

49. The PRESIDENT: I give the floor to the representative of Cameroun in explanation of vote.

50. Mr. BINDZI (Cameroun) (*translated from French*): I thank the Chair for allowing me to explain the vote just cast by my delegation. We wish to give the reasons for that vote for it may seem strange or at least difficult to understand that my delegation, which represents an African State here, should oppose the granting of credits for the financing of operations being carried out in the territory of a sister country for which we have nothing but brotherly feelings.

51. At the outset we intended to cast a negative vote but we waited to see what would be the vote of the delegation most directly concerned and it was that vote which caused us substantially to change our own. We were unable to go all the way with the delegation of that sister country, however, and our vote took the form of an abstention. Why? Because the funds in question were intended for the financing of operations carried out under the aegis of the United Nations.

52. It will surely be understandable if after the painful experience which we have just had, and about which my delegation has expressed its feelings without bitterness, we should find ourselves in a very difficult situation, for if all United Nations missions discharge their tasks as have those with which my country is familiar, particularly if all those missions invariably reach conclusions so manifestly at variance with reality and truth, the result will be a veritable drama of conscience.

53. This is especially true in the case of the Congo, which has provoked a great deal of discussion here. During these discussions we have tried, each of us in his own soul and conscience, to arrive at a solution, yet for some time now it has unfortunately appeared that the resolutions adopted here are not bearing fruit.

54. This drama of conscience is particularly acute when the Congo Government itself criticizes the mission dispatched to it by the United Nations. For that reason, we say let those who can find money to feed the troops composing the contingents which do not have enough to eat in their own countries send the money to feed the troops, but if the operations in the Congo have been undertaken with a view to furthering the aims of the present Government of the Congo itself the United Nations should take cognizance of that Government's complaints about the emissaries which it sends there.

55. It appears to us that the United Nations missions in various countries fail to pay as much attention as they

should to the complaints and views expressed by the host Governments. If United Nations missions go to those countries only to report to the Organization conclusions which are not in consonance with reality and which therefore do not enable us to take the decisions which ought to be taken here, we sincerely feel that we do not have the right to associate ourselves with such an operation; that is why the delegation of Cameroun abstained when the vote was taken.

AGENDA ITEM 50

United Nations operations in the Congo: 1961 cost estimates and financing (*continued*)*

REPORT OF THE FIFTH COMMITTEE (A/4740)

56. The PRESIDENT: The Assembly will now take up the item entitled "United Nations operations in the Congo: 1961 cost estimates and financing".

57. Mr. CUTTS (Australia), Rapporteur of the Fifth Committee: This item was by far the most important item on the Fifth Committee's agenda during the resumed fifteenth session. The Committee devoted no fewer than twenty-one meetings to considering it. During those twenty-one meetings, a great variety of views was of course expressed in the Committee, but no attempt has been made to reproduce those views in the report, and I do not feel obliged at this stage to summarize them for the benefit of the Assembly; they will be found in the summary records of the Committee's meetings.

58. The Fifth Committee did, however, produce, and now presents for the Assembly's consideration, two draft resolutions, which are contained in paragraph 23 of the report [A/4740].

59. Draft resolution I relates to the actual financing during 1961 of the United Nations military operations in the Congo. This draft resolution was adopted in the Committee by a vote of 43 in favour, 26 against and 14 abstentions. I should add only one word about this draft resolution: It was the opinion of, I think I can fairly say, all delegations which participated in the debate that the draft resolution was of an interim and *ad hoc* character and did not purport to prejudge or prejudice in any way questions of principle relating to the means whereby operations connected with the maintenance of peace and security might be financed in the future.

60. Draft resolution II was adopted in the Fifth Committee by what I think everyone will agree was the very narrow majority of 26 votes in favour to 24 against, with 29 abstentions. This draft resolution in effect calls for the establishment of a committee to study, in preparation for some long-range decision of principle by the General Assembly, the methods of financing any future operations of this kind in which the United Nations may become involved.

61. On behalf of the Fifth Committee I commend these draft resolutions to the attention of the General Assembly.

Sir Patrick Dean (United Kingdom), Vice-President, took the Chair.

62. The PRESIDENT: I shall now call on representatives who wish to explain their votes.

63. Mr. SALAMANCA (Bolivia) (*translated from Spanish*): The delegation of Bolivia, together with the other Latin American countries, submitted a draft resolution [A/C.5/L.658] on the financing of the Congo operation. Certain amendments were made to this draft resolution and are incorporated in the new draft resolution before the Assembly. During the meetings of the Fifth Committee, the delegation of Bolivia left the discussion to the Colombian, Mexican and other delegations which spoke there. Here, however, whatever may be the outcome of the vote, my delegation would like to give a brief legal clarification. We believe that operative paragraph 4 of the draft resolution awaits a decision. This paragraph has not yet been approved by the United Nations. The decisions of the Security Council are decisions which have economic validity and implications, but financial obligations cannot be incurred in perpetuity. In the financial affairs of any organization or any congress, all members are fully entitled to explain their views once a year. In other words, the argument which has been advanced more than once—that, because the economic implications of this Security Council decision have been approved in the Assembly, the decision remains valid for the following year—is open to serious objections.

64. Turning now to paragraph 7, it must be borne in mind that the Emergency Force requires the prior approval of all Parliaments; for this reason the amendments embodied in this draft resolution, especially that to the effect that these expenses are of an extraordinary nature, represent for my delegation an exact legal interpretation of the Charter.

65. Furthermore, when we voted in the Fifth Committee, we approved a paragraph under which Belgium might contribute to these resources. The original draft resolution provided that 25 per cent should be contributed by all the countries which had economic interests in the Congo.

66. My delegation does not believe that the unfulfilled obligations of a colonial Power or of economic interests can be turned into an international responsibility. These interests, which are in a sense protected by the forces stationed in the Congo, must contribute in some way to this operation.

67. In giving this clarification I wish to explain that, however the Assembly votes on this problem, my delegation and my Government will adopt an interpretation in accordance with the Charter, namely that these obligations are of an extraordinary nature and require prior approval by the Congress of Bolivia.

68. Mr. QUIJANO (Argentina) (*translated from Spanish*): The Argentine delegation wishes to explain its vote on this extremely important problem of financing the United Nations operations in the Congo for 1961.

69. The report of the Fifth Committee [A/4740] points out that we were faced with the task of financing a budget of \$120 million in order to continue in 1961 the United Nations operations in the Congo which were ordered by several resolutions of the Security Council and sanctioned by the General Assembly.

70. Furthermore it should be pointed out to this Assembly that a budget of this size is practically double the regular budget for all the normal activities of the United Nations.

71. Almost all the Latin American countries took, from the outset of the debate, a position which we had

* Resumed from the 973rd meeting.

already defined in 1956 in connexion with the United Nations Emergency Force: namely, that extraordinary operations of the United Nations should be financed by an extraordinary procedure.

72. For the specific case of the Congo we proposed a method of financing which seemed to us much fairer than the application of the regular scale of assessments which is used to finance the regular United Nations budget.

73. For various reasons made clear in the Fifth Committee's report, our proposals were not accepted by the majority in the Committee. Instead, a method of financing was proposed [A/C.5/L.664] on the general lines of resolution 1583 (XV) of 20 December 1960.

74. We all know how much opposition this draft resolution aroused, and that its adoption was made possible by an enormous number of abstentions—not by votes in its favour, but by the abstention of many countries which support the United Nations and wish to see it achieve its basic objectives. Member States such as the Argentine Republic stated at the first part of the General Assembly's fifteenth session that they accepted this solution on a provisional basis because they wanted the operation in the Congo to succeed, but that they did not consider the method of financing adopted to be just or equitable to countries with limited economic resources which needed technical and financial assistance from abroad and which were trying to use their limited resources for their economic development programmes and the improvement of their peoples' living conditions.

75. In order to prevent the recurrence of a similar clash between our basic needs and our ideals for the United Nations, eighteen Latin American countries submitted a draft resolution [A/C.5/L.658] which proposed the financing of the operation in the Congo within the limit of our capacities.

76. Not only were our proposals for financing rejected, but a number of delegations, with the support of an explicit statement of opinion by the Secretary-General to the same effect, held that the United Nations expenses in the Congo were regular expenses of the Organization under Article 17, paragraph 2, of the Charter and consequently subject to the sanctions provided by Article 19.

77. The Argentine Government has been quite unable to accept a formal commitment in these terms for the payment of an extremely large sum of dollars. How can my delegation and my Government take on an extraordinary financial commitment which they cannot now meet? They cannot meet this commitment because, in our case, hundreds of thousands of dollars are involved, and Article 19 clearly provides that in these circumstances a sovereign State may be deprived of the sovereign right to speak and vote in the debates of this international Organization.

78. Having thus outlined our position on the substance of the draft resolution before us, we offered, in a spirit of co-operation, and fully conscious of our responsibility in all the activities of the United Nations, to contribute within our capacities. We offered what may be termed a small contribution of 5 per cent in accordance with the regular scale of assessments. From this rostrum, my delegation now offers to double this contribution to 10 per cent. We want to contribute; we support the action of the United Nations, because we believe in its ideals.

79. However, a large group of delegations appears to want the United Nations operations to be placed on a regular footing and shared by all Member States, regardless of the difficulties such contributions may create in the economies of countries with limited resources. In the circumstances we naturally cannot support the draft resolution which has been submitted.

80. We shall now make a constructive and conciliatory suggestion. Our suggestion is that operative paragraph 8 of draft resolution I contained in the report of the Fifth Committee should be amended by replacing the figure of 75 per cent in sub-paragraphs (a) and (b) by 90 per cent. As I have said, this means doubling the contribution which the Latin American countries proposed to make to this operation. If the Assembly accepted this suggestion it would enable a great many delegations to support the draft resolution in question. Otherwise we should be obliged, with great regret, to vote against the draft resolution because, as I have already explained, it would entail a financial commitment which many Governments are materially unable to accept in present circumstances.

81. Mr. KLUTZNICK (United States of America): We are now confronted with the need for facing the zero hour in the problem of financing the United Nations operations in the Congo. Many speeches have been made from this platform and in the Fifth Committee on the political aspects of this item. We believe that the General Assembly, in its resolutions, has disposed of this phase. In authorizing, if not expanding, the responsibilities of the United Nations in the Congo, by overwhelming votes the General Assembly has set these questions at rest. What remains is the simple inquiry whether we, who have authorized the work, are now prepared to provide the resources, without which our prior action makes mockery of our presence here.

82. Draft resolution I that is now before us is a product of many hours of conference and votes. It is doubtful whether any Member State is completely satisfied with its content. My Government entered into these discussions with views that are not altogether to be found in this draft resolution. Others have done likewise. And yet, in a sense, it represents our last best chance to avert a collapse in executing the political resolutions that were here adopted.

83. We shall support this draft resolution because, whatever its inadequacies, it embodies the principles that we believe to be inescapable in the treatment of our common problems. First, it authorizes the expenditure of a sum apparently adequate to meet the needs for 1961, until 31 October. The General Assembly at its sixteenth session will then have an opportunity to review this question. Second, it declares that these are expenses of our Organization. Third, it provides for an assessment of these expenses with substantial relief from the schedule of assessment normally prevailing in order to relieve the inordinate hardship on less developed countries.

84. For our Government, this represents a trinity which is unbreakable. The absence of any one of these factors would make it impossible for our Government to support this draft resolution. We have been authorized, on behalf of the United States of America, to make an offer of a voluntary contribution in the sum of \$15 million to be represented by cash and the waiver of payments of bills for airlifting troops and equipment

and related costs. This, of course, is predicated on the adoption of this draft resolution.

85. This voluntary contribution, when added to the amount that the United States would be assessed under this resolution, \$32,510,000, makes a total of \$47,510,000. With the other assessments against the permanent members of the Security Council, there would be left something less than 20 per cent to be assessed against all the remaining Members of this Organization.

86. It is important to observe that under this procedure, these sums contributed by the United States of America may be expected in substantial measure to flow into the treasury of the United Nations at a time when otherwise the treasury would be bare. Without a resolution of assessment, a continued authorization such as was adopted in two separate resolutions [1590 (XV) and 1595 (XV)] cover the period up to 21 April would be meaningless. Certainly it would authorize the Secretary-General to continue to expend, but the United Nations would be confronted with the question of what to expend.

87. Irrespective of our likes or dislikes regarding certain features of this draft resolution, our delegation sees no escape from its adoption if we mean to keep the United Nations performing these and other related tasks that we have heretofore authorized and directed.

88. This is not a time to belabour our colleagues here with the many things that have been said on this subject. There is, however, one point which must be made clear. When the United States made this offer of a voluntary contribution in the Fifth Committee [805th meeting], we were charged by a representative with being guilty of an immoral act. The suggestion was made that this offer of a voluntary contribution was nothing more than an attempt to intimidate the representatives of the Member States of the United Nations into voting the way the United States wanted them to vote.

89. We believe this to be a charge against the honour and integrity and dignity of the representatives to this Assembly. We have already offered to reduce our voluntary contribution by any amount that the State whose representative made that charge may wish to provide. We would even be willing to withdraw this offer in its entirety and permit that State to fill this gap.

90. It appears somewhat ludicrous to be charged with immorality in this public and overt attempt on the part of my Government to recognize its special responsibility as a permanent member of the Security Council and the extraordinary burden that has been imposed on some Member States less able to carry it, as a result of the operations of the United Nations in the Congo. It is even cynical to have those charges originate from a source that holds a good part of the major responsibility for creating the financial crisis confronting the United Nations. We shall not engage in such pettifoggery in this solemn moment when we believe the very life of the United Nations itself hangs in the balance. It is only in the interests of trying to bring better understanding of the motives of our President and the people of our country that we make one additional clarifying statement.

91. We are not imposing this voluntary contribution on anyone. On the other hand, we shall not yield on our principles in this matter simply because we have made an offer of a voluntary contribution. Unless there is collective responsibility in these premises, we owe it to the Assembly to make it clear that we are not

authorized to make a contribution which is voluntary in nature. This has nothing to do with money; it has everything to do with the responsibility and the sincerity of all the Member States of this Organization, who direct action and who must understand that in so doing we assume the collective responsibility to pay for that action. To yield on this principle is to destroy the very heart of humanity's hope for this Organization. We do not insist that our offer be accepted, nor do we, in our judgement, attach conditions which should be unacceptable to any who join us in the belief in the destiny of the United Nations for good.

92. There has been much anxiety and much conferring about this item on the agenda. My Government approaches the vote with a clear conscience. We are deeply moved by the mere thought of the tragic consequences of a failure to adopt this draft resolution by an overwhelming vote. On the other hand, let those who have, by act and by deed, used the platform of the Committee to thwart the expressed will of the United Nations in the Congo operation confront their own consciences in this matter. Unfortunately, the destruction of the fiscal probity and the honour of the United Nations will not harm only them, but all of us.

93. This, therefore, is a fateful moment. All that one can suggest is that we think carefully before we register our respective ballots. This is not a time to think of our own selfish ideas; this is not the time to resent a reproach or a word uttered in heated debate; this is not the time to yearn for a forgotten idea or an omitted sentence in a resolution. What we register here in the next minutes will demonstrate the extent of our belief in the family of nations continuing to express its ambitious hope for an era of peace with justice attained through an instrument of strength and honour, the instrument first born with such hope in San Francisco nearly sixteen years ago.

94. My delegation believes that we are voting not only on a budget or an authorization, or a draft resolution or an assessment. We are voting on whether our vision, through this vote, may include a greater destiny and a surer and more certain life for this important Organization which together we created.

95. Mr. NESBITT (Canada): We are on the point of voting on a draft resolution which has been recommended to us by the Fifth Committee, on the financing of the costs of the operation in the Congo. All of us here know that the Congo operation has tested the strength and effectiveness of the United Nations to an extent that no undertaking has ever done before. That the overwhelming majority of this Organization is determined to pursue this undertaking to a successful conclusion has been confirmed by decisions of both the Security Council and the General Assembly on many occasions since last July, the most recent being but a few days ago. However, these decisions will be absolutely meaningless without the provision of the financial means to carry them out. In plain language, if this draft resolution fails to pass, the whole Congo operation falls to the ground. My delegation is convinced that if the United Nations fails in this, that failure will have the gravest possible consequences, not only for the political and security activities of the United Nations but for all aspects—I repeat, all aspects; and this includes the economic, the social, the technical assistance aspects and all the rest—of its work. If the United Nations is unable to meet such challenges

and meet them successfully, then this instrument which we have so laboriously forged and developed over the last fifteen years will lose its effectiveness and the whole structure in all its fields of activity will suffer.

96. I put the matter in very strong terms because it is Canada's firm conviction that our failure in the Congo, for whatever reason, will mark a failure of the United Nations with the gravest consequences.

97. The financing draft resolution which is before us is not perfect. The Canadian delegation has already expressed reservations in the Fifth Committee with respect to several of its provisions, and it has since then been further amended in a sense which we find unsatisfactory. However, we have recognized that this must be a matter of compromise and we have been as forthcoming as we possibly can be. We have gone a step further and have declared our willingness to see a fair study made of long-term methods of financing all the Organization's activities, so that the United Nations can break away from the sad pattern of patchwork, *ad hoc* resolutions which really pleased no one and which have aroused reservations on the part of so many.

98. The draft resolution before us is another one in this series of *ad hoc* short-term prescriptions to provide adequate funds for the operation in the Congo which has been re-endorsed so frequently. This draft resolution is, as I said, a balance of dissatisfaction between varying points of view, a sort of mutually unsatisfactory agreement. In spite of these shortcomings, my delegation will support it, since for us the overriding considerations are to ensure the success of the operation in the Congo and to meet the financial consequences of our decisions here. I submit that this must be the overriding concern of all of us here who voted overwhelmingly just a few days ago for the continuation of the United Nations operation.

99. On behalf of the Canadian Government, I appeal most earnestly to all delegations to examine carefully the consequences of failure of this financing draft resolution. The consequences in terms of damage to this Organization will be immeasurable. The responsibility if this draft resolution is not passed will rest for all to see on those who have cast their votes against it.

100. It was the hope of the Canadian delegation that at this resumed session we might have taken the opportunity to renew our determination to preserve, protect and develop this instrument of peace and co-operation which we have built. We still hope that the groundwork can be laid for sober reflection on our procedures and practices in the future, so that they will take account of both past preoccupations and new factors in this enlarged Organization. My delegation would hope that with the promise of a new look at our problems on the financial side, the Assembly would support overwhelmingly the interim measures required to press on with the operation in the Congo. I therefore hope that all delegations here will search their consciences before voting on this draft resolution which is essential to discharge the task which we ourselves imposed on this Organization.

101. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): The General Assembly, during the second part of its fifteenth session, is now considering what is undoubtedly one of the most important questions—the question of how an operation costing twice as much as the regular budget of the United Nations is to be financed. The United Nations

has never yet been confronted by so substantial a financial problem. But it would be wrong to regard it as a financial problem alone. It is, at the same time, a great political problem.

102. I am prepared to associate myself with the last speakers—the distinguished representatives of the United States and Canada—in holding that this is a matter on which the future of the Organization largely depends. On our approach to the solution of this problem will in fact depend whether the Organization is to be strengthened or whether it is to proceed further along the road of increasing insolvency and political enfeeblement.

103. Before dealing with the substance of the question, I will venture to say a few words in reply to the distinguished representatives of the United States. I realize that it is very difficult for the General Assembly, in plenary meeting, to judge of a question stated so incompletely and with such lack of thoroughness, and that it is yet more difficult for it when the question is formulated in an entirely incorrect or particularly inaccurate way.

104. I will venture to describe how matters went in the Fifth Committee, which considered this question. The distinguished representative of the United States said that the United States would make a grant of \$15 million. But under what conditions? Under the condition that the Committee approve and the General Assembly adopt, the decision dictated by the United States—namely that payments for the Congo be made obligatory for all countries under Article 17 of the United Nations Charter.

105. This is what we very rightly termed amoral. And we are not afraid once again to repeat, from this rostrum, that we consider it amoral for the United States to couple a specific condition, that its proposal be adopted as a decision of the General Assembly, to its offer to make \$15 million available in lieu of payments from certain States which are themselves not in a position to make them. We stated in the Committee, and we state here, that such a procedure is amoral.

106. Let us go a step further. When the Latin American representatives desired to have it stated, in the draft resolution, that the United States grant would be in the amount of \$15 million, the distinguished representative of the United States, Mr. Klutznick, who spoke a few minutes before me, asked that no such reference be made, since, as he said, the United States was making the offer on the express condition that its proposal was accepted.

107. Such, therefore, is the state of affairs which developed in connexion with this wonderful grant that the United States wanted to present to the General Assembly, under the condition: "if it accepts our proposal".

108. This is of course an amoral proposition, an amoral formulation of the question, an attempt to influence certain delegations, and to exert financial pressure on them, the proposition being that the donor is willing to pay part of the contributions due from others, provided that those others vote to the effect that still other countries shall contribute. This is, of course, an amoral formulation of the issue.

109. Now permit me to state to you the position of the Soviet delegation, to tell you why the Soviet delegation voted in the Committee against the draft reso-

lution now submitted and does not find it possible to vote in favour of it in the plenary meeting.

110. When the crisis in the Congo arose, the question of how to meet the expenses involved at once came up. It was necessary, in the very first months, to find several tens of millions of dollars. One would naturally think that the simplest and most correct procedure would have been to look at the Charter and discover what quarter to approach for the settlement of this financial question, discover who, according to the Charter, should decide this matter.

111. Article 11, which I have already taken the liberty of quoting at this plenary meeting, says that any question on which action is necessary shall be referred to the Security Council. Action.

112. But how, on the basis of which Articles, must the Security Council decide? When this question was discussed in the Fifth Committee, several delegations claimed that none of the Articles was applicable. But I venture here to disagree with that view. There is Article 43, which clearly stipulates that:

“All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.”

And the Article continues:

“Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.”

All this is precisely specified. Negotiations for the conclusion of such agreements are to be conducted between the Security Council and the Members of the United Nations. That, as I said, is quite clear and precise. But instead of going with this question to the Security Council and saying: “This is how the matter stands, it is necessary to decide how to finance these operations, since financing is part of the material assistance”, they turned to the Advisory Committee with a view to that Committee taking a decision on the appropriation of \$40 million.

113. I must openly say here, that this course is the exact opposite of the normal course specified by the Charter. They turned to the Advisory Committee, which has to advise on how to proceed in any given case. But can it sanction \$40 million in expenditures from the very outset?

114. That is what actually happened. When we are discussing a matter here, we say: two-thirds must vote in favour, if there is, so to speak, to be a definite decision; but now the Advisory Committee takes the decision—to spend forty millions.

115. This was the wrong course from the very beginning—a wrong course which has, unfortunately, been pursued throughout the whole business of financing expenditures for the Congo—and not only on the financing side, but in the organizing of the operations as a whole.

116. It must be pointed out that the Charter contains another provision, which I have already cited several times from this rostrum. Article 48 says: “The action required to carry out the decisions of the Security

Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine”.

117. The Security Council decides with regard to the financial aspects and determines who shall act on the decision of the Security Council, and to what extent.

118. What, in practice, has happened here? The answer is that the Secretary-General himself has assumed all these functions. But can the Secretary-General assume functions which are within the exclusive competence of a specified organ? The Security Council is the sole organ competent, and the Council decides this question. Can the head of the executive organ, the Secretariat—an official—really take upon himself the functions of the Security Council? Is that what the Charter provides? The Charter provides nothing of the sort. Delegation of powers—the Secretary-General's explanation that these powers had been delegated to him—therefore constitutes an incorrect statement of the position, just as it is incorrect to refer the matter to the Advisory Committee with a view to its voting the immense expenditures incurred by the United Nations. This is incorrect financing, which has had the ultimate effect of placing the United Nations in an exceptionally difficult position.

119. What is the way out of this situation? The distinguished representative of Canada, too, has asked what, in this case, is the way out. The only solution consists in going to the Security Council and asking what the way of escape from this situation should be—to the Security Council, which is the only organ competent to decide how to proceed in matters requiring action. The Security Council should decide what the way out in this case should be. That is the only means of escape from this situation.

120. I have briefly touched on the legal aspects of the question. Permit me, likewise very briefly, to say a word on the political aspects. The original decision of the Security Council, of 13 or 14 July 1960 (it was taken at night), was: to give assistance to the lawful Government of the Congo. The distinguished representative of Ghana, the President of Ghana, who was the first to speak here on the first day of the resumed fifteenth session of the General Assembly, pointed out very graphically that assistance had indeed been given—not, however, to the lawful Government, but to those forces which were in conflict with the lawful Government. Consequently, can we consider that the funds for which we are here asked to vote were really spent in implementation of the Security Council's resolution? We record here our entire concurrence with the statement of the President of Ghana that these funds were disbursed in contravention of the Security Council's resolution.

121. The question has been raised here of the special interest of certain States in the matter. I must say that in the Fifth Committee it was mentioned, in connexion with statements in the Press, that according to data published in the United States newspaper *The Wall Street Journal* Belgian investments in the Congo amounted to \$3,500 million, and that according to the newspaper *Le Monde* the income received by Belgium in 1959 from its capital investments in the Congo—the income alone—was 3,500 million Belgian francs. Consequently, this question too has been completely evaded in the decisions which we are asked to approve today.

122. Thus, to recapitulate: the draft resolution submitted to the General Assembly does not reflect, as it should do, either the legal considerations, which are important; or the political considerations, which are even more important; or the factual position of Belgium, the country primarily responsible for the situation in the Congo.

123. For these reasons, the Soviet delegation cannot approve this resolution and will not vote for its adoption. It will vote against it.

124. Mr. GARCIA ROBLES (Mexico) (*translated from Spanish*): I do not propose to make a speech, whether impassioned or calm. As I understood it, we were told at the beginning of this meeting that there would be no debate and that it was a matter of explaining our votes. That is what I shall try to do briefly.

125. For the past five years the delegation of Mexico has been explaining in full detail its views on the system of financing which it would consider just and equitable for emergency operations such as those in the Congo. Our vote is based on those observations and considerations. I shall not repeat them at this late hour of the night, but shall merely state, for reference, that the most important of them will be found in paragraphs 76 to 98 of the official record of the General Assembly's 780th plenary meeting of 14 November 1958.

126. The statement we made then contains, in its turn, exact references to the relevant official records of the eleventh and twelfth sessions, in which our observations are also reproduced verbatim.

127. As to this session, we made several statements in the course of the debate in the Fifth Committee, in an attempt to find a compromise solution which would satisfy, if not everyone, at least the vast majority.

128. Of these statements I shall mention only those which I made on 22 March and 3 April and, in particular, that which I made on 13 April and which, by kind decision of the Fifth Committee, was reproduced in full in document A/C.5/862, as well as the statement which I made yesterday, 20 April, again in the Fifth Committee [*845th meeting*], and which will also be reproduced in full as a document.

129. My delegation will have to vote against draft resolution I in the Fifth Committee's report [*A/4740*]. Even if the draft resolution was not adopted—and we do not yet know whether this will be the case—we do not think there would be any tragic consequences. It would mean only that further efforts would have to be made in the near future, before the sixteenth session, to find formulae which would be deemed just and equitable by the requisite two-thirds majority.

130. We have just adopted a resolution [*1615 (XV)*], under which a special session of the General Assembly may be convened if it is necessary to spend more than \$10 million on unforeseen expenses. Thus there will be no tragedy and no catastrophe, and therefore everyone must vote in complete freedom, as we ourselves shall do.

131. In conclusion, I would merely say that, if it is said that the amount proposed by the eighteen Latin American countries which co-sponsored a draft resolution in the Fifth Committee [*A/C.5/L.658*] is very small—well, everything is relative; for countries with astronomical budgets it is no doubt insignificant, but for others, with modest budgets and pressing economic and social needs, it may be large enough.

132. Lastly allow me to mention the figures which the Secretary-General, in a statement in the Fifth Committee, quoted to us from certain statements made before this Assembly, to the effect that the daily expenditure on armaments—not armaments of all kinds but only those of the ordinary type—amounts to \$320 million.

133. I think that, in comparison with these figures, \$10 million more or less means nothing; and this was the only respect in which the sponsors of the draft resolution submitted by the Latin American countries differed from those of the draft resolution ultimately adopted.

134. Mr. CARDOSO (Congo, Leopoldville) (*translated from French*): Our position on the point which we are discussing should be clear. We cannot be silent at the present stage when many countries in this Assembly are jeopardizing the possibility of reconciliation and delaying a solution of the crisis. It is these same countries which are the drafters of resolutions. We should like to hear them speak out frankly when the time comes to pay the price of their follies. Dialectics, or more often the absurd flourishing of ideas, accomplishes nothing.

135. Draft resolution I [*A/4740*] provides for the financing of United Nations troops, military personnel and an extra-mural supranational administration. That is important and we hope that the United Nations will be able to help the Congolese find an early and peaceful solution to their difficulties. The success of the United Nations operation in the Congo will depend on the reduction of its own budget and on co-operation between the United Nations and the lawful authorities of the Republic. No question relating to any particular individual, nor to the maintenance of any particular person for political reasons, should be allowed to complicate matters to such an extent as to prolong the duration of the costly United Nations operation in the Congo beyond its normal limits.

136. The soldiers, who are essentially non-productive, are well fed and well paid but the people lie sunk in its misery, enfeebled by famine, unemployment and epidemics. It is of them that I am thinking and the peace to which they are entitled and not only of them but of the world, of all peoples.

137. There has been talk of a special fund for the Congo. Draft resolution I makes no mention of it and for that reason we find the draft incomplete. We should have liked to make an addition to it but a person cannot be forced to be generous and we have accordingly refrained from proposing such an addition. We trust and hope, however, that, even if nothing is done directly to alleviate the misery of the people, steps will be taken to enable the people to live in peace, since peace is all that the Congo needs to prosper.

138. We shall vote in favour of draft resolution I. To save the United Nations is a fine thing but from our point of view to save the Congo is better.

139. I have not dwelt on the details of this draft resolution but have limited myself to consideration of a matter of principle. How can those who oppose this principle continue hoping to convince us of their peaceful intentions? Some find it easy enough to furnish arms to one or another of the political factions among us yet hesitate to furnish us assistance of a non-military nature. It is in this spirit that I shall vote in favour of the draft resolution.

140. Mr. JHA (India): I should like to explain briefly the vote of my delegation on the draft resolution on financing the Congo operations contained in the report of the Fifth Committee [A/4740].

141. It is well known to Members of the Assembly that my country is among the staunch upholders of the United Nations. We have on all occasions made our share of contributions and our share of sacrifice for upholding the principles of the United Nations. Our interest in the success of the operations in the Congo is the same as that of any other Member of the Organization, and that interest has been sufficiently demonstrated on many an occasion. It is also a matter of common knowledge that my delegation has not defaulted in any of its financial contributions to the United Nations, whether for the operations in the Congo or for the regular budget of the Organization.

142. It will be recalled that when resolution 1583 (XV) was discussed during the first part of this session, my delegation, under instructions of our Government, abstained on it. The main reason for our abstention was its third preambular paragraph, which recognized that the expenses involved in the United Nations operations in the Congo for 1960 constituted expenses of the Organization within the meaning of Article 17, paragraph 2. It was for that reason that we had to abstain on that resolution, since my Government could not subscribe to the view embodied in that preambular paragraph.

143. In draft resolution I before us, no declaration of the nature that appeared in paragraph 3 of resolution 1583 (XV) appears. In the Fifth Committee, the draft resolution submitted by the four delegations, which finally took the shape of draft resolution I, contained a paragraph which recalled resolution 1583 (XV), and there was, therefore, an implication, however hidden, of the acceptance of the principle which had been promulgated in the third preambular paragraph of resolution 1583 (XV).

144. In so far as that preambular paragraph of the four-Power draft resolution did not secure the support of the Fifth Committee and has been eliminated in draft resolution I as it now stands before the General Assembly, we find that there has been a substantial improvement over the text that was presented in the Committee.

145. Moreover, there is now a third preambular paragraph in draft resolution I which says:

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

146. This preambular paragraph accords with the view of my delegation, and its inclusion in draft resolution I is a further cause for satisfaction on our part.

147. There were and there still are certain parts of draft resolution I—and these have been repeated from the text of the four-Power draft resolution in the Fifth Committee—which my delegation does not consider satisfactory. I took the occasion in the Committee of explaining our point of view in detail. We should have preferred a thorough study of the possibility of having a special scale of contributions on a special basis for the extraordinary operation in the Congo. As the pre-

amble itself now says, these operations are of an extraordinary nature, and therefore a procedure different from that applied in the case of the regular budget should be applicable in such cases.

148. We should have preferred a deeper study and, therefore, the formulation of an appropriate scale. In the draft resolution, however, we find that rather the opposite practice has been adopted. There is a scale laid down in paragraph 8 which seems to us entirely pragmatic. It is not in accordance with any scientific study, any expert study or any prolonged consultation. The scale that has been given there could be improved. The figures could be changed in one way or the other. As a matter of fact, within the last half hour we have heard a suggestion that "75" should be made "90" and, when you come to think of it, you really cannot find any argument against it. The arguments for 75 are as strong or as weak as the arguments for replacing 75 by 90. That is why my delegation thought that, before such pragmatic scales are adopted, there should be a thorough study by an expert committee, a committee which should eliminate as far as possible all political considerations—which could not be done in a committee of the nature of the Fifth Committee, because, as everybody knows, much politics was talked in that Committee. Therefore, we felt, on grounds of principle, that it was not the right course, by a consideration which to us did not appear to be based on any scientific data or any scientific analysis or study, to go on applying and laying down special scales from time to time.

149. As a matter of fact, in resolution 1583 (XV), paragraph 5, a scale of rebate was adopted. The percentage there was 50 per cent, but I need not read out that paragraph. It was the view of my Government that, unless and until the proper scale had been worked out after careful study, there did not seem enough reason to change what was adopted only four or five months ago. It was for this reason that my delegation abstained on this draft resolution in the Committee.

150. However, I should like to say that, because of the elimination in the Fifth Committee of the second preambular paragraph, which recalled resolution 1583 (XV) and on which we had abstained, and because of the insertion of the third preambular paragraph in draft resolution I, which I read out a short while ago, this draft resolution as a whole becomes acceptable to us.

151. We would normally have abstained, but we have full realization of the fact that this is going to be a very critical decision. The operations in the Congo must go on. There is no question but that the mission of the United Nations must succeed, and to that end the United Nations deserves all support, including financial, and including support for a draft resolution which may not be altogether satisfactory. We feel, therefore, that, on the whole, we shall be able to support this draft resolution, but I should like to make a reservation. With regard to the scale in paragraph 8—the scale which emerges from a study of paragraph 4 read in conjunction with paragraph 8—we cannot accept that scale as a permanent measure. It is purely interim. That is our understanding.

152. In draft resolution II there is a provision for a working group to make certain studies. Such a working group is recommended. It is also evident from operative paragraph 4 of draft resolution I that it is intended that the expenses of the Organization would be apportioned in this way

"pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations".

We take it to mean that it is seriously intended that a different scale of assessment should be worked out and that the sponsors of the draft resolution themselves realize that any scales fixed now would have no permanence and could be only of an interim and provisional nature. On that understanding, in view of the very serious considerations that this draft resolution implies, in view of the need for continuing the Congo operation, and in view of the great stake that the United Nations has in the operations in the Congo, we will vote in favour of draft resolution I.

153. Draft resolution II, as I have said, suggests a working group. We believe that, in view of the adoption of draft resolution I, the adoption of draft resolution II becomes all the more necessary.

154. The PRESIDENT: In order to give further time for consultation among delegations, I propose that we now have a recess for fifteen minutes, that is, until 11.25 p.m.

The meeting was suspended at 11.10 p.m. and resumed at 11.55 p.m.

Mr. Boland (Ireland) resumed the Chair.

155. The PRESIDENT: The meeting is called to order. There is one explanation of vote before the voting.

156. Mr. N'GOUA (Gabon) (*translated from French*): My country has never been very enthusiastic about the operations carried out in the Congo under the aegis of the United Nations. In a spirit of co-operation it has refrained from making its views publicly known. As regards the activities of Mr. Dayal, Gabon fully shares the opinion expressed by the Congolese authorities and by the majority of African States of the Brazzaville group.

157. That being the case, and in order to avoid further confusion in the debate and the voting, I should like the Secretary-General to state very clearly and precisely whether it is true, as some assert, that Mr. Dayal is going to return to the Congo at the end of this month, that is to say when the session will have terminated and the representatives of the African States that consider him *persona non grata* will no longer be in a position to protest, since a decision will have been taken at the time of the vote which will shortly take place...

158. The PRESIDENT: The representative of Gabon has come to the rostrum in order to explain his vote, before voting. He is now embarking on other matters which are not directly relevant to the proposals before the Assembly. I am afraid, therefore, that he is out of order.

159. Mr. N'GOUA (Gabon) (*translated from French*): Thank you Mr. President, but all the same I think that I should have been allowed to finish. You will certainly see that the question which I am raising here is related to my vote. Before making a decision I should very much like to have some information so that I may vote in a logical way. With the Chair's permission, therefore, I should like to continue.

160. As I hear no objection from the Chair I take it that I am being allowed to continue.

161. The PRESIDENT: No, I am afraid not. Earlier in this meeting, I appealed to representatives not to

ask for the rostrum to explain their votes when their intention was, not to explain their votes, but to try to make up their minds on how they were going to vote. That is what the representative of Gabon seems to be doing now.

162. I am afraid that if we all start doing that, we will find it very difficult to bring the work of the session to a conclusion. I must ask the representative of Gabon kindly to defer to the Chair and not to start pursuing matters now which are not directly connected with the draft resolutions on which the Assembly is about to vote.

163. Mr. N'GOUA (Gabon) (*translated from French*): As the Chair will not allow me to finish my statement, which would have been very brief, I shall conclude by saying that in the absence of the information which I sought, and considering that the budget estimate on which we are going to vote this evening would commit my country to participation in the financing of United Nations operations in the Congo, it will not be possible for the delegation of Gabon to support the draft resolution.

164. The PRESIDENT: The Assembly is now prepared to proceed to the vote on this matter. The recommendations of the Fifth Committee are contained in paragraph 23 of its report [A/4740]. Draft resolution I in this paragraph is entitled "United Nations operations in the Congo: 1961 cost estimates and financing". A request for a separate vote by roll-call has been received in respect of operative paragraph 4 of draft resolution I. Is there any objection?

165. Mr. CHELLI (Tunisia) (*translated from French*): My delegation wishes to give the following reasons for opposing the separate vote which has been requested. The draft resolution proposed for adoption by the Assembly is a compromise text which was arrived at after several days of unremitting effort to reconcile fundamental differences concerning both the substance and the form of the draft, and also the principles set forth therein. This draft resolution constitutes a whole and a change in any of its parts may distort both its substance and its form or even render it useless. Consequently my delegation, in the desire to prevent the opening of a new debate on the different parts of the draft resolution, wishes to raise an objection and to ask the Chair to put the draft resolution as a whole to the vote.

166. The PRESIDENT: As the request for a separate vote has been objected to, I propose, in accordance with the provisions of rule 91, to consult the Assembly. I therefore put the request for a separate vote to the Assembly.

The request for a separate vote on operative paragraph 4 of draft resolution I was rejected by 42 votes to 15, with 36 abstentions.

167. The PRESIDENT: I now invite the Assembly to vote on draft resolution I as a whole. A roll-call vote has been requested.

A vote was taken by roll-call.

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

In favour: Uruguay, Australia, Austria, Burma, Canada, Central African Republic, Ceylon, Congo (Leopoldville), Cyprus, Dahomey, Denmark, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Haiti, Iceland, India, Iran, Ireland, Israel, Italy, Japan, Laos, Lebanon, Liberia, Libya, Luxembourg, Nepal, Nether-

lands, New Zealand, Niger, Nigeria, Norway, Pakistan, Philippines, Senegal, Somalia, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Venezuela, Albania, Argentina, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Cuba, Czechoslovakia, Ecuador, Guinea, Honduras, Hungary, Mali, Mexico, Morocco, Panama, Poland, Portugal, Romania, Spain, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Upper Volta, Yemen, Yugoslavia, Afghanistan, Cambodia, Chad, Chile, China, Colombia, Dominican Republic, El Salvador, France, Gabon, Guatemala, Indonesia, Iraq, Ivory Coast, Jordan, Madagascar, Nicaragua, Paraguay, Peru, Saudi Arabia, Sudan, Togo, Union of South Africa, United Arab Republic.

The result of the vote was 45 in favour, 25 against, and 27 abstentions.

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

168. The PRESIDENT: I call on the representative of Canada for an explanation of vote on draft resolution II.

169. Mr. BLOIS (Canada): The draft resolution on financing, which was the result of such careful discussion and compromise, has failed to secure adoption in this Assembly. Certain delegations have assumed the heavy responsibility for its failure. It seems that there is not a sufficient number in the Assembly who believe in the quest for orderly procedures, reflective decisions and careful evaluation of consequences to ensure that this Organization follows the logical consequences of its political decisions.

170. In these circumstances, my delegation considers it pointless for this session of the Assembly to make provision for any long-term examination of financial methods and procedures, in the absence of any provision for our immediate needs.

171. My delegation had hoped that, with some further revision of our draft resolution, we could have renewed our support for what we considered would have been a useful initiative but, in the present circumstances, we believe that this draft resolution should not be put to the vote; if it is, we shall continue our opposition to this draft resolution.

172. Mr. Mongi SLIM (Tunisia) (*translated from French*): It seems to me that we have reached a very regrettable situation. This session, both in its first and in its second part, has given much time to discussion of the situation in the Congo. That discussion ended with the adoption of a very important resolution in favour of continuing the United Nations operation in the Congo; that operation had been decided in four meetings of the Security Council, the latest of which was held on 21 February 1961 [942nd meeting].

173. We have unfortunately reached this serious situation, because the General Assembly has failed to agree on the means for financing the United Nations operation in the Congo. As a result of this regrettable situation that operation ought, strictly speaking, to have been stopped a quarter of an hour ago, since the last resolution on the subject [1595 (XV)] adopted by the Assembly provided for the financing of the United Nations operation in the Congo up to midnight on

21 April 1961. From this moment on, the operation is—if the President will allow me to say so—illegal.

174. Through the President, I would put the following question to Members of the Assembly: Is that what the General Assembly wanted? Is that what the Security Council wanted? Is that what world public opinion expects of us?

175. I am not going to reopen the debate on the question whether the United Nations operation in the Congo should be continued or stopped. But, as a result of this regrettable situation, that is where we are.

176. I will take the liberty of asking the President, in any event, not to close the present session until we have reached a formula which will allow the financing of the United Nations operation in the Congo to be continued. The Fifth Committee, after twenty-six meetings, ended by adopting a certain formula which has advantages and disadvantages, but above all the advantage of providing for the financing of the United Nations operation in the Congo.

177. Mr. GEORGIEV (Bulgaria) (*translated from French*): I wish to speak on a point of order.

178. The PRESIDENT: I would ask the representative of Tunisia to be good enough to stand aside for a moment while I deal with the point of order raised by the representative of Bulgaria.

179. Mr. GEORGIEV (Bulgaria) (*translated from French*): I understood that the representative of Tunisia had asked to speak to explain his vote; instead of explaining his vote, he is requesting the extension of the session. I do not think that that comes within the rules of procedure. When the floor has been given to a speaker for an explanation of vote, I object to his being permitted at the same time to speak on matters which are not covered by the rules of procedure.

180. The PRESIDENT: I am not quite certain on what basis the representative of Tunisia asked for the floor; but I gather he is now making a procedural motion. In any case, I call on the representative of Tunisia on a point of order. In fact, he has the floor.

181. Mr. Mongi SLIM (Tunisia) (*translated from French*): I fully agree with the representative of Bulgaria; I did not ask to speak to explain my vote; I asked to speak on a point of order to make two specific requests: firstly, that the debate on the item entitled: "United Nations operations in the Congo: 1961 cost estimates and financing" should not be closed and secondly, that the present session should not be closed until the debate on this item has been completed by the adoption of a resolution. It is a point of order, and not an explanation of vote. On this point, I repeat, I am in agreement with the representative of Bulgaria.

182. At any rate, there is no need to prolong these explanations; I think all Members of the General Assembly appreciate the merit of my request, and understand why I am opposing the closure of the debate on the question entitled "United Nations operations in the Congo: 1961 cost estimates and financing", and why I am opposing the closure of our session before this question has been settled.

183. The PRESIDENT: I call on the representative of Romania on a point of order.

184. Mr. MEZINCESCU (Romania) (*translated from French*): I would just like to refer to two rules in the General Assembly's rules of procedure. Rule 2 reads: "On the recommendation of the General Com-

mittee, the General Assembly shall, at the beginning of each session, fix a closing date for the session". Rule 41 takes up this same point. I would also point out that the General Assembly, on the recommendation of the General Committee [*see A/4714*], has already set the closing date for the second part of the fifteenth session and that any decision on this subject must be made by a two-thirds majority. In other words a decision to revise a decision adopted by the General Assembly must be made under the rules of procedure by a two-thirds majority.

185. The PRESIDENT: I agree with the statement of the representative of Romania that any revision or reconsideration of the decision concerning the closing date would come under rule 83 of the rules of procedure.

186. I understand the representative of India desires to be heard on a point of order and I now give him the floor.

187. Mr. JHA (India): I requested the floor—you might call it a point of order, but it is really on a point of emergency that I have come here. And I think when there is an emergency we all have to relax the rigidity of rules.

188. We are in the presence of one of the most critical situations that this Organization could face. I wish to speak with a full sense of responsibility and say that we feel that the General Assembly, here and now, must do something which will enable the prolongation and the continuation of the operations, whatever might be the views of Members of the Organization concerning their share of costs; it is in the interest of the entire Organization to continue it and to have it concluded successfully.

189. The United Nations has about 20,000 troops in the Congo drawn from different nationalities. They have got to be provisioned, they have got to be fed. It has a large administrative staff. It has undertaken a tremendous responsibility; some may think that that responsibility may have been wrongly taken, nevertheless it has the sanction of the General Assembly and of the Security Council. We made the decision and we must go through with it.

190. My delegation cannot contemplate the cessation of the provisional funds for the Secretary-General—I suppose since it is 12 o'clock now, that already the time has expired—and that is a situation which cannot be contemplated. I think we are in the presence of a very responsible moment and we have got to do something to rectify the position. We cannot blame anyone for making any views. We all act under the instructions of our Governments. But there is no finality about views. If views were final, the world would be in a static stage. There would not be all this progress and we would not all be talking here. We have got to think of a way out.

191. I propose that we reconsider the decision which was taken a short while ago in resolution 1595 (XV) of the fifteenth session, which "*Authorizes* the Secretary-General, pending action by the General Assembly at its resumed fifteenth session"—or at a special session, shall have to add—"and without prejudice to such action, to continue until 21 April"—I propose that this late of 21 April be extended by one month, to 21 May—"to incur commitments for the United Nations in the Congo at a level not to exceed \$8 million per month."

192. My second proposal would be, and this of course follows automatically from the very pattern of the proposal I am making here, that the General Assembly here and now decide to hold a special session, within one week from now, at which the subject to be discussed would be the question of financing operations in the Congo.

193. I put these two proposals not in any sense of levity, but with a very heavy and oppressive sense of responsibility, because we are all responsible. We have differences; I am not asking anybody to change his opinion. But we simply cannot end this subject on this particular note, the consequences of which will be disastrous and will be a matter of great discredit to this Organization and to the Members of this Organization.

194. The PRESIDENT: I shall deal in a moment with the proposals made by the representative of India. First, however, I call on the representative of Bulgaria, who has asked to speak in explanation of his vote.

195. Mr. GEORGIEV (Bulgaria) (*translated from French*): We voted against draft resolution I because we believed that a negative vote would not result in a negative situation. It is negative only in appearance, for it entails the very conditions which are necessary for restoring every possibility of an improvement of the situation in the Congo and, as a corollary, the improvement of the international situation.

196. We believe that the situation which has been created re-establishes legality in the financial functioning of this Organization. We believe that the situation which has been created restores to the Security Council its possibilities of action and its powers. We believe that the situation which has been created restores the honour of the General Assembly. In contrast, we believe that the situation which would have been created by the adoption of draft resolution I would have been very harmful both to the future of the Organization and to international peace and security. We believe that it will be possible now, after this negative vote, to take up seriously, and with more favourable prospects, the question of the financing of the United Nations operations in the Congo and of the distribution of powers among the organs of the United Nations.

197. It is untrue to say that the outlook is not good. There has been some speculation here with this idea but it is exactly the contrary which is the case. We do not consider that there is ground for fear regarding the future of the Organization nor regarding the operations which might be carried out in the Congo. It is only by restoring the competence of the Security Council, and by seeing that the Secretariat once again assumes the responsibilities conferred on it by the Charter, that we can hope to bring about an improvement in the situation.

198. That is why our delegation voted against draft resolution I, and we believe that the resulting situation should be maintained. It is on the basis of this situation that it will be possible to take effective measures with regard to the Congo problem and the financing of the expenses of the United Nations.

199. The PRESIDENT: I call on the representative of the Soviet Union on a point of order.

200. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): We must agree with the view of the representative of India, and of the Tunisian representative, that the situation is very serious. We should, however, draw the correct conclusions from

this and find the right solution for the question, so that we may be guided thereby both in this specific case and in all other cases which may arise in the future life of our Organization. The Organization now finds itself in a serious situation precisely because a large number of the actions taken were taken in violation of the Charter, and in despite of the ideas and principles worked out at San Francisco regarding the need for all actions to be agreed upon by the permanent members of the Security Council—especially actions connected with such operations as have been going forward in the Congo.

201. That was the result which was logically to be expected, and that is the result which has come about. The representative of India now proposes that a special session of the General Assembly be convened. With all my respect for the opinion of the representative of India, I must here state quite openly, on behalf of the Soviet delegation, that that is not the answer to the question.

202. If you call a special session, and if that session again takes the path which we have followed up to now, the problem will not be solved. The answer to the problem is given by the Charter. We have to deal with actions, and with one particular aspect of them—the material provision for the actions, the financing of the actions. It is for the Security Council to decide this question.

203. It is impossible to settle the question by imposing the opinion of some Members of the Assembly on the rest, or by imposing the views of certain members of the Security Council on the others. It must be solved through a search for agreement between the members of the Security Council and between the permanent members of that Council, on whom the responsibility rests.

204. You yourself, esteemed Mr. Ambassador Jha, came to us in the Fifth Committee. You yourself developed to us the proposition that the expenditures for the Congo were not connected with Article 17 of the Charter. We ventured to state, there in the Fifth Committee, that we fully agreed with you on that point. I do not think you have changed your mind since then and have now come to a conclusion diametrically opposed to that which you reached in the Fifth Committee.

205. I do not think that you have come now before the General Assembly to state that you no longer hold the opinion which you expressed in the Fifth Committee. But if, as you have said and as we completely agree, the expenditures for the Congo have no connexion with Article 17 of the Charter, they must necessarily be connected with some other Article of the Charter. You did not tell us, at the time, which that Article of the Charter was. We told you that it was Article 43. In the event of the Secretary-General telling us that Article 43 is not applicable, there is still Article 106, which says that, if Article 43 has not been applied, the permanent members of the Security Council shall take a decision as the occasion requires.

206. I think that we must proceed in strict conformity with the provisions laid down by the Charter. If we proceed on the path of new violations of the Charter, or of new evasions of the Charter, we shall not solve the important problem which is now before us.

207. I wish to assure the Members of the General Assembly and the delegates that the Soviet delegation is just as concerned as many of you—as most of you—are to find a correct solution, to strengthen and not

weaken the Organization, and to enable the United Nations to perform the tasks confronting it. But we must not proceed further on the road of those mistakes, those incorrect decisions, which have been made up to the present time.

208. And that is why I consider it correct and necessary, in this case, to take the path indicated in the Fifth Committee by Mr. Hammarskjöld. He correctly defined the position on this point: it was necessary to go to the Security Council and report the situation which had arisen, necessary that the Security Council should seek the solution in accordance with the existing procedure. This is why, in our view, action must be taken on a reliable basis in accordance with the Charter; there should be no seeking of new ways in which to circumvent the Charter, because this leads to the weakening of the Organization, the weakening of its authority and principles, and will in the long run fail to yield a solution.

209. We therefore consider that, in this case, the Security Council should seek a solution in conformity with the report to be submitted to it by the Secretary-General.

210. Mr. QUAISON-SACKEY (Ghana): This is indeed a momentous occasion, and it is with a sense of urgency that I have come to this rostrum to speak on this matter.

211. There is already a proposal by the representative of Tunisia that this session should continue, in which case rule 83 of the rules of procedure should apply: that is to say, a two-thirds majority will be required for the Assembly to rescind the decision which has been taken. I propose that this matter be put to the vote for a decision to be taken. Once a decision has been taken, the delegation of Ghana would go further and support the motion which has been proposed by the representative of India to the effect that the financing of the operations in the Congo should be extended from now to 21 May. My delegation supports that motion.

212. The third move which my delegation would make—and this we are making with the support of the delegation of India—is the submission of a short draft resolution, as follows:

"The General Assembly,

"Having discussed the 1961 cost estimates and financing of the United Nations operations in the Congo,

"Decides that the matter should be referred immediately to the Security Council for consideration."

213. I have come to this rostrum to do three things: first of all, to say that the motion proposed by the representative of Tunisia should be put to the vote; second, to support the proposal that the financing of the Congo operations should be extended to 21 May; and, third, to ask that the General Assembly should refer this matter to the Security Council, by the draft resolution which I have read to the Assembly.

214. The third proposal, in the view of my delegation, is very important because the whole operation in the Congo was decided by the Security Council and, therefore, if the General Assembly, in its wisdom or unwisdom, has decided not to continue with the financing of the operations, then it should be the responsibility of the Security Council to decide to withdraw all the troops which have been sent to the Congo and all the technical assistance which has been channelled to the

new Republic of the Congo. We think that that responsibility should rest squarely with the Security Council.

215. Mr. IFEAGWU (Nigeria): It is with a full sense of responsibility that I have come here to present the views of my delegation. The decision which has just been taken—or, rather, the lack of decision—places this Organization in a very dangerous situation. My delegation feels that provision must be made for a continuation of the operation in the Congo, at least until a more satisfactory and more permanent solution can be worked out.

216. Article 43 has been invoked. My delegation recalls that it was only on 21 February 1961 that the Security Council passed a resolution¹ recommending, urging and demanding certain actions to be taken in the Congo. The Security Council has not revoked that resolution, and, therefore, the personnel, civilian and military, that are in the Congo must be provided until this resolution is revoked or otherwise changed.

217. Therefore, my delegation completely supports the proposal made by the representative of India, first, for a continuation of the present arrangement until 21 May 1961. My delegation supports the second proposal for the convening of a special session of the General Assembly after an interval of about one week, to discuss specifically the question of the financing of the Congo operation. Perhaps in the intervening period of one week tempers may cool and nerves that are frayed may return to normal and we shall be able to find a more satisfactory solution to the problem of the Congo.

218. However, the Security Council resolution of 21 February has not been rescinded, and the forces in the Congo must be provided, legally, until a more satisfactory solution is found.

219. The PRESIDENT: I have a proposal from the representative of India to extend the provisions of resolution 1595 (XV) on the Congo financing to 21 May 1961, pending action by the General Assembly at a special session to be convened on 28 April 1961 and without prejudice to such action. I am not certain whether the representative of Tunisia made a formal proposal but I give him the floor if he desires it.

220. Mr. Mongi SLIM (Tunisia) (*translated from French*): I listened with close attention to the proposal made by the representative of India. I have no strong objection to extending the time limit from 21 April to 21 May 1961. I would have some difficulty, however, in agreeing to the proposal for a special session. For that reason I wish to maintain my proposal, which I shall explain.

221. I say that it would perhaps be useful and in fact necessary for our session to be extended until a solution is found. I admit that, according to the rules of procedure, it may perhaps be advisable for this purpose to invoke rule 83, although I still have doubts on that point.

222. But, in formally requesting the President to extend the session until a solution is reached, I would ask him to suspend the present meeting, to call an immediate meeting of the General Committee to consider the proposal, and to submit to us the General Committee's recommendation at this meeting of the General Assembly.

223. Mr. PENTEADO (Brazil): The Brazilian delegation supports the proposal submitted by the Tunisian delegation against the closing of this session of the General Assembly before an agreement is reached, preventing the collapse of the operations in the Congo.

224. Mr. KLUTZNICK (United States of America): We believe, in common with most who have been at this platform, that the item under consideration is of such consequence that every possible precaution should be taken to try to secure the agreement that our rules call for. We would suggest that if the President would proceed, or believe it proper to proceed, to the next item, keeping this one open for consideration thereafter, that perhaps there might be some possibility of achieving the result that is so devoutly desired. Failing that, if we could have the benefit of a slight recess, that too might make it possible. In any event, we hope that the President may see fit to grant one or another of the approaches.

225. The PRESIDENT: May I consult the house at once on the suggestion made by the representative of the United States, that we should leave this item open for awhile, and proceed with the next item on the evening's agenda? Is there any objection to that proposal?

226. Mr. GEBRE-EGZY (Ethiopia): My submission is very simple. I move to reconsider the resolution which we have just voted under rule 83 of the rules of procedure of the General Assembly.

227. The PRESIDENT: We have so many different proposals before the Assembly now, I wonder whether the representative of Ethiopia would agree to my putting to the Assembly first the suggestion made by the representative of the United States, that is, that by holding over the closing of this item for a short while, it might be possible to reach some accommodation or agreement that would make it unnecessary to submit all the different proposals that have been made to the Assembly. After the period when we come to reconsider the matter we would, of course, submit to the Assembly the proposal made by the representative of Ethiopia in its proper order.

228. Mr. GEBRE-EGZY (Ethiopia): I personally would prefer the reconsideration of this resolution right away. We must remember, as the representative of India has already said, as of this moment there is nothing in the treasury that is going to supply the food necessary to the troops in the Congo. That is the only reason I have for making this particular request. In other words, we should immediately reconsider this resolution, and I am sure the representative of the United States would not insist on his suggestion that this item be deferred until we have taken the next one.

229. The PRESIDENT: The trouble is that we have quite a few different proposals before us at the moment. In order of priority they are, first of all, the proposal made by the representative of Tunisia that the present session of the Assembly should be extended until we have reached a conclusion on this item. Second in order of submission was the proposal of the representative of India. Third, there was the proposal of the representative of Ghana to refer the matter to the Security Council. Fourth, there was the suggestion of the representative of the United States to hold over the closing of the consideration of this item for a short while.

230. Now we have the proposal that the Assembly should proceed to vote on the reconsideration of its

¹ Official Records of the Security Council, Sixteenth Year, Supplement for January, February and March 1961, document S/4741.

decision on this item. Unless the people who have made the previous proposals are prepared to yield the priority, it will be necessary for the representative of Ethiopia to ask for priority for his proposal, and it would be necessary for me to put that to the house.

231. Mr. GEBRE-EGZY (Ethiopia): That is precisely what I intend to do, and I am sure that my colleagues who have preceded me will not mind if I ask, in terms of our procedure in the First Committee, absolute priority for my proposal.

232. The PRESIDENT: Is there any objection? If so, I will put the request for priority to the vote of the Assembly. I am asking the Assembly to vote on the request made by the representative of Ethiopia.

233. Mr. GEBRE-EGZY (Ethiopia): In order to have more time to work out the necessary preparations, I would not insist on priority for my request.

234. The PRESIDENT: Is there any objection to the suggestion made by the United States representative that the discussion of the present item should be postponed for a while, in the hope that some means of dealing with the matter may be worked out in the meantime?

235. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): We have already stated our view that a solution must be sought along the lines prescribed by the Charter. This solution involves reference of the question to the Security Council. This solution was proposed by Mr. Hammarskjöld before the Fifth Committee, when he stated that, if this resolution were not adopted by the General Assembly, it would be the most correct and normal course, which he would have to follow, to go to the Security Council and report the situation.

236. It seems to me that it is useless to try to discover detours whereby, in violation or in disregard of the Charter, a solution would be sought either by calling a special session of the General Assembly—whereas the question lies within the exclusive competence of the Security Council—or by putting off the decision on financing for another month. We have to bear in mind the declarations, by a considerable number of States, that they do not recognize the validity of the decision adopted, and will not join in the payments. We also have to remember that, when the question was considered in the Fifth Committee, the majority definitely inclined to the view that the funds in respect of expenditures in the Congo were covered not by Article 17 but by Articles 43 and 106. The most correct decision would therefore be that the General Assembly should refer this question to the Security Council. If we do not take this decision, if we postpone the consideration of this question, we shall not find any solution more correct than that directly dictated by the Charter.

237. That is the first point. Now we come to considerations of procedure. Several proposals have been submitted, and one of the first—namely, the proposal to refer this question to the Security Council—was made before the proposal of the United States was submitted. It seems to me that we might here observe the principle of considering the proposals in the order in which they have been tabled.

238. The SECRETARY-GENERAL: I am sorry, but I must correct the reference made by the representative of the Soviet Union to my stand in the Fifth Committee [845th and 867th meetings].

239. The representative of the Soviet Union said that I had taken the line that if this draft resolution were

not adopted the natural thing for me to do would be to go to the Security Council. That is not what I said. What I said was that if funds were not provided I would face the following situation: On the one hand, I would have no possibility of continuing the operation; on the other hand, I was under the obligation, in relation to the Security Council, to continue it. In such circumstances I could do nothing but report to the Security Council that the General Assembly had failed to take any action which permitted such continuance.

240. Obviously, this stand in no way precludes the General Assembly from continuing its consideration of this issue until it has reached a decision. The action which I would be forced to take would be action coming only when the General Assembly had said its last word—and I understand from the present debate that the Assembly has not yet said its last word.

241. The PRESIDENT: The Assembly now has before it four proposals: first, the proposal of Tunisia; second, the proposal of India; third, the proposal of Ghana; and, fourth, the suggestion of the representative of the United States. The proposal of the representative of Tunisia is that the Assembly should decide to extend the life of the present session. I would take the view that in this case rule 83 would apply. The proposal of the representative of Tunisia is the first proposal to be put to the vote of the Assembly.

242. I call on the representative of Romania on a point of order.

243. Mr. MEZINCESCU (Romania) (*translated from French*): The President is perhaps a better prophet than I, but I would like to ask him—and I feel that it is necessary for the General Assembly to know—when, in his opinion, will the Assembly complete its work. I have the impression that the Assembly is embarking on a new discussion regarding a whole series of questions which have arisen following a normal decision taken by the Assembly on a question on the agenda.

244. I feel that the President should inform the Assembly until what hour, what day, he intends to prolong this meeting, for I think that those delegations that have legality at heart will do everything in their power to defend legality from this rostrum.

245. The PRESIDENT: The Assembly had, of course, decided, on the recommendation of the General Committee, to conclude the present session on 21 April 1961. I had hoped that the Assembly would be able to conclude the work of the present session at this meeting. However, it is obviously open to the Assembly to extend its own life by a two-thirds vote under rule 83.

246. I call on the representative of Liberia on a point of order.

247. Mr. COOPER (Liberia): I think that we are getting in somewhat of a muddle. Three or four proposals have been made. For about half an hour we have been arguing about how to vote on those proposals.

248. I therefore now ask priority for the proposal of the United States delegation that for the moment the Assembly should defer the discussion of the financing of the United Nations operation in the Congo.

249. The PRESIDENT: A request has been made for the granting of priority to the proposal made by the representative of the United States. I shall put that

proposal to the vote, but, before, doing so, I call on the representative of India on a point of order.

250. Mr. JHA (India): Three or four proposals are before the Assembly. I think that a suggestion has been made that the Assembly should either recess for a short while or go on to another item, allowing those delegations which have made the proposals to get together and consult other delegations, and perhaps to arrive at one proposal which, of course, the Assembly could either accept or reject.

251. I therefore propose either that the meeting be suspended for about fifteen or twenty minutes or, if the President prefers—and I leave this entirely up to him—that the Assembly should go on to another item and defer consideration of the present one for about fifteen or twenty minutes.

252. The PRESIDENT: The representative of Liberia proposed that priority should be given to the proposal of the representative of the United States that we should leave over discussion of this present item for a while and proceed with some other item. He asked for priority for that proposal. I now put his proposal for priority to the Assembly.

The proposal was adopted by 67 votes to none, with 18 abstentions.

253. The PRESIDENT: Since the Assembly has decided to give priority to the proposal made by the representative of the United States, I now put that proposal itself to the Assembly.

The proposal was adopted by 71 votes to none, with 18 abstentions.

254. The PRESIDENT: The next item consists of draft resolution II in the Fifth Committee's report [A/4740]. Draft resolution II refers to the examination of the administrative and budgetary procedures of the Organization. On this draft resolution a request has been made for a separate vote on the third and also on the fourth preambular paragraphs.

255. I would therefore propose to put to the Assembly, first, the third preambular paragraph, then the fourth preambular paragraph and, following that, the draft resolution as a whole.

256. I call on the representative of Mexico on a point of order.

257. Mr. GARCIA ROBLES (Mexico) (*translated from Spanish*): The reasons which the representative of Tunisia gave for opposing a separate vote when draft resolution I in the Fifth Committee's report [A/4740] was put to the vote are even more cogent in this case, when many representatives are voting in favour of the draft resolution solely because it was the outcome of an effort to reach a compromise. My delegation therefore opposes a separate vote.

258. The PRESIDENT: I call on the representative of Canada on a point of order.

259. Mr. BLOIS (Canada): My understanding of the suggestion of the representative of the United States was that this item be left in abeyance and that we should go on to another item. I am suggesting to the President that this is part of the item that we were originally discussing.

260. The PRESIDENT: If that is the general understanding of the Assembly, and if there is no objection, perhaps we could leave this item, too, to be considered

with the other item and pass on to the next matter before us.

It was so decided.

AGENDA ITEM 90

Complaint by the Revolutionary Government of Cuba regarding the various plans of aggression and acts of intervention being executed by the Government of the United States of America against the Republic of Cuba, constituting a manifest violation of its territorial integrity, sovereignty and independence, and a clear threat to international peace and security

REPORT OF THE FIRST COMMITTEE (A/4744)

Mr. Santiso Gálvez (Guatemala), Rapporteur of the First Committee, presented the report of that Committee.

261. The PRESIDENT: Before the voting, I call on representatives who wish to explain their votes.

262. Mr. ROA (Cuba) (*translated from Spanish*): The delegation of Cuba wishes to make an explicit statement of its position before draft resolutions I and II, adopted by the First Committee and set forth in its report [A/4744], are put to the vote.

263. Cuba will vote against draft resolution I. This draft resolution, co-sponsored by seven Latin American countries and supported by the United States and its allies in NATO, CENTO and SEATO, not merely sanctions, by disregarding them, the acts of provocation, aggression and intervention denounced by Cuba but also establishes a basis for future acts of provocation, aggression and intervention by arbitrarily wresting competence in the matter from the United Nations and transferring it to the Organization of American States. Because, by its nature and scope, the complaint under discussion seriously affects international peace and security, Cuba, exercising its inalienable powers and rights, lodged that complaint with the United Nations, not with the Organization of American States. The right to choose whichever forum it considers most suitable belongs exclusively to Cuba. There has been an intolerable usurpation of prerogative, which aggravates even further the crisis of authority and prestige that has confronted the United Nations since the reconquest of the Congo and the assassination of Patrice Lumumba.

264. Only Chile is exempt from the tremendous responsibility incumbent on the Latin America States which co-sponsored this draft resolution. The high purposes which prompted it to endorse the draft resolution were conclusively demonstrated when the different parts of draft resolution II, sponsored by Mexico, were put to the vote.

265. The delegation of Cuba draws attention to the serious implications which the adoption of draft resolution I would have, especially when viewed in the light of the voting on the draft resolution submitted by Mexico. That voting clearly shows, in the case of the United States and other countries in Latin America, the obvious intention to intensify the policy of provocation, aggression and intervention against Cuba.

266. The United States, Colombia and the Dominican Republic abstained on the preambular paragraph embodying the principle of non-intervention and the obligation on Members of the United Nations to refrain from encouraging or promoting civil strife in other States.

The United States, Argentina, Colombia and Uruguay voted against operative paragraph 1, in which an appeal is made to all States to ensure that their territories and resources are not used to promote a civil war in Cuba, while the Dominican Republic, El Salvador, Guatemala, Nicaragua, Panama, Paraguay, Peru and Venezuela abstained. The United States, Argentina, Colombia, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela abstained on operative paragraph 2, in which States are urged to put an immediate end to any activity that might result in further bloodshed.

267. The delegation of Cuba announces to world public opinion, and to the peoples of Latin America in particular, the acquiescence of the Governments of all these countries in the conspiracy plotted, organized, supplied and financed by North American imperialism against the self-determination, independence and sovereignty of the fatherland of José Martí, and at the same time accuses them of violating the basic principles of the Charter of the United Nations and of the Charter of the Organization of American States.

268. These Latin American countries have placed their self-determination, independence and sovereignty in jeopardy by disregarding the principle of non-intervention, which is the backbone of the inter-American system. It is at once sad and shameful that the standard of this fundamental achievement of our peoples, wrested through many dogged battles from the United States—whose history is largely the history of its acts of provocation, aggression and intervention in Latin America—should have been lowered at the very time when, more than ever, it ought to have been raised and unfurled.

269. The draft resolution takes on its full meaning when analysed in the general context of President Kennedy's statements, especially that in which he says that North American concern about Cuba is not ended with "mere expressions of nonintervention or regret" and threatens that "Should it ever appear that the inter-American doctrine of noninterference merely conceals or excuses a policy of non-action; if the nations of this hemisphere should fail to meet their commitments against outside Communist penetration, then I want it clearly understood that this Government will not hesitate in meeting its primary obligations, which are the security of our nation". Domingo Faustino Sarmiento, an enlightened Argentine, anticipated the reply to this zoological warfare in the realm of thought: "Barbarians: ideas cannot be killed".

270. At this stage I do not think anyone can cast doubt on the truth of the charges filed by the Government of Cuba against the Government of the United States. Today's editions of *The New York Times* and the *Washington Post* publish the minutest details of the conspiracy begun by former President Eisenhower and completed by the present Administration. When questioned on the subject, President Kennedy said that the facts would be known at the proper time and that, so far as he was concerned, he had good reasons not to go beyond his previous statement.

271. The grim plotting against Cuba continues. Former President Eisenhower will be received at the White House tomorrow to discuss the case of Cuba, and top-level meetings of soldiers and civilians, also on the Cuban question, are continuing. President Kennedy announced this afternoon that he is consulting

other Governments in the hemisphere on the action to be taken.

272. The General Assembly should take these factors fully into account when the draft resolution co-sponsored by seven Latin American countries is put to the vote. The urgency and gravity of the occasion require this. The delegation of Cuba asks the United Nations for justice and strict compliance with the basic principles of the Charter. The imperialist Government of the United States is preparing to renew its acts of aggression and attacks on the self-determination, sovereignty and independence of my country.

273. The delegation of Cuba will vote for the draft resolution submitted by Mexico. The spirit of Bolívar, Juárez and Martí has spoken with the voice of Mexico, Mexico—to use Martí's words—"has been faithful to its heroic and ineluctable continental duty".

274. The delegation of Cuba expresses its gratitude to the delegation of Mexico and at the same time to the delegations of Latin America, of the socialist camp, of Africa and of Asia which have championed with indomitable energy the principles of the Charter that establish the right of the Cuban people to live their national and international life without any impairment, restriction or subjugation whatsoever. They have made possible a great moral victory.

275. In the last analysis, this epic contest will not be decided in the United Nations or in the Organization of American States: it will be decided in Cuba. The Cuban people, with their stance firm and their rifles at the ready, await whatever new waves of mercenaries the United States Government may export, or the armed forces of that country if it dares to send them, in the certainty that the only alternative is the total defeat of the invaders, or the total extermination of our men, women and children.

276. Cuba is not alone. The world of the future is in Cuba. The tide of history is with Cuba. The triumph of the Cuban revolution is inexorable: as inexorable as the decay and disappearance of the empire which is trying in vain to destroy it. Fatherland or death. We shall conquer.

277. Mr. HERRERA CABRAL (Dominican Republic) (*translated from Spanish*): Allow me to clarify some observations of the Minister for Foreign Affairs of Cuba. The Dominican Republic rejects all form of intervention. It abstained and is abstaining, not only on the paragraphs mentioned by Mr. Roa, but on the two resolutions as a whole. The reason is that we ourselves have been victims of Cuban invasion, of North American invasion in the past, and of economic pressure from the United States.

278. We could say, recalling a story which was brought up in the First Committee's discussions, that the Dominican Republic has been bitten by the crocodile and by the frog. Thus we have fought alone, and for this reason we are abstaining; not out of acquiescence, not out of weakness, but out of firmness. Our position in this case is that we shall continue to fight alone, whether we are attacked by the frogs or by the crocodile; but we shall not turn to the bear.

279. Mr. ZORIN (Union of Soviet Socialist Republics) (*translated from Russian*): Before the voting takes place, the Soviet delegation considers it necessary to explain how it will vote. In the first place, we must point out that the complaint by the Revolutionary Gov-

ernment of Cuba regarding aggressive acts by the United States of America has been fully vindicated. It was vindicated during the discussion of the question in the First Committee, when incontrovertible evidence was introduced to the effect that the United States of America was directly responsible for organizing an armed attack on Cuba by mercenary bands of Cuban counter-revolutionaries, armed, equipped and trained on the territory of the United States, and also in Guatemala and Nicaragua at United States expense.

280. The heroic revolutionary forces of the Republic of Cuba and the people's militia, routing and annihilating the bands of invaders, seized rifles and sub-machine-guns, machine-guns and mortars, artillery and tanks of United States production, which the responsible United States authorities had supplied to the cut-throat bands of mercenaries invading Cuba.

281. Thus no one can now deny that the invaders received not merely light but also heavy armament from the United States of America.

282. The complaint by the Revolutionary Government of Cuba regarding aggressive acts by the United States has been vindicated in every respect—both as regards the responsibility of the United States Government for the actual act of aggression by mercenaries against the Republic of Cuba, and as regards the fact that this aggression was prepared on United States territory.

283. Already in the autumn of 1960, when the Revolutionary Government of the Republic of Cuba complained to the United Nations that the United States was preparing aggression against Cuba, these preparations were in full swing. Now, even the United States Press which, generally speaking, would like somehow to draw a veil over the United States Government's role, cannot conceal many facts which directly prove that Government's responsibility. Now, no one can deny that bands of mercenaries were formed from among Cuban counter-revolutionaries by the Central Intelligence Agency of the United States. It was this body which assumed the role of direct organizer of the intervention in Cuba. It is no accident that the United States Press calls these bands, quite plainly, the Central Intelligence Agency's army of mercenaries.

284. We cannot, of course, entirely exclude the possibility that the United States Central Intelligence Agency, which has long been notorious in the eyes of the world community for its dirty deeds, acted to some extent on its own responsibility and at its own risk so far as the details of the organization of the invasion of Cuba were concerned. Be that as it may, to judge from reports in the United States Press, under the Eisenhower Government the Central Intelligence Agency undertook preparations for aggression against Cuba on the basis of broad and general directives, which in effect gave it a free hand to act, in practice, as it saw fit. We do not know whether these directives were made more specific when the new Administration came to power in the United States. But in any case the United States Government bears full responsibility for the activities of the Central Intelligence Agency, which is an organ of that Government.

285. From the standpoint of peace and security, the actions of the United States in organizing intervention against Cuba constitute a gross violation of the United Nations Charter and create a direct threat to world peace.

286. In this connexion we cannot pass over the statements made by the United States delegation, during the discussion in the First Committee, to the effect that the question now being considered by the General Assembly concerns the United States but not the Soviet Union. We must point out to the United States delegation that this attitude distorts the very meaning of the United Nations. How can it be said that the threat to international peace and security which has arisen in connexion with the aggressive acts by the United States of America against Cuba concerns some States and not others? Any threat to international peace and security directly concerns all Members of the United Nations, because it affects their vital interests and because the United Nations was set up, and exists today, precisely in order to help strengthen international peace and security and to prevent breaches of the peace.

287. When the United States delegation says that questions of war and peace in the Caribbean area concern only the United States and not the Soviet Union or any other countries which are not in the Western hemisphere, such statements smack of the policy of spheres of influence and the division of the world into zones of interest. But this policy has long been condemned by the peoples of the world as one of the most blatant manifestations of imperialist encroachment. Nowadays international law is governed neither by the Monroe Doctrine—which the United States has long used in order to turn the whole Western Hemisphere, as it were, into its own private estate, where it could play the squire without let or hindrance—nor by the imperialist policy of spheres of influence and zones of interest, but by the Charter of the United Nations, based on the principles of the equality of all States and non-interference in the domestic affairs of other States. The United States delegation should not forget this.

288. The responsibility of the United States for the crude attack on the Republic of Cuba becomes still more serious because the United States Government is trying all sorts of manoeuvres in order to escape the consequences of its actions.

289. One of these manoeuvres consists in the delivery by responsible representatives of the United States, including the representative of the United States Government here in the United Nations, of tirades about so-called "international communism" which, they say, is the reason for all evils and misfortunes in the Caribbean region. It is hard to judge whether those making these statements themselves believe what they are saying, since the absurdity of such charges is self-evident, as we have already had occasion to point out in the First Committee.

290. But however that may be, the explanations given during the debate by the United States delegation concerning its country's role in the organization and execution of the attack against Cuba were more like sorcerers' incantations against communism. Of course, if that were all, there would be no need to react to these incantations, which are quite worthless and can exert no influence. We could say to the United States representatives, with a light heart: "If you want to curse communism, do so by all means, it will not harm communism; but do not give weapons to people who are prepared to engage in direct aggression out of hatred for the freedom of peoples". However, the whole point is that while some representatives of the United

States are exercising themselves in anti-communist rhetoric, the United States Central Intelligence Agency is forming, arming and training bands of counter-revolutionary mercenaries for acts of aggression.

291. Another manoeuvre that the United States representatives adopt in an attempt somehow to justify or at least to camouflage the policy of the Central Intelligence Agency, which is a danger to peace, is to invoke the right of asylum. This sounds very innocent—we, they say, allow the refugees from Cuba merely the right of political asylum, and nothing more. 'But, gentlemen, do you really not know the difference between granting asylum to political *émigrés* and forming bands of mercenaries for the invasion of other countries' territory? There can be no doubt that you are aware of the distinction, just as you are aware that activities of this sort are categorically forbidden by international law.

292. As long ago as 1949 the International Law Commission prepared the draft Declaration on Rights and Duties of States [*resolution 375 (IV)*], which is familiar to all. This draft Declaration, which was submitted to the fourth session of the General Assembly, says, in article 4:

"Every State has the duty to refrain from fomenting civil strife in the territory of another State, and to prevent the organization within its territory of activities calculated to foment such civil strife."

293. As you see, activities such as fomenting civil strife in the territory of another State, and organizing within one's own territory activities calculated to foment such civil strife in the territory of other countries, are recognized to be inadmissible.

294. In the present case, the United States went even further—it formed, on its territory, armed bands of mercenaries, from among the Cuban counter-revolutionaries, for a military attack on the Republic of Cuba. What has this to do with the right of asylum? The right of asylum is a great democratic achievement of mankind, but it is not to be dragged in the mud or used for one's own advantage. Intervention cannot be justified by this right, which was won after a hard struggle by fighters for freedom in many countries.

295. Thus nothing is to be gained from all the manoeuvres which the United States delegation has undertaken in order, somehow, to escape its heavy responsibility for the evil deeds of its agencies. Indeed, what good would any manoeuvres do when the United States itself has revealed its aggressive attitude towards Cuba to such an extent that no one could now be misled?

296. Outside the United Nations, representatives of the United States Government openly say that operations against Cuba similar to this week's invasion by mercenary bands of counter-revolutionaries (which has now been defeated) will continue in future. And at this session of the General Assembly the United States delegation has unequivocally confirmed these plans by its voting. This very day, in the First Committee, the United States delegation voted against the first operative paragraph of the Mexican resolution [*see A/4744*], which reads:

"[The General Assembly] makes an urgent appeal to all States to ensure that their territories and resources are not used to promote a civil war in Cuba".

297. What does the United States delegation's vote signify? How is it to be interpreted? Strictly speaking, it is not necessary to interpret it, since its meaning is obvious: by voting against this appeal to all States not to allow their territories and resources to be used for the purpose of promoting civil war in Cuba, the United States delegation has indicated its Government's intention of continuing to make United States territory, weapons and other resources available for the formation of new mercenary bands, for the preparation and execution of new acts of aggression against Cuba.

298. No less significant is the fact that the United States delegation abstained from voting on the fourth preambular paragraph of the Mexican resolution, which requires that States, in accordance with the principle of non-intervention in internal affairs, should not encourage or promote civil strife in other States. By refusing to support this provision, the United States delegation has said in so many words that the United States is not planning to cease its intervention in the internal affairs of other States, and particularly in the internal affairs of Cuba.

299. Such is the position of the United States, as revealed in the First Committee by the United States delegation. That position arouses serious concern for the future course of events and for the fate of peace throughout the world.

300. In these circumstances there is nothing we can do but repeat that the Republic of Cuba is not alone, that it has true friends, who will not abandon it in its hour of need. In the last few days the world has seen particularly clearly how broad a front Cuba's friends present throughout the world. In view of this broad front presented by the peoples of the world in defence of the Cuban revolution against the assaults of the United States aggressors, many delegations to the General Assembly have expressed, in one form or another, their sympathy for the Cuban people. That is a remarkable fact. The time has passed, and will never return, when the imperialist Powers could stifle the freedom and independence of small countries, could suppress revolutions and popular uprisings without any fear that they would have to answer for their actions. Times have changed. Now the time has come when throughout the world, as well as in the United Nations, the rightful cause of peoples fighting for their freedom and independence commands ever wider support.

301. In this connexion we would emphasize that the First Committee's approval of the draft resolution submitted by the Mexican delegation has definite significance. This draft provides for the minimum measures which must be put into effect without delay in order to end the acts of aggression against Cuba and to forestall the possibility of such acts being repeated in the future. Everyone knows what these measures are: they are specified in the three operative paragraphs of the Mexican resolution. Of course, this is only a first step. Furthermore, in our view, not all the provisions of the Mexican resolution are formulated precisely and clearly. Nevertheless, this is a step in the right direction, and the Soviet delegation therefore voted for the resolution.

302. In order to make it easier to settle the question and to secure as large a majority as possible for the Mexican resolution, which provides for the minimum measures necessary to deal with aggression against

Cuba, the Soviet delegation, as you know, did not insist on a vote in the First Committee on its own draft resolution, which was inspired by the need for a radical solution of the problem.

303. The Soviet delegation hopes that the General Assembly, in plenary meeting, will produce a big majority in favour of adopting at least the minimum measures required, at this stage, to halt aggression against the Republic of Cuba.

304. The Soviet delegation also considers it necessary to say a few words about the other draft resolution [see A/4744] submitted by the First Committee for consideration in plenary meeting. It is our deep conviction that this draft, put forward by Argentina, Venezuela and certain other Latin American States, is not in the interests of the country which has been the victim of aggression.

305. What would it mean if the question of aggressive acts by the United States against Cuba was referred to the Organization of American States, as is in effect proposed in this draft? It would mean that the United Nations was avoiding taking any practical decision to stop aggression. More than that, it would mean that a conflict brought about by the aggressive actions of the United States against the Republic of Cuba would be referred to an organization in which the aggressor had a decisive influence and which had already taken up a hostile position towards the Cuban revolution.

306. The representative of Argentina said in the First Committee that no foreign hand had played a part in the resolution submitted by the seven Latin American countries. You must forgive us if we doubt this statement, since under the first operative paragraph of this draft all further consideration of this conflict between an aggressor and the victim of aggression will in practice take place under the control of the aggressor himself. How can the small countries agree to support this paragraph when their sister country, which has suffered aggression, asks to be saved from a procedure which would be so dangerous for Cuba?

307. The Soviet delegation said in the First Committee, and says again now, that if aggressive acts against the Republic of Cuba are to be halted, the United Nations must take effective measures. The draft resolution of the seven Latin American Powers, now submitted by the First Committee, goes in quite the opposite direction. This draft cannot help the Republic of Cuba; it can only harm it. The Soviet delegation therefore strongly opposes this draft and will, of course, vote against it.

308. We appeal to all delegations to weigh their votes on this resolution in a responsible manner and to reject it, since it will merely delay a solution of the whole Cuban question and assist the aggressor in its battle against the heroic people of Cuba, against the independent existence of the Cuban Republic.

Mr. Sosa Rodriguez (Venezuela), Vice-President, took the Chair.

309. The PRESIDENT (*translated from Spanish*): I call upon the representative of Nicaragua on a point of order.

310. Mr. ROMAN (Nicaragua) (*translated from Spanish*): I take the floor merely to reply very briefly to the representative of the Soviet Union.

311. Nicaragua, as I told the First Committee yesterday, has taken no part in the armed intervention by those who have been attacking our sister Republic of Cuba. We repeat this here, and wish to state that President Somoza has invited the Committee, or anyone who wishes, to inspect the places from which these interventions are said to have come.

312. Everyone knows how long and deserted the Atlantic coast of Nicaragua is and how impossible it is to keep the whole of it under surveillance. Not even the Spanish empire could do it, against the pirates; much less could Nicaragua have prevented a patrol of mercenaries from setting out from there. If this did happen, it was not with the consent of the Government of Nicaragua. We can give a definite assurance on this. The reports received by the gentlemen who are accusing Nicaragua are taken from the Press which, as you know, is inclined to gossip and scandal-mongering in such cases.

313. Mr. JIMENEZ (Panama) (*translated from Spanish*): Rather than explain my vote I wish to refer briefly to the remarks which the Minister for Foreign Affairs of Cuba made just now when he said that he held Panama responsible, with other States sponsoring draft resolution A/C.1/L.276, for the fact that other hands had tampered with that draft resolution.

314. Yesterday, in my first statement to this Assembly, I said that for several days past efforts had been in progress to hasten the resolution of the group of seven countries which maintain relations with Cuba, relations which from the outset I espoused warmly and sympathetically. I did so in the knowledge that the resolution was primarily pacifist in intention, and this now leads me to urge the General Assembly to approve it.

315. The words of the representative of Venezuela are more cogent tonight than they were yesterday; he said that certain opposition to this draft resolution was inexplicable, and that it revealed ill-will towards the Latin American regional group. Now more than ever, after the amendments submitted by various delegations have been generously accepted, it is still urged that this draft resolution should be rejected. If that were done, it would undoubtedly be a direct blow at the Organization of American States, in which we are all so closely bound. It would be a disappointment which we do not deserve. The welcome we have extended to all proposals affecting the different regions of the world is proverbial, and it would not be logical to think that the main purpose of the draft resolution is, as alleged, to weaken this Organization.

316. I want to be very brief, as I said at the beginning, and I want to urge the General Assembly to vote in favour of the draft resolution, in the certainty—I repeat—that it is essentially pacifist in intent. I could not collaborate in anything which might harm the United Nations, because although I am a layman here I had, as President of Panama, the signal honour of approving the law which brought the United Nations Charter into force there.

Mr. Boland (Ireland) resumed the Chair.

317. Mr. ALEJOS (Guatemala) (*translated from Spanish*): I should like to explain the vote which my delegation will cast. A few moments ago we heard, in weighed and measured words, the statement of Mr. Roa; and although there are differences between our points of view, I congratulate him on his eloquence

and on the fact that this time he did not mention Guatemala.

318. However, we heard what the representative of the Soviet Union had to say, and he really did deliver himself of a venomous outburst in which he had to mention my country. I have denied a thousand and one times that Guatemala has taken part in any affair of the kind we are discussing, for my country is most respectful of the sovereignty of other countries.

319. On another occasion, if I am not mistaken, I heard him say that he had received no reply to an accusation he had made against Nicaragua—although on that very occasion he received his reply, for the representative of Nicaragua roundly denied it—and that the representative of Nicaragua had not denied the accusation because what he affirmed was considered to be true. However, I made an accusation about the Russian troops which were on Cuban soil, and he has not rejected this charge.

320. We want to unite the Latin American Republics; we want America to remain united at this time, because otherwise there will be many difficulties at home, and when I say at home I mean in America. We face great threats from outside; we can see that from the propaganda which is being carried on.

321. Today, shortly before coming here to cast our vote, we received this news. We hear from Guatemala: "Violent speech by Colonel Jacobo Arbenz—the overthrown ex-President of the Republic of Guatemala—from Havana, Cuba, is the prelude to a Castro communist invasion against the lawful and constitutional Government of Guatemala. According to information received, many persons carrying weapons and ammunition have been crossing our long, ill-guarded, thickly-wooded frontiers. Unknown aircraft have been landing in deserted spots and on cotton estates, each of which has an airstrip for its insecticide-spraying planes. The latest information received by the Government of Guatemala through its police is that there will be an uprising in various parts of the Republic from 26 April to 1 May. Latin American military instructors of communist breed are organizing commandos at different places in the Republic in order to teach them the use of medium and light weapons. Please sound the alarm, both in the Organization of American States and in the United Nations, about this aggression, which is nothing else but an invasion and intervention by Castro and his Soviet masters against Guatemala."

322. As you will see, Cuba is at this moment finishing with an invasion, it is a victim, and much blood has been shed in its territory; and yet the Cuban Government is able to mount invasions against other peoples.

323. Mr. BRUCAN (Romania): At this late hour, I will be very brief. I am not going to repeat what I said in the Committee to explain my vote. However, a new element has appeared in the voting on the two draft resolutions, a new element that throws a new light on the two draft resolutions to be voted upon.

324. One of the draft resolutions was opposed by all the sponsors of the other draft resolution, except Chile. In other words, Argentina, Colombia, Honduras, Panama, Uruguay and Venezuela voted against draft resolution II originally submitted by Mexico. Now let us see against what they voted. They voted against the principle of non-intervention provided in that draft resolution. They voted against the appeal to all States to ensure that their territories and resources be not used to pro-

mote a civil war in Cuba. They voted against the urging to put an immediate end to any activities that might result in further bloodshed in Cuba. These are the provisions of draft resolution II, and these representatives voted against that very draft resolution.

325. The question thus arises: how can we Members of the United Nations vote for draft resolution I, that recommends that the whole settlement of the issue between Cuba and the United States be left exclusively to these very members of the Organization of American States who are against the principle of non-intervention, against the cessation of military assistance provided to the rebels, against the discontinuance of further activities that might result in further bloodshed? What guarantee can we have that these States who here take such a stand by voting against draft resolution II, may settle the Cuban-American conflict? If they are against non-intervention, if they are against the cessation of military assistance provided to the rebels, if they are against discontinuance of further activities that might result in further bloodshed, on what basis and on what principles can we expect those States to endeavour to settle his serious conflict? This is a serious question of grave responsibility for us when we cast our votes.

326. In conclusion, the main reason why we shall vote against draft resolution I is because the position of the sponsors on such basic principles does not offer us any assurance that they can be entrusted with the settlement of the conflict between Cuba and the United States.

327. The PRESIDENT: I would remind representatives who come to the rostrum that at this stage the floor is available for the purpose of enabling delegations to explain their own votes, not for the purpose of commenting on the votes of others. I am sure that the representative of Romania, with his unrivalled knowledge of the rules of procedure, will understand the purport of this intervention by the Chair. I understand that the representative of Colombia has asked for the floor to explain his vote.

328. Mr. UMAÑA BERNAL (Colombia) (*translated from Spanish*): I shall exercise the right of reply in order to answer the representative of Romania.

329. It is becoming an established custom in this Assembly and in the Committee to use the last moments of a debate to make attacks and to say unseemly things against certain delegations, when it is too late for them to have the right to reply.

330. The representative of Romania has failed the truth in everything he has said here. We upheld, in the First Committee, the right of non-intervention; we also upheld the right of self-determination. The representative of Romania has come here to say that those of us who sponsored the draft resolution [A/C.1/L.276] are condemning the right of self-determination and the right of non-intervention. The representative of Romania, as will be clear to all members of our Committee, has said something completely incorrect. We uphold the right of non-intervention and the right of self-determination because they are embodied in the Charter of the Organization of American States, and this is one of the reasons why we support our resolution.

331. I do not wish to speak at unnecessary length or to abuse the patience of members of the Assembly. I only wish to draw their attention to the unfair light in which the representative of Romania has tried to present our proposal at the least moment, when we have no time to give him an adequate reply.

332. The PRESIDENT: What the representative of Colombia has just said emphasizes the last statement I made, namely, that at this stage of the proceedings, unless there is a vote under rule 68, representatives who come to the rostrum come for the purpose of explaining their own votes, and not for the purpose of commenting on the votes of others. I am sure the Assembly will bear with me at this very late stage of the session in enforcing that rule strictly in the future.

333. Mr. SOSA RODRIGUEZ (Venezuela) (*translated from Spanish*): I have asked for the floor in order to exercise my right to reply to certain unacceptable allusions which the Minister for Foreign Affairs of Cuba and the representative of Romania made in their statements.

334. I shall not go into details. I can only say this: neither of them can give Venezuela lessons in independence and dignity. The history of Venezuela is far too clear, and its conduct here in the United Nations is too well known, for us to accept that kind of lesson.

335. If they do not like our resolution [A/C.1/L.276] because they place a twisted interpretation on it, we know what the interpretation should be; we made this very clear when we supported the proposal in the First Committee, so I am not going to repeat affirmations which are already familiar to all.

336. All I can say is that, if the Organization of American States displeases some, it does not displease us, because we respect all the principles embodied in its Charter and do not fear its decisions. We have never denied Cuba its right to bring its case to the United Nations; we respect that right, and have upheld it in our draft resolution.

337. For the rest I wish to make it clear that Venezuela has spoken, and continues to speak, on behalf of a representative Government freely elected by the people of Venezuela, a country in which individual guarantees and political freedoms are respected and which has no reason to take lessons from anyone from this rostrum.

338. The PRESIDENT: I give the floor to the representative of Romania, presumably also in the exercise of the right of reply. He has already explained his vote.

339. Mr. BRUCAN (Romania): I thank the President for granting me the right of reply. Now I made my statement on the vote of the delegation of Colombia and Venezuela on draft resolution II which states:

"Firmly believing that the principle of non-intervention in the internal affairs of any State imposes an obligation on Members of the United Nations to refrain from encouraging or promoting civil strife in other States,

"Mindful that it is the duty of all States, under Article 33 of the Charter, to seek the pacific settlement of disputes by the means enumerated therein,

"1. Makes an urgent appeal to all States to ensure that their territories and resources are not used to promote a civil war in Cuba;

"2. Urges them to put an immediate end to any activity that might result in further bloodshed;

"3. Requests them to co-operate, in keeping with the spirit of the Charter, in the search for a peaceful solution to the present situation."

340. This is the very text of draft resolution II, and the representative of Colombia and the representative of Venezuela voted against this draft resolution. If they really stand for these principles, let them vote for draft resolution II, and I will be satisfied.

341. Mr. AMADEO (Argentina) (*translated from Spanish*): The representative of Romania has made insulting remarks about some delegations because of the way in which they voted on operative paragraph 1 of the Mexican draft resolution [A/C.1/275].

342. For my part, I accuse the representative of Romania of voting against operative paragraph 2 of draft resolution A/C.1/L.276 which, when it was put to the vote, read as follows:

"Exhorts all Member States to take such peaceful action as is open to them to remove existing tension."

By voting in this way it is helping to heighten tension between Cuba and the United States.

343. The PRESIDENT: If no other delegation desires to explain its vote, I now put to the Assembly the two draft resolutions contained in paragraph 14 of the report of the First Committee [A/4744]. I started to put these two draft resolutions to the vote, and therefore I am only prepared to give the floor to anybody who has a point of order relating to the actual conduct of the voting.

344. I propose to ask the Assembly to vote first on draft resolution I. In respect of that draft resolution there has been a request for a separate vote on the third paragraph of the preamble and on paragraph 1 of the operative part.

345. I shall put to the vote first the third paragraph of the preamble, then paragraph 1 of the operative part, and finally draft resolution I as a whole.

346. The Assembly will now vote on the third paragraph of the preamble to draft resolution I. A vote by roll-call has been requested.

A vote was taken by roll-call.

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

In favour: Costa Rica, Cyprus, Dahomey, Denmark, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Honduras, Iceland, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Liberia, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Somalia, Spain, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Belgium, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Leopoldville).

Against: Cuba, Czechoslovakia, Guinea, Hungary, Mexico, Morocco, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Albania, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic.

Abstaining: Dominican Republic, Ecuador, Ethiopia, Finland, Ghana, India, Indonesia, Iraq, Lebanon, Libya, Mali, Nepal, Nigeria, Saudi Arabia, Sudan, Sweden, United Arab Republic, Upper Volta, Yemen, Afghanistan, Austria, Bolivia, Burma, Cambodia, Ceylon.

The third paragraph of the preamble was adopted by 55 votes to 15, with 25 abstentions.

347. The PRESIDENT: The Assembly will now vote on paragraph 1 of the operative part of draft resolution I.

348. The representative of Guinea has asked to speak on a point of order. I hope that his point of order re-

lates to the conduct of the voting, because the voting has begun.

349. Mr. DIALLO Telli (Guinea) (*translated from French*): My delegation would like to request a separate vote on the following words in operative paragraph 1 of draft resolution I: "which belong to the Organization of American States" and the words "and the charter of the Organization of American States".

350. The PRESIDENT: I should like to make it clear to the Assembly what the representative of Guinea is proposing. As I understand it—and I ask him to correct me if I am wrong—he is proposing that a separate vote should be taken on the part of paragraph 1 which begins with the words "which belong to the Organization of American States", and ends with the words "the charter of the Organization of American States".

351. Mr. DIALLO Telli (Guinea) (*translated from French*): The Guinean delegation is asking for two separate votes. The first vote is on the words "which belong to the Organization of American States", and the second vote is on the words "and the charter of the Organization of American States".

352. Consequently, if the Assembly accedes to my request, and if those two portions of the sentence are rejected, paragraph 1 will read as follows:

"Urges member States to assist in reaching a solution by peaceful means in accordance with the purposes and the Principles of the United Nations Charter."

353. The PRESIDENT: I thank the representative of Guinea for having made his proposal quite clear. His proposal, I take it, is that a separate vote should be taken on two phrases in operative paragraph 1, the first of which consists of the words "which belong to the Organization of American States", and the second of which consists of the words "and of the charter of the Organization of American States".

354. I understand that the representative of Guinea would be satisfied that those two phrases should be submitted to a separate vote—both of them—because one is consequential on the other and, therefore, if one goes out, the other would have to go out. So I would propose to take one separate vote on the inclusion or not of those two phrases. I understand that that would be agreeable to the representative of Guinea.

355. Mr. UMAÑA BERNAL (Colombia) (*translated from Spanish*): I oppose the proposal of the representative of Guinea, whose intentions are clear: to eliminate and, by so doing, to slight the Organization of American States. I ask the President to put to the vote the procedure described by the representative of Guinea.

356. The PRESIDENT: Objection having been made to the request for a separate vote put forward by the representative of Guinea, the Chair has no option but to put the matter to the Assembly, under the provisions of rule 91. I put to the vote the request for a separate vote which has been asked for by the representative of Guinea. A roll-call vote has been requested.

357. I call on the representative of Saudi Arabia, who asked for the floor on a point of order connected with the conduct of the voting.

358. Mr. BAROODY (Saudi Arabia): I would like to vote intelligently. I did not have the rules of procedure available, and I think I may be excused, because

we have been rushed today from one Committee to the other, and I should have had them. I recollect that the representative of Guinea initially asked for a vote by division and not by deletion.

359. I would like the President, to clarify for me before I vote, in the absence of the rules of procedure in my hand, whether anyone can have an objection to a vote by division and whether it is tantamount to deletion—although in effect it is—but whether the rules of procedure necessitate that a vote be taken if any objection is made to voting by division. I am not prejudging the manner of the voting one way or the other; but since this thing has been precipitated suddenly, may I crave the President's indulgence so that he may enlighten me on this question?

360. The PRESIDENT: The Chair was proceeding under the provisions of rule 91, which provide as follows:

"A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon."

361. A request was made by the representative of Guinea for a separate vote on two phrases in the first operative paragraph of draft resolution I. The first of these phrases is the one reading "which belong to the Organization of American States", and the second is the phrase consisting of the words "and of the charter of the Organization of American States".

362. The representative of Guinea agreed that, as both of these parts of the operative paragraph stood together, one separate vote should be taken on the two phrases on which he has asked for a separate vote. We now therefore proceed, in accordance with rule 91, the provisions of which I have just read out, to vote on the request of the representative of Guinea. A roll-call vote has been requested.

A vote was taken by roll-call.

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

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

Against: Israel, Italy, Ivory Coast, Japan, Laos, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Spain, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Honduras, Iceland.

Abstaining: Mexico, Pakistan, Somalia, Sweden, Tunisia, Afghanistan, Burma, Cambodia, Central African Republic, Chad, Dominican Republic, Ecuador, Finland, Iran, Ireland.

The proposal was rejected by 50 votes to 29, with 15 abstentions.

363. The PRESIDENT: A request for a separate vote has been made in respect of operative paragraph 1 as a whole. Unless there is any objection to this request, I now put operative paragraph 1 as a whole to the vote of the Assembly.

A vote was taken by roll-call.

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

In favour: Dahomey, Denmark, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Honduras, Iceland, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Somalia, Spain, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cyprus.

Against: Czechoslovakia, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Lebanon, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Poland, Romania, Saudi Arabia, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Cuba.

Abstaining: Dominican Republic, Ecuador, Finland, Jordan, Liberia, Sweden, Bolivia, Cambodia.

The result of the vote was 56 in favour, 32 against, and 8 abstentions.

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

364. The PRESIDENT: I now put to the Assembly draft resolution I, as a whole, and as amended, found in paragraph 14 of the First Committee report [A/4744]. Operative paragraph 1 no longer forms part of this draft resolution. A roll-call vote has been requested.

A vote was taken by roll-call.

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

In favour: Israel, Italy, Ivory Coast, Japan, Laos, Liberia, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Somalia, Spain, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Honduras, Iceland, Iran, Ireland.

Against: Lebanon, Morocco, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Guinea, Hungary.

Abstaining: Jordan, Libya, Mali, Mexico, Nepal, Saudi Arabia, Sudan, Sweden, United Arab Republic, Upper Volta, Yemen, Yugoslavia, Afghanistan, Burma, Cambodia, Ceylon, Dominican Republic, Ecuador, Ethiopia, Finland, Ghana, India, Indonesia, Iraq.

Draft resolution I, as amended, was adopted by 59 votes to 13, with 24 abstentions.

365. The PRESIDENT: I now put to the vote of the Assembly draft resolution II. A roll-call vote has been requested.

A vote was taken by roll-call.

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

In favour: Lebanon, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Poland, Romania, Saudi Arabia, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia, Afghanistan, Albania, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chile, Cuba, Czechoslovakia, Ecuador, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Ireland.

Against: Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Belgium, Canada, Chad, China, Colombia, Costa Rica, El Salvador, France, Gabon, Greece, Guatemala, Honduras, Israel, Italy, Ivory Coast, Japan.

Abstaining: Laos, Liberia, Norway, Portugal, Senegal, Spain, Sweden, Union of South Africa, Austria, Central African Republic, Congo (Leopoldville), Cyprus, Dahomey, Denmark, Dominican Republic, Federation of Malaya, Finland, Iceland, Iran, Jordan.

The result of the vote was 41 in favour, 35 against, and 20 abstentions.

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

AGENDA ITEMS 67, 86, 69 AND 73

Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament (concluded)*

Report of the Disarmament Commission

Suspension of nuclear and thermo-nuclear tests

Prevention of the wider dissemination of nuclear weapons

REPORT OF THE FIRST COMMITTEE (A/4723)

Mr. Santiso Gálvez (Guatemala), Rapporteur of the First Committee, presented the report of that Committee.

366. The PRESIDENT: Does any delegation desire to explain its vote in connexion with this subject?

367. The draft resolution which has been recommended by the First Committee in its report was adopted unanimously in that Committee. May I take it that the General Assembly also adopts it unanimously?

The draft resolution was adopted unanimously.

* Resumed from the 960th meeting.

AGENDA ITEM 3

Credentials of representatives to the fifteenth session of the General Assembly (concluded):**(b) Report of the Credentials Committee (concluded)***

368. The PRESIDENT: This is the second report of the Credentials Committee [A/4743]. The draft resolution recommended by the Committee is to be found in paragraph 21 of its report. Since this recommendation was adopted unanimously in the Credentials Committee, may I take it that the Assembly also adopts it unanimously?

369. Before we proceed to the vote on this matter, I call on a number of delegations who have asked to explain their vote.

370. Mr. PADMADISASTRA (Indonesia): As in past years, my delegation is obliged to place on record its reservations to the report of the Credentials Committee, in this case the second report [A/4743].

371. Indonesia recognizes the Central People's Republic of China as the legitimate Government of China. We consider its continued exclusion from the United Nations to constitute a dangerous and abnormal situation which must be, and we trust will be, rectified in the near future. It is our firm belief that the proper representation of China in this Organization is indeed a necessity for the effective functioning of the Organization itself, for the achievement of its principles and purposes, and consequently for the promotion of international peace and security.

372. As regards paragraph 10 of the second report of the Credentials Committee, we consider that, in accordance with the rules of procedure, the credentials of the representatives of Hungary are in order and should not be left open to question.

373. U THANT (Burma): My delegation will vote for the adoption of the second report of the Credentials Committee [A/4743], with the following reservations.

374. As is well known, the Government of the Union of Burma recognizes only the Central People's Government of the People's Republic of China as the only legitimate Government of that country. Therefore, my delegation holds that the credentials of the present representatives of China are not valid.

375. Our second reservation is related to the credentials of the representatives of Hungary. The Government of the Union of Burma recognizes the Government of Hungary, and Burma has established diplomatic relations with Hungary. In the circumstances, my delegation considers the credentials of the representatives of Hungary as valid.

376. With these two reservations, my delegation will vote for the adoption of the second report of the Credentials Committee.

377. Mr. SHAHA (Nepal): My delegation will vote for the acceptance of the second report of the Credentials Committee [A/4743] with the understanding that our vote in favor of it will not modify our stand on the question of the recognition of the People's Republic of China as the legitimate Government of that country.

378. My Government also recognizes the credentials of the delegation of Hungary that is represented here.

379. These are the two reservations I have to make with regard to the acceptance of the report of the Credentials Committee.

380. Mr. RIAD (United Arab Republic): I should like to put on record, as I have already stated before the Credentials Committee at its 39th meeting on 20 April 1961, as it appears in paragraph 13 of its second report [A/4743], that our favourable vote on the report of the Credentials Committee should not prejudice the position of my Government regarding the People's Republic of China or regarding the present Government of the Hungarian People's Republic.

381. My Government recognizes the Central Government of the People's Republic of China as the only legitimate Government entitled to represent China and the Chinese people.

382. Likewise, we recognize the present Government of Hungary as the only legitimate Government of Hungary.

383. Mrs. MIRONOVA (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation considers it necessary to make a short statement in connexion with the vote on the report of the Credentials Committee. We shall vote for the adoption of the report. However, this in no way means that we agree with all the conclusions of the Credentials Committee.

384. In the first place, we cannot agree that private persons representing no one at all should be recognized by the Committee as representatives of the great country of China. It is regrettable that the United Nations has still not settled the question of restoring the legal rights of the People's Republic of China. Everyone here knows quite well that the abnormal situation which has arisen in the United Nations as a result of the absence of representatives of the great people of China is the handiwork of those who obstruct, in every possible way, the free and independent development of peoples and try to impose their will on the United Nations.

385. There can be no doubt that the artificial exclusion of the People's Republic of China from the work of our Organization greatly harms the United Nations, narrows its field of activity and complicates the consideration of many international questions on the settlement of which international peace and security and the development of fruitful economic co-operation depend.

386. It is our profound conviction that it has long been time to restore the legal rights of the People's Republic of China in the United Nations. A first step in this direction would be to recognize that the credentials of the agents of the bankrupt Chiang Kai-shek clique are not valid, as we firmly stated at the Credentials Committee's meeting of 20 April 1961.

387. It is also essential, for the development of practical and fruitful co-operation on the basis of equality between all States Members of the United Nations, that discrimination against the Hungarian People's Republic should cease forthwith. The United States, which, in casting doubt on the credentials issued by the Hungarian People's Republic, is once more trying to have its own way, can by so acting do nothing but direct harm to the United Nations. And, however paradoxical it may seem, it behaves in this way while at the same time maintaining normal diplomatic relations with Hungary.

388. The Soviet delegation can not ignore the fact that the Committee has recognized, as the delegation of Laos at this session, representatives of rebels. The

* Resumed from the 924th meeting.

Soviet delegation considered this delegation's credentials illegal, and continues to do so. Indeed, how can agents of the Nosovan-Boun Oum puppet clique be recognized as legitimate representatives of Laos, when that clique came to power with the aid of foreign bayonets and has in fact made the King and the deputies of the National Assembly prisoners?

389. The Soviet Union, like many other peaceable States, considers that the legitimate representative of Laos in the United Nations must be a representative of the Government headed by that outstanding statesman Souvanna Phouma, as it is his Government which enjoys international recognition and around which all the truly patriotic forces of Laos have rallied for the struggle against rebellion and aggression.

390. Finally, on this question of the credentials of delegations to the fifteenth session, we consider it necessary to state that the Soviet delegation, as before, believes that the right to represent the Republic of the Congo at the United Nations belongs only to the delegation appointed by the lawful Congolese Government, which, since the foul murder of the national leader of the Congolese people, Patrice Lumumba, has been headed by Mr. Antoine Gizenga.

391. It was with these reservations that the Soviet delegation voted in favour of approving the Credentials Committee's report.

Sir Patrick Dean (United Kingdom), Vice-President, took the Chair.

392. Mr. SUBASINGHE (Ceylon): While supporting the second report of the Credentials Committee [A/4743], my delegation also wishes to go on record as having two reservations to this report.

393. First, we consider that the only representatives of China should be the representatives of the Central People's Government of the People's Republic of China. We consider that the present representation of China is incorrect. Therefore, we regret that this matter has not been re-examined.

394. At the same time, we also consider that the credentials of the delegation of Hungary are quite in order.

395. With these two reservations, my delegation supports the report of the Credentials Committee.

396. Mr. BHADKAMKAR (India): My delegation's approval of the second report of the Credentials Committee [A/4743] is subject, as on past occasions, to the following reservations.

397. The Government of India recognizes the Central People's Government of the People's Republic of China as the only legitimate Government of China entitled to representation in the United Nations.

398. My delegation also considers that Hungary, with which India has diplomatic, cultural and economic relations, is properly represented in the United Nations.

399. Our approval of the Credentials Committee's report should not be construed as derogating from these positions.

400. Mr. PACHACHI (Iraq): Our approval of the second report of the Credentials Committee [A/4743] is subject to two reservations.

401. The first reservation relates to the representation of China in the United Nations. The Government of the Republic of Iraq recognizes the Central People's Government of the People's Republic of China as the only legitimate Government of China. We therefore

think it is entitled to be represented at the United Nations.

402. We likewise wish to record our reservation regarding paragraph 10 of the report of the Credentials Committee in respect of the representation of Hungary in the United Nations. We believe that the delegation of Hungary should not be treated in any manner different from the manner in which other delegations of States Members are treated. We fully recognize the Government of the People's Republic of Hungary.

403. Mr. LORINC (Hungary): The reason why my delegation votes against the draft resolution is obvious and self-evident to all delegations. The United States delegation has for years been pursuing the routine procedure of making the Credentials Committee propose to the General Assembly that it take no decision on the credentials of the representatives of the Hungarian People's Republic.

404. Just as in previous years, the Hungarian delegation protests against this procedure at this session of the General Assembly. On the one hand, such a procedure on the part of both the Credentials Committee and the General Assembly is absolutely irregular. The credentials of the delegation of the Hungarian People's Republic meet in every respect the requirements established by the United Nations. This irregular and grotesque procedure, which should have been rectified long ago, had developed at the time of an extremely tense period of the cold war. On the other hand, we protest against this practice of the United States delegation, which is inconsistent with the diplomatic relations existing between the two countries and is based on false motivations.

405. The delegation of the Hungarian People's Republic knows full well that this illegal practice that has been going on for years does not in the least disturb the life of the Hungarian People's Republic in the field of its domestic and foreign policies. The Hungarian People's Republic is living and prospering, and the resolutions adopted here are not only illegal but also of no avail. This grotesque practice is good for only one thing: it is another indication of the fact that there are some who want to use the United Nations as a means of interfering in matters within the domestic jurisdiction of Member States, and not as a forum for international peace and security. All of this, owing to the unjust resolution and its incorrect motivation, puts the United States under a cloud.

406. As a matter of course, my delegation would have the right to request the Assembly to revise the draft submitted by the Credentials Committee. Since, however, this whole grotesque procedure is merely a vestige of cold war problems, a motion for revision of the Committee's draft in this situation would result in stimulating a further cold war debate. This is why the Hungarian delegation does not wish to use this right at the present session. However, I wish to express my belief that, as a consequence of a further improvement and strengthening of inter-State relations, of relations between the Hungarian People's Republic and the other Member States of the United Nations, the memories of the cold war in this connexion will soon belong to the past and that, by the time the General Assembly convenes at its sixteenth session, the rights of the Hungarian People's Republic will prevail integrally, and particularly in the acceptance of its credentials without any sharp debates. The fulfilment of this rightful

expectation will in itself have a by no means insignificant effect also on the world situation in general.

407. Mr. PAZHWAQ (Afghanistan): As has been stated clearly and repeatedly in the past and is well known, the Government of Afghanistan recognizes the People's Republic of China, and its Government as the only legitimate Government of that country. Afghanistan recognizes the present Government of the Hungarian People's Republic as the only legitimate Government of that country. Only the representatives of these Governments, therefore, could be considered the rightful representatives of these countries in the United Nations. Therefore, our support for the second report of the Credentials Committee [A/4743] should be recorded as subject to these two reservations I have made.

408. Mr. LEWANDOWSKI (Poland): Our approval of the second report of the Credentials Committee [A/4743] is subject to the following reservations.

409. For several years the fiction of the representation of China has persisted in the United Nations. It has paralysed the work of this Organization, rendering it impossible to solve a number of vital international issues.

410. The position of my delegation on this issue has been and is clear. The representative of the People's Republic of China should long ago have taken their due place in the United Nations as the only representatives of that great Chinese nation. We trust that this Assembly is not going to repeat in the future the erroneous and harmful decisions of the past and that representatives of the Central Government of the People's Republic of China will soon come to be with us.

411. In the case of Laos and the Congo (Leopoldville), delegations have been sent by self-appointed authorities that sprang into being in violation of the fundamental principles of democratic parliamentary order. These two countries have their legitimate Governments, which my country recognizes and which represent the will of their peoples, but they are deprived of due representation in this Organization. Hence the Polish delegation does not recognize as valid the credentials of these two delegations.

412. During the meeting of the Credentials Committee the problem of the credentials of the Hungarian delegation was raised. It is obvious to everybody that the delegation of the Hungarian People's Republic present here and taking an active part in this session, as well as all other sessions before, is fully authorized to represent the Hungarian Government and nation. Those who endeavour to make a problem out of it are, in our opinion, prompted by considerations which we cannot but reject, since they do increase international tension.

413. These are the reservations which we submit in connexion with the vote on the Credentials Committee's report.

414. Mr. TSIANG (China): My delegation is gratified that the Chairman of the Credentials Committee ruled the representative of the Soviet Union out of order when that representative tried to challenge the credentials of my delegation, and that the Credentials Committee upheld the ruling of its Chairman.

415. The Communist régime on the mainland of my country is un-Chinese in origin and nature. If the Assembly should wish to have a mere additional representative of international communism in its midst, that would be another matter. If, as is the case, the United Nations desires to have in its midst a representation of

China which is genuinely Chinese, it could not be other than my delegation.

416. Mr. TARABANOV (Bulgaria) (*translated from French*): The vote which my delegation will soon cast in favour of the second report [A/4743] of the Credentials Committee will be subject to the following reservations.

417. In the first place, the delegation of the People's Republic of Bulgaria does not recognize the validity of the credentials of the persons who claim to sit here in the name of China. The Chinese State is one of the founding members of the United Nations. For almost 12 years it has had a legally constituted Government, exercising effective authority over all Chinese territory with the exception of the Island of Taiwan and some coastal islands, which represent less than one-half of one per cent of all Chinese territory. That Government alone is entitled to represent China in international affairs. As everyone knows, it maintains normal diplomatic relations with numerous states in various parts of the world, that possess the most varied political and social systems; it also maintains commercial and cultural relations with most countries of the world.

418. As for the puppet Government of Chiang Kai-shek, it represents no one but the persons composing it, and maintains itself on an infinitesimally small piece of Chinese territory thanks solely to the armed forces of a foreign power, the United States of America. The military occupation of part of the territory of the People's Republic of China by the armed forces of the United States is a flagrant violation of the most elementary principles of international law and of the Charter of the United Nations.

419. These are facts, known to the whole world, and to every delegation here present. For over ten years, by political, economic, and other forms of pressure, the United States has prevented the majority of the States Members from taking a position on the question of the representation of China in the United Nations according to their true knowledge of the facts and their own national interests. Thus American imperialism is permanently maintaining a state of tension in international relations, artificially preventing normalization of relations between States in the Far East, and is endangering world peace.

420. My delegation, however, notes with satisfaction that every year more and more delegations are emancipating themselves from American guardianship and are associating themselves with those who seek to provide a solution that is equitable and in conformity with the interests of peace, to the representation of China in the United Nations. We trust that such a solution may soon be found.

421. In the second place, my delegation expresses its reservations with respect to that part of the report of the Credentials Committee that deals with the credentials of the delegation of the Hungarian People's Republic. The credentials of that delegation have been issued in the form prescribed by the Charter, by the competent organs of the Government of that country. There can be no doubt that that Government is entitled internationally to represent Hungary, for the very Governments that contest the validity of the credentials of the Hungarian delegation themselves maintain normal diplomatic relations with that Government. To whom is the Minister Plenipotentiary of the United States at

Budapest accredited, and by whom is the Minister of Hungary at Washington accredited?

422. In the third place, my delegation makes reservations with respect to the paragraph of the report of the Credentials Committee relating to the credentials of the delegation of the Republic of the Congo (Leopoldville). The reasons for this attitude have been explained with the necessary precision during the debate [924th meeting] on the recognition of the credentials of that delegation during the first part of this session.

423. Mr. CHAMPASSAK (Laos) (*translated from French*): It is not my intention, in taking the floor, to engage in a polemic with the representative of the Soviet Union, but merely to establish the truth.

424. Yesterday, at the Credentials Committee, the representative of the Soviet Union deemed it proper to question the validity of the credentials of my delegation, and, once again today, has repeated the same arguments. I am surprised that this representative has waited six weeks to raise this question. Why did he not start up this mechanism at the beginning of the resumed session? Is this last-hour attempt intended, perhaps, to amuse the gallery, or has it some definite political purpose?

425. It is easy to understand the motives of the representative of the Soviet Union. The USSR maintains diplomatic relations with my country. As far as I know, these relations have not yet been broken. I trust that the representatives present here will not permit themselves to be intimidated nor influenced by the attempt made by the representative of the Soviet Union to raise so grave a question.

426. The representative of that State, not satisfied by his open intervention in the internal affairs of the Kingdom, has deemed it proper to raise here the question of the validity of the credentials of my delegation. He wishes to set himself up as a judge of the constitutionality of the laws of the Kingdom, making insidious and highly imaginative insinuations.

427. What appears especially serious to us, what we consider an intolerable interference in our internal affairs, is that he seeks indirectly to question the authority of His Majesty the King, who, on 19 February 1961, in a message to the people, gave clear, explicit, and unequivocal recognition to the present Government of Prince Boun Oum, a Government installed pursuant to the unanimous vote of the members of the National Assembly convened in extraordinary session on 4 January 1961. That Government has received the full legal authority prescribed by the Constitution of the Kingdom.

428. In raising this question, the representative of the Soviet Union pursues a different end, that of sabotaging the efforts towards reconciliation and peace that my Government intends to pursue in order to restore a healthy internal political climate in the Kingdom.

429. The intention is to take a fiction as a starting point and thus get up and maintain a slanderous and highly imaginative campaign around a pretended legal government of Prince Souvanna Phouma, in exile at Phnom-Penh, Cambodia. This version, supported by Moscow, Hanoi and Peking, afterwards became lodged in people's minds, and many persons of good faith, even among our own friends, actually believe in the existence of this "legal government". This report is, in fact, being persistently circulated with the help of a propaganda apparatus developed in communist laboratories to con-

ceal what are, at the very least, shady operations of the USSR, for, while flashing the existence of this puppet government before world opinion, the Soviet Union is able to pour thousands of tons of arms, munitions, and provisions into Laos, together with technicians and even regular units of the adjacent Republic of North Viet-Nam, which, as everyone knows, has been for years entertaining carefully planned aims for the conquest of my country.

430. While hiding these enterprises behind smoke screens, behind façades claimed to be legal, they are aiming at the conquest and enslavement of Laos, and, over the long term, the extension of communism to South East Asia. This is not the first time that such an enterprise has been thwarted.

431. The representative of the Soviet Union bases his argument on a simple fiction. The representative of the Soviet Union, who spoke before me on this rostrum, does not even know the situation existing in my country.

432. And what is happening to Prince Souvanna Phouma? He is in exile. How many members has his Government now? Four, instead of twelve. Where is he now? At Moscow. Can one validly govern a country from abroad, without having the confidence of the Chief of State and of the National Assembly, and without the support of the population? It should not be forgotten that all his ministers who accompanied him in his flight, have now returned to Laos. Two of them have even become members of the present Government headed by Prince Boun Oum.

433. On examining all the arguments I have just listed, the legal and political foundations of the Government of Prince Souvanna Phouma, in exile abroad, crumble to pieces one by one. Not only does he control no service in actual operation, since he does not actually exercise any power in the interior of the country, but he has only foreign subsidies on which to subsist in exile, and nothing more. The military force on which he bases his claim is composed entirely of communists who have been outside the law since 1959, and, since then, have been considered a rebel organization, serving as a springboard for foreign interference and receiving provisions, munitions, arms, aid in personnel, and subsidies of all kinds from the Democratic Republic of Viet-Nam, and from the Soviet Union. The famous battalion of Captain Kong Le has disintegrated as a result of military defeats, and some of its soldiers are now fighting in our ranks.

434. But there is another major factor that reduces to nothingness the claim of the so-called government of Souvanna Phouma. This was the act by which its removal from office was unanimously pronounced by the National Assembly when Prince Souvanna Phouma left the country and could no longer exercise any effective power. This fall from office was sanctioned by Royal Ordinance No. 282, by which His Majesty the King entrusted the constitutional powers to the Revolutionary Committee headed by Prince Boun Oum. The National Assembly, in its meeting of 4 January 1961, acting in complete liberty and without compulsion, gave its decision with respect to the legitimacy of the new Government thus removing all doubt, and since then any contrary opinion is mere idle speculation.

435. In contrast to this pretended government that has taken refuge abroad, the Government over which

Prince Boun Oum presides disposes of the confidence of the national army and of His Majesty the King. It exercises effective authority throughout the kingdom, except for a few zones in which the war is raging. It not only possesses an administration, a police, and an organized army, all of which obey it, but also controls the national currency. It participates in technical and political international conferences, and also engages to fulfil all international obligations contracted by the Kingdom.

436. From the analysis of all that I have advanced, it follows that the only legal Government is that which at present governs the Kingdom on legal and constitutional bases, the Government now presided over by Prince Boun Oum.

437. At a time when praiseworthy efforts are being made to find a solution to the Laotian crisis, and to avoid compromising these efforts, I shall deliberately abstain from further developing the viewpoint of my Government.

438. Finally, my delegation desires to indicate that it will vote in favour of the second report [A/4743] of the Credentials Committee.

439. Mr. STEVENSON (United States of America): My Government's views with regard to the Government of Laos were fully explained in the Credentials Committee at its 39th meeting. We recognize the Royal Government of Laos, which is here represented, and we profoundly sympathize with Laos, a small country which is under such severe attack by forces supplied, trained, aided and led from outside.

440. My Government's views on the right of representatives of the Government of the Republic of China to be seated here are well known to the Assembly. I shall not repeat them now.

441. My Government's views on the Hungarian Government are also, I believe, well known. The General Assembly has declined ever since 1956 to approve the credentials submitted on behalf of the Hungarian representatives. The reasons remain valid today, and we believe that the General Assembly should therefore maintain its position. The report [A/4743] before us, which was adopted by the Credentials Committee yesterday, contains nothing in respect to Hungary which is new or unusual. We look forward to the day when the Hungarian authorities will respond to the desires of the General Assembly and will pay heed to its resolutions. That would be something new.

442. The United States will support the draft resolution contained in the second report of the General Assembly's Credentials Committee.

443. Mr. CARVALHO SILOS (Brazil): The Brazilian delegation will vote in favour of the report of the Credentials Committee [A/4743], subject to the reservation that the Brazilian Government recognizes the credentials of the representatives of the Hungarian People's Republic.

444. Mr. DJIKIC (Yugoslavia) (*translated from French*): The Yugoslav delegation will vote in favour of the second report [A/4743] of the Credentials Committee. I would request that the following two points should be mentioned in the summary record.

445. First, the position of the Yugoslav delegation on the question of the representation of China in the United Nations remains unaltered.

446. Secondly, our vote in favour of the above-mentioned report does not mean that my delegation approves the procedure adopted by the Credentials Committee with respect to the representation of Hungary.

447. Mr. DIALLO Telli (Guinea) (*translated from French*): The Guinean delegation is prepared to vote in favour of the second report [A/4743] of the Credentials Committee. We felt it essential however to state that our approval is subject to certain reservations.

448. In the first place, with regard to the representation of China in the United Nations, the Government of the Republic of Guinea has recognized the Central People's Government of the People's Republic of China as the only legal government of China.

449. We consider that the representatives of the Central People's Government of the People's Republic of China should normally occupy the seats to which they are legitimately entitled in the United Nations.

450. With regard to the representation of the Republic of the Congo (Leopoldville) in the United Nations, it should also be pointed out that the Government of the Republic of Guinea, like most Governments represented in this Assembly, recognized the Republic of the Congo as soon as it proclaimed its independence, with the central Government of the Republic of the Congo as its only legal government. None of the irregularities occurring in the Congo since its attainment of independence have led us to alter our position.

451. Following the murder of Prime Minister Patrice Lumumba, the Government of the Republic of Guinea recognized, as the only legal government of the Republic of the Congo, the present government headed by President Antoine Gizenga—the rightful heir of Patrice Lumumba and, as such, the successor of the legality which Patrice Lumumba represented—a government with its temporary seat at Stanleyville.

452. My delegation feels that it would be in the interest of the Republic of the Congo and of the Congo and of the United Nations for the representatives of that government to replace those who have been seated here in the circumstances with which you are all familiar.

453. Lastly, my delegation reserves its position fully on paragraph 10 of the second report of the Credentials Committee, which deals with the representation of Hungary in the United Nations.

454. We have recognized the present Hungarian Government, and we feel that that Government is properly represented by the persons accredited to the United Nations.

455. Mr. NOSEK (Czechoslovakia): The Czechoslovak delegation will vote in favour of the report of the Credentials Committee [A/4743], subject to some reservations.

456. The recommendation made in connexion with the credentials of the delegation of China is illegitimate, since the Chiang Kai-shek puppets have no right to speak on behalf of China. The representatives of the Central People's Government of the People's Republic of China are the sole legitimate representatives of the Chinese people. An ever increasing number of the States Members of the United Nations, who decisively support the expulsion of the Kuomintang puppets from the United Nations and the resumption of the legitimate rights of the People's Republic of China in this

Organization, realize that. The recommendation of the majority of the Credentials Committee in connexion with the credentials of the delegation of China cannot be characterized as other than a manifestation of the unwise policy by means of which the People's Republic of China has been excluded from the United Nations, which policy is doomed to failure.

457. The majority of the Credentials Committee did not take, as in the past, its decision on the credentials of the Hungarian People's Republic. This procedure of the majority of the Credentials Committee is also illegitimate, since the Hungarian delegation has in its possession valid credentials, issued by the Government of the Hungarian People's Republic, in full conformity with the constitutional provisions of that State.

458. The proceeding of the majority of the Credentials Committee represents a political provocation inspired by the advocates of the cold war. My delegation resolutely protests against the arbitrary proceeding of the majority of the Credentials Committee and knows that, from the legal point of view, the Hungarian delegation is fully entitled to represent the Hungarian People's Republic.

459. The Czechoslovak delegation has serious reservations also to the recommendation of the Committee in connexion with the credentials of the delegation of the Republic of the Congo in Leopoldville. In conformity with the *Loi fondamentale*, only the representatives of the Central Government of the Congo, headed by Mr. Antoine Gizenga, with temporary seat in Stanleyville, have the right to represent the Republic of the Congo. As is well known, the representative of the Central Government of the Congo is present here in New York.

460. Finally, my delegation also has a reservation with respect to the recommendation of the Committee concerning the delegation of Laos. Laos can be represented here in the United Nations only and solely by the representatives of the Laos Government of Prince Souvanna Phouma. This Government is the only legitimate Government of Laos, and it has wide international support.

461. Mr. NONG KIMNY (Cambodia) (*translated from French*): In voting in favour of the draft resolution [see A/4743] of the Credentials Committee, my delegation wishes to make the following reservation. The Royal Government of Cambodia maintains diplomatic relations with the People's Republic of China and recognizes the Central People's Government of the People's Republic of China as the only government legally entitled to represent the Chinese people.

462. Mr. MALILE (Albania) (*translated from French*): The delegation of Albania will vote in favour of the second report [A/4743] of the Credentials Committee. It deems it necessary, however, to state that it does not recognize the credentials submitted by the so-called representatives of China. The seat of China in this Assembly is being illegally occupied by the representatives of a clique driven out by the Chinese people long ago.

463. According to international law and practice, a State can only be represented in its international relations by the government which exercises effective control in the country, and not by irresponsible persons.

464. The legitimate representative of the Chinese people is the Government of the People's Republic

of China. Only that Government can represent China in the United Nations. Only that Government is authorized and in a position in the name of the great Chinese people to fulfil the duties laid down in the Charter. The efforts to prevent one of the principal World Powers from occupying the seat to which it is entitled in the United Nations are a threat to the authority and efficiency of the Organization.

465. Similarly, for reasons that are well known, such as those cited in paragraph 16 of the report, we do not recognize the credentials of the representatives of Laos and the Republic of the Congo (Leopoldville) as valid.

466. With regard to paragraph 10 of the report, which deals with the credentials of the delegation from the Hungarian People's Republic, my delegation does not support the Committee's decision. The credentials of the Hungarian delegation are in good and due order and in full accord with the rules of procedure of the General Assembly.

467. Mr. LY (Mali) (*translated from French*): My delegation wishes to state, before the vote, that the Government of the Republic of Mali has recognized the Government of the People's Republic of China, the Government of the Hungarian People's Republic and the Government of the Republic of the Congo with its seat at Stanleyville as the only Governments which legitimately represent their respective countries.

468. The affirmative vote which we are about to cast in favour of the second report of the Credentials Committee [A/4743] should therefore not be interpreted as approval of the findings of that report with respect to those three countries.

469. Mr. MORARU (Romania) (*translated from French*): The delegation of the Romanian People's Republic voted in committee in favour of the second report of the Credentials Committee [A/4743], with the following reservations.

470. The Romanian People's Republic recognizes the Central People's Government of the People's Republic of China as the only legal government of China and considers that the persons now occupying the seat of China have no connexion with the representatives of China.

471. The Romanian Government regards the credentials of the Hungarian delegation as completely valid. The cold war policy in which the United States delegation persists is solely responsible for putting off the decision concerning the credentials of the Hungarian delegation.

472. Lastly, the Government of the Romanian People's Republic recognizes the Government of Mr. Gizenga as the only legitimate government of the Congo (Leopoldville), and the government headed by Prince Souvanna Phouma as the only legitimate government of Laos.

473. The Government of the Romanian People's Republic considers that solely the credentials issued by those governments are valid as regards their respective countries.

474. The PRESIDENT: The reservations which have been expressed will, of course, be noted in the official record. Subject to them, may I take it that the report of the Credentials Committee which was approved unanimously by the Committee itself, is also similarly approved by the Assembly?

475. In the absence of objection, I shall take it that the report is so approved.

476. Mr. LORINC (Hungary): The President indicated that there was unanimous approval of the report of the Credentials Committee, but my delegation requests a vote on the draft resolution contained in the report of that Committee.

477. The PRESIDENT: A vote having been requested on the report of the Credentials Committee, I now put the draft resolution contained in the report [A/4743] to the Assembly for a vote.

The draft resolution was adopted by 87 votes to 1, with no abstentions.

AGENDA ITEM 55

Report of the Negotiating Committee for Extra-Budgetary Funds (concluded)*

478. The PRESIDENT: May I now ask the Assembly to turn its attention for a moment to an item which will take but a short time, that is, number 15 on the list of items in today's *Journal*, the report of the Negotiating Committee for Extra-Budgetary Funds: appointment by the President of the members of the Committee.

479. At the 954th plenary meeting, the President of the General Assembly was requested to appoint a Negotiating Committee for Extra-Budgetary Funds, consisting of not more than fourteen members, to serve from the close of the fifteenth session to the close of the sixteenth session.

480. In accordance with this provision, I propose to appoint the following members to serve on the Negotiating Committee: Brazil, Canada, France, Ghana, Ireland, Norway, Pakistan, Senegal, United Kingdom of Great Britain and Northern Ireland, United States of America.

AGENDA ITEM 50

United Nations operations in the Congo: 1961 cost estimates and financing (concluded)

REPORT OF THE FIFTH COMMITTEE (A/4704)
(concluded)

481. The PRESIDENT: I understand that the Assembly is now in a position to resume its consideration of the items on which consideration was postponed earlier this evening. This is item 12 on the list of items in the *Journal* for 21 April 1961.

482. I would now ask the Assembly if it will be good enough to turn its attention once again to this item. I am prepared to give the floor to any delegation which wishes to speak in regard to it.

483. Mr. HASAN (Pakistan): May I add yet another proposal to the multitude which are already on our agenda regarding the action to be taken as a result of the vote taken a little while ago on the draft resolution contained in the Fifth Committee's report [A/4740]. This action is necessary to enable the Secretary-General to continue the operation in the Congo, which operation has been authorized by the Security Council in a series of resolutions and, only last week, was re-endorsed and reapproved by the General Assembly.

484. We shall make a laughing stock of ourselves if we do not vote resources for carrying out one of the

most important operations ever undertaken by this world body. Therefore, I appeal to all sections of the Assembly to reconsider the earlier decision with a full sense of responsibility.

485. I am going to submit a new proposal in respect of the 1961 cost estimates and financing of the United Nations operation in the Congo; I am doing so on behalf of my own delegation and on behalf of Tunisia, Ghana, and Liberia, which had sponsored draft resolution I. My proposal is that in operative paragraph 8, we substitute 80 per cent for 75 per cent in sub-paragraphs (a) and (b). That would mean that the contribution of Member States whose contributions to the regular budget range from 0.04 per cent to 0.25 per cent, and of those Members who received assistance during 1960 under the Expanded Programme of Technical Assistance whose contributions to the regular budget range from 0.26 per cent to 1.25 per cent, will be reduced by 80 per cent from the share fixed under operative paragraph 4, which paragraph lays down an apportionment of the estimated expenditure of \$100 million, in accordance with a scale of assessments for the regular budget. Briefly, we are proposing a further relief to those Member States whose resources are small.

486. At this time of the night, to make a long statement is to invite disaster to one's proposal, so I shall content myself with the few words I have spoken and a sincere appeal to the Assembly to give the matter reconsideration with a full sense of responsibility.

487. In order to obviate a procedural debate, may I add that I invoke rule 83 for the purpose of submitting my proposal for reconsideration by the Assembly. I would also request the President to accord this proposal priority in the matter of voting.

488. The PRESIDENT: The representative of Pakistan has made a proposal under rule 83 that this draft resolution which was dealt with by the General Assembly earlier this evening should now be reconsidered. That proposal requires a two-thirds majority. Two speakers may speak against the motion, after which the proposal must be put to the vote of the Assembly. Does anyone wish to speak against the proposal just made by the representative of Pakistan?

489. Since no one wishes to speak against it, I will put his motion to the Assembly. It is that the decision taken earlier by the Assembly this evening on draft resolution I in document A/4740 should be reconsidered. That proposal is made under rule 83 and a two-thirds majority is necessary. A roll-call vote has been requested.

A vote was taken by roll-call.

The Federation of Malaya, having been drawn by lot by the President, was called upon to vote first.

In favour: Federation of Malaya, Finland, Ghana, Greece, Guatemala, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Senegal, Somalia, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Australia, Austria, Bolivia, Brazil, Burma, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia.

* Resumed from the 954th meeting.

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

Abstaining: France, Gabon, Mexico, Spain, Sudan, Union of South Africa, United Arab Republic, Upper Volta, Yugoslavia, Afghanistan, Argentina, Belgium, Cambodia, Dominican Republic.

The motion for reconsideration of draft resolution I was adopted by 67 votes to 12, with 14 abstentions.

490. The PRESIDENT: We now come to the amendment proposed to the Assembly by the representative of Pakistan, which is to replace the figure "75" in the phrase "75 per cent" where this occurs in operative paragraph 8, sub-paragraphs (a) and (b), of draft resolution I in document A/4740, so that instead of "75 per cent" the phrase will read in each case "80 per cent".

491. Mr. QUIJANO (Argentina) (*translated from Spanish*): I shall be very brief. In the first part of the debate on this item we suggested that the figure of 75 per cent specified in sub-paragraphs 8 (a) and 8 (b) of draft resolution I [A/4740] should be replaced by 90 per cent.

492. This idea has the support of many Latin American delegations, which wish to demonstrate in this way their willingness to co-operate in solving the problem now before the General Assembly. Approval of this motion would enable a great many delegations to vote in favour of the draft resolution in question.

493. I would add that under rule 92 of the rules of procedure I understand that this motion, which I submit as a formal proposal, has priority over the motion submitted by the representative of Pakistan.

494. Mr. KLUTZNICK (United States of America): I regret the necessity to take the floor once again, but I believe it is only fair that the General Assembly should understand what the United States has been trying to do in co-operation with other delegations.

495. At one point during the recess it was suggested to us by certain Member States that if there could be an adjustment in the figures from 75 per cent to 80 per cent, it might be possible for them to help to solve this grievous problem which confronts the Assembly. We conferred at considerable length and determined that, within the available resources and authority, we could meet that request.

496. There was at the same time some discussion relative to 90 per cent. I must say to the Assembly what was then said to those who discussed it with us—since this is no time for secrets—namely, that, to our knowledge, no available funds are offered or, as we understand it, would be offered as voluntary contributions to make up this deficit. Consequently, unless someone can enlighten us as to where those funds are to come from, the adoption of the 90 per cent proposal made by the representative of Argentina would be, in effect, adopting a substantial deficit.

497. In those circumstances, and since we believe in an assessment resolution at least representing a balanced approach at the beginning, my delegation will regretfully find it impossible to support the second amendment.

498. The PRESIDENT: The General Assembly now has before it the two proposed amendments to the draft resolution. One proposal is to substitute the words "80 per cent" for "75 per cent". Under rule 92 of the rules

of procedure, the proposal of the words "90 per cent" appears to have priority.

499. Mr. SHAHI (Pakistan): The Pakistan delegation would like to make a further clarification of its position in continuation of what has been stated by the permanent representative of Pakistan.

500. We would appeal to all delegations here to vote for the Pakistan proposal because, as pointed out by the representative of the United States, there may not be sufficient funds to give effect to a 90 per cent reduction for all delegations. If, however, there is any excess left from the voluntary contributions and other contributions, including those mentioned in paragraph 7 of the draft resolution from the Government of Belgium, they could be applied to make adjustments in future years or in regard to the assessments which would be levied on the Member States for the months of November and December of this year, because draft resolution I appropriates funds only for ten months—that is, up to 31 October 1961.

501. It is for this reason that the Pakistan delegation would find itself obliged to vote against the amendment proposed by the representative of Argentina. In doing so, we would beg all delegations to understand that we have considerable sympathy with the Latin American delegations, but, as our proposal is based on lengthy negotiations and is the outcome of an agreement reached with many delegations, we cannot make a change at this time.

502. Mr. GEBRE-EGZY (Ethiopia): I have not the slightest idea of how these figures were arrived at, but I am not here to ask that they should be changed to 90 per cent. What I know is this: if the money provided here is not given, then one thing is certain; the operation has to come to an end. If that is what the Assembly wants, then I think it is in duty bound to say so, in order that we who are in a rather difficult position may know what we are called upon to do.

503. In the light of the explanation given by the representative of Pakistan, I hope that the representative of Argentina will find it possible to withdraw his proposal so that the Assembly can vote on draft resolution I and make possible the continuation of the operation.

504. The PRESIDENT: Does any other representative desire to speak on this subject? Since no one else wishes to speak, I shall put to the Assembly the proposal of the representative of Argentina that the words "75 per cent" in the sub-paragraphs of paragraph 8 of draft resolution I should be replaced by the words "90 per cent". I now put that amendment to the General Assembly.

A vote was taken by roll-call.

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

In favour: Central African Republic, Chile, Colombia, Costa Rica, Dahomey, Ecuador, El Salvador, Guatemala, Honduras, Ivory Coast, Libya, Mexico, Nicaragua, Paraguay, Peru, Spain, Uruguay, Venezuela, Argentina, Bolivia, Brazil.

Against: Byelorussian Soviet Socialist Republic, Canada, Chad, Congo (Leopoldville), Cuba, Czechoslovakia, Denmark, Federation of Malaya, Finland, Ghana, Hungary, Iceland, Ireland, Israel, Japan, Liberia, Luxembourg, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Romania, Senegal, Somalia,

Sweden, Thailand, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Albania, Australia, Austria, Belgium, Bulgaria.

Abstaining: Burma, Cambodia, Ceylon, China, Cyprus, Dominican Republic, Ethiopia, France, Gabon, Greece, Guinea, India, Indonesia, Iran, Iraq, Italy, Jordan, Laos, Lebanon, Madagascar, Mali, Nepal, Panama, Philippines, Saudi Arabia, Sudan, Turkey, Union of South Africa, United Arab Republic, Upper Volta, Yemen, Yugoslavia, Afghanistan.

The amendment was rejected by 39 votes to 21, with 33 abstentions.

505. The PRESIDENT: I now put to the vote the proposal made by the representative of Pakistan for an amendment to substitute for the words "75 per cent", where they occur in sub-paragraphs 8 (a) and 8 (b) of draft resolution I, the words "80 per cent".

A vote was taken by roll-call.

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

In favour: Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Burma, Canada, Ceylon, Colombia, Congo (Leopoldville), Cyprus, Dahomey, Denmark, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Iceland, India, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Somalia.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Albania, Argentina, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Cuba, Czechoslovakia, Hungary, Mexico, Poland, Romania.

Abstaining: Sudan, Union of South Africa, United Arab Republic, Upper Volta, Venezuela, Yemen, Yugoslavia, Afghanistan, Cambodia, Central African Republic, Chile, China, Costa Rica, Dominican Republic, Ecuador, France, Gabon, Guinea, Honduras, Indonesia, Iraq, Jordan, Mali, Saudi Arabia.

The Pakistan amendment was adopted by 51 votes to 17, with 24 abstentions.

506. The PRESIDENT: I shall now put to the Assembly draft resolution I as amended.

A vote was taken by roll-call.

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

In favour: Iceland, India, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Somalia, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Australia, Austria, Burma, Canada, Central African Republic, Ceylon, Chad, Colombia, Congo (Leopoldville), Cyprus, Dahomey, Denmark, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala.

Against: Hungary, Mali, Mexico, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet

Socialist Republics, Albania, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Guinea.

Abstaining: Honduras, Indonesia, Iraq, Jordan, Saudi Arabia, Sudan, Union of South Africa, United Arab Republic, Upper Volta, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Cambodia, Chile, China, Costa Rica, Dominican Republic, Ecuador, France, Gabon.

Draft resolution I, as amended, was adopted by 54 votes to 15, with 23 abstentions.

507. The PRESIDENT: I now ask the Assembly to turn to draft resolution II in the report of the Fifth Committee [A/4740].

508. Mr. BLOIS (Canada): In the new circumstances which obtain now that the General Assembly has adopted a resolution providing for the continued financing of the Congo operation, I should like to explain our position on draft resolution II. This draft resolution calls for an examination of the administrative and budgetary procedures of the Organization.

509. From the beginning of this resumed session, the Canadian delegation has urged that, in view of the increasingly serious financial situation with which the Organization is faced, it is essential for the Assembly to re-examine its general practices and procedures in the light of the impact on them of the increasingly large expenses with which the Organization is faced, to ensure that the Organization has the necessary funds to undertake all the activities which it has been called upon to undertake.

510. The Canadian delegation has voted in favour of the financing resolution for the Congo operation which, although it contains several elements with which we are not in accord, seems to me to offer the best possible way of meeting on an interim basis the immediate requirements for funds to continue this vital operation. But the Canadian delegation has made clear in the Fifth Committee, and wishes to reiterate here, that it considers the method of apportionment in this resolution as an interim solution only. Moreover, my delegation must insist that the study which the draft resolution now under discussion provides for will be based on a consideration of all points of view, without any attempt to pre-judge the conclusions.

511. It is for this reason that the Canadian delegation was reluctantly forced to disavow its own resolution in the Fifth Committee after the insertion of two paragraphs which attempt to arrive at conclusions on some of the very issues which should be the subject of the fullest and freest exchange of views. Let me read out the first of these two paragraphs:

"Recognizing also that the Organization is faced with an increasingly serious financial situation mainly because no appropriate procedure exists for financing extraordinary emergency operations" [A/4740].

If this paragraph is retained, the Organization is, in essence, placing itself on record as stating that the legitimate resolutions for the financing of peace-keeping operations since 1956, passed by the required two-thirds majority, are invalid. These resolutions may not have been ideal. Indeed, over the years my delegation has expressed reservations concerning them. But they were passed in accordance with the procedures of the Assembly, and the Canadian delegation has consistently met its obligations under them. In our quest for im-

proved procedures, we should not deny our responsibilities on the basis of the less perfect arrangements of the past.

512. The second paragraph which the Canadian delegation could not accept was the following:

"Bearing in mind that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore procedures different from those applied in the case of the regular budget and likely to be generally acceptable must be found for meeting these extraordinary expenses" [ibid.].

If this paragraph is included, the Assembly will be making a judgement on the expenses for one particular operation—the Congo operation. The Canadian objections are two fold. In the first place, a conclusion is arrived at on the basis of a prior judgement; and, in the second place, a specific operation is mentioned. The draft resolution—

513. The PRESIDENT: A point of order has been raised by the representative of Romania. I would ask the representative of Canada to be good enough to stand aside for a moment while I deal with the point raised.

514. Mr. MEZINCESCU (Romania) (*translated from French*): It is 5.15 a.m., and this is 22 April. I wonder whether the representative of Canada is speaking in his capacity as Rapporteur of the Fifth Committee although, from what I can judge, the report has already been presented, or whether he is explaining his draft resolution. The draft resolution is no longer his, since he submitted it to the Fifth Committee. We are naturally very eager to hear interesting speeches on various subjects, but I must ask whether, at a quarter past five in the morning on 22 April, it is really necessary for us to listen to endless lectures given to us in the guise of explanations of vote.

515. The PRESIDENT: I do not think the representative of Canada is out of order. He is explaining the position of his delegation in regard to the proposal. But I think that all delegations would be grateful to him if he would make his explanation as brief as possible, having regard to the very late hour.

516. Mr. BLOIS (Canada): Thank you, Mr. President. I will be very brief.

517. The draft resolution which the Canadian delegation put forward and which we discussed with our colleagues had as its object the setting up of the necessary machinery for a thorough discussion and examination of methods and means to ensure the financial stability of this Organization. We did not wish to single out this or that activity of the Organization for particular study. We sought only to lay the whole problem before a working group in the first instance and later, before the General Assembly at the sixteenth session. For these reasons, the Canadian delegation could not accept the draft resolution in this form.

518. Therefore, the Canadian delegation would wish to have separate votes on the two paragraphs of the draft resolution which I have read out. Should these paragraphs fail to achieve the necessary support the draft resolution before us would once again make possible a dispassionate examination of the methods and procedures of the Organization for meeting the expenses of all the activities which are undertaken in

its name. If these two paragraphs are removed, the Canadian delegation will then lend its full support to the draft resolution, and co-operate fully with its terms so as to ensure the success of a study which all of us here, I am sure, wish to see.

519. It is the earnest hope of the Canadian delegation that the Assembly can lay down the proper groundwork for the study which we believe to be so essential for the continued strengthening and development of the Organization. We believe that, with good will on all sides and an honest attempt to look realistically at the problem, we can achieve the strengthening of this Organization which all of us desire, so as to enable it to meet the new challenges with which it is being faced at this time. On the basis of the draft resolution before us, but with the removal of these paragraphs to which I have referred, I believe that we can begin this task in an objective way and in the right spirit.

520. Mr. GARCIA ROBLES (Mexico) (*translated from Spanish*): Before the long interlude which followed our vote on draft resolution I [A/4740]—I mean the first vote we took on it—I had already said from this rostrum that my delegation was opposed to voting separately on the different parts, and I explained why: because the draft resolution is the result of efforts made in the Fifth Committee to find a text satisfactory to as many representatives as possible.

521. As to what the Canadian representative has just said, I must admit that I can hardly hide my surprise. As I understand it the representative of Canada was one of those who voted in favour of draft resolution I. The third preambular paragraph of this draft resolution means exactly the same as the fourth preambular paragraph of draft resolution II, which the Canadian representative now finds unacceptable to him in the latter draft resolution.

522. I ask representatives to compare these two preambular paragraphs. The third preambular paragraph of draft resolution I reads:

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

If you read the fourth preambular paragraph of draft resolution II you will find that the two texts are identical except for the last line. As to the third preambular paragraph of draft resolution II, which the Canadian representative also seems to have difficulty in accepting, I would point out that this states the consideration on which the decision set forth in operative paragraph 1 is based: i.e., the decision to place the question on the agenda of the sixteenth session of the General Assembly, as a matter of prime importance and urgency; and the question includes, in the first place:

"(a) Methods for covering the cost of peace-keeping operations".

523. The PRESIDENT: I would remind the speaker at the rostrum, as I recalled to delegates earlier, that at the present stage in dealing with these Committee reports we are in the position of explaining votes. Delegates come to the rostrum to explain their own votes, not to reopen the debates that have taken place in the Committees, or to argue the merits of different parts of the draft resolution. I would be very grateful

if representatives would confine their remarks to explaining their own votes, and keep their explanations as brief as possible in view of the very late hour.

524. Mr. GARCIA ROBLES (Mexico) (*translated from Spanish*): With all respect, I ask the President to consider my statement from another point of view.

525. I understand that the representative of Canada has asked for separate votes on parts of draft resolution II, and that under the rules of procedure, when such a motion is put, two representatives may speak in favour and two against. I, with the President's permission, am speaking against. I therefore ask him whether I may continue.

526. The PRESIDENT: The representative of Mexico is in order on that basis.

527. Mr. GARCIA ROBLES (Mexico) (*translated from Spanish*): I was saying that I see no possible reason why the third preambular paragraph should be deleted from draft resolution II, for it supplies the foundation, that is to say the basic reasons, for operative paragraph 1 of the draft resolution. Therefore, I repeat, my delegation opposes separate votes on parts of this draft resolution.

528. As we said in the Fifth Committee, we think that the text as it now stands is a balanced text, and that the procedure proposed here may perhaps provide the key to just and equitable ways of preventing or making unnecessary the adoption, on financial matters, of resolutions of the kind which have recurred year after year, and to which the resolution we have just adopted by 54 votes to 15, with 23 abstentions, is no exception.

529. If these two paragraphs were left out of draft resolution II my delegation would be obliged at least to abstain: and, I repeat, we think the idea which the Canadian delegation had in mind is constructive and may yield good results. Therefore, and because, as I said, this draft resolution is the result of efforts made in the Fifth Committee to reach a compromise, I venture to suggest to the representative of Canada that he should not press his proposal. If he cannot grant my request, my delegation will oppose a division of the vote.

530. The PRESIDENT: A request for a separate vote on the third and fourth preambular paragraphs of this draft resolution has been made by the representative of Canada. An objection has been made to this request under rule 91.

531. I now put to the vote the proposal that there should be a separate vote on the third and fourth paragraphs of the preamble.

The proposal was adopted by 23 votes to 22, with 33 abstentions.

532. The PRESIDENT: I now put to the vote the third preambular paragraph of draft resolution II.

The third paragraph of the preamble was rejected by 34 votes to 29, with 16 abstentions.

533. The PRESIDENT: I now put to the vote the fourth paragraph of the preamble to draft resolution II. A vote by roll-call has been requested.

A vote was taken by roll-call.

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

In favour: Panama, Paraguay, Peru, Philippines, Poland, Romania, Somalia, Togo, Ukrainian Soviet

Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia, Albania, Argentina, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chile, Colombia, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Guatemala, Hungary, India, Indonesia, Ivory Coast, Madagascar, Mexico.

Against: Nicaragua, Nigeria, Norway, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada, Denmark, Finland, Ghana, Greece, Iceland, Ireland, Israel, Italy, Japan, Jordan, Liberia, Luxembourg, Netherlands, New Zealand.

Abstaining: Pakistan, Saudi Arabia, Senegal, Sudan, United Arab Republic, Upper Volta, Yemen, Afghanistan, Burma, Cambodia, Chad, China, Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, France, Gabon, Guinea, Iran, Iraq, Laos, Libya, Mali, Nepal.

The result of the vote was 35 in favour, 27 against and 26 abstentions.

The fourth paragraph of the preamble was not adopted, having failed to obtain the required two-thirds majority.

534. The PRESIDENT: I now put to the vote draft resolution II as a whole as amended. A vote by roll-call has been requested.

A vote was taken by roll-call.

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

In favour: Pakistan, Philippines, Somalia, Sweden, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Brazil, Burma, Canada, Central African Republic, Ceylon, China, Cyprus, Dahomey, Denmark, Dominican Republic, Federation of Malaya, Finland, Ghana, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Liberia, Luxembourg, Madagascar, Netherlands, New Zealand, Nigeria, Norway.

Against: Peru, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary.

Abstaining: Panama, Paraguay, Saudi Arabia, Senegal, Sudan, Thailand, Togo, Upper Volta, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Cambodia, Chad, Chile, Colombia, Congo (Leopoldville), Ecuador, El Salvador, Ethiopia, France, Gabon, Greece, Guatemala, Guinea, Indonesia, Libya, Mali, Mexico, Nepal, Nicaragua.

Draft resolution II as a whole, as amended, was adopted by 44 votes to 13, with 32 abstentions.

Completion of the work of the fifteenth session

535. The PRESIDENT: Before adjourning the session, I would like to draw the attention of delegations to the position in regard to some of the items on the agenda at the present session, which it was either impossible to reach or on which it was impossible to complete the Assembly's consideration.

536. I would draw attention first of all to the report of the First Committee [A/4746 and Corr.1] dealing with the Korean question, the report of the United Nations Commission for the Unification and Rehabilitation of Korea. In that document the Committee notes its decision to adjourn consideration of this item until the sixteenth session.

537. I would like to draw attention to the report of the First Committee [A/4749], which deals with the report of the Committee on the Peaceful Uses of Outer Space. As you will see in this report, the First Committee decided to recommend to the General Assembly that consideration of this item be adjourned to the sixteenth session of the General Assembly. I assume that this decision of the First Committee and the recommendation they make is agreeable to the Assembly.

538. I would draw attention to the report [A/4751] of the Special Political Committee on the final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy [A/4391]. This item, which was allocated to the Special Political Committee, was not discussed and the Committee decided that it had no recommendation to make to the General Assembly on it.

539. I would draw attention also to the report of the Special Political Committee [A/4752], dealing with actions on the regional level with a view to improving good neighbourly relations among European countries having different social and political systems. On this item, too, the Special Political Committee had no recommendations to make to the General Assembly.

540. I would draw attention then to the report of the Special Political Committee [A/4750] on the agenda item entitled "Appeal for maximum support to efforts of newly emerging States for strengthening their independence". The sponsor of the item did not wish to press for further consideration in view of the pressure of time, and the Special Political Committee therefore had no suggestion or recommendation to make to the Assembly.

541. I would also draw attention to the report of the First Committee [A/4747 and Corr.1], dealing with the item entitled "Africa: a United Nations programme for independence and development". The First Committee decided in respect of this item to recommend to the General Assembly that consideration of the item be adjourned to the sixteenth session of the General Assembly. I assume that this recommendation is acceptable to the Assembly.

542. Finally, I would like to draw attention to the report of the Special Political Committee [A/4745], dealing with the question of Oman. The Special Political Committee, as you will see from that document, decided to recommend to the General Assembly that the further consideration of this item be deferred until the sixteenth session of the General Assembly, also owing to the shortness of the time available for its consideration.

543. As Members of the Assembly are aware, the Assembly decided, on the recommendation of the General Committee, that this resumed session should come to a close on 21 April. We have therefore not only arrived at but have passed the time allotted to this resumed session. Even having availed ourselves of a few additional hours by the device of stopping the clock, it is clear now that we have come to the time to adjourn, and a number of items on the agenda cannot

be considered owing to the extreme and, to a large extent, unforeseen pressure of work to which the Assembly has been subject in the concluding stages of the session. After consultation with many delegations, for whose advice I am sincerely grateful, I believe that there is a wide measure of realization that these remaining items cannot be taken up at this session.

544. If there is no objection, therefore, we shall consider our adjournment in a short while as marking the completion of our work. It is, to me, a source of much regret, a regret which I know is shared by many delegations in the Assembly, that in spite of earnest efforts, the time we have allotted to ourselves for the session, which has already lasted longer than any of its predecessors, has not been adequate to deal with the entire agenda.

545. It should be understood in this connexion, however, that subsidiary organs, whose reports have not been considered by the session because of the pressure of time, are authorized to submit reports to the sixteenth session.

546. Accordingly, unless there is any objection, I propose that even though it has been impossible for us to complete our agenda, that we adjourn the fifteenth session.

547. Mr. STEVENSON (United States of America): I apologize for detaining the Assembly even a moment longer, but I wish to place on record the profound regret of my delegation that, despite our best efforts, in which we were joined by a large number of delegations, this session of the General Assembly has not been able to complete its consideration of the question of Hungary.

548. I am confident that I express the sentiments of the fifty-four Members who supported the request [A/4447] that this item be debated, and the twenty sponsors of the draft resolution [A/L.349 and Add.1], when I say that free people everywhere who are concerned about the denial of human rights will be profoundly disappointed that this session has not been able to turn its full attention to this question.

549. The United States remains concerned with the question of Hungary and let me invite the attention of all Members of the Assembly to the report [A/4606] of the United Nations representative on the Hungarian question which has been circulated. I think that the United Nations owes much to Sir Leslie Munro for his steadfast endeavours; we count on him to continue his efforts.

550. Dato' KAMIL (Federation of Malaya): I am grateful for the opportunity to make a very short statement which, I assure the President, will not take more than a minute or two.

551. My delegation, and I am also authorized to speak for the delegation of Thailand, wishes to go on record as expressing our deep regret and great disappointment that it has not been possible for the Assembly at this current session to discuss the question of Tibet, which has been on the agenda of this session.

552. My delegation is of course aware of the circumstances which have led to the inability of this session of the Assembly to deal with this question. There were several items on the agenda of this session which the Assembly, in its wisdom, had considered fit to take priority over the question of Tibet. The situation in Tibet continues to be a source of grave concern

to the world at large. My delegation had hoped that it would have been possible for the Assembly at this session to reiterate its resolution [1353 (XIV)] of the fourteenth session with regard to the question of Tibet.

553. We had also hoped that the Assembly at this session would be moved to make a further call for the cessation of practices which deprive the Tibetan peoples of the fundamental rights and freedoms which, as human beings, they are entitled to enjoy.

554. During this current session, which is about to come to a close now, this Assembly has quite rightly and appropriately considered several vital issues affecting mankind's yearning for liberty and freedom and for the enjoyment of all those things which they hold dear to their hearts. We view with much regret the fact that the question of Tibet was not one of the vital issues so considered.

555. While I am fully conscious of the fact that the Assembly at this session has no competence to bind the wishes and acts of the forthcoming session, nevertheless it is the hope of my delegation and that of Thailand, which had sponsored a draft resolution on the question of Tibet circulated a week or two ago, that the question of Tibet will be given as high a priority as possible in the list of items to be considered at the forthcoming sixteenth session.

556. Mr. ZORIN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation regrets that the delegations of the United States and Malaya considered that they could and should, at the end of this session, draw attention once more to questions which, in the general opinion of most delegations, are now dead issues, which have no importance for the practical development of normal international relations or for the work of this Organization.

557. We cannot but regret the fact that the United States delegation continues to follow its old line on these questions, although all the experience of recent years ought to have convinced the United States representatives that they will win no laurels in this way.

558. The distinguished representative of the United States, speaking earlier on the credentials of the Hungarian delegation, said that there was nothing new or unusual in the United States position. The question inevitably arises, of course, why there is nothing new in the policy of the new Administration's representative on the Hungarian question, the Tibet question and other international political questions, why the United States delegation unfortunately continues along its "cold war" course.

559. All this is regrettable, but, as they say, there is nothing to be done about it. Life, evidently, will teach even the United States delegation and its disciples that in these matters sound thinking and a real change of political direction are necessary if we want to establish serious relations between States in a spirit of peace and international co-operation.

560. The PRESIDENT: Before closing, I invite the Assembly's attention to a matter which I should have mentioned earlier but which escaped my notice. On 15 April 1961, the Assembly, in its resolution 1601 (XV) recalling part A, paragraph 4 of the Security Council resolution of 21 February 1961² dealing with the situation in the Republic of the Congo, and taking note of a report³ by the Secretary-General to the Security Council on the implementation of that paragraph of the Council resolution of 21 February, decided to establish a Commission of Investigation consisting of the following members: Justice U Aung Khine of Burma, Mr. Georges Creppy of Togo, Mr. Teschome Hailemariam of Ethiopia, and Mr. José Ortiz Tirado of Mexico or any other person nominated by the Government of Mexico.

561. The Government of Togo has since informed the Secretary-General that in consequence of Mr. Creppy's inability to serve on the Commission, it proposed to nominate Mr. Ayité d'Almeida. If there are no objections on the part of Members of the Assembly, the Assembly will perhaps decide to replace the name of Mr. Creppy in its resolution with that of Mr. d'Almeida.

562. I wish to take this opportunity also to inform the Assembly that the Government of Mexico, acting under the provisions of the same resolution, has nominated Mr. Oscar Rabasa. No further action by the Assembly is required on this point and Mr. Rabasa will accordingly be a member of the Commission in place of Mr. Ortiz Tirado.

Closing of the session

563. The PRESIDENT: The fifteenth session of the General Assembly has now come to an end and I will now adjourn it, thanking all representatives for the steady and generous support and encouragement which they have given the Chair throughout the session. The fifteenth session is now adjourned.

The meeting rose on Saturday, 22 April, at 6.5 a.m.

² *Ibid.*

³ *Ibid.*, document S/4771 and Add.1.