



**REPORT**  
**OF**  
**THE SECURITY COUNCIL**

**16 July 1964—15 July 1965**

**GENERAL ASSEMBLY**  
**OFFICIAL RECORDS : TWENTIETH SESSION**  
**SUPPLEMENT No. 2 (A/6002)**

**UNITED NATIONS**

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**UNITED NATIONS**  
*New York, 1965*

#### NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.



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## INTRODUCTION

The present report<sup>1</sup> is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

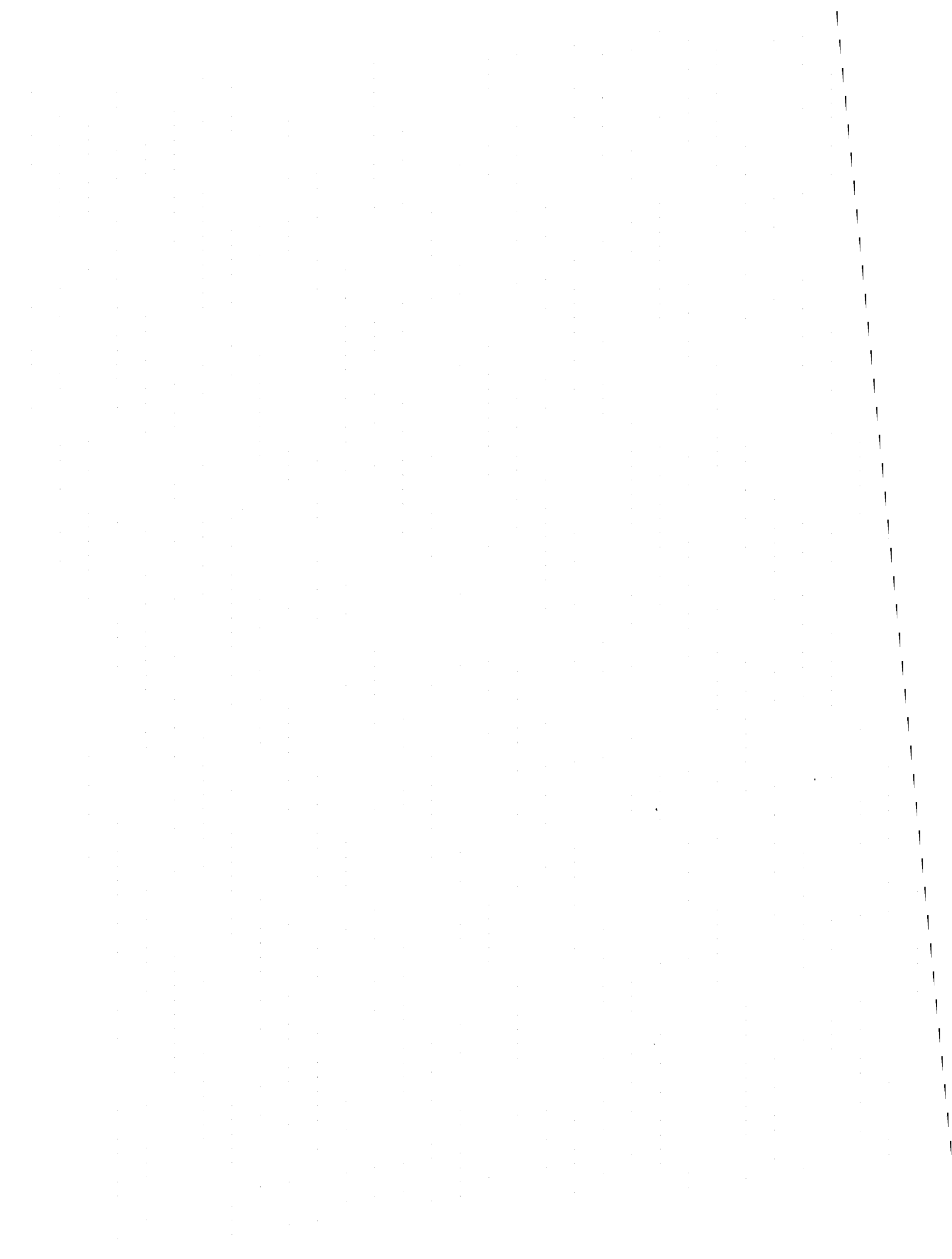
Essentially a summary and guide reflecting the broad lines of the debates, the report is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations.

With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at its 1313th and 1314th meetings, on 29 and 30 December 1964, approved the membership of Jordan, Malaysia, the Netherlands and Uruguay as non-permanent members of the Security Council to fill the vacancies resulting from the expiration, on 31 December 1964, of the terms of office of Brazil, Morocco and Norway and the resignation from office of Czechoslovakia.

The period covered in the present report is from 16 July 1964 to 15 July 1965. The Council held 89 meetings during that period.

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<sup>1</sup>This is the twentieth annual report of the Security Council to the General Assembly. The previous reports were submitted under the symbols A/93, A/366, A/620, A/945, A/1361, A/1873, A/2167, A/2437, A/2712, A/2935, A/3137, A/3648, A/3901, A/4190, A/4494, A/4867, A/5202, A/5502 and A/5802.



## Part I

# QUESTIONS CONSIDERED BY THE SECURITY COUNCIL UNDER ITS RESPONSIBILITY FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

### Chapter I

## LETTER DATED 4 AUGUST 1964 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

### A. Communication to the Council

1. In a letter dated 4 August 1964 (S/5849), the representative of the United States of America requested the President to convene an urgent meeting of the Security Council to consider "the serious situation created by deliberate attacks of the Hanoi régime on United States naval vessels in international waters".

### B. Consideration at the 1140th and 1141st meetings (5-7 August 1964)

2. When the Security Council's 1140th meeting opened on 5 August with the United States letter on its provisional agenda, the representative of the Union of Soviet Socialist Republics requested that the meeting be postponed until 6 August in order that members might receive the necessary instructions from their Governments. The representative of Czechoslovakia supported that request, stating that the Council was in possession of only one version of the events and that it would be neither just nor helpful if the Council were to start a debate on the basis of that version alone.

3. The representative of the United States opposed the request for postponement, since he had asked for an urgent meeting in the light of two armed attacks on the high seas which had occurred during the two preceding days. His Government sought to dampen the explosive potentialities of the situation and reduce the likelihood of expanding the conflict. Moreover, the Charter provided explicitly for immediate reporting to the Council of measures taken by members in the exercise of their right of self-defence. If the Council wished to adjourn after hearing the statement of the United States, his delegation would have no objection.

4. The representative of the United Kingdom of Great Britain and Northern Ireland considered that the request for the meeting was entirely proper, and it was his delegation's view that the Council should proceed to hear the report of the United States delegation. This, at any rate, might be helpful to other members of the Council in need of instructions.

5. The representative of the USSR withdrew his request for postponement of the meeting and expressed reservations regarding the correctness of the terminology contained in the United States letter (S/5849), since he asserted there was no such thing as the "Hanoi régime", but that there was a Government of the Democratic Republic of Viet-Nam, which was a sovereign State that was recognized internationally on a wide scale. Subject to these reservations he would not object to the adoption of the agenda.

6. The representative of Czechoslovakia maintained his objection to the time of the meeting but said that his delegation would participate in the meeting since all the other members of the Security Council agreed that it should take place.

7. The Council then included the question in its agenda.

8. The representative of the United States stated that he wished to bring to the attention of the Council acts of deliberate aggression by the Hanoi régime. He charged that on 2 August, the United States destroyer *Maddox*, on routine patrol about thirty miles off the coast of North Viet-Nam, had been approached by three high-speed North Vietnamese torpedo boats in attack formation. All had fired at the *Maddox* with machine guns, and two had fired torpedoes, which had been evaded. The following day, the United States, in accordance with the Geneva Agreements, had called the attention of the Hanoi régime to that aggression and warned of the "grave consequences which would inevitably result from any further unprovoked offensive military action against United States forces". The United States did its utmost to minimize the explosive potential of this flagrant attack and had hoped that the incident was an isolated or uncalculated action. On 4 August, however, the destroyers *Maddox* and *C. Turner Joy*, sixty-five miles off-shore, had again been subjected to an armed attack, this time under cover of darkness, by an undetermined number of motor torpedo-boats of the North Vietnamese Navy. Numerous torpedoes had been fired during the attack, which had lasted for over two hours. Since there could no longer be any shadow of doubt that a planned, deliberate military attack had occurred, his Government had determined to take positive but limited measures to secure its naval units against further aggression. Accordingly, the previous night, aerial strikes had been carried out against North Vietnamese torpedo-boats and their support facilities, an action limited in scale and directed only against the weapons and facilities against which the United States had been forced to defend itself.

9. That single action had been designed to make it unmistakably clear that the United States could not be diverted by military attack from its obligations to help its friends establish and protect their independence. The United States representative stressed that the United States vessels had been in international waters when attacked, that freedom of the seas was guaranteed under long-accepted international law, that the vessels had taken no belligerent actions of any kind until they had been subjected to armed attack, and that their reac-

tion in self-defence was the right of all nations and was fully within the provisions of the Charter of the United Nations.

10. The incident which his Government had brought to the Security Council could be discussed intelligently only in the context of events in South-East Asia during the past fifteen years, and was part of a pattern designed to subject the people of that area to an empire ruled by force and terror, a pattern which included the arming of terrorist gangs in South Viet-Nam by the régimes in Hanoi and Peking, the infiltration of armed personnel to wage war against the Government of South Viet-Nam, and the deliberate, systematic and flagrant violations of the Geneva Agreements. When the peace agreements reached long ago were met effectively, peace would return to South-East Asia and military power could be withdrawn.

11. The representative of the USSR emphasized that the Council had at its disposal only one-sided information on the alleged attacks by torpedo-boats of the Democratic Republic of Viet-Nam against United States destroyers. Consequently, it was necessary, in order to ensure an objective discussion of the dispute, to ask the Government of the Democratic Republic of Viet-Nam for information on the substance of the question. He noted that the United States charges were made on the second day after a protest by the Democratic Republic of Viet-Nam that United States and South Viet-Nam had sent naval vessels to shell two islands located in its territorial waters and that American bombers had raided a frontier post and a village twenty kilometres away from the border between Viet-Nam and Laos. Under Article 32 of the Charter, the Council had the duty to invite the representatives of the Democratic Republic of Viet-Nam to take part in its work, if that Government wished to participate. Accordingly, he submitted a draft resolution (S/5851) under which the Security Council would request the President to ask the Government of the Democratic Republic of Viet-Nam to supply the Council urgently with the necessary information relating to the United States complaint, and invite representatives of that Government to take part without delay in the meetings of the Council.

12. The representative of the USSR noted that the Democratic Republic of Viet-Nam had described the incidents between the torpedo-boats and destroyers as provocative acts of the United States armed forces carried out in its territorial waters. The Soviet Union condemned both the dispatch of the United States Navy to the Gulf of Tonkin and the order of the United States President for continuing patrols along the coast of the Democratic Republic of Viet-Nam. It also considered that the United States bombing of coastal targets in the Democratic Republic could only be described as acts of aggression, and that the United States plans to expand military activities in South Viet-Nam were fraught with great dangers for the maintenance of peace throughout South-East Asia. The United States should put an immediate end to military activities against the Democratic Republic of Viet-Nam or else it would have to bear a heavy responsibility for the consequences of such acts.

13. The representative of the United Kingdom stated that, in the circumstances and having regard to the repeated nature and mounting scale of the attacks, the United States Government had the right to take action directed to prevent the recurrence of such attacks on its ships, in accordance with the principle of self-

defence as interpreted in international law. Representing a nation with a long maritime history and dedicated to the principle of the freedom of the seas, his Government viewed with abhorrence unprovoked attacks upon warships proceeding on their lawful course on the high seas. While members were obliged to seek to preserve international peace, they were equally obliged to uphold the right of self-defence recognized in Article 51 of the Charter. It was right and proper that the United States should have reported to the Council on the measures which it had felt compelled to take in the exercise of its right under this Article.

14. The representative of China considered the action of the United States entirely justified under the established rules of international law and under the provisions of the Charter. With regard to the proposal to invite representatives of the Hanoi régime to participate, he considered that such an act would be to confer on that régime a status not hitherto enjoyed and provide it with an opportunity to abuse and obstruct the proceedings, while not serving any useful purpose for the United Nations.

15. The representative of France considered it right for a representative of the Democratic Republic of Viet-Nam to be invited as a matter of urgency to participate, without vote, in the discussion. He suggested, however, that the Council should ask the President to take action on its wishes without voting on a draft resolution, the terms of which might give rise to controversy, thereby needlessly prolonging the debate.

16. The representative of the United States suggested that if the North Vietnamese were invited, the Republic of Viet-Nam should also be invited to appear. He thought the best way to handle the matter might be to provide an opportunity for informal consultations among Council members so that appropriate invitations could be issued.

17. At the 1141st meeting on 7 August, the President reported that as a result of his informal consultations with the members of the Council it was the general understanding that for its further consideration of the question before it, the Council would welcome such information relating to the complaint as the Democratic Republic of Viet-Nam and the Republic of Viet-Nam would desire to make available to it, either through taking part in the Council's discussions or in another form which might be preferred. The Secretariat was asked to communicate the contents of that general understanding to the Democratic Republic of Viet-Nam and to the Republic of Viet-Nam.

18. The representative of Czechoslovakia charged that on 5 August a large number of United States Air Force aircraft had bombed a series of localities on the territory of the Democratic Republic of Viet-Nam, causing casualties among the population. The Government of the United States, which had ordered that premeditated aggression, had attempted to justify its action by asking for an urgent meeting of the Security Council in order to charge the actual victim of aggression with a so-called unprovoked attack on United States vessels on the high seas. Information available to his Government indicated that the United States vessels in the Gulf of Tonkin, thousands of miles away from United States territory on a provocative mission in waters adjacent only to the Democratic Republic of Viet-Nam and to the People's Republic of China, had, on 30 July and 1 and 2 August, violated the territorial waters of the Democratic Republic of Viet-Nam and shot at two islands belonging to it.



The alleged incident of 4 August, which according to the Democratic Republic of Viet-Nam was a sheer fabrication, had been chosen as a pretext for a large-scale aggression against its coast. While the repulsion of the alleged attack might be termed self-defence, the United States action against the territory of the Democratic Republic of Viet-Nam could at best be regarded as an act of reprisal, such as the Council, including the United States representative, had already condemned. In reality it was an act of naked aggression.

19. The United States representative had said that his Government was engaged in a mission of peace in South-East Asia, but, the representative of Czechoslovakia declared, the truth was that by spending billions of dollars and the lives of American soldiers in a futile, wasteful, dirty war, the United States was supporting and maintaining the power of a handful of brutal and corrupt individuals whom the people of Viet-Nam would have chased away if it had not been for United States military support. The Czechoslovak representative added that the United States aggression was an act contrary to the principles of the Charter, to the decisions of United Nations organs, and to the obligations of Member States, as well as to the agreements reached at the Geneva Conference.

20a. The representative of the United States rejected the contention of the representative of Czechoslovakia that the attack by North Vietnamese torpedo-boats on 2 August had been a natural reply to provocative acts by the United States. In fact, no United States ships had intruded into North Viet-Nam's territorial waters, or shelled any North Vietnamese islands, either on 30-31 July or at any other time, and on those dates the closest American ship had been 120 miles from the site of the alleged action. Moreover, despite the doubts expressed by the representative of Czechoslovakia, the attack of 4 August had been very real to those whose lives had been in danger, and was regarded as extremely serious by his Government, since it had occurred less than two days after the previous attack. He noted that, on 2 August, the United States had limited its response to counter-attack on the torpedo-boats and to the dispatch of a warning note to North Viet-Nam. Nevertheless, United States vessels had again been attacked on the high seas. Since it was then clear that North Viet-Nam's actions were deliberate and calculated, the United States had had no choice but to respond by making it impossible for those piratical attacks to continue with impunity. Far from seeking to extend the conflict in South-East Asia, the United States sought only to destroy those weapons of war and support facilities which had been used against it in armed aggression. As for the political attack on the Republic of Viet-Nam, he reminded the representative of Czechoslovakia that the Charter did not condemn the efforts of people to preserve their independence from aggressive neighbours. Its purpose was to protect independence and freedom: it was not a cloak, but a shield.

20b. In the response to the United States representative, the representative of Czechoslovakia recalled that another proof of the illegal character was the haste with which that action of the United States had been undertaken without notifying the Security Council in advance. The answer given by the United States delegate was far from being satisfactory.

21. The representative of France said that, in examining the matter, his delegation considered that the principal problem was that of the future. Tension

was rising at an increasingly alarming rate, jeopardizing the maintenance of peace in South-East Asia. France's objective was to bring about the true restoration of peace and the integrity and independence of the States in that area in order to ensure the establishment of supervised rules of non-intervention in their domestic affairs. It also sought to return to strict respect of the 1954 Agreements and to achieve the true pacification of the States which had previously made up Indo-China. In the circumstances, the only possible solution was a political one, which must come from negotiation and hence a conference of the Powers concerned. The President of the French Republic had stated, referring specifically to the possibility of the complications that had just occurred, "Since war can settle nothing it is necessary to make peace."

22. The representative of the USSR rejected the United States claim that the bombardment of targets in the coastal areas of the Democratic Republic of Viet-Nam was a legitimate exercise of the right of self-defence in accordance with the Charter. He quoted the following statement attributed to the United States Secretary of Defence: "In retaliation for this unprovoked attack on the high seas, our forces struck the bases used by the North Vietnamese patrol craft". International law categorically rejected the concept of the right of retaliation, and indeed recognition of the right to self-defence in Article 51 of the Charter meant, *ipso facto*, renunciation of the right to retaliate. Accordingly, even before the full details were known, it was clear that what was involved was an act of aggression.

### C. Subsequent communications

23. With a letter dated 12 August (S/5888), the representative of the USSR transmitted to the President a statement dated 6 August by the Government of the Democratic Republic of Viet-Nam and a statement dated 8 August by the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam.

24. In its statement of 6 August, the Government of the Democratic Republic of Viet-Nam charged that on 5 August many jet planes of the United States Seventh Fleet had strafed and bombed a number of places in its territory, causing losses to the people there. In preceding days, United States planes from Thailand and Laos had bombed and strafed two areas near the Laos-Viet-Nam border and United States warships had repeatedly intruded into the territorial waters of the Democratic Republic of Viet-Nam, strafing islands and coastal localities. Having become bogged down in its aggressive war in South Viet-Nam, the statement charged, the United States was threatening to expand the war to North Viet-Nam and intensifying its intervention in Laos. The Government of the Democratic Republic denounced the aggressive acts of the United States, and demanded that it stop at once all provocative acts against the Democratic Republic, end its aggressive war in South Viet-Nam, and correctly implement the 1954 Geneva Agreements on Viet-Nam. Further, it earnestly called on the countries which had taken part in the 1954 Geneva Conference on Indo-China, the socialist countries and all peace-loving countries to indicate their particular concern with regard to the serious situation created by United States imperialists in Indo-China and to take appropriate measures to check the United States and defend peace in South-East Asia.

25. The statement issued on 8 August by the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam repeated the charges against the United States and added that the United States' complaint against the Democratic Republic in the United Nations Security Council betrayed its design to use the United Nations to interfere in the Viet-Nam situation and carry out its policy of aggression, having more than once used the United Nations as a tool to carry out its aggressive policy. The Ministry of Foreign Affairs reiterated that the 1954 Geneva Agreements on Viet-Nam must be respected and strictly implemented. The two Co-Chairmen of the Geneva Conference and the countries which had taken part in it should examine in time and condemn the dangerous aggressive acts of the United States and demand that it implement those Agreements strictly, stop its aggressive war in South Viet-Nam and cease its provocative acts against the Democratic Republic. Only the two Co-Chairmen and participants in the 1954 Geneva Conference had full competence to examine the acts of war committed by the United States, the Foreign Ministry declared, and accordingly the Security Council had no right to examine the problem. Under paragraph 13 of the final Declaration of the 1954 Geneva Conference, the participants should consult one another to study such measures as proved necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Viet-Nam were respected.

26. In a letter dated 13 August (S/5892), the Permanent Observer of the Republic of Viet-Nam offered the Security Council his Government's full co-operation and expressed readiness to provide any information which the Council might need concerning the attacks by the Viet-Cong torpedo-boats against United States ships in international waters in the Gulf of Tonkin. Those attacks were further evidence of the aggressive policy of the Hanoi régime, constituting part of the general framework of Viet-Cong aggressions in South-East Asia which for years had been directed against the Republic of Viet-Nam. The refusal of the Hanoi régime to appear before the Security Council or even to provide it with factual information showed its awareness that its attacks were not defensible and its disregard for the role of the United Nations in the maintenance of international peace and security. Whenever it created a serious situation, the Hanoi régime invariably advocated the convening of a new Geneva Conference, but the usefulness of such conferences could be evaluated in the light of the repeated violations by the Viet-Cong of the Geneva Agreements of 1954, as testified in the Special Report of 2 June 1962 of the International Control Commission.

27. In a letter dated 15 August (S/5906), the Minister for Foreign Affairs of the Republic of Viet-Nam charged that the Viet-Cong had been using every means at its disposal to carry out aggression, subversion and provocation against South Viet-Nam. He transmitted copies of the pamphlets concerning this alleged communist Viet-Cong aggression against the Republic of Viet-Nam. The pamphlets concluded, as had the Special Report of the International Control Commission in Viet-Nam of 2 June 1962, that personnel, arms, munitions and other supplies had been sent from the Northern Zone to the Southern Zone with the object of supporting, organizing and carrying out hostile activities, including armed attacks, against the armed forces and administration of the Southern Zone, and that the People's Army had allowed the

Northern Zone to be used for inciting, encouraging and supporting hostile activities in the Southern Zone aimed at overthrowing the administration there. Those acts were all in violation of various articles of the Agreement on the Cessation of Hostilities in Viet-Nam. In fact, since 1954 hostilities had never ceased in Viet-Nam, and his Government reaffirmed its solemn determination to fight against communist aggression and safeguard the independence and freedom of the Viet-Nameese people. The Foreign Minister concluded by stating that, should discussions be held, his Government would accredit a delegation to the Council.

28. In a telegram dated 19 August (S/5907), the Minister for Foreign Affairs of the Democratic Republic of Viet-Nam stated that his Government regarded the complaint against it by the United States in the Security Council as a slander, contrary to the 1954 Geneva Agreements, which should be rejected. The incidents which the United States had provoked in the Gulf of Tonkin were part of a manoeuvre planned in advance and had followed upon numerous violations by United States aircraft and warships of the airspace and territorial waters of the Democratic Republic. Washington had concocted the myth of a second attack on 4 August as a pretext for ordering its aircraft to bomb and strafe several areas in the Democratic Republic. Having intervened for ten years in violation of the 1954 Geneva Agreements on Indo-China, and having launched a war of aggression in South Viet-Nam, increased its provocative acts against the Democratic Republic, intervened in the internal affairs of Laos and violated the frontiers and territory of Cambodia, the United States was unable to extricate itself from its defeats and involvement in South Viet-Nam. Therefore, since the beginning of 1964, the United States Government circles had repeatedly and openly announced their intention of "taking the war to North Viet-Nam". The attack of 5 August was made in execution of that American plan to extend the war. World opinion condemned the aggressive policies of the United States, and the Heads of Government of many countries had called for a political settlement of the problems of Indo-China and the convening of the Geneva Conferences. The participants in the 1954 Geneva Conference had undertaken to respect the sovereignty, independence and territorial unity and integrity of Viet-Nam, Laos and Cambodia and to refrain from all interference in their internal affairs. The Agreements had also set up competent bodies to consider violations and seek measures to ensure their application, namely, the International Commissions for Supervision and Control in Indo-China composed of delegates of India, Canada and Poland. In order not to fall short of its obligations, the United Nations should respect and support the Geneva Agreements. His Government demanded from the United States Government the immediate cessation of acts of war against the Democratic Republic of Viet-Nam, the immediate cessation of the war of aggression in South Viet-Nam, the complete withdrawal from South Viet-Nam of United States troops, military personnel, arms and war equipment, and respect for the right of the people of South Viet-Nam to settle their own affairs themselves in the spirit of the 1954 Geneva Agreements on Viet-Nam. His Government categorically rejected the complaint against it by the United States in the Security Council, solemnly declared that the consideration of the problem lay within the competence of the 1954 Geneva Conference on Indo-China, and not of the

Security Council, and asserted that, should the Council take an illegal decision on the basis of the United States complaint, his Government would find itself obliged to consider that decision null and void. His Government continued to request the Co-Chairmen of the 1954 Geneva Conference and the countries which

had taken part in it to consult one another in accordance with paragraph 13 of the final Declaration of that Conference, and to induce the United States Government to cease immediately all acts of war against the Democratic Republic of Viet-Nam and the war of aggression in South Viet-Nam.

## Chapter 2

### LETTER DATED 26 DECEMBER 1963 FROM THE PERMANENT REPRESENTATIVE OF CYPRUS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

#### A. Consideration at the 1142nd and 1143rd meetings (8-11 August 1964)

29. On 16 July 1964, the Secretary-General addressed to the President of Cyprus, the Prime Minister of Greece and the Prime Minister of Turkey identical telegrams (S/5828, A) expressing concern over the reported build-up of military personnel and equipment on both sides in Cyprus. He appealed to the Governments primarily concerned to do all within their power to halt that perilous trend and to reverse it before it led to a major clash in Cyprus. A generally similar telegram (S/5828, B) was sent to the Vice-President of Cyprus.

30. On 17 July, the Prime Minister of Greece replied (S/5828, C) agreeing that the arms build-up must be halted. He was issuing a statement calling for all concerned to rely upon the efforts of UNFICYP and the Mediator for a final and lasting solution of the problems confronting Cyprus. He also stressed that, if it were possible to have an assurance that there was definitely no danger of invasion of the island, peace would automatically be restored there and that, in the face of Turkish threats of invasion, it was natural that the Cyprus Government should try by all means to organize the defence of the island.

31. On 19 July, the Vice-President of Cyprus recalled (S/5828, D) his own previous appeals to secure an end to the importation of arms and military personnel into Cyprus. Heavy arms imported by Greeks on the pretext of defence against foreign invasion were being deployed against Turks in various areas. Citing other measures taken against the Turkish community, he concluded that it was obvious that those activities were diametrically opposed to the request of the Secretary-General and to the letter and spirit of the Council's resolution of 4 March 1964.

32. On 20 July, the President of Cyprus replied (S/5828, E) that he shared the Secretary-General's anxiety about the accumulation of arms in Cyprus and reiterated his belief that the Cyprus problem should be solved by peaceful means and within the United Nations. But so long as the threat of a Turkish invasion continued, his Government had the responsibility and duty to build up its defences to protect the territorial integrity of the country.

33. On 22 July, the Prime Minister of Turkey replied (S/5828, F) that his Government fully shared the Secretary-General's concern about the build-up of military personnel and equipment in Cyprus. He expressed assurances that Turkey had never sent to Cyprus military personnel and weapons other than those provided for in the Treaty of Alliance. Reiterating his Government's determination to co-operate as closely

as possible with the United Nations and its Mediator for the finding of a negotiated solution to the Cyprus problem, he stated that it was obvious that the existing grave tension could only be eliminated if all the parties concerned showed the same spirit of co-operation and goodwill.

34. On 22 July, the Secretary-General sent messages (S/5843) to the Government of Cyprus and to the Vice-President of Cyprus. The message to the Government of Cyprus conveyed his growing concern over instances of the denial to the United Nations Force of freedom of movement, a right specifically given to it in the Status Agreement and a condition of its presence in the island which was absolutely essential to its proper functioning. Among other matters, the Secretary-General cited denial of entry into the docks at Limassol, refusal of access to specific sensitive areas and delays and searches at road blocks.

35. The message addressed to the Vice-President of the Republic of Cyprus asked the latter to do all within his power to put a stop to covert infiltration of arms and personnel in areas controlled by members of the Turkish Cypriot community, reports of which continued to reach the Secretary-General.

36. On 27 July, the representative of Cyprus transmitted his Government's reply (S/5842), in which it was stated that that Government had never intended to restrict the freedom of movement of UNFICYP as defined by the Status Agreement. A note was annexed stating its interpretation of the term "freedom of movement". The Government maintained that the entry by UNFICYP into docks and ports or other government premises was not included in the term "freedom of movement". For such entry the consent of the Government was a prerequisite.

37. In a message dated 6 August (S/5855), the President of the Republic of Cyprus said that, irrespective of the legal views expressed in the previous communication, it was his desire to assure the Secretary-General that the United Nations Force in Cyprus would enjoy full freedom of movement throughout the territory of the Republic. The only exceptions would be certain localities connected with the defence of the State, access to which might be arranged after consultation between the Government and the Commander of UNFICYP.

38. In a letter dated 7 August (S/5869), the Secretary-General expressed appreciation of his action and stated that the Force Commander would be in touch with the appropriate authorities of the Government of Cyprus with regard to arrangements for access to the areas mentioned.

39. In a letter dated 8 August (S/5859) the representative of Turkey requested the President of the

Security Council to convene an urgent meeting of the Council to consider "the serious situation created in Cyprus by the renewed and continuing attempts of the Greek Cypriots to subdue by force of arms the Turkish community in Cyprus in order to perpetuate the usurpation of government by the Greek community".

40. On the same day, the *Chargé d'affaires* of Cyprus requested (S/5861) the President to convene immediately an emergency meeting of the Council as a matter of utmost urgency in view of the "deliberate and unprovoked air armed attacks against the unarmed civilians of Cyprus carried out by airplanes of the Turkish Air Force in the hours immediately preceding the submission of this request and which are still continuing".

41. In a letter dated 7 August (S/5865), the *Chargé d'affaires* of Cyprus informed the President of the Council of attacks said to have been made by Turkish terrorists and rebels in Nicosia and in Tylliria on 5 and 6 August.

42. Various other communications were received during this period. They included letters from the representative of Cyprus concerning the supply of food to Turkish Cypriots and other matters (S/5831) and concerning a statement attributed to the President of Turkey (S/5835); a letter from the representative of Turkey transmitting a telegram from Dr. Küçük, Vice-President of Cyprus, concerning reports of the poisoning of wells (S/5838); and a letter from the representative of Turkey (S/5858) replying to the letter of the representative of Cyprus (S/5835).

43. The letters of 8 August from the representative of Turkey (S/5859) and from the *Chargé d'affaires* of Cyprus (S/5861) were included in the agenda of the 1142nd meeting of the Security Council on 8 August 1964, when the representatives of Cyprus, Turkey and Greece were again invited to take part in the discussion. The President stated that he had been informed by the Secretary-General that the Commander of UNFICYP was exerting every effort to avoid further bloodshed by bringing about a cease-fire wherever fighting had occurred, and was keeping in close and constant touch with government leaders and with the leaders of the Turkish Cypriot community for that purpose. However, those efforts had not yet met with success. Assistance was being given to refugees from the fighting and to the wounded. That assistance was being discussed by General Thimayya with government authorities.

44. The representative of the Union of Soviet Socialist Republics proposed that, in view of the circumstances, the representative of Cyprus should be called upon to speak first.

45. The President explained that the representative of Turkey had been the first to ask to speak.

**Decision:** *The USSR proposal received 3 votes in favour (Bolivia, Czechoslovakia and USSR), 4 against and 4 abstentions (China, Ivory Coast, Morocco and Norway).*

46. The representative of Cyprus, speaking on a point of order, informed the Council of a message to the effect that six warships from Turkey were heading for Cyprus for the purpose of invasion, followed by another twenty-six warships and troopships and that within one hour troops would be landed on the island.

47. The representative of Turkey observed that the Council had heard similar reports in the past. The actions of the Makarios Government during the last few weeks made it quite clear, he declared, that it was

determined to annihilate the Turkish community or to bring it to submission. Military preparations by Greek Cypriot bands and statements by their leaders had made it obvious that they were preparing a major offensive, presumably in the Kokkina-Mansoura area. His Government had drawn the matter to the attention of the Secretary-General and of the UNFICYP Command, but despite assurances reportedly given to General Thimayya, the Greek Cypriots had unleashed offensives on various points of the island and particularly in the Kokkina-Mansoura area on 5 August. A number of Turkish positions had been occupied and Turkish casualties were heavy. The United Nations Peace-keeping Force had been unable to act although General Thimayya was making efforts to bring about a cease-fire. In the face of that brazen aggression and of the defiance of the United Nations, his Government had been compelled to order a warning flight over the battle zone by Turkish aircraft.

48. After approaching the other guarantor Powers and the Commander of the UNFICYP to enlist their aid in stopping the onslaught, the Turkish Government had requested the emergency meeting of the Council, but the criminal attacks had continued unabated and even the call of the Prime Minister of Greece to cease all attacks seemed to have gone unheeded. The Greek Cypriot bands were continuing their aggression by bringing to the battle areas large convoys of reinforcements. In those circumstances, the Turkish Government had been compelled to stop the inflow of reinforcements by bombing from the air the road used to bring them in. That action, undertaken by Turkish aircraft, was directed exclusively at military targets and constituted a limited police action taken in legitimate self-defence. The representative of Turkey requested the Council to consider what urgent measures could be taken to put a stop to Greek Cypriot aggression which was threatening peace in the area.

49. The entire responsibility for the alarming turn of events in Cyprus was borne by the Government of Archbishop Makarios, which had undoubtedly acted to put out the glimmer of hope for an agreed peaceful solution as a result of the work in Geneva of the United Nations Mediator. The build-up of Greek arms in Cyprus had reached such proportions that it could now fairly be said that an invasion of the island by the Greek Government had taken place. UNFICYP must be fully empowered to stop any further importation of military equipment and personnel and an attempt must be made to reduce the existing supply of arms and personnel. He enumerated various measures which his Government suggested be taken to those ends.

50. The representative of Cyprus called for a clear statement by the representative of Turkey that no warships were heading for Cyprus for the purpose of invasion. That representative had resorted to inscribing his name as the first speaker in order to discuss matters that could have been brought to the Council at any time, but between the call for the Council meeting and the time fixed for a meeting, Turkish planes had bombed towns and villages in Cyprus. Despite its obligations under the Charter, Turkey chose not only to bring back the rule of force but, by bombing an unarmed civilian population, perhaps in order to create terror and paralysis in Cyprus, to act in a way contrary to the accepted laws of legitimate warfare.

51. Reviewing the origin of the recent events in the Mansoura area, he denied that the Government forces had started an attack as alleged by the representative

of Turkey. On 10 July 1964, General Thimayya had been officially informed that Turkish rebels had occupied an important height in that region and had been asked to take steps for their peaceful withdrawal. The rebel action was in conformity with the rebel plan for occupation of other areas in preparation for partition. In response to the failure of UNFICYP to intervene in order to make the Turks withdraw, government security forces had occupied a parallel height, whereupon the Turkish rebels had immediately attacked. He recalled that the resolution of 4 March 1964 did not recognize any other State than the Government of Cyprus and did not give any status to the rebels as a fighting force that must be equally respected by the United Nations or anyone else. The responsibility for the maintenance and restoration of law and order was placed on the Government of Cyprus, and law and order were maintained in all the areas under the control of that Government. In contrast, the Turkish Cypriots were in a desperate situation in the small areas under the control of the Turkish rebels because of the terrorism they suffered. Turks were free to come and go in the Greek areas, while no Greek could enter the areas under the control of the rebels without terrible consequences. The purpose of UNFICYP was to eliminate the rebellion and restore law and order after which a peaceful solution would be more possible. However, not only had the rebellion not been contained, let alone gradually eliminated, but it had been spreading and, therefore, a dynamic move by the Government had been necessary.

52. The problem was now twofold: the population of Cyprus was subjected to indiscriminate killing from the air merely in order to terrorize while Cyprus was at the same time threatened with invasion. The Turkish aerial action was directly contrary to Article 2, paragraph 4, of the Charter. If Cyprus was deprived of its right to territorial integrity, of sovereignty and of independence as a Member of the United Nations, what guarantee was there for others? The decision to be taken by the Council was of great importance in relation to the struggle between the forces of war and those of peace. Moreover, the consequences of an invasion made it necessary for the Council to consider the matter as a threat to world peace and not only as one to Cyprus.

53. The representative of Greece noted that the representative of Turkey contended that the action of the Turkish Air Force was intended to protect a civilian minority which was being attacked by the forces of the Government of Cyprus. If so, Turkey should have called for an urgent meeting of the Council to explain the facts and to ask that immediate measures be taken. Instead, it was the Turkish aviation that had caused the victims among the civilian population. Turkish statements had made it clear that the attack was not a sudden decision based on information on events in Cyprus. Weapons had been used against which the victims could not defend themselves. The Council was confronted by an undeniable and overt act of aggression. While the threat of invasion existed, he continued, it was very difficult to expect peace to be re-established in Cyprus. He informed the Council of statements by the Greek Government calling for a peaceful solution of the problem of Cyprus and appealing for an immediate end to hostilities.

54. The representative of the Union of Soviet Socialist Republics said that the situation in the region had become very serious indeed. The latest acts of

foreign armed intervention in the domestic affairs of Cyprus were of an extreme nature and were fraught with grave consequences that threatened the maintenance of peace in the Eastern Mediterranean region. The Council could not admit that one sovereign State could arrogate to itself the right to undertake so-called police measures against another sovereign State. That could only undermine and destroy the United Nations Charter. It was legitimate to ask for an explanation of the fact that, despite all the decisions adopted unanimously by the Security Council, the threat to the territorial integrity and independence of Cyprus still persisted. It was clear that the latest events represented the consequences of the continued interference in the domestic affairs of Cyprus by aggressive imperialistic forces, namely, by NATO. Without external interference in the interests of forces alien to Cyprus, the Turkish and Greek communities on that island would long since have settled all the questions which concerned them alone and they could have been living in understanding and friendship. The Council should demand the immediate cessation of all activities against Cyprus and that the sovereignty of Cyprus be respected in accordance with the Charter and with the previous decisions of the Council.

55. The representative of France said that it was imperative that further conflict should not occur. The Council should appeal to the parties involved to cease taking action which had already created too many victims, to rely on the steps taken by the United Nations in order to find a peaceful solution to the Cyprus question, and to stop jeopardizing the efforts of the Mediator.

56. The representative of Turkey said that he had been instructed to deny the charge of an imminent invasion.

57. At the 1143rd meeting on 9 August 1964, the representative of the Ivory Coast said that the situation appeared extremely grave and proposed that the Council ask its President to make an immediate appeal to Turkey to cease the bombing of Cyprus forthwith and to suspend all military measures taken against Cyprus, and to make an immediate appeal to the Government of Cyprus to order a cease-fire.

58. In response, the President said that he would appeal to the two Governments in the following terms: To the Government of Turkey: to cease instantly the bombardment and the use of military force of any kind against Cyprus;

To the Government of Cyprus: to direct the armed forces under its control to cease firing immediately.

**Decision:** *It was agreed that this appeal would be made.*

59. The representative of Turkey welcomed the appeal as a constructive measure.

60. The representative of Greece said that, despite the suspension of all hostilities on the Greek Cypriot side at 9 p.m. Cyprus time the previous day, Turkish aircraft had renewed their attacks and firing continued from the Turkish Cypriot side. If the appeal just issued by the Council to Turkey did not lead to any result and if the acts perpetrated by Turkish aircraft continued after 3 p.m. that afternoon, Greece would lend its assistance to Cyprus through its Air Force and by all the military means available to it.

61. The representative of Cyprus said that the situation was tragic. Sixty-four Turkish Air Force planes had returned for a new and more murderous attack



against the non-combatant, innocent population in the northwest of Cyprus. The number of victims had reached several hundred. Not a single Turk had been killed that day or in the two days before. The inability of the Council to restrain the continuation of that dastardly attack was a very ominous sign of the times. The ruthless use of bombs and napalm was being combined with the shelling of the coast by Turkish destroyers lying well within the territorial waters of Cyprus. At least 500 Turkish troops, landed clandestinely in Cyprus in the past weeks, were attacking from the Kokkina area. The Council must take resolute action to stop and condemn aggression and to ensure that it was not carried out and did not continue to be carried out with impunity. The action taken by Turkey in utter disregard of the Council resolutions was a direct blow to the Organization and posed a physical danger not only to the population of Cyprus but also to the members of the United Nations Force who were deployed in the attack area. He emphasized the restraint and forbearance manifested by his Government in endeavouring to avoid the recurrence of conflict and in not proceeding to eliminate the rebellion. The renewed attack by the rebellion was merely provocation as a preliminary to intended invasion.

62. The representative of the United States said that the members of the Council had had ample evidence of the depth of feeling that exists between the two communities in Cyprus and the homicidal consequences of their mistrust and bitterness. The danger was not just to them; the danger was international war. The responsibility of the Council was to stop hostilities, and until all were stopped none would stop. Most, perhaps all, had wanted an immediate cease-fire the night before, but they had not got it. The situation was now even more urgent and demanded swift action. He introduced the following joint draft resolution sponsored by the United States and the United Kingdom (S/5866):

*The Security Council,*

*Concerned* at the serious deterioration of the situation in Cyprus,

*Reaffirming* the appeal the Council has just addressed to the Governments of Turkey and Cyprus,

1. *Calls for* an immediate cease-fire by all concerned;
2. *Calls upon* all concerned to co-operate fully with the Commander of the United Nations Peace-keeping Force in Cyprus in the restoration of peace and security; and
3. *Calls upon* all States to refrain from any action that might exacerbate the situation or contribute to the broadening of hostilities.

63. The representative of the United Kingdom said that the Council had a clear and plain duty to bring about an immediate and unconditional end to hostilities of every kind. The Council should reinforce the appeal made by the President on its behalf by urging all concerned to refrain from any action or threat of action likely to worsen the already dangerous situation.

64. The representative of Turkey had no doubt that his Government would heed the President's appeal if the other party heeded it equally. His Government had made it quite clear that the air attacks were intended to stop the Greek Cypriot aggression and that they would stop when it stopped.

65. The representative of Cyprus observed that the joint draft resolution differed markedly from the appeal made by the President.

66. The representative of China called for immediate and unanimous adoption of the joint draft resolution.

67. The representative of Czechoslovakia stressed the dangers inherent in the serious situation confronting the Council. That was why his delegation had supported the appeal by the President, which drew a distinction between the outside aggression on the part of Turkey and the operations undertaken by the Government of Cyprus in the exercise of its legitimate right of self-defence. The Council should not weaken that appeal and should be consistent with its previous resolutions.

68. The representative of the United States introduced a revision of the preamble of the joint draft resolution in which the appeal made by the President was quoted. He explained that the joint draft was not just a reaffirmation of that appeal but sought a cease-fire by all concerned.

69. The representative of Bolivia welcomed the joint draft, particularly in its revised form, and hoped that it would be adopted as soon as possible. Noting that the Council awaited a report from the Secretary-General on the events in the island, he suggested that the following sentence be included in the text of the joint draft:

"Whilst awaiting the report of the Secretary-General which will allow the Council to adopt adequate measures."

70. The representative of the Union of Soviet Socialist Republics said that the Council, except for the appeal made by the President, had not yet fulfilled the obligations incumbent upon it under the Charter and noted that in the meantime there had been repeated attacks against the territory of Cyprus and repeated violations of its territorial integrity and sovereignty. The statements made to the Council showed quite clearly that the NATO Powers encouraged Turkey in following its dangerous path and were responsible for the events in Cyprus. It was clear that some representatives in the Council did not have the necessary courage to make an official appeal to the Government of Turkey to stop immediately its bombing attacks and the use of military force against Cyprus. In that connexion, he referred to the criticism made of the joint draft resolution by the representative of Cyprus, a criticism admitted by the revision of that proposal. All were aware of the difference between a provision included in the preamble and one included in the operative part of a draft resolution. Emphasizing the gravity and the seriousness of the situation, he appealed to the members of the Council to support the adoption of a decision that would contain the appeal of the Council for the immediate cessation of bombing and utilization of all military forces against Cyprus.

71. The representative of the United States said that the sponsors would gladly convert the preamble into an operative paragraph and also include the suggestion by the representative of Bolivia.

72. The representatives of Brazil, France, Norway and Morocco supported the revised joint draft resolution.

73. After further discussion, the meeting was suspended in order to permit the representative of Cyprus to get in touch with his Government. When it was reconvened, the representative of Cyprus requested the inclusion in the joint draft of a reference confirming the Security Council's resolution of 4 March 1964.

74. After a further suspension of the meeting, the representative of the United States expressed willingness to include the following as the second paragraph of the preamble:

*"Reaffirming its resolutions of 4 March (S/5575), 13 March (S/5603) and 20 June 1964 (S/5778)."*

75. The representative of the Union of Soviet Socialist Republics proposed that the Council await the return of the representative of Cyprus before voting.

76. The President ruled that, since the joint draft resolution had been revised and amended to meet the views of the Government of Cyprus, as stated by its representative shortly before, he would put that text to the vote in accordance with the obligations of the Council under Article 24 of the Charter.

77. The representative of Czechoslovakia supported the USSR proposal.

**Decisions:** *The ruling of the President was put to the vote and upheld by 9 votes in favour to 2 against.*

*The revised joint draft resolution (S/5866/Rev.1), as orally modified, was adopted by 9 votes in favour with 2 abstentions (Czechoslovakia and the USSR).*

78. The text of the resolution follows (S/5868):

*"The Security Council,*

*"Concerned at the serious deterioration of the situation in Cyprus,*

*"Reaffirming its resolutions of 4 March (S/5575), 13 March (S/5603) and 20 June 1964 (S/5778),*

*"Anticipating the submission of the Secretary-General's report on the situation,*

*"1. Reaffirms the appeal just addressed by the President of the Security Council to the Governments of Turkey and Cyprus, worded as follows:*

*"The Security Council has authorized me to make an urgent appeal to the Government of Turkey to cease instantly the bombardment of and the use of military force of any kind against Cyprus, and to the Government of Cyprus to order the armed forces under its control to cease firing immediately";*

*"2. Calls for an immediate cease-fire by all concerned;*

*"3. Calls upon all concerned to co-operate fully with the Commander of the United Nations Peace-keeping Force in Cyprus in the restoration of peace and security;*

*"4. Calls upon all States to refrain from any action that might exacerbate the situation or contribute to the broadening of hostilities."*

79. The 1143rd meeting was then suspended.

80. In a letter dated 9 August (S/5870), the representative of Turkey transmitted a telegram addressed to the Secretary-General by Dr. Küçük expressing the indignation and anxiety felt by his community in the face of the still continuing all-out Greek attacks on Turks and Turkish villages in the Tylliria area.

81. In a telegram dated 10 August (S/5871), the President of Cyprus informed the President of the Council that his Government would respect the appeal concerning a cease-fire and added that it had ordered unilaterally a cease-fire in the evening of 8 August.

82. In a letter (S/5873) dated 10 August, the representative of the USSR transmitted the texts of

messages sent on the previous day by the Chairman of the Council of Ministers of the USSR to the Prime Minister of Turkey, the President of Cyprus and the Secretary-General.

83. On the same day, the representative of Cyprus requested (S/5872) that a meeting be held without any delay in order to consider developments in Cyprus of extreme urgency and prevent any further aggravation of the situation.

84. In a letter dated 10 August (S/5875), the Prime Minister of Turkey informed the President of the Council that upon the latter's appeal the Turkish Government had decided to stop immediately the action of the Turkish aircraft over the Mansoura-Kokkina region where the recent large-scale aggression of the Greek Cypriot forces was endangering the lives of the whole Turkish population in the area. That decision could only make sense if the Greek Cypriot attacks were stopped forthwith and if the appeal for an immediate cease-fire was heeded by the Greek Cypriots. Until UNFICYP could effectively and freely control the cease-fire and until the pacification of the island was effectively carried out, the Turkish Government would be in constant vigilance.

85. On 10 August (S/5878), the representative of Yugoslavia transmitted to the Secretary-General a statement made by his Government in connexion with the latest developments in Cyprus.

86. On the same date, the Secretary-General issued a statement (S/5879) welcoming the positive and unconditional response of both Governments to the appeal of the President of the Security Council for a cease-fire. The immediate cease-fire called for by the Council was now in effect.

87. In the light of the present situation, he did not believe that any useful purpose would be served by submitting a report on the incidents of fighting since 5 August at that time. The President of the Council had concurred in the decision not to do so.

88. The text of exchanges of cables between the Chairman of the Council of Ministers of the USSR (S/5880) and the Secretary-General (S/5881), and between the Prime Minister of the Sudan and the Secretary-General (S/5882) were circulated on 10 and 11 August. A telegram to the President of the Council from the President of the Republic of Haiti was also circulated (S/5885).

89. The 1143rd meeting was resumed on 11 August, when the representative of Cyprus informed the Council that a further Turkish aerial attack had taken place in the morning of 10 August in violation of the cease-fire and of the resolution of the Security Council. That attack upon innocent people had been totally unprovoked in any sense because there had been no firing against the rebels by the security forces since the evening of Saturday, 8 August.

90. There had been another violation of the resolution by Turkey during Sunday night when Turkish naval craft had entered the territorial waters of Cyprus and had anchored off the rebel stronghold of Kokkina. An UNFICYP officer had later seen some of those craft and supplies, including weapons and ammunition, strewn on the shore. There had also been terroristic overflights of Cyprus in areas far distant from the scene of the previous fighting. The effect and the meaning of those overflights upon the people of Cyprus could only be understood when the picture of the

victims of the areas attacked was realistically seen. Those flights represented a complete disregard of the Council's resolution and of the cease-fire as well as a violation of the territorial integrity and sovereignty of Cyprus. It was significant that the overflights that day had come even after the Prime Minister of Turkey had accepted the President's appeal. He contrasted that attitude with the one taken by his Government which had unilaterally ceased fire on 8 August and had committed itself to respect the appeal of the Council concerning a cease-fire. His delegation asked the Council that there should be a resolution deploring the conduct of Turkey, which should be called upon to respect fully the cease-fire and the Council's resolution. If violations of the resolution and the cease-fire took place with impunity, that would be an incentive for a similar attitude on the other side, with the risk of competition for advantages.

91. The representative of Turkey regretted the calling of the meeting at a time when there were many hopeful signs on the horizon. The cease-fire had been observed by Turkey. UNFICYP and other United Nations organs were preparing to resume their efforts to bring a lasting peace to the island. The Prime Minister of Turkey had just sent a conciliatory message to the Prime Minister of Greece, the text of which he read, and which expressed the hope that the question of Cyprus might be solved within one month. In those circumstances, the Government of Archbishop Makarios, who was unanimously blamed by the world Press for the latest incidents in Cyprus, had chosen again to complicate the situation by declaring that the Greek Cypriot forces would never go back to the positions they had occupied before 5 August. But the present cease-fire would be meaningless unless there was such a withdrawal and the Turkish Government felt compelled to observe constant vigilance until the Greeks had retreated to their previous positions. It was that necessity that had prompted the reconnaissance flights of Turkish aircraft over Cyprus that same day. The overflights could in no way endanger the peace, but were only a precautionary measure necessitated by the gravity of the situation. The real danger lay in Greek troop concentrations. In that connexion, he cited reports attributed to UNFICYP sources that firing had not stopped as claimed on 8 August. His Government had no information whatsoever about the alleged aircraft raid on 10 August.

92. The representative of Greece said that the violation of the air space of Cyprus that morning was flagrantly incompatible with the appeal by the President of the Council and contrary to paragraph 4 of the Council's resolution of 9 August. The incident of that morning had followed a violation of Cypriot territorial waters on 9 August and the bombing of certain Cyprus localities which had caused a number of casualties. To that series of aggressive acts must be added the new provocation and violation of Greek air space committed that same day by Turkish aircraft which had flown over the island of Rhodes. The Turkish Government had placed a condition on its acceptance of the appeal made by the President, namely that it would be accepted so long as the Greek Cypriot attacks ceased. If the facts adduced by Cyprus and Greece were true and confirmed, and if the Greek Cypriots had observed the cease-fire on Saturday afternoon, the request of the representative of Cyprus for a resolution by the Council concerning the conduct of Turkey was quite in order.

93. The Secretary-General informed the Council that reports from the Commander of the UNFICYP indicated that firing had come to an end both on the ground and in the air. It had been reported that a number of Turkish aircraft had flown over parts of Cyprus early on 11 August. There had been no firing by any of those aircraft. As to the incidents occurring after the Security Council action of 9 August but before receipt, on 10 August, of the favourable responses from the two parties, he was informed that in the morning of 10 August two Turkish jet aircraft had fired on Polis. UNFICYP had reported that after midnight of 9 August two motor torpedo boats had been seen at Kokkina and other naval craft had been seen later on steaming north of that area. He had also been informed that sporadic firing attributable to delay in notification of the cease-fire to all outposts had taken place early in the morning of 10 August. It had subsequently died away on both sides.

94. The representative of Cyprus said that it was necessary to have a Council resolution to ensure that there would be no repetition of those events with effects that might escalate to very serious trouble. The primary concern was that the overflights should be stopped.

95. The representative of the Union of Soviet Socialist Republics said that the fundamental objective at present was the restoration of peace on Cyprus. Greek and Turkish Cypriots and their Government must have the possibility of solving their problems peacefully in an atmosphere of tranquillity, taking into account the interests of both communities. The United Nations must do all in its power to end bloodshed on Cyprus. The solution of the problem of Cyprus must be attained on the basis of respect for the sovereign rights of the Republic, and through the withdrawal from Cyprus of all foreign troops.

96. The representative of the Ivory Coast expressed satisfaction that the appeal by the President had been heeded and that the firing had ceased. He suggested that the President might sum up the debate by calling for respect for the resolution of 9 August, by which he understood, in particular, the suspension of all flights over the territory of Cyprus pending the final decision of the Council.

97. After further discussion, the President, in accordance with the suggestion of the representative of the Ivory Coast, summed up the consensus of the views of the members of the Security Council as follows:

"After hearing the report of the Secretary-General and the statements of the representatives of Cyprus, Greece and Turkey and of the members of the Security Council, the Security Council notes with satisfaction that the cease-fire is being observed throughout Cyprus; requests the parties to comply with resolution S/5868 of 9 August 1964 in its entirety; asks all Governments to stop all flights over the territory of Cyprus in violation of its sovereignty; requests the Commander of the United Nations Peace-keeping Force in Cyprus to supervise the cease-fire and to reinforce its units in the zones which were the sphere of the recent military operations so as to ensure the safety of the inhabitants; and requests all concerned to co-operate with and to assist the Commander of the Force in achieving this purpose."

98. The representative of Cyprus thanked the Council for its action.



## B. Communications and reports received between 11 August and 15 September 1964

99. Letters dated 11 and 12 August (S/5884 and S/5887) were addressed to the President of the Council by the representatives of Greece and Cyprus on the subject of Turkish overflights. On 12 August (S/5890), the representative of Turkey informed the President of the Council that in response to the Council's appeal of 11 August the Turkish Government had decided to discontinue reconnaissance flights over Cyprus. The flights reported by the Press to have occurred that morning were understood to have taken place before the appeal of the Council could be acted upon, owing to the difference of time between New York and Ankara.

100. In a letter dated 12 August (S/5889), the Permanent Representative of Greece replied to the letter of 10 August from the Prime Minister of Turkey (S/5875).

101. By a letter dated 13 August (S/5897), the representative of Turkey transmitted to the Secretary-General a message in reply to a cablegram in which the Secretary-General communicated the consensus of views reached by the Council on 11 August. The Turkish Government noted with satisfaction the decision to request the Commander of UNFICYP to supervise the cease-fire and to reinforce the units in the areas which had been the theatre of recent operations so as to ensure the safety of the inhabitants. Urgent measures in the Mansoura-Kokkina area were called for and, particularly, the withdrawal of Greek Cypriot forces to the positions they had held prior to 5 August.

102. In a note dated 15 August (S/5898), the Secretary-General stated that, in general, the cease-fire in Cyprus was being observed, although tension continued to be high.

103. In a letter dated 14 August (S/5899), the representative of Greece transmitted the text of the reply made by the Greek Prime Minister to the message of the Prime Minister of Turkey read out by the Turkish representative on 11 August.

104. During this period a series of communications was addressed to the Security Council or the Secretary-General by the representatives of Turkey and Cyprus. Those from the representative of Turkey included a number of letters bringing to the attention of the Council communications from Dr. Küçük, Vice-President of Cyprus.

105. In letters dated 13 August (S/5893), 17 August (S/5902), 18 August (S/5904), 25 August (S/5915), 26 August (S/5916), 27 August (S/5917), 3 September (S/5931), 8 September (S/5944 and S/5945) and 10 September (S/5958), the representative of Turkey dealt, among other things, with the Greek Cypriot attack in Tylliria; measures to alleviate the tragic conditions of Turks in Cyprus; the text of a message sent to Heads of Government by the Prime Minister of Turkey on events in Cyprus; attempted seizure of diplomatic pouches by the Greek Cypriot authorities; the situation created by the economic blockade imposed by the Greek Cypriot Government; disembarkation of Greek army personnel at Limassol; a reply to the Cyprus letter of 25 August (S/5914); and the death of a child in the Turkish Cypriot village of Gündogdu.

106. Letters dated 25 August (S/5914), 1 September (S/5925), 2 September (S/5929), 11 September (S/5963 and S/5965) and 15 September (S/5972)

from the representative of Cyprus referred, *inter alia*, to the Turkish letter of 18 August (S/5902); violations of Cypriot air space by Turkish military aircraft from 29 to 31 August; the Turkish letter of 26 August (S/5916); the rotation of the Turkish contingent in Cyprus; the question of Turkish "refugees" in Cyprus; and the text of a note from the Cyprus Foreign Minister to the Turkish Embassy in Nicosia, concerning violation of the territorial waters of Cyprus by Turkish naval units.

107. On 21 August, the Secretary-General circulated a report (S/5910) on the financial situation in respect of the operation in Cyprus as of that date. In the conclusion to the report, he stated that he considered it essential that action be taken immediately to obtain the additional financial support required, failing which it would appear necessary that the Force be withdrawn before 26 September 1964.

108. On 27 August, the Secretary-General submitted a further report (S/5918) on the financial situation in respect of the operation in Cyprus.

109. On 29 August, in a report (S/5920) to the Council, the Secretary-General alerted the Council to the possibility of a new and dangerous crisis developing in Cyprus at the end of the month. The issue involved the projected rotation of one-third of the Turkish national contingent. Since the various approaches and appeals made in Nicosia and at Headquarters had as yet produced no positive result, it must be concluded that an impasse had been reached and that an armed clash might occur on Cyprus when the relieving Turkish troops attempted to land and proceed to the area in which the Turkish contingent was deployed.

110. In a note dated 10 September 1964 (S/5954), the Secretary-General stated that, in view of its nature and implications, he deemed it advisable to bring to the attention of the members of the Council a memorandum submitted to him on the same day by the representative of Turkey. In that memorandum it was stated that, owing to the economic blockade by the Greek Cypriots, the village of Kokkina and the inhabitants of four or five neighbouring villages who had sought refuge in Kokkina, were in danger of starvation. Turkey would deliver food supplies and other necessities to those people within the next two or three days, and would inform the United Nations of the days of the delivery. If an attempt were made to prevent such deliveries, the Turkish Government would be compelled to take appropriate action. It agreed that UNFICYP might control the deliveries to be made to Kokkina in order to ascertain that they consisted of vital provisions and not military equipment or weapons. The economic blockade applied against the Turks of Cyprus, it was declared, had brought the tension on the island to breaking point.

111. In a further note dated 11 September (S/5961), the Secretary-General brought to the attention of the Council a memorandum which he had addressed that day to the Permanent Representative of Turkey in connexion with the situation which had arisen concerning the Kokkina area. That memorandum, after reviewing the food situation in the Kokkina area, stated that it was clear that, in order to make possible UNFICYP assistance, any plans by the Turkish Government for bringing supplies into Cypriot territory must have the consent of the Cyprus Government. The Secretary-General drew attention to the possible dangerous consequences of any attempt to bring ma-

terials or supplies into Cypriot territory on any other basis. His Special Representative and the Force Commander were prepared to make their good offices available in that connexion.

112. On 10 September the Secretary-General submitted a report (S/5950 and Corr.1 and Add.1 and 2) on the United Nations Operation in Cyprus covering the period until 8 September. The report informed the Council of the death of the Mediator, Mr. Sakari Tuomioja, on 9 September. He had served as Mediator with great ability and dedication, and now his life had been given in the effort.

113. In the summing up and observations at the conclusion of the report, the Secretary-General said that the inadequacy and lack of clarity in the mandate of the Force had obviously been a handicap to its operation. It had been subjected to much pressure from those who wished it to go much further than it had gone, particularly in the employment of armed force, and from those who felt that at times the Force tried to go too far on the territory of a sovereign State. Despite these handicaps, and under most trying and dangerous circumstances in general, the Force had functioned extremely well. It had not, obviously, been able to achieve the full objectives defined in the general mandate of the Council. With regard to preventing a recurrence of fighting, there had been two serious engagements—at St. Hilarion and in the Tyliria area. But the presence of the Force had been a major factor in bringing that fighting to a quick end, and in preventing those episodes from escalating. Nor could there be any doubt that had the Force not been deployed in Cyprus over those six months there would have been far more fighting on that island. There had been a considerable improvement in the security situation since the deployment of the Force and its police arm. Although conditions were still far from those prevailing in the island prior to the outbreak of communal fighting, there had been significant advances from the dire situation which had existed when the Force arrived in Cyprus. However, despite all the efforts of the United Nations, conditions in Cyprus were still far from good.

114. The report then reviewed the attitudes adopted by the parties to UNFICYP and the economic restrictions imposed upon many Turkish communities by the Government of Cyprus. In that connexion, it was observed that, allowing for the security factor, those restrictions indicated that the Government of Cyprus sought to force a potential solution by economic pressure as a substitute for military action. It was therefore a cause for no little encouragement that it had been learnt, on the eve of the report, that the Government of Cyprus had substantially relaxed those restrictions. The Secretary-General also felt compelled to express the view that the aerial attacks on Cyprus communities by Turkish aircraft in early August had been most unfortunate and had made a solution of the Cyprus problem far more difficult. He trusted that they would not be repeated, for whatever reasons. The report then reviewed the problem of freedom of movement and projected restrictions which the Government of Cyprus had recently sought to impose despite the assurances of the President of Cyprus on 6 August.

115. Dealing with the problem of rotation of part of the Turkish contingent, the report stated that the rotation had been deferred and that the Turkish Government was due commendation for its helpfulness in that critical situation. In reply to a suggestion by the Secre-

tary-General, the Government of Turkey had agreed to place its contingent under the over-all command authority of the Commander of UNFICYP, subject to several conditions. That Government had also stated that it could not agree to the withdrawal of the Turkish contingent from their present position astride the Kyrenia road, but would have no objection to UNFICYP controlling that road and keeping it open to unarmed persons, provided that UNFICYP would prevent by use of arms any attempt on the part of Greek Cypriots to gain control of the road. He intended to continue exploring the question of the status of the Turkish contingent with a view to finding a satisfactory solution.

116. The build-up of arms and ammunition in Cyprus had continued. The Force was not only outnumbered by the Greek Cypriot forces, but also commanded considerably less firepower. Despite the unhappy position of the Force, its withdrawal at that time could lead to utter disaster in the island, and all four Governments concerned had indicated their wish that it be continued. In conclusion, the Secretary-General felt bound to advise the Council that, if UNFICYP was extended for another three months, he must insist that at least pledges in the total amount necessary to sustain the Force for that period be in hand by 26 September. Otherwise, he would have no choice but to consider any expenses exceeding the total of the voluntary contributions received as a legitimate charge against United Nations revenues from whatever source derived.

117. Finally he advised the Council that, if the Force were extended, there would be serious need for at least some clarification as to actions that it might take in the discharge of its mandate.

118. In an addendum (S/5950/Add.2) dated 15 September, the Secretary-General reported on developments from 10 to 15 September, including developments in connexion with the problem of the supply of food and other commodities to the Kokkina area. The addendum also dealt with a message sent to the Secretary-General on 15 September by President Makarios (S/5950/Add.2/Annex). That message stated that the Cyprus Government had decided to remove any economic restrictions and to allow delivery of any quantity of foodstuffs supplied to, or purchased by, the Turkish Cypriots. Any supplies from Turkey would be permitted, provided they were sent through the normal channels and on a permit granted by the Cyprus Government. The Government of Cyprus was ready to order the removal of all armed posts throughout Cyprus, provided that the Turkish leadership would do the same, and was ready to assist financially and to afford protection to the Turkish Cypriots who, according to the Government, had been compelled by their leadership to abandon their homes, and were desirous of being resettled. It was also disposed to grant a general amnesty and was willing to accept any suggestion of the United Nations in respect of practical security measures designed to contribute to the pacification of the island, provided such measures did not affect a political solution of the problem.

119. The Secretary-General welcomed President Makarios' suggestions as an important step towards reducing current tensions and enabling UNFICYP, with the co-operation of the Cyprus Government, to carry out effectively its mandate of endeavouring to prevent a recurrence of the fighting and contributing to the maintenance and restoration of law and order and to a return to normal conditions on the island. He had asked his Special Representative and the Force

Commander to take up immediately with the Cyprus Government the implementation of those proposals. He also wished to express his appreciation to the Government of Turkey for having responded favourably to the appeal he had made to it on 12 September to withdraw its proposed shipment of supplies to Kokkina.

### C. Consideration at the 1151st and 1153rd to 1159th meetings (16-29 September 1964)

120. At the 1151st meeting on 16 September, the Council took up the discussion of the report of the Secretary-General who informed it of the appointment as Mediator of Mr. Galo Plaza.

121. The representative of Cyprus said that his Government had already indicated its readiness to accept the extension of UNFICYP's mandate for an additional three months on the basis of the resolution of 4 March. While his Government did not expect the peace-keeping force to act as an arm of the Government, the functions of the Force as it had understood them all along under the Council resolution of 4 March would be exercised in such a way as to respect at all times the sovereign rights and authority of the Cyprus Government. He welcomed the restatement of that premise in the report. The resolution of 4 March likewise recognized his Government's responsibility for maintenance of law and order and its right, responsibility and duty to strengthen its defence in accordance with the universally accepted right of every sovereign State. It had done its utmost to solve the problem of the unrestricted freedom of movement of UNFICYP in spite of the fact that most serious and sensitive issues of security and defence were involved. A solution of the problem had been arrived at between UNFICYP and the Government and he trusted that that had settled the issue.

122. Turning to the question of removal of positions and fortified installations, he stated his Government's readiness, in its earnest desire to see peace and normal conditions restored, to order the removal of all armed posts throughout the country, provided that the Turkish rebels did or were made to do the same. Such proposals, he said, did not concern or affect any installations, fortifications or other defensive measures connected with the security and defence of the country against external threats. The suggested creation of buffer zones might in fact prove most dangerous and prejudicial to the political future of the country.

123. Reviewing the supposed problem of supplies for Kokkina, he said that there never had been an economic blockade. The real situation was that in certain areas where the Turkish population had been isolated by Turkish terrorist leaders the latter had been trying to increase their stocks in order to have ample supplies in expectation of a conflict as a result of the plan for Turkish intervention. It was therefore natural for the Government to restrict new supplies of certain items to reasonable quantities. As the Secretary-General's report attested, his Government, despite all its difficulties, had been occupied with the working out of a detailed plan in co-operation with the United Nations and the International Red Cross and had now decided, as from 15 September, to remove all economic restrictions. In that connexion, he referred to the provisions of the message addressed to the Secretary-General on 15 September by Archbishop Makarios, which was a message of peace. If the Turkish Government was interested in peace and the well-being of the Turkish Cypriots, it

should order its agents in Cyprus to open up the concentration camps in which it forcibly detained a part of the Turkish population in pursuance of its political aim of partition.

124. The representative of Cyprus then gave a detailed account of events in Tylliria early in August 1964, taking issue with various aspects of the summary given in the report of the Secretary-General. In no way, he said, could those events be considered a justification for the barbaric bombings of Cyprus on 8 and 9 August by Turkish military aircraft, acts which constituted flagrant violations of the Charter and of the resolutions of the Council as well as of the law of warfare. It was difficult to believe that the Turkish pilots had been aiming at military targets but had instead hit civilian populations and buildings. Far from being "police actions", the air attacks, when taken in conjunction with a statement by the President of Turkey on 20 July, when there had been no fighting in Cyprus, that the Cyprus question would be solved by bombings, constituted aggression of the gravest nature, unprecedented in recent history. All the resolutions of the Council had, all along, been ignored by Turkey which had even violated the call made by the Council on 11 August to stop the overflights over the territory of Cyprus. Threats of new attacks continued and should be noted by the Security Council.

125. He reiterated his Government's position that the Turkish contingent should leave Cyprus and that its continued presence there constituted a threat to peace and a continuous act of aggression in itself. The situation remained the same despite the continuous and well-meaning efforts of the Secretary-General to remedy it.

126. Pointing out that the weapons used in the Turkish air attacks were not of Turkish manufacture and had been given to Turkey as a member of the NATO alliance and for the purpose of that alliance, he asked whether Turkey was entitled to use military equipment received from the United States in that manner and whether, under United States law, the United States Government was under obligation to inform Turkey of its ineligibility for further military assistance as a consequence. It was also necessary to clarify whether Turkey had been allowed to act in such a manner with the tolerance of some of its allies in NATO. The people of Cyprus were entitled to such clarifications. Being a small, peace-loving and militarily weak country, they threatened no country. They were faced, however, with constant threats from a powerful neighbouring country. The responsibility of the Council was now greater than ever before.

127. The representative of Turkey informed the Council of various observations made by his Government to the Secretary-General on 8 September concerning the efficacy of UNFICYP. His delegation welcomed the conclusion in the Secretary-General's report that there should be some clarification concerning actions that the Force might take in the discharge of its mandate. Commending that report, he said that in practice a strict and legalistic interpretation of the resolution of 4 March tended to exercise a direct influence on the political situation. Thus arms imported by the Government of Cyprus for what it called its self-defence would be deemed natural but any such imports by the Turkish Cypriots for genuine purposes of self-defence was smuggling and against the law of the land. The injunction of impartiality in relation to the two communities, faithfully observed, had led to anomalous

results such as the shameful economic blockade. The primary consideration, as noted in the report, was that the United Nations Mission was in the midst of a bitter civil war. It could not carry out its mandate with fairness and impartiality if it recognized to one side in the civil war the unhindered exercise of the prerogatives of a sovereign government, at the expense of the other side. It would be illogical for it to help extend the sway of the Greek Cypriots over the Turks, for to do so would be to act as an arm of the Government of Cyprus, which was what the Secretary-General asserted that it should not do. It could attempt as acts of government only those compatible with its mandate and its presence in Cyprus. The importation of arms with the clear intention of a recurrence of fighting would not logically be respected by it as an act of government, or as consistent with the 4 March resolution. There were many instances of sovereign Governments accepting the limitations of arms such as the undertaking of the Government of Cyprus under the Treaty of Guarantee.

128. Turning to the question of economic blockade, he said that the truth unearthed by the Thimayya Mission on 12 September had given a shock to world public opinion. His Government hoped that that measure would be totally removed. A second immediate danger was the arms build-up by the Greek Cypriot Government which was still in full swing so that Greece had now invaded the island with a force of more than 10,000. The incompatibility of that build-up with the Council's resolution was illustrated by the Secretary-General's report. The Force was fully authorized under the Council's resolution of 4 March to stop that influx. Another question with explosive possibilities was the rotation of a portion of the Turkish contingent stationed in Cyprus under the Treaty of Alliance. His Government had deferred the operation for a brief period at the request of the Secretary-General, and it was hoped that the Greek Cypriot regime would not seize upon the opportunity to endanger the peace of the area once again.

129. At the 1153rd meeting on 17 September 1964, the representative of Turkey said that there could be no comparison between the air action of Turkey and the attacks made against Turks by the Greek Cypriots. The Security Council, for its part, had neither condemned nor condoned the Turkish action and no one had said that Turkey should stand aside and observe the cold-blooded slaughter of her kinsmen. The account given of the Tyllirian fighting by the Foreign Minister of Cyprus was in contradiction to the report of the Secretary-General. As for the supposed "self-restricted areas" in Cyprus, he noted that the Makarios Government had declared areas of Famagusta and Larnaca to be restricted areas some ten days before and had subsequently declared them to be unrestricted again.

130. The report of the Secretary-General and statements of the UNFICYP Commander gave sufficient information on the issue of the economic blockade. The solution of the Cyprus problem would not be imposed by force on the Turkish minority. His Government hoped and trusted that a new Mediator would be successful in impressing that fact upon the Government of Archbishop Makarios.

131. The representative of the United Kingdom said that the Secretary-General's report of 10 September had clearly described the dangers to peace inherent in the situation in Cyprus and demonstrated repeatedly the essential part played by the United

Nations Force in preventing the outbreak of total civil war and in alleviating the sufferings of the people of the island. There should be no doubt that the Force offered the only hope of keeping the peace until, by way of mediation, a permanent political settlement was achieved. Without it, the consequences for the island and, indeed, for the cause of peace for the whole area would be very grave. His delegation could, therefore, see no alternative course but to support the extension of the Force's mandate for a further three months. His Government attached the greatest importance to the principle that the financial burdens of the Force should be widely shared, and the present situation in which they were borne by a small minority of Member States appeared to be both inequitable and contrary to the spirit of the Organization. It was not enough merely to approve a further extension of the mandate. It was vital that the Council should do its best to ensure that the Force could count upon full co-operation in carrying out its mandate from the leaders of both communities in Cyprus. In that connexion, he welcomed the decision to lift the economic restrictions on the Turkish Cypriot community. A solution to the problems of Cyprus would only be found by way of peaceful negotiations by the parties concerned and a lasting solution acceptable to both communities would not be possible until present tensions were restored to the level where people could pursue their normal lives without fear. In conclusion, he paid tribute to the achievement of the Secretary-General.

132. The representative of the United States of America welcomed the report of the Secretary-General and the evidence it gave of commendable and persistent efforts in every field to reach agreement with the authorities in Cyprus and leaders of the two communities. He also welcomed the indication in the annex to the report that the regrettable practice of calculated restriction of essential supplies to certain areas of Cyprus would cease. The military situation remained worrisome and precarious. His delegation continued to oppose and to deplore the importation of arms into an island already stuffed with armaments and deplored any use of force on the island by the parties to the dispute. In particular, it deplored the use of heavy arms, purportedly for external defence, in violation of specific pledges made to the United Nations. The United States also emphatically deplored any air attacks on the island launched from outside Cyprus. It had never agreed to the use of arms furnished under military assistance agreements for any purpose not specified in those agreements. In the instance in question, the agreement of the United States for the use of those weapons had neither been sought nor given. It was clear that the danger remained great and that the Force needed and deserved the utmost co-operation from the governmental authorities and communities on Cyprus and from all Member States. Another necessity was that of free movement of the members of UNFICYP. He fully supported the extension of the mandate of the Force for an additional three months.

133. Calling for further contributions to the financing of United Nations activities in Cyprus, he expressed the belief that those who had particularly insisted on the primary or even exclusive authority of the Security Council in the peace-keeping field might well assume a particular responsibility to contribute to an operation duly authorized by the Council and financed by arrangements set forth in a Council resolution. A permanent agreed solution could not be one

legislated in the abstract but must be negotiated between the parties, whose representatives had recognized each other's interests in the island in signing the treaties at Nicosia in 1960. That recognition of interest could not be scratched from history, and the Council, in its former resolution, had clearly indicated those who would be involved in mediation and negotiation.

134. The representative of Greece said that if implemented promptly with the assistance of the United Nations, to which his Government attached tremendous importance, and given the goodwill of the Turkish minority, the pacification plan submitted by the President of the Republic of Cyprus could rapidly change the entire situation and could quickly meet the wishes of all those who had contributed to the pacification of Cyprus. He regretted the wholly negative way in which that plan had been received by the Turkish delegation. The Turkish representative had approached the question by trying once again to justify the aerial bombardment of Cyprus. In that connexion, he noted the comments made by the Secretary-General in his report, which could scarcely provide encouragement to the Turkish position. He expressed satisfaction at the statement made by the representative of the United States on the subject of the use of weapons provided to members of the Atlantic Alliance.

135. Pacification of the island was a matter of the greatest urgency, because it was only in an atmosphere of relaxation that mediation could grow and develop. Such an atmosphere required the goodwill of all. The attainment of agreement between the parties concerned would indeed be the ideal solution, but was it to be expected when one of the parties regarded Cyprus as an artificial State? The international entity of Cyprus, its independence and its territorial integrity were unchallengeable and had been recognized by the United Nations. He declared that Greece would continue to contribute to the financial support of UNFICYP so long as the Security Council decided to continue the mandate of the Force.

136. The President, speaking as the representative of the Union of Soviet Socialist Republics, said that events in the Cyprus area over the last nine months, and particularly those at the beginning of August, demonstrated that differences between the two communities on Cyprus were being used by some NATO Powers for selfish interests and to transform the island into a NATO military fortress. The trick of new military intervention on the part of Turkey was still being used as one such means of pressure. In that connexion, he noted that the aircraft and weapons used in the Turkish bombardment in August were eloquent testimony that without the sanction of the aggressive NATO military bloc the attack could not have been carried out. The constant pressure on Cyprus from abroad and the attempts at intimidation of its people with the use of force constituted an increasing obstacle to normalization of conditions on the island. The essential prerequisite for elimination of the tense situation in the Cyprus area was the cessation of all such pressures.

137. The Soviet Government had frequently warned that all attempts to solve the internal problems of Cyprus through armed intervention from abroad could lead only to a further worsening of the situation in Cyprus and the Cyprus area. In that connexion, he recalled the statement made by his Government to the effect that it could not remain impassive in the face of a

threat of military conflict which could arise near its southern borders. The essential element of the decisions of the Council on the problem was the confirmation of the principle of non-intervention in the internal affairs of Cyprus and respect for its sovereignty.

138. Turning to the question of the position of his Government regarding the dispatch to Cyprus of United Nations forces, he recalled its view that the essential condition for recourse to such an extreme measure must be full respect for all provisions of the Charter relating to the use of force for the maintenance or restoration of international peace. Although not all clauses of the Charter had been carried out at the time of the 4 March decision, his delegation had not opposed adoption of the resolution of 4 March in order to meet the wishes of the Government of Cyprus. Similarly, his delegation had not objected to the extension of the stay of those forces in Cyprus. In so doing, the Soviet Union had been motivated also by the fact that the Council's resolution did not mention any financial obligation upon Members of the United Nations whose units were not part of the United Nations Force in Cyprus. He observed that a further extension could certainly not take place except on the express condition that the procedures provided for in the 4 March resolution would be ensured, especially in respect of the financing of the United Nations operations in Cyprus and the functions of the United Nations Force. He opposed any expansion of the mandate of the Force since that would lead to interference in the internal affairs of Cyprus. Since the 4 March resolution had noted the responsibility of the Government of Cyprus for the maintenance and restoration of law and order, the United Nations armed forces could act only in order to contribute towards and assist that Government in its performance of its responsibilities and certainly could not make demands upon that Government. The functions of the Force must be, first of all, to protect Cyprus from any foreign threat.

139. The representative of Cyprus said that it was not the 1960 agreements that gave Cyprus the right to independence; it was a Member of the United Nations on the same basis as any other Member State, and the Treaty of Alliance could not in any way be used as an excuse for military action against a party to that treaty, even if it were still valid. Moreover, such an attack must make nonsense of any concept of alliance.

140. At the 1154th meeting on 18 September, the representative of Norway observed that aggressive acts and the use of arms could only increase the danger of an escalation of the conflict and reduce the possibility of an equitable solution. It remained the view of his delegation that the basis for a solution of the conflict could be found only through negotiations, mediation and co-operation from the parties concerned. An open military conflict would make coexistence between the population groups in Cyprus and good-neighbour relations between Greece and Turkey even more difficult or downright impossible. His delegation, therefore, had supported the part of the appeal of 9 August requesting the Government of Turkey to cease instantly the bombardment and the use of military force of any kind against Cyprus. It welcomed the lifting of restrictions on essential supplies by the Government of Cyprus and held that a solution to the problem of rotation of military forces must be found through negotiation. It also welcomed the report that a stop had been ordered in regard to the expulsion of Greek nationals from Turkey.



141. Paying tribute to the accomplishments achieved in Cyprus, he said that the task ahead was still the most difficult one. He supported the continuation of UNFICYP and believed that the conditions of operations should be improved as suggested by the Secretary-General. His Government was ready to continue its financial contribution to the Force. In conclusion, he urged the parties to utilize fully the present somewhat improved atmosphere and to make full use of the newly appointed Mediator in order to reach a lasting political settlement.

142. The representative of China commended the report of the Secretary-General and welcomed the relative improvement in the situation which, though still unstable and fraught with dangerous possibilities, did provide some ground for cautious optimism. He supported the extension of the United Nations operation for an additional three-month period.

143. At the 1155th meeting on 21 September, the representative of Brazil said that his delegation had noted with satisfaction the measures taken or contemplated by the parties to alleviate the tension in and around Cyprus, leading the way to a final, peaceful settlement of the whole problem. Even if UNFICYP had not been able to achieve the full objectives defined in its mandate, what it had accomplished had prevented the worsening of political conditions in Cyprus which would probably have brought about an extremely dangerous menace to peace and security in the area with world-wide consequences. The Council should extend the existence of the Force and endeavour to improve the conditions under which it had been operating, especially as concerned freedom of movement.

144. The representative of France stressed the importance attached by his delegation to the fact that all the parties must exert every effort to contribute to a peaceful solution and to the return of calm in the area. Without such an atmosphere it would be illusory to try to devise a political solution. In that connexion, he welcomed the lifting of economic restrictions by the Cypriot Government, the Turkish Government's statement regarding the situation of Greek nationals in Istanbul, as well as that Government's delay in the rotation of its contingent in Cyprus, and the restraint shown by the authorities in Athens.

145. The favourable attitude of the parties concerned regarding the renewal of the mandate of the United Nations Force constituted a basic element of the problem, and his delegation, which had not changed its position involving certain reservations in principle, would agree to the renewal of the mandate of the Force for a further three months. With regard to the financing of the operations, he did not see how an agreement could, practically speaking, be arrived at by any other modality than the provisions of paragraph 6 of the resolution of 4 March. In conclusion, he paid tribute to the efforts of the Secretary-General and expressed the hope that the signs of relaxation noted in the last few days would be strengthened.

146. The representative of the Ivory Coast said that the failure of attempts of the Security Council to find a political solution to the problem and the difficult circumstances confronted by the Force were due to the inability of the Council to speak in clear-cut terms because of a potential veto. He supported the deserved tribute which the Council must pay to the personnel of UNFICYP, to the Secretary-General and to the countries furnishing troops and financial assistance. The Council should accede to the requests made in the

Secretary-General's report in order to facilitate the task of the Force, some of which, he noted, seemed to find their answer in the important proposals made by Archbishop Makarios. The solution of the Cyprus problem, he said, must not only be sought in Cyprus but must be found there, and due regard must be paid to the historical background of the island. He supported the extension of the mandate of the Force.

147. The representative of Morocco considered that a negotiated solution to the problem before the Council still seemed difficult to devise. The Force would have to maintain extreme vigilance in order to avoid armed clashes between the two communities. Noting the differing plans advocated for the political future of Cyprus by the Greeks and by the Turks, he said that his delegation believed that that future, even if it changed, was something which, in all matters, must depend on the freely expressed will of the population of Cyprus, which was an independent sovereign State, a Member of the United Nations and a non-aligned nation. Only if it had been established that the future of the two communities could not be a joint future, because the national and sovereign entity created after independence had been challenged, would new agreements then have to be arrived at between the parties concerned in order to find a peaceful and reasonable solution. The chances for such a solution, he thought, depended to a large extent on the goodwill that might be evinced by the leaders in the island, whether Greek or Turkish, and particularly by the Government. The ties of unity and of mutual understanding among the peoples of that part of the world were much deeper and more important than anything which might divide them.

148. The representative of Czechoslovakia said that it was quite obvious that it was not the existence of two national communities with their differences which was the main cause of the Cyprus problem, but the fact that those differences were being used as a pretext for external interference, for pressure and even for an invasion and aggression. The history of events both in Cyprus and in the Council proved the correctness of the stand taken by his delegation. The danger of a foreign invasion, of an attack on Cyprus, had been and was a real one. Any measure which did not respect that primary fact and protect the security, sovereignty, independence and territorial integrity of the Republic of Cyprus could not be helpful in solving the critical situation in Cyprus as well as the problem in the Council. He welcomed the cable of President Makarios to the Secretary-General which constituted another step towards reconciliation and peaceful reconstruction. The Cyprus Government should be fully supported by the United Nations and should be further protected against any attempts at pressure and interference from abroad. It was necessary, in that connexion, to remind the Council of the danger that the Acheson Plan and other NATO aims constituted not only for the independence of Cyprus but also for peace and for the whole of the United Nations. That danger was recognized by public opinion even in the Western countries.

149. The efforts of the Council should be oriented towards a solution respecting the inviolable rights of the Cypriot people. In view of the statement that the Government of Cyprus considered the role of UNFICYP as positive and desired its extension, his Government was willing to agree to such an extension on the assumption that the future activities of the Force would remain strictly within the framework of the resolution of 4 March and would neither impose financial obliga-

tions on Member States nor infringe upon the sovereign rights of Cyprus and its Government.

150. At the 1156th meeting on 22 September, the representative of Bolivia said that the moving report submitted by the Secretary-General showed clearly the state of life in Cyprus, where the situation seemed worse than it had been in March. It appeared that all members of the Council agreed to an extension of the Force within the terms of the resolution of 4 March. His delegation supported that extension but stressed the necessity for a sincere effort on the part of all involved in the Cyprus crisis to come to an understanding. His country could not remain silent in the face of the blatant crime committed by the clandestine bringing into Cyprus of arms for both Greek and Turkish Cypriots. In conclusion, the representative of Bolivia expressed the belief that the recent statements made by the parties reflected a definite wish to achieve conciliation.

151. The question was included in the agenda of the 1158th meeting on 24 September but was not discussed at that meeting.

152. At the 1159th meeting on 25 September, the representative of Brazil introduced the following joint draft resolution sponsored by Bolivia, Brazil, Ivory Coast, Morocco and Norway (S/5986):

*"The Security Council,*

*"Taking note of the report of the Secretary-General and noting, in particular, that the Secretary-General considers it necessary that the stationing in Cyprus of the United Nations Peace-keeping Force created by the Security Council resolution of 4 March 1964 (S/5575) should be extended beyond 26 September 1964,*

*"Noting that the Government of Cyprus has indicated its desire that the stationing of the United Nations Force in Cyprus should be continued beyond 26 September 1964,*

*"Renewing the expression of its deep appreciation to the Secretary-General for his efforts in the implementation of the Security Council resolutions of 4 March, 13 March and 20 June 1964,*

*"Renewing the expression of its deep appreciation to the States that have contributed troops, police, supplies and financial support for the implementation of the resolution of 4 March 1964,*

*"Paying tribute to the memory of Sakari Tuomioja for the outstanding services that he rendered to the cause of the United Nations,*

*"Expressing satisfaction that a new Mediator has been appointed by the Secretary-General in conformity with the resolution of 4 March 1964,*

*"1. Reaffirms its resolutions of 4 March, 13 March, 20 June and 9 August 1964 and the consensus expressed by the President at the 1143rd meeting, on 11 August 1964;*

*"2. Calls upon all States Members of the United Nations to comply with the above-mentioned resolutions;*

*"3. Extends the period in which the United Nations Peace-keeping Force shall be stationed in Cyprus for another three months, ending 26 December 1964, in conformity with the terms of the resolution of 4 March 1964;*

*"4. Requests the Secretary-General to keep the Security Council informed regarding the compliance*

*of the parties concerned with the provisions of the present resolution."*

153. The representative of Brazil regretted the inability of the non-permanent members of the Council to arrive at a compromise solution. The co-sponsors had, nevertheless, felt it to be their duty to submit a draft to the Council and he noted that their text reaffirmed the previous resolutions of the Council as well as the consensus expressed by the President on 11 August. The text followed the general lines of the resolution of 20 June.

154. The representative of the Ivory Coast felt that the Council should have been able to go further and spell out proposals which would make possible new approaches to the problem. The situation was evolving and the Council should adapt itself to that fluent state of affairs. Unfortunately, despite difficult and complicated negotiations with the parties and the members of the Council, it had been necessary to submit a draft with omissions which his delegation considered serious.

155. The representative of Morocco would also have preferred a text that would better meet the requirements of the situation. He would have liked some of the results of observations and summings-up in the report of the Secretary-General to have been taken into account, in particular with regard to the question of freedom of movement; but, in view of the difficulties, the sponsors had found it necessary to introduce their text as it stood in order to achieve progress.

156. The representative of Bolivia said that the form of drafting of the joint text had been the only way of achieving an agreement and thus securing extension of the mandate of the Force. His delegation would have preferred more explicit terms regarding the report of the Secretary-General, which had earned the heartiest congratulations of all concerned. He also stressed the highly constructive nature of the measures proposed by the Government of Cyprus.

**Decision:** *At the 1159th meeting on 25 September, the Council adopted the joint resolution unanimously (S/5987).*

157. The Secretary-General expressed his intention of continuing to seek full respect for the freedom of movement of the Force, and of initiating any actions necessary for the implementation of the mandate to prevent a recurrence of fighting and contribute to the maintenance and restoration of law and order and a return to normal conditions. He would continue to rely on the co-operation of the Government of Cyprus and all the other parties concerned and appealed to them again to join their efforts with those of the Force.

158. Turning to the issue of rotation of one third of the Turkish national contingent in Cyprus, he informed the Council that the parties concerned had agreed to the proposal which he had submitted to them, whereby the Kyrenia road, presently under the control of Turkish and Turkish Cypriot armed personnel, would be placed under the exclusive control of UNFICYP. No armed personnel or armed posts other than those of the Force would be allowed on the road, and traffic on the road would be free for all civilians. The proposal also provided for the withdrawal of any posts of the Turkish national contingent within 100 yards of the road, with certain exceptions. The Government of Cyprus, without prejudice to its position on the question of the Turkish contingent in Cyprus, would not interfere with the rotation of the contingent. UNFICYP would observe in the usual manner the movement of

the out-going and in-coming elements in the rotation. He expressed his appreciation to the Government of Turkey for having withheld the rotation in order to allow time for discussions to take place and to the Government of Cyprus for its co-operation in finding a satisfactory solution.

159. Regarding the financing of the Force, he reiterated his view that the existing method was most unsatisfactory and repeated that he had no assurance that the funds required for a further three-month extension could be raised through voluntary contributions. If it appeared that the total voluntary contributions were unlikely to cover all the costs for which the Organization might be responsible during that period, he would have no alternative but to inform the Council of the situation and, whenever the financial situation made it necessary, to withdraw the Force before the end of the three-month period. He appealed to all Member States to contribute towards meeting the costs of the peace-keeping operation and thus to demonstrate their effective support of the activities which the Organization had to undertake in the fulfilment of its paramount obligation towards the maintenance of international peace and security.

160. The Government of Cyprus had agreed to the extension of UNFICYP on the same basis and composition. He therefore proposed to request officially the continued participation in the Force of the countries providing contingents and associated himself with the expressions of appreciation to those Member States. Ambassador Carlos Bernardes of Brazil had been designated as his Special Representative in Cyprus to replace Mr. Galo Plaza, who had now taken up his functions as Mediator.

161. The representative of the United States of America welcomed the adoption of the resolution as well as the fact that it took due note of the excellent assessment of the problem made in the Secretary-General's report. Reviewing the contributions made by his Government to the cost of the Force, he stated that it would contribute up to \$2.3 million for the forthcoming three-month period. His delegation strongly urged that contributing States continue to support the operation in proportion at least equal to their past efforts. It particularly urged that States which had not heretofore seen fit to make voluntary contributions to the operation should now do so. He welcomed the achievement of agreement on rotation of part of the Turkish contingent and the news of the appointment of Ambassador Bernardes.

162. The representative of the United Kingdom welcomed the statement made by the Secretary-General, which would meet with the full support of his Government. He also welcomed the appointment of Ambassador Bernardes. Turning to the question of financing, he announced the intention of his Government to contribute the further sum of \$1 million, in addition to the \$2,400,000 which it had already contributed or guaranteed and to the further large contributions it had made in the shape of men and services. The heavy financial burden of maintaining the Force for the further period should now be more widely shared among Member States. There was much discussion of the importance of peace-keeping and of the valuable part which the Council could and should play in that field. His Government had instructed him to make a most urgent appeal to the members of the Council and all Member States to demonstrate their practical support

of the decision just taken by the Council by contributing immediately and generously to the costs of maintaining a United Nations presence in Cyprus.

163. The President, speaking as representative of the Union of Soviet Socialist Republics, reiterated the position of his delegation on the question of the use of United Nations forces in general for the purpose of preventing or putting an end to acts of aggression or of protecting the independence and sovereignty of a State victim of aggression. An essential condition for the use of such armed forces of the United Nations should be the full observance of all the provisions of the Charter. The USSR memorandum of 10 July (S/5811) expressed its attitude on those cases and circumstances on which the Soviet Union was prepared, together with all the other members of the Council, to participate in the financing of such operations. As his delegation had explained, not all of the provisions of the Charter had been complied with at the time of the adoption of the resolution of 4 March, which had just been reaffirmed by the Council. His delegation had not opposed adoption of that resolution in view of the wishes of the Republic of Cyprus and on the basis that the resolution did not place any financial obligation upon Members of the United Nations whose contingents did not participate in the armed forces of the United Nations sent to Cyprus. The position of the Soviet Union remained unchanged in respect of the further extension of the stationing of the United Nations troops in Cyprus.

164. The representative of Cyprus noted with satisfaction that the extension of the United Nations Force was taking place in accordance with the terms of the resolution of 4 March. He stressed the importance of co-operation between the Government of Cyprus and the Force in implementing the common objectives laid down by that resolution and reiterated in the one just adopted. His Government would do its utmost to comply with the wishes of the Secretary-General as regards the question of freedom of movement, although the recent deplorable incident illustrated the importance of the principle that the rights of the Government of Cyprus could not be jeopardized or prejudiced in any way. His Government would continue to do its utmost to see peace and normality restored to Cyprus; thus it had decided not to interfere with the rotation of part of the Turkish contingent without prejudice to its position on the issue of the presence of that contingent in Cyprus. It welcomed the opening of the Nicosia-Kyrenia road which the Secretary-General had been able to secure, but accepted it without prejudice to the sovereign rights of the Government. His Government welcomed the appointment of Mr. Bernardes as representative of the Secretary-General in Cyprus. It would work with the new Mediator for the purpose of achieving a solution in accordance with the principles of the Charter, taking into account the phraseology of the 4 March resolution with respect to the interests of the people of Cyprus as a whole. He welcomed the call for respect for the resolutions of the Council and hoped that there would not be another possibility of their being ignored or of violations of the Charter. In conclusion, he emphasized that the Greek majority in Cyprus constituted 82 per cent of the population. In accordance with the principles of democracy, the majority must rule and must determine the future of the country. His Government was fully aware of its obligations to the minorities, of which there were more than one.



165. The representative of Turkey observed that the incident concerning the transporting of arms by certain personnel of the Peace Force had been exaggerated for the purpose of limiting the freedom of action of the Force. Such irregularities occurred in any armed force of that size. The major ground for concern in it was the fact that the arms transported, instead of being impounded by the Force, had been handed over to the Greek Cypriots and might conceivably be used in aggressive operations against the Turkish community.

166. His delegation considered that the Council's resolution, while it did not go as far as might have been wished in extending the authority of the Force, still provided sufficient authority for the Secretary-General to proceed effectively and energetically in keeping the peace on the island. The Secretary-General could count upon the full co-operation of the Turkish Government.

167. The success of the Secretary-General's mediation in the question of the rotation of the Turkish regiment on the island was a step in the right direction. He added that the right of rotation stemmed from the Treaty of Alliance which existed and was valid and could not be made the subject of any bargaining. The opening of the Kyrenia road to unarmed civilians was also a step in the right direction taken by the Turkish Government for the sake of bringing peaceful conditions to the island. Reiterating appreciation for the efforts of the Secretary-General, he said that they might be entering a period which could constitute a breathing spell in which the new Mediator could carry out his historic task. He also expressed gratification at the appointment of Mr. Bernardes.

168. The representative of Greece expressed satisfaction with the terms of the resolution adopted by the Council and hoped that the appeal for compliance with it would be heard by those who, through their actions or their threats, had infringed on the sovereignty of the Government of Cyprus. The Turkish Government and those who supported it in its negativism would assume heavy responsibility if they tried to prevent the restoration of peace in Cyprus, which was the objective of the United Nations operation.

#### **D. Communications and reports received between 16 September and 18 December 1964**

169. In a note dated 29 September 1964 (S/5992), the Secretary-General gave a detailed account of the initial stages of the fighting in Tylliria in early August 1964, based upon UNFICYP sources of information. He stated that he considered it advisable to make the account available to the Council, with particular reference to the accounts of the fighting presented to the Council by the representative of Cyprus at its 1151st meeting on 16 September and in the Secretary-General's report of 10 September.

170. In a note dated 21 October (S/6021), the Secretary-General reported to the Council that the Special Representative in Cyprus and the Commander of the Force had informed him that the arrangements for implementation of the proposed re-opening of the Kyrenia road and the rotation of the Turkish national contingent had been completed. It was expected that the re-opening of the road, as well as the rotation, would take place within the next few days.

171. On 12 December, the Secretary-General submitted a report (S/6102 and Corr.1 and 2) covering

the period 10 September-12 December 1964. In the conclusions, the Secretary-General observed that the improvement in the position of UNFICYP and the general recognition by all parties of its usefulness constituted an encouraging development. But the basic factors of the Cyprus situation remained essentially unchanged. The life and economy of the island remained disrupted and abnormal and it would be unrealistic to expect any radical improvement until a basic political solution could be found. The task of UNFICYP, in the absence of progress toward a political solution, would inevitably become an increasingly static one. It was essential that all concerned intensify their efforts to facilitate an early solution, but for the time being there seemed to be no reasonable alternative to the continuation of its functions and activities. Recommending such a prolongation, which all of the parties directly concerned wished, the Secretary-General said that he did so on the assumption that the countries which had until then contributed would continue to do so. He urged all Member States of the Organization and of the specialized agencies to contribute.

172. Between 16 September and 18 December, a further series of communications was addressed to the Council or the Secretary-General by the representative of Turkey. These included letters bringing the attention of the Council to communications from Dr. Küçük, Vice-President of Cyprus. Letters dated 15 September (S/5974), 17 September (S/5977), 22 September (S/5982), 25 September (S/5985), 5 October (S/5999), 15 October (S/6013), 4 December (S/6083), 7 December (S/6088 and S/6089), 9 December (S/6103) and 11 December (S/6104) from the representative of Turkey concerned, among other subjects, the economic blockade against the Turkish community in Cyprus; President Makarios' proposals for solution of the Cyprus question; judicial matters; statements said to have been made by General Grivas; denials of reports of preparations for a Turkish Cypriot attack; statements made in the Greek Press; and a protest addressed to the Cyprus Foreign Minister against the "Municipality Law, 1964" passed by the Greek Cypriot members of the House of Representatives of Cyprus.

173. In a letter dated 25 September (S/5989), the Permanent Representative of Sweden transmitted the text of a communiqué issued by his Government expressing its regret on the failure of certain members on the Swedish contingent to observe strict impartiality in the conflict in Cyprus.

174. In a letter dated 11 December (S/6108), the representative of Greece replied to the Turkish letter of 9 December in connexion with statements made in a Greek newspaper.

#### **E. Consideration at the 1180th meeting (18 December 1964)**

175. At the 1180th meeting on 18 December 1964, the Council had before it the following joint draft resolution (S/6115) submitted by Bolivia, Brazil, Ivory Coast, Morocco and Norway:

*"The Security Council,*

*"Noting that the report of the Secretary-General (S/6102) recommends the maintenance in Cyprus of the United Nations Peace-keeping Force, created by the Security Council resolution of 4 March 1964 (S/5575), for an additional period of three months,*

"*Noting* that the Government of Cyprus has indicated its desire that the stationing of the United Nations Force in Cyprus should be continued beyond 26 December 1964,

"*Noting with satisfaction* that the report of the Secretary-General indicates that the situation in Cyprus has improved and that significant progress has been made,

"*Renewing* the expression of its deep appreciation to the Secretary-General for his efforts in the implementation of the Security Council resolutions of 4 March, 13 March (S/5603), 20 June (S/5778) and 25 September 1964 (S/5987),

"*Renewing* the expression of its deep appreciation to the States that have contributed troops, police, supplies and financial support for the implementation of the resolution of 4 March 1964,

"1. *Reaffirms* its resolutions of 4 March 1964, 13 March 1964, 20 June, 9 August (S/5868) and 25 September 1964 and the consensus expressed by the President at the 1143rd meeting on 11 August 1964;

"2. *Calls upon* all States Members of the United Nations to comply with the above-mentioned resolutions;

"3. *Takes note* of the report of the Secretary-General (S/6102);

"4. *Extends* the stationing in Cyprus of the United Nations Peace-keeping Force, established under the Security Council resolution of 4 March 1964, for an additional period of three months, ending 26 March 1965."

176. The representative of Cyprus noted that there had been no major incidents in the island during the period covered by the Secretary-General's report. The comparative calm had come about as a result of UNFICYP and as a result of the patient and constructive policy of his Government. In contrast, the leadership of the Turkish Cypriot rebels had continued to follow a policy of obstruction in order to further the political aims of the Turkish Government for partition or for its disguised form, "federation". His Government had done its utmost in the direction of a return to normal conditions, even overlooking in certain cases security requirements and important economic considerations, but the leaders of the rebels demanded that nothing should be done unless the unworkable and imposed Constitution of 1960, which they had destroyed by their actions, was restored. The difficulties and the plight of a section of the Turkish minority were being perpetuated by the leaders of the rebels as a matter of policy.

177. Although the declared policy of his Government, as stated to the Secretary-General in President Makarios' message of 15 September, had not so far met with the proper response, it still stood. One issue to which the Government attached great importance and without which normality was meaningless, was the need to achieve complete freedom of movement for all citizens of Cyprus.

178. Another question of primary significance was that of the resettlement of displaced persons. The imposed segregation of a section of the Turkish population had involved serious consequences, including lack of protection of the machinery of the law.

179. Urging a more effective contribution by UNFICYP towards a return to normality, he reiterated that his Government was always willing to adopt any

suggestions for measures which might contribute to pacification and restoration of normality, provided that such measures did not affect the defence requirements of the country and did not prejudice the solution of the political problem. He stressed the danger to the peace and security of Cyprus constituted by the continued illegal presence in Cyprus of the Turkish military contingent. The Turkish policy of threats, blackmail and subversion, pursued in furtherance of its expansionist aims, was undermining the efforts of the United Nations. An agreed settlement was not possible and would not be possible as long as Turkey refused to accept the basis of such a settlement as laid down by the Security Council. The resolution of 4 March 1964 spoke of the people of Cyprus as a whole.

180. The representative of Turkey said that the Council was now faced with a new approach by the Greek Cypriot leadership although there had obviously been no change in the ultimate goal of imposing their own solution. The studied course of the Greek Cypriot regime seemed to be to try to bring the Turks of Cyprus to their knees by a process of gradually extending their unlawful authority over the areas where the Turks had taken refuge. It had relentlessly gone about destroying deliberately every single vestige of the constitutional basis of law and order in the island. In the vacuum thus created the Greek Cypriots were now insidiously trying to establish their unlawful regime as the legitimate Government of Cyprus and expected the United Nations to be a party to the usurpation. But despite the change of means employed by the Greek Cypriot Government, the Turkish community was still being subjected to severe hardship, as the Secretary-General's report attested.

181. Expressing the gratitude of his Government for the efforts of UNFICYP to bring about a gradual return to normal conditions in Cyprus, he observed that the efforts to establish on all roads in Cyprus a regime like that on the Kyrenia road had met with the determined resistance of the Greek Cypriot authorities.

182. Even if UNFICYP did not consider it part of its mandate to re-establish constitutional law and order in Cyprus, he said, it could only contribute to a return to normal conditions by helping the two sides in the civil war to get together. A meeting of the true and lawful Government of the Republic, comprising members of both communities, would have been extremely helpful in that direction. The fear of a stalemate must not allow the situation to drift into a solution imposed by one party upon another. An agreed solution was the only lasting solution.

183. The representative of Greece noted that general attention was now concentrated not so much on the domestic situation on Cyprus as on the political solution of the problem. The decisive factor in that turn of events had been the determination of the Government of Cyprus to re-establish and preserve order and calm. The facts proved that the message of peace addressed by President Makarios to the Secretary-General on 15 September reflected the true intentions of the Government of Cyprus. Unfortunately, Turkish Cypriot leaders had found it necessary to continue to prevent contact between Greeks and Turks. In that connexion, he believed that the United Nations could and should guarantee freedom of choice to the Turkish Cypriots to continue to live in the encampments or return to their homes and receive the benefits of the measures which the Government of Cyprus had agreed to take, with the assistance of the United Nations, for their re-establish-

ment. The peaceful solution of the problem of Cyprus was an urgent matter. His Government agreed to the extension of the mandate of UNFICYP and hoped that an increasing number of Members would be willing to participate in underwriting the expenses of that Force.

184. The representative of Brazil noted that the joint draft resolution followed the lines of previous resolutions of the Council on the subject and involved extending the stationing in Cyprus of the peace-keeping Force to 26 March 1965, in accordance with the recommendation of the Secretary-General.

185. The representative of the United Kingdom welcomed the fact that Cyprus had on the whole been peaceful in recent weeks and that efforts continued to achieve a return to more normal conditions. His Government was prepared to continue its participation and to maintain its contingent at its present level. It was also prepared to make a further voluntary contribution of \$1 million towards the cost of the Force. It greatly hoped that other Governments would give comparable financial assistance and that more countries than before would join in sharing the financial burden.

186. The representative of the Union of Soviet Socialist Republics said that the marked improvement noted in the report of the Secretary-General was an encouraging factor. Reiterating the position of his delegation on the question of Cyprus, he said that it would not oppose the recommendation of the Secretary-General for extension of the stationing of United Nations Forces in Cyprus for an additional period of three months, taking into account the facts and on condition that the extension would conform to the provisions of the Council's resolution of 4 March.

187. The representative of Turkey could not understand why the Foreign Minister of the Greek Cypriot Government regarded federation as tantamount to partition. Federation was a form of government found in many parts of the world where it did not subsequently slide into partition. Dealing with the terms of the Council's resolution of 4 March, he said that there was no intention in that text of working towards a unitary solution and that the only interpretation to be placed upon "the well-being of the people of Cyprus as a whole" was that the interests of one community should not be given preponderance over the interests of the other.

188. The representative of Cyprus commented that the Turkish minority in Cyprus was 18 per cent of the total population and that to equate it with the remaining 82 per cent was not only contrary to all norms of democratic government and to the Charter, but was also contrary to the very interests of Cyprus as a whole. While federation had come about in many countries where separate States had decided to federate, in the particular case of Cyprus the representative of Turkey asked for division into different states and federation. He wanted to make it quite clear that federation or partition would under no circumstances be accepted by the people of Cyprus or by their Government. He saw no injustice in trying to achieve a solution based on majority rule, with sufficient guarantees for the protection of the human rights of all the people.

**Decision:** *The joint draft resolution was adopted unanimously (S/6121).*

189. The representative of the United States of America welcomed the decision of the Council. The United States noted that the past three months had

been marked by more real progress than the previous periods combined and hoped for substantially more progress in the search for a solution to the Cyprus problem during the next few months. Through the exercise of restraint and generosity a peaceful solution could and must be found.

#### **F. Communications and reports received between 18 December 1964 and 17 March 1965**

190. During this period a series of communications was addressed to the Council or the Secretary-General by the representatives of Turkey and Cyprus. Those from the representative of Turkey included a number of letters bringing to the attention of the Council communications from Dr. Küçük, Vice-President of Cyprus.

191. Letters dated 4 January (S/6137), 20 January (S/6158), 22 January (S/6159 and Add.1), 23 January (S/6161), 28 January (S/6168), 8 February (S/6176), 9 February (S/6180, S/6181, S/6182 and S/6183), 10 February (S/6184), 19 February (S/6193), 3 March (S/6213), 4 March (S/6217), 8 March (S/6221 and S/6223), 10 March (S/6227) and 15 March (S/6237) from the representative of Turkey dealt, *inter alia*, with the following: Greek Cypriot preparations for an attack and landings of men and materials from Greece; the position of Dr. Ihsan Ali in the Turkish community; the changing of the days of official bank holidays in Cyprus; the renewed atmosphere of tension in Cyprus; Greek Cypriot efforts directed at annexing Cyprus to Greece; the grave situation created by new Greek Cypriot fortifications in Famagusta; Red Crescent supplies for the Turkish community of Cyprus; arbitrary measures by the Greek Cypriot administration of Cyprus against civilian Turkish Cypriots; statements concerning "enosis"; a Greek Cypriot view on the causes of the failure of the Zurich and London agreements; replies to communications from Greece and Cyprus; and a message from Mr. Denktas, President of the Turkish Communal Chamber in Cyprus, concerning a declaration by General Grivas.

192. Letters dated 15 January (S/6152), 4 February (S/6173), 19 February (S/6194), 27 February (S/6205), 2 March (S/6212, S/6215 and S/6216), 12 March (S/6230), 15 March (S/6233), from the representative of Cyprus concerned, among other subjects, a letter from Dr. Ihsan Ali, Turkish Cypriot leader of the Paphos area; Turkish Cypriot preparations for a renewed attack; a denial of Turkish allegations concerning preparation of an attack against the Turkish Cypriots; replies to Turkish letters; and violation of human rights and oppression by the Turkish Cypriot leaders of the TMT. In a telegram dated 12 February (S/6188), the President of the Republic of Cyprus denied allegations that the Cyprus Government forces were preparing an all-out offensive against the Turkish Cypriots.

193. In a report covering the period up to 10 March 1965 (S/6228), the Secretary-General reviewed the functioning of the United Nations Operation in Cyprus. In observations on the situation, he said that despite the very creditable results achieved, he saw no alternative but to recommend another extension of the Force for a further three months. He noted the difficulties involved for those providing contingents and expressed his appreciation to the Governments of the contributing States.

194. In reviewing the problems and questions that had arisen about the mandate of UNFICYP, he observed that the Force's action was limited to doing its best to halt violence, to promote a reduction of tension and restore normal conditions of life, thus creating an atmosphere favourable to the efforts to achieve a long-term settlement. While the last months had been relatively peaceful, it was equally significant that both sides were militarily better prepared than before so that the results of any renewal of fighting were likely to be more severe than theretofore. Appealing to the parties concerned to make the most sincere and determined effort by negotiations to find an agreed basis for long-term solutions of their intercommunal problems, he said that the efforts of UNFICYP to promote a return to normal conditions in Cyprus seemed to have reached their limits in the face of the rigid positions taken by the Government and by the leaders of the Turkish Cypriot community. There was a clear need for a gradual and progressive dismantling of fortifications with a view to achieving in the shortest possible time, and under adequate protection and guarantees from UNFICYP, the removal of all fortifications and armed military posts in the island not essential for the defence of Cyprus against external attack. His Special Representative and the Commander of the Force would soon submit concrete proposals to that end and he strongly urged the parties to give their support.

#### **G. Consideration at the 1191st to 1193rd meetings (17-19 March 1965)**

195. At the 1191st meeting on 17 March 1965, the Council took up discussion of the report of the Secretary-General.

196. The representative of Cyprus expressed the disappointment of his Government over the necessity for a new extension of the Force, and reiterated its strong hope that the Force would be able to complete its task. If present conditions were perpetuated, the United Nations would have to choose either an indefinite stay of the Force in Cyprus or a withdrawal of the Force, which in the present state of affairs would make probable a renewal of fighting. Neither of those alternatives could be regarded as a success for the United Nations.

197. Paying tribute to the success of the efforts of the Force in averting major incidents, he emphasized that that state of affairs was mainly due to the fact that his Government had shown the maximum possible degree of restraint in the face of extreme provocation against established law and order and in circumstances of deliberate subversion of the unity and integrity of the State.

198. The situation, and the presence of the Force, was due to the existence in Cyprus of a few small pockets—in no more than 1.68 per cent of the area of Cyprus—under control of agents of another country.

199. If peace was to be secured and a recurrence of fighting averted, dividing lines on the island must be eliminated and a complete return made to normality. That was no more than full implementation of the Council's resolution of 4 March. The Force should fully carry out its share of responsibility for a return to normality. It could not be argued seriously that the task of the United Nations and principles guiding its mission in Cyprus should be altered in practice because the interests of the aggressor were jeopardized. The Turkish policy of division had brought great suffering

upon the peaceful majority of the Turkish Cypriot population. The Government of Cyprus had pledged to do its utmost for the protection of all citizens of Cyprus, whether Greek or Turkish Cypriots, but felt that under present circumstances it was the duty of UNFICYP to assist the Government in that respect.

200. The agents of Turkey in Cyprus sought to preserve the existing abnormal situation, the enlargement of the areas under the control of the terrorists so as to create a pattern of artificial *de facto* separation, and the creation of military and other conditions facilitating invasion from Turkey. In that connexion, he described recent incidents in the Lefka area.

201. The aim behind the Turkish activities which had led to the incidents had been the intention to occupy a larger area so as to advance plans for separation and to create conditions to facilitate an invasion which was still, it seemed, very much on the mind of the Turkish Government. The Turkish Chief of Staff had made it clear that the Turkish Government had taken steps to strengthen and complete fortification of the Turkish positions in Cyprus. Turkish threats and provocation, like the war of nerves, went on unabated. The fixed interest that Turkey had in intensifying conflict was illustrated by its recent tactics, including the false charge that the Greeks of Cyprus were on the verge of unleashing a mass armed attack against Turkish Cypriots. He contrasted such attempts to create tension and to conceal Turkish guilt with the policy of peace of his Government, which was ready to strengthen its co-operation with UNFICYP on the basis of the mutual aim of preventing the renewal of fighting and the full and complete return to normal conditions throughout the territory of Cyprus. It would resist with all the force at its disposal any attempts to confront it with stalemated conditions perpetuating and promoting any kind of separation or division. His Government would discharge its own responsibilities to the full. The people of Cyprus would never compromise or alter their determination to secure their complete freedom and decide freely for themselves their own destiny.

202. The representative of Turkey said that not only was a final settlement no nearer but, in spite of the uneasy truce, there seemed to be the threat of a recurrence of fighting on a much larger scale. The report of the Secretary-General, despite its circumspection, was a clear indictment of the policies of the Greek Cypriot Government and of the Government of Greece. The Greek Cypriot administration had relaxed somewhat its economic pressure during the period immediately before the opening of the nineteenth session of the General Assembly, but had now turned the pressure on again with increased intensity. It seemed quite clear that, whenever it suited their purposes, the Greek Cypriots sought to force a solution by economic pressure as a substitute for military action.

203. Archbishop Makarios had proceeded to have a series of laws enacted in contravention of the Constitution and it now appeared that the enactment of a new elections law was being contemplated. Those laws were devoid of any validity. If the existing electoral system was altered, the Greek Cypriots would have deliberately sown the seeds of separation in Cyprus themselves, since the Turkish community could not be expected to take part in any election to be held under an unconstitutional elections law.

204. The Turkish representatives then turned to the pernicious role played by the Government of Greece, which had sent a formidable force into Cyprus. Giving

details of that force, he said that the unlawful Greek Cypriot regime was acting hand in glove with the Government of Greece in trying to bring about their declared intention of annexing the island to Greece. In consequence, Greece had shouldered full responsibility for all military action on the island, and any military aggression directed against the Turks of Cyprus would be considered as aggression coming from Greece as well as from the Greek Cypriot regime. Unless and until the Greek invading force in Cyprus and the Greek officers in the Greek Cypriot forces left the island, the greatest threat to peace in the area would be present. In that connexion, he referred particularly to the village of Ambelikou which had been surrounded and attacked since 12 March.

205. Reviewing statements made by President Makarios and General Grivas, as well as the dangers inherent in the overwhelming arms build-up of the Greek Cypriots, he maintained that if the danger of renewed large-scale hostilities in the area was to be averted, measures of disarmament and repatriation of troops, similar to those proposed in the past, should be taken without delay. As the Secretary-General had made clear, UNFICYP could not act as an instrument of the Greek Cypriot Government. The 4 March resolution defining the mandate of UNFICYP dealt with the two hostile communities on a basis of equality. His delegation continued to maintain that the Force could best carry out its mandate of restoration of law and order and of a return to normal conditions by patiently trying to restore the very basis of law and order on the island, namely, the Constitution, and by providing for the Turkish community the exercise of their constitutional rights.

206. The Greek and Greek Cypriot forces were equipped with heavily armed mobile forces, so that a removal of all fortifications would render the Turks an easy prey to those forces. Moreover, fortifications ostensibly for external defence could easily be used against the Turkish community in local operations. All Turkish positions were defensive whereas even the smallest Turkish agglomerations were surrounded by offensive Greek fortifications, which were the ones that must come down.

207. The representative of Greece reviewed the background of the problem, declaring that the agreements of 1959-1960 had granted to the Turkish Cypriots, in domestic as well as external matters, exaggerated privileges in the form of a series of rights of veto. Those unprecedented privileges, which had been meant as a protective shield, had been changed into a means of pressure against the majority, resulting in the paralysis of the State. It had been obvious, even in the eyes of the moderate members of the minority, that the situation had to be remedied, but the Turkish Cypriot leaders, pushed by Ankara, had opposed any negotiation or dialogue likely to consolidate and strengthen the Republic of Cyprus. A strong Turkish Cypriot military unit ready to enter into action had significantly appeared upon the launching of the incidents of December 1963. The chief of the minority, Mr. Küçük, had declared the Republic defunct and the Constitution obsolete and had claimed that partition was the only solution. That policy of dismemberment of the island had consistently been advocated by the Turks. He contrasted that interest in separation and in the poisoning of relations between the communities with the attitude of the Greek Cypriots as manifested in the statement of Archbishop Makarios in September 1964.

The Turkish response to that statement, he recalled, had been quite negative. Whereas the policy of the Government of Cyprus aimed at the re-establishment of order and a return to conditions of normal life in all fields, the policy of the Turkish Government sought to divide and to maintain the self-isolation of the Turkish Cypriots. The maintenance of such barriers, he continued, was not designed to protect the members of the Turkish Cypriot minority, since the extent of areas under Turkish military control was less than 2 per cent of the territory of the island and those areas contained about one-fifth of the Turkish Cypriot population. The other four-fifths lived peacefully on the rest of the island outside the terroristic grasp of the leaders, as was attested by the report of the Secretary-General. Turkish diplomacy had been carrying on intensive activities in various capitals and international organizations, trying to plant the idea, unsupported by any proof, that the Greek Cypriots were engaged in military preparations for the extermination of the entire Turkish minority. Such activities were designed to prevent any return to normality. As the Secretary-General's report attested, the intention of the Turkish fighters in Cyprus was to achieve and enforce a condition akin to *de facto* partition. In that connexion, he pointed out that the United Nations Force, under the 4 March resolution, was called upon to protect the integrity and unity of Cyprus.

208. Extreme solutions could not be achieved since they were equally offensive to the sense of justice of international public opinion and to the determination of the enormous majority of the population.

209. At the 1192nd meeting on 18 March, the representative of the United Kingdom noted that the Mediator was in the process of completing his first report. The period after the presentation of that report would perhaps be the most crucial and his Government hoped that all concerned would avoid hasty or rigid judgements and would approach the coming months with the utmost tolerance and flexibility they could muster. It was more than ever necessary for all Member States in conformity with the resolution of 4 March to refrain from any action likely to worsen the situation. The Secretary-General's latest report made it very clear how precarious was the peace and how close to the surface lay all the elements for a further outbreak of violence. The indications of a continuing arms build-up given in the Secretary-General's report pointed to a very serious development underlining the crucial need for restraint and made it clear that the mandate of UNFICYP must be renewed for a further period. His Government supported the recommendation of the Secretary-General in that respect. It would continue to provide a contingent in UNFICYP at the same strength as before, if required to do so. It was willing to make a further contribution of \$1 million towards the expenses of that peace-keeping operation.

210. After further statements by the parties at the same meeting, discussion was continued at the 1193rd meeting on 19 March, when the representative of Bolivia introduced the following joint draft resolution (S/6247) submitted by Bolivia, Ivory Coast, Jordan, Malaysia, the Netherlands and Uruguay:

*"The Security Council,*

*"Noting that the report of the Secretary-General (S/6228 and Corr.1 and Add.1) recommends the maintenance in Cyprus of the United Nations Peace-keeping Force, created by the Security Council resolution of 4 March 1964 (S/5575), for an additional period of three months,*



"*Noting* that the Government of Cyprus has indicated its desire that the stationing of the United Nations Force in Cyprus should be continued beyond 26 March 1965,

"*Noting* from the report of the Secretary-General that while the military situation has on the whole remained quiet during the period under review and while the presence of the United Nations Force has contributed significantly to this effect, nevertheless the position remains one of uneasiness in several points, with the consequent danger of a renewal of fighting with all of its disastrous consequences,

"*Renewing* the expression of its deep appreciation to the Secretary-General for his efforts in the implementation of the Security Council resolutions of 4 March (S/5575), 13 March (S/5603), 20 June (S/5778), 25 September (S/5987) and 18 December 1964 (S/6121),

"*Renewing* the expression of its deep appreciation to the States that have contributed troops, police, supplies and financial support for the implementation of the resolution of 4 March 1964,

"1. *Reaffirms* its resolutions of 4 March 1964, 13 March, 20 June, 9 August (S/5868), 25 September and 18 December 1964 and the consensus expressed by the President at the 1143rd meeting on 11 August 1964;

"2. *Calls upon* all States Members of the United Nations to comply with the above-mentioned resolutions;

"3. *Calls upon* the parties concerned to act with the utmost restraint and to co-operate fully with the United Nations Force;

"4. *Takes note* of the report by the Secretary-General (S/6228 and Corr.1 and Add.1);

"5. *Extends* the stationing in Cyprus of the United Nations Peace-keeping Force, established under the Security Council resolution of 4 March 1964, for an additional period of three months, ending 26 June 1965."

211. The representative of Jordan said that the proximity of Cyprus to his country and the strong ties between his people and the people of Cyprus of both Greek and Turkish stock made his delegation approach the issue with special concern. It strongly felt that what was basically required was a restoration of the spirit of co-operation and goodwill among the parties. He paid tribute to the considerable degree of success achieved by the United Nations Force in contributing to the maintenance of law and order on the island. He expressed his delegation's concern over the parts of the Secretary-General's report which dealt with tension, which strengthened the argument for a further extension of the Force. He associated his delegation with the Secretary-General's appeal for co-operation from all the parties concerned.

212. The representative of the Netherlands paid tribute to the work of the United Nations in Cyprus. Without belittling the co-operation of the parties who had helped to find solutions in several situations, it seemed that the Force had exerted exactly that calming effect for which it had been established. The Force should therefore be enabled to continue to function and the United Nations was entitled to expect the parties concerned to give all necessary co-operation to the Force. He regretted the instances mentioned in the Secretary-General's report where the generally satisfactory state of affairs had been troubled by difficulties

with the Cypriot military leadership, on the one hand, and the Turkish Cypriot military leaders, on the other. The hostile confrontation of armed forces and the increased influx of light and heavy military equipment for the Government's forces had inevitably increased the danger. His delegation had been glad to take note of assurances to the Force Commander that there was no intention of using any such equipment in the inter-communal conflict or to attack the Turkish Cypriot community. He asked all parties concerned to heed the call of the Secretary-General for continued recognition of the rights of UNFICYP in respect of free movement and observation. His delegation also attached importance to the Commander's proposals for progressive defortification.

213. The Netherlands felt bound to express its disappointment at the lack of progress towards either a normalization of the situation or towards a solution of the problem itself. His delegation believed that there was a rising feeling that the time had come where the efforts of the United Nations Force and of all those who contributed to it whether in men or in money, as in the case of the Netherlands, should be matched by a clear willingness of all parties concerned to reach an agreed solution. In that respect, he had been struck by the agreement of the parties that the existing situation could not be allowed long to endure except at the greatest peril to peace. The only logical conclusion to be drawn from that fact was that it was high time to stop accusations and to start negotiations for a long-term solution.

214. The representative of Malaysia said that his delegation found the latest report of the Secretary-General to be the most disquieting of the four that had been submitted and the statements over the last two days had underlined his fears. It was essential to bear in mind that UNFICYP was a means to the end of an acceptable political settlement between the contending parties. Paradoxically, the presence of UNFICYP, although it had undoubtedly arrested a worsening of conditions, had made it possible for contestants on both sides to consolidate their existing military strength and increase their offensive and defensive capabilities. The central core of the problem was the military build-up, and it was to be feared that it would give rise to more and more incidents of violence on the one hand, and, on the other, render efforts at mediation less and less fruitful or capable of ultimate success. He therefore appealed for a cessation of the build-up and joined in asking that all parties avoid taking rigid or inflexible attitudes in the conduct of negotiations through the Mediator.

215. The representative of the United States believed that the continued presence of UNFICYP on Cyprus was still essential to the creation of the conditions necessary to the working out of an agreed solution. The service to peace rendered by the members of the Force had earned universal admiration. Welcoming the joint draft resolution, for which he would vote, he said that the mere presence of the Force in Cyprus, important as it was, was not enough. To be effective, it must be permitted to carry out the mandate assigned to it. In that connexion, he referred to the need for freedom of movement and welcomed the statement by the Foreign Minister of Cyprus that his Government would strengthen its co-operation with UNFICYP. His delegation supported the Secretary-General's interpretation of the role of the Force and called for compliance with the Force Commander's recommendations regarding the

situation in the Lefka-Ambelikou area. His delegation also shared the concern of the Secretary-General regarding the importing of heavy arms into Cyprus, about which the Council could not fail to be concerned. He called on the parties to place greater confidence in the demonstrated abilities of the Force and its capable Commander to protect the security interest of the people of Cyprus and to turn their attention to a return to normal conditions and to communal reconciliation. The United States stood ready to contribute up to an additional \$2 million towards defraying the expenses of the extended period of the Force.

216. The representative of China said that it must be recognized that the Force had effectively sought to implement the relevant Council resolutions and had contributed to the achievement of the objectives laid down by the Council. It deserved the confidence and gratitude of the Council. The fact that peace and quiet had generally prevailed during the period covered by the Secretary-General's report was a remarkable achievement despite the regrettable outbreak of recent fighting near Lefka. He supported the extension of the Force.

**Decision:** *After further discussion at the 1193rd meeting on 19 March, the joint draft resolution was adopted unanimously (resolution 201 (1965)).*

## H. Report of the Mediator

217. On 30 March 1965, the United Nations Mediator, Mr. Galo Plaza, submitted a report to the Secretary-General in which he reviewed the background of the situation, the activities and efforts of the Mediator, and analysed the positions of the parties concerned regarding an agreed settlement of the Cyprus problem. In spite of the impasse between the positions of the Greek Cypriots and the Turkish Cypriots, he did not feel entitled to suggest to the Secretary-General that the mediation effort had reached its absolute limits and that it had finally been proved incapable of bringing about an agreed settlement of the problem of Cyprus. The respective conceptions of principle were not so different in terms of the real interests at stake as to be beyond reconciliation. Both sides, he noted, advocated independence but under different terms. He considered the question of *enosis* as the most divisive and potentially the most explosive aspect of the problem. It was difficult for him to see how any proposed settlement which left open the possibility of *enosis* being brought about against the will of the Turkish Cypriot minority could secure agreement at present or in the foreseeable future. Serious warnings had been given that an attempt to impose such a solution would be likely to precipitate not only a new outbreak of violence on Cyprus itself but also a grave deterioration in relations between Turkey on the one hand and Cyprus and Greece on the other, possibly provoking actual hostilities and in any case jeopardizing the peace of the eastern Mediterranean region. Should the Government of Cyprus decide to refrain, for as long as the risks persisted, from placing before the population the opportunity to opt for *enosis*, he was confident that the Government of Greece would be prepared to respect that course of action. That decision would have to be a free undertaking, in view of the sovereign prerogatives which the Cyprus Government enjoyed and would not be a condition to be imposed upon them. Such a course of action was capable not only of fitting the principle of self-determination but also of going a long way towards contributing to the

maintenance of international peace and security. In that connexion, the Mediator reviewed prospects in connexion with possible demilitarization.

218. Dealing with the structure of the independent State, he observed that the opposition of the Greek Cypriots to the Turkish Cypriot idea of geographic separation was hardly less strong than the opposition of the Turkish Cypriots to the imposition of *enosis*. He had studied the arguments for and against that proposal and found it difficult to see how the practical objections to it could be overcome. He was reluctant to believe in the "impossibility" of Greek Cypriots and Turkish Cypriots learning to live together again in peace. He was inclined to regard separation as the only means that the Turkish Government and Turkish Cypriot leadership considered workable of ensuring respect for the real principle at stake: namely, that the Turkish Cypriot community must be protected adequately. The Mediator fully supported that principle. He felt strongly that the protection of the Turkish Cypriot community was one of the most important aspects of the Cyprus problem and that everything possible must be done to ensure it, including safeguards of an exceptional kind.

219. The realities of the situation required that there must be established in Cyprus the most rigorous possible guarantees of human rights and safeguards against discrimination and that, for some time, in order to help the two communities to find their way out of the vicious circle of deep distrust between them certain international guarantees must also be provided. In addition, any Turkish Cypriot who failed to find in such guarantees a basis for reasonable confidence should have the right to resettle in Turkey and should be assisted to do so with adequate compensation. Appropriate assistance should also be provided to rehabilitate all those whose property had been destroyed or seriously damaged as a result of the disorders. That would be a task of reconstruction for which, he felt confident, external assistance, including assistance from the United Nations family of organizations, would be forthcoming at the Government's request.

220. The hard fact of the distinctive features of the two communities, sharpened by the recent events, required that some special measures, if only transitional, should be applied to ensure to the members of the minority community a proper voice in their traditionally communal affairs and also, without weakening the unity of the State, an equitable part in the public life of the country as a whole. That was not a question of denying the right of a political majority to rule, but a question of the need to avoid the excessive demands of one presently distinct community over another to an extent and in a manner likely to delay indefinitely the unity of the population.

221. The Mediator noted the assurances given by Archbishop Makarios of his concern for those aspects of the problem and the specific measures which the Archbishop had expressed willingness to apply. The need for such measures having been conceded in principle, the Mediator felt confident that their improvement and extension would, if need be, be matters susceptible of negotiation between the parties. He attached particular importance to the presence and role of a United Nations Commissioner, a unique and extraordinary safeguard whose very existence would, he believed, engender confidence in all Cypriots. In response to the matter of the position of the Turkish Cypriots as a community, Archbishop Makarios had conceded the desirability of finding some means, for a transitional period at least,

of ensuring representation of the Turkish Cypriots in the governmental institutions. That might be done by a system of proportional representation or reservation of seats in the Parliament, and also, perhaps, by the appointment of a Turkish Cypriot minister responsible for the affairs of his community—without prejudice to other Turkish Cypriots being elected or appointed on merit. In that field, too, he felt confident that negotiations between the parties could be fruitful. After reviewing other questions in that connexion, the Mediator expressed the opinion that because both sides, for apparent reasons, might view treaty arrangements with some misgivings, a different form of guarantee might have to be devised. He believed that the possibility could be explored for the United Nations itself to act as the guarantor of the terms of the settlement.

222. In conclusion, the Mediator stressed that he had not felt it appropriate at that stage to set forth precise recommendations or even suggestions of a formal kind for a solution to the problem of Cyprus. His only recommendation was that the parties concerned should try, in the light of the observations in the report, to meet together at a suitable place on the earliest possible occasion. The procedure most likely to produce fruitful results would be for such a meeting or series of meetings to take place in the first instance between representatives of the two principal parties who belonged to Cyprus: the Greek Cypriot and Turkish Cypriot communities. That by no means precluded other alternatives that might prove acceptable and would not alter the fact that an agreed settlement in the context of the Council resolution of 4 March 1964 must have the adherence of all the parties mentioned in that resolution.

223. Should that procedure lead eventually to agreement on all major issues and should it then be found necessary to refer the terms of settlement to the people of Cyprus directly, he considered that it would be essential that they should be asked to accept or reject the basic settlement as a single package and not in its various parts. If there were a majority vote against the terms of the settlement, that should not be construed as a vote in favour of any other particular solution, but would only signify that the process of seeking an acceptable form of settlement would have to begin anew.

224. In a letter dated 31 March (S/6267) addressed to the Secretary-General, the Permanent Representative of Turkey said that his Government had carefully studied the report of the Mediator. In spite of the Mediator's mandate being defined in the 4 March 1964 resolution as promoting "an agreed settlement", Mr. Galo Plaza, without securing the agreement of all parties to the dispute, had proceeded to express his conviction as to the substance of the problem by way of observations, views or suggestions. On several occasions in the past, the Turkish Government had made it clear to Mr. Galo Plaza that such a course would not be compatible with his mandate and had requested him to refrain from such action in order that he might fruitfully continue his mediation efforts, the pursuance of which was also desired by the Turkish Government. The report of Mr. Galo Plaza contained sections which went beyond his terms of reference. It was obvious that those sections could not be taken into consideration, could not be entertained as a mediation effort and could not therefore constitute in any manner a basis for future efforts. That created a situation where it must be deemed that Mr. Galo Plaza's functions as a mediator had come to an end upon the publication of his report.

At any rate, the Turkish Government could no longer expect positive results from the continued mediation efforts of a person who had given vent to his convictions on the substance of the question without the agreement of all parties concerned. It wished to express to Mr. Galo Plaza, its thanks for his efforts in trying to find a settlement agreeable to all the parties.

225. In a reply dated 1 April (S/6267), the Secretary-General noted the views expressed. While it was for the members of the Council themselves to make authoritative interpretations of the provisions of resolutions of the Council, he had found nothing in the Mediator's report which he could consider as going beyond, or being in any other respect incompatible with, the functions of the Mediator as defined in the resolution of 4 March 1964. While he noted with regret the view of the Turkish Government that the functions of the Mediator had come to an end, he did not consider that any action by him at that juncture affecting the status of the Mediator was called for. He appealed to that Government not to insist on the extreme position that the services of the Mediator had come to an end because he feared that that might well mean the end of, for all practical purposes, the mediation effort itself, thus greatly diminishing hopes for a peaceful solution of the Cyprus problem. That appeal, of course, did not apply in any way to the attitude of the Government of Turkey towards the substance of the Mediator's report.

226. In a reply dated 6 April (S/6267/Add.1), the representative of Turkey said that it had never occurred to his Government to take action concerning the standing of a person designated by the Security Council. But there could be no further usefulness in the continuation of Mr. Galo Plaza in his functions. Under the circumstances, to draw the conclusion that his mediation efforts had come to an end was no more than the expression of the assessment of a state of fact. His Government, which had always fully supported the constructive mediation efforts of the United Nations, aimed at promoting a peaceful solution based on justice, would continue to do so in the future.

227. In a note dated 12 April (S/6275/Add.1), the representative of Cyprus transmitted a statement issued by his Government on the report of the Mediator. It had reached the conclusion that most of the findings in the report constituted a constructive approach to the problem, particularly the chapter on the criteria upon which the solution of the problem must be based. But it could not agree with the recommendation of self-restriction with respect to the exercise of the right of self-determination as long as there existed a danger to peace. The Government believed that the work of the Mediator had been useful and wished it to be continued.

228. On 9 April, the Secretary-General transmitted to the members of the Council, for their information, a letter dated 3 April (S/6279) from Dr. Küçük, Vice-President of the Republic of Cyprus, enclosing a statement by the Turkish Cypriot leadership on the report of the Mediator. The statement by the Turkish Cypriot leadership expressed regret that the Mediator should have made personal suggestions, which could not have any legal effect. It could not have been the intention of the Mediator to advocate the idea that situations in violation of treaties and created through a use of brute force should be taken as a basis of discussions for new agreements. The report did not take into consideration the legal rights of the Turkish Cypriot community and Turkey. What was important was to establish an order in Cyprus, on the basis of the validity of the 1960



treaties, in order to provide possibilities for the Turkish community to preserve its existence and to continue to live in peace and security. The supposedly generous offer by Archbishop Makarios to respect the human rights of the Turkish community would in fact be nothing more than the restoration to the Turks of some of the rights which they already possessed under the Constitution and which human beings everywhere must possess in any case. The Turkish Cypriots had absolutely no confidence left in Greek Cypriot leadership. The Turkish community, as one of the two partners in the sovereignty of the Republic of Cyprus and as the owner of no less than one-third of the entire territory of the Republic, sought conditions that would make it physically impossible for the Greeks to destroy the independence of the Republic or to eliminate, dominate or subjugate the Turks or the Turkish community as a whole, with or without *enosis*. Cyprus, it was declared, was not a "country" in any ethnic sense; it was just a small island populated by two distinct national and juridical communities. The fact that the Greek community was numerically bigger than the Turkish did not make the island in its entirety a property of the Greeks and did not entitle the bigger community to rob the smaller one of all its basic rights including the right of self-determination and the right to enjoy full security of life and property. Reviewing the virtues of federation as a solution, the statement considered it strange that the Mediator's report, while objecting to a voluntary regrouping of a limited number of people within Cyprus, should advocate voluntary resettlement of Turks in Turkey, involving a much more complicated and costly movement of people and a total change of conditions of life and employment.

229. In a letter dated 8 April (S/6280), the Minister for Foreign Affairs of Greece communicated to the Secretary-General a statement issued by the Greek Council of Ministers on the Mediator's report. That report, it was observed, constituted a synthesis of the findings and conclusions by two personalities who had in succession performed the duties of Mediator. It noted with satisfaction the Mediator's recognition of the fundamental right of the people of Cyprus to decide on their own future without any restriction from outside; but the exercise of that right should not be restrained because of the threat of the use of force. The Greek Government continued to aim for unfettered independence for Cyprus, including the right of self-determination, as well as full protection of the rights of the Turkish minority. The means to that aim were pacification and continuation by Mr. Plaza of his mission as Mediator.

#### **I. Communications circulated between 18 March and 15 June 1965**

230. During this period a series of communications was addressed to the Security Council or the Secretary-General by the representatives of Turkey and Cyprus. Those from the representative of Turkey included a number of letters bringing to the attention of the Council communications from Dr. Küçük, Vice-President of Cyprus.

231. Letters dated 18 March (S/6244 and S/6246), 22 March (S/6251), 24 March (S/6255), 2 April (S/6271), 20 April (S/6293), 23 April (S/6298), 27 April (S/6306 and S/6307 and Corr.1), 28 April (S/6309), 30 April (S/6311), 3 May (S/6326), 5 May (S/6335), 7 May (S/6337), 13 May (S/6357),

27 May (S/6384, S/6393 and S/6394), 28 May (S/6395) and 1 June (S/6402), from the representative of Turkey dealt, among other things, with a letter from Mr. Denktas and Mr. Osman Orek, Minister of Defence for Cyprus, concerning the report of the Secretary-General; a message from Mr. Denktas on the question of *enosis*; a reply by the Vice-President of Cyprus to the speech made by the Foreign Minister of Cyprus before the Security Council on 19 March; the importation of Red Crescent supplies into Cyprus; the dissolution of the Greek Communal Chamber of Cyprus; Turkish Cypriot protests against the blockade in Nicosia; the murder of a Greek and Turkish Cypriot on 11 April; comment on the unilateral dismantling of Greek Cypriot fortifications; replies to letters from the representative of Cyprus; the dismissal of Mr. Suleiman; freedom of movement of Turkish Cypriots; the danger of a new Greek Cypriot attack, and the statement made by President Makarios on 26 May.

232. Letters dated 16 April (S/6286), 22 April (S/6296), 23 April (S/6299), 3 May (S/6327), 6 May (S/6334), 12 May (S/6350), and 26 May (S/6383), from the representative of Cyprus referred, *inter alia*, to the murder of a Turkish Cypriot and a Greek Cypriot on 11 April; a statement made on 21 April by the President of Cyprus announcing the unilateral dismantling of Greek Cypriot fortifications; incidents caused by Turkish Cypriots on 9 and 15 April; violation of the air-space of Cyprus by a Turkish Air Force jet on 26 April; preparations by Turkish Cypriot rebels; acts of provocation and aggression by Turkish Cypriots; and replies to Turkish communications.

#### **J. Report of the Secretary-General and consideration at the 1224th meeting (15 June 1965)**

233. On 10 June, the Secretary-General submitted a report on the United Nations operation in Cyprus (S/6426) covering the period 11 March-10 June. In the observations made at the conclusion of the report, he stated that although there had been relative quiet in Cyprus for the past three months, the basic situation remained unchanged and there had been no real progress in solving the fundamental problems. The quiet which prevailed was tenuous and it was very likely that without UNFICYP there would be an early recurrence of fighting. UNFICYP provided the only mechanism by which civilian administrative, judicial and economic activities in the island could be carried out across communal lines. The problems encountered in attempting to achieve a return to normality, which had been described in some detail in the report, provided an indication of the kind of breakdown in the life of the island which might occur if UNFICYP were to be withdrawn.

234. With those considerations in mind, he felt obliged to recommend to the Council that UNFICYP be extended for a further period which he hoped might be six months instead of the usual three. Among the advantages of a longer extension would be facilitation of the planning and efficient operation of the Force and the fact that it would be a more economical arrangement. Governments contributing contingents had indicated no objection to the longer period. The report also observed that the question of withdrawal of the Force before the expiry of the six months period, should it arise, would be submitted without delay to the Security Council for its consideration and

appropriate action. Noting that voluntary contributions pledged to date left a deficit of \$1.6 million for the period which was ending, the Secretary-General pointed out that it would be necessary to obtain that sum, as well as pledges to cover the costs for any further extension of UNFICYP.

235. Unless the mandate were to be changed, which seemed unlikely, or real progress were to be made towards a political solution or to more normal conditions, the current strength of UNFICYP was, in the firm view of the Commander of the Force, the absolute minimum for the effective performance of its duties.

236. The dominant factor of the prevailing situation was the armed confrontation between the Government of Cyprus and the Turkish Cypriot community. The disengagement programme announced by the Government on 21 April had provided a starting point from which to deal with that situation. But the full potentialities of such a scheme could be realized only when it had been extended to areas where the tension was high, such as in the walled city of Nicosia. The Government had indicated its intention of extending the disengagement programme to all areas, if and when circumstances permitted. In that connexion, the Secretary-General urged both the Government of Cyprus and the Turkish Cypriot community to co-operate increasingly in making disengagement a reality. If the Government was to be urged to extend the geographic scope and the detailed implementation of the programme, then it was necessary also for the Turkish Cypriots, on their part, to react positively and helpfully to reciprocate with similar disengagement measures on their side under UNFICYP's protection and guarantee.

237. The maintenance of the armed confrontation discouraged normal life and security for all the inhabitants of the island and generated constant risk of clashes as well. He appealed to the Cyprus Government and to the Turkish Cypriot community to co-operate with UNFICYP in measures to eliminate inflammable and precarious situations, such as those prevailing in Lefka-Ambelikou and in parts of Nicosia, where the closeness of the confrontation between military elements was such as to render it impossible for UNFICYP, by interposition or any other means, effectively and reliably to carry out its function of preventing a recurrence of fighting.

238. The mediation function, due to circumstances fully known to the Council through previous reports on the subject, was inactive at the present time. Though unfortunate, that did not preclude a continuation of the efforts as recommended by the Mediator to bring about discussion and negotiation among the parties concerned, at any level, looking toward the settlement of political problems. In that regard, it was known that bilateral talks between Greece and Turkey were taking place and the hope might be expressed that they would be productive. In addition, he had long believed that it would be very helpful if talks could be arranged locally between officials of the Cyprus Government and leaders of the Turkish Cypriot community. Efforts would continue in that direction.

239. At the 1224th meeting on 15 June, the representative of Cyprus said that his Government had accepted the Secretary-General's proposal for a six-month extension subject to the understanding stated in that respect by the Secretary-General. In reviewing the period covered by the report, the representative of Cyprus contrasted the attitude and actions of the

Turkish Cypriot terrorists, under direction from Ankara, with the persistent attempts of his Government, in co-operation with the United Nations, to bring about the full pacification and normalization of the situation in Cyprus. Careful study of the report of the Secretary-General, he declared, would confirm that that had been the attitude of his Government. In response to his Government's attitude, the Turkish Cypriot leadership had not only refused positively to respond to any proposal or measure leading to a return to normality, but had on the contrary tried to take advantage of the pacifying gestures of the Cyprus Government in order to promote their political aims and improve their military positions. In that connexion, he cited the case of the Greek-owned shops in the Paphos Street in Nicosia, on the so-called Green Line, which had been described in the report of the Secretary-General. He also mentioned a series of incidents in the Lefka-Ambelikou area. The attitudes and methods employed by the Turkish Cypriot terrorists could further be illustrated by the cold-blooded murder of a Turkish Cypriot trade union leader, Dervish Gavazoglu, who had been prominent in working towards reconciliation between the Greeks and the Turks in Cyprus and had accordingly been repeatedly threatened with execution by the Turkish terrorist organization.

240. The report of the Secretary-General had noted what it termed a seemingly deliberate policy of self-segregation by the Turkish Cypriots. That statement gave the true picture of the situation in Cyprus and the answer to the question of who was responsible for that situation. Intimidation, murder, torture and detention had been the measures used for some time by the Turkish Cypriot leadership upon the innocent members of the Turkish Cypriot minority in Cyprus. Turkey, by means of a combination of internal subversion and continued threats of aggression and invasion, systematically and continuously undermined all efforts for a return to normality and frustrated the possibilities for a peaceful solution. But the issue of Cyprus could be decided only through the United Nations and on the basis of the principles of the Charter. In that connexion, he recalled that his Government considered the report of the Mediator most constructive and useful although it had some reservations with regard to certain of the views expressed in that report.

241. The representative of Turkey said that he had reason to share the hopes expressed by the Secretary-General in his report that the negotiations under way with a view to finding a solution to that unfortunate question would be productive. It was his delegation's hope that, once a basis for agreement could be reached between Greece and Turkey, the same basis could be extended with general consent to bring in all parties concerned so that a peaceful solution and an agreed settlement as envisaged by the Council might be realized. It was unfortunate, however, that that glimmer of hope was being dimmed by a growing intransigence of the Greek Cypriot Government. Archbishop Makarios had recently made an inflammatory statement to the effect that the alternatives were union of all Cyprus with Greece or a holocaust.

242. Turkey agreed to the suggestion of prolongation of the mandate of the Force in Cyprus for six months instead of the usual three. The position of his Government on the report of the Mediator had been made quite clear in his letters of 31 March and 6 April 1965 (S/6267 and Add.1). He reiterated, however,

that Turkey could continue to support the mediation efforts of the United Nations as envisaged under the Council resolution of 4 March 1964. The Secretary-General's report noted that earlier fears of external attack had not materialized and indeed made it clear that the frequent and indiscriminate invocation of that imaginary threat had been seriously curtailing UNFICYP in its efforts to reduce the tension on the island and effectively to prevent the recurrence of fighting between the two communities. In that connexion, he cited events in the area of Lefka and Ambelikou in March 1965. A similar illegal encroachment on Turkish Cypriot rights by the Greek Cypriots was unfortunately shaping up in another part of the island, again in the name of external defence. The real Greek Cypriot intention was to strangle yet another Turkish village, that of Mandria, regarded by impartial military observers as the least likely place to be chosen for any external attack. It was to be hoped that UNFICYP would have better success in that instance than it had had so far in the Lefka-Ambelikou region.

243. Turning to the question of the right of inspection by UNFICYP on the Green Line in Nicosia, he said that the Turkish Cypriots had never intended to interfere with the freedom of movement of the Force, and that the misunderstanding had been immediately cleared up once it had become possible to have the inspection by UNFICYP without occupation of the premises in question by the Greek Cypriots. As for the unfortunate assassination of Mr. Gavazoglu, he noted that the report of the Secretary-General stated that it had not been impossible to identify the perpetrators of that crime and that the Vice-President of the Republic of Cyprus had suggested that the police unit attached to UNFICYP could be asked to carry out an impartial investigation.

244. Freedom of movement on all highways, if necessary under UNFICYP supervision, and relaxation of the economic restrictions against the Turkish community were two areas where UNFICYP efforts should be concentrated. In that connexion, he noted that the Turkish community, notably in the opening of the Nicosia-Kyrenia road, had not been lacking in goodwill in that respect. He also referred to the hardships of all kinds which the Secretary-General's report described. Reviewing the often-repeated allegations that movement of members of the Turkish community was restricted by its leaders, he cited the number of Turkish visitors trapped in Nicosia by the Greek Cypriot siege on 16 April and also recalled the case of Mr. Suleiman, who had been dismissed from the Government's civil service as a result of having spoken the truth. Similar Greek Cypriot allegations about Turkish Cypriot refugees were also false. Not only had the Greek Cypriots continued to hamper the importation of relief supplies, but they had refused to honour an agreement for the evacuation of Turkish buildings in Nicosia, thereby condemning thousands of Turkish Cypriots to remain as refugees in camps outside Nicosia.

245. Referring to reports that the Greek Cypriot administration was being urged to hold a general election for the two communities under a unified electoral roll, he noted that the Constitution provided for separate communal rolls. If the Greek Cypriot regime carried such a project into effect, it would be consolidating the irrevocable separation of the two communities. In conclusion, he stated that the so-called disengagement programme declared unilaterally by

Archbishop Makarios on 21 April could not be taken as a starting point for any return to normal conditions in view of the realities of the military situation. Real disengagement between the two communities could only take place after a balance in military power was established through disarmament under effective control. Under prevailing conditions, UNFICYP protection could only be considered supplementary and not an alternative to the defences of the Turkish Cypriot community. In connexion with the talks urged by the Secretary-General, he assumed that what was meant was that the Government of Cyprus should meet in plenary and discuss problems that normally concern the Government of a State. The Turkish Cypriot leadership had always been in favour of that and had proposed such a meeting.

246. The representative of Greece said that two factors had brought about the somewhat better atmosphere and somewhat more encouraging prospects: (1) the improvement in the situation in Cyprus, thanks to the presence of the Force and the continued efforts of the Cyprus Government; and (2) the dialogue just reiterated between the Governments of Greece and Turkey, which was fully consistent with the concluding remarks of the report of the Mediator, to whom the representative of Greece paid tribute. His Government approved those discussions, reviewing all aspects of Greek-Turkish relations with sincerity and goodwill, and trusted that they would pave the way to an improvement of the situation in the whole area, thus promoting its ultimate aim of helping to find a peaceful solution to the Cyprus question. He regretted that the Turkish Cypriot leadership had not responded to the Government's pacification offers and measures and noted that whereas the Turkish Cypriots could move about in the Government-controlled areas no Greek Cypriot was allowed to enter the Turkish enclaves except by special permission or under special escort. The task lying before everyone, including the Cyprus Government and the Turkish Cypriots, was still a difficult one. A newer impulse must be given to pacification and to a comprehensive return to normalcy, and further complementary steps must be taken if the talks in Athens and Ankara were to succeed. Meetings between the leaders of the Turkish Cypriot community and their Greek fellow-islanders were absolutely essential and should be started as soon as possible. Local problems could best be solved locally.

247. His Government concurred in the proposed extension of the mandate of the Force and maintained its consistent policy of putting its trust in the United Nations, in keeping with which it had given support to UNFICYP in amounts far beyond what could be expected from a small country heavily burdened by the protracted crisis and exceeding the contribution of another allegedly equally interested, and far wealthier, party. In conclusion, he paid tribute to the Secretary-General and to the international Force.

248. The representative of the United Kingdom said that his Government supported the extension of the mandate. It would continue, if so required, to provide its contingent at its present strength and to meet all the latter's costs. It would make a further voluntary contribution of \$1 million towards the expenses of the Force. If the other Governments concerned agreed to the proposal for a six-month extension, the United Kingdom would also support it and in that event its contribution should be considered an initial one for the new period. He commented that a final settlement of

the Cyprus problems was still to be found but that it was possible already to claim that United Nations action had been invaluable. Those serving under the United Nations flag in Cyprus had earned the gratitude and admiration of all and were an example of how well the United Nations could act to keep the peace.

249. The representative of Uruguay introduced the following joint draft resolution submitted by Bolivia, Ivory Coast, Jordan, Malaysia, the Netherlands and Uruguay (S/6440):

*"The Security Council,*

*"Noting that the report of the Secretary-General (S/6426 and Corr.1) recommends the maintenance in Cyprus of the United Nations Peace-keeping Force created by the Security Council resolution of 4 March (S/5575) for an additional period of six months,*

*"Noting that the Government of Cyprus has indicated its desire that the stationing of the United Nations Force in Cyprus should be continued beyond 26 June 1965,*

*"Noting from the report of the Secretary-General that, while the military situation has on the whole remained quiet during the period under review and while the presence of the United Nations Force has contributed significantly to this effect, nevertheless the quiet which prevails in the island is tenuous and, in fact, it is very likely that without the Force there would be an early recurrence of fighting,*

*"Renewing the expression of its deep appreciation to the Secretary-General for his efforts in the implementation of the Security Council resolutions of 4 March, 13 March (S/5603), 20 June (S/5778), 25 September (S/5987) and 18 December 1964 (S/6121) and resolution 201 (1965) 19 March 1965,*

*"Renewing the expression of its deep appreciation to the States that have contributed troops, police, supplies and financial support for the implementation of the resolution of 4 March 1964,*

*"1. Reaffirms its resolutions of 4 March, 13 March, 20 June, 9 August, 25 September and 18 December 1964 and 19 March 1965 and the consensus expressed by the President at the 1143rd meeting, on 11 August 1964;*

*"2. Calls upon all States Members of the United Nations to comply with the above-mentioned resolutions;*

*"3. Calls upon the parties concerned to continue to act with the utmost restraint and to co-operate fully with the United Nations Force;*

*"4. Takes note of the report of the Secretary-General (S/6426);*

*"5. Extends the stationing in Cyprus of the United Nations Peace-keeping Force established under the Security Council resolution of 4 March 1964 for an additional period of six months, ending 26 December 1965."*

250. The representative of the Union of Soviet Socialist Republics said that his Government maintained its position on the Cyprus question. It had no objection to the joint draft resolution, on condition that the Government of Cyprus agreed to that draft and that the extension of the United Nations presence in Cyprus for another six months would be carried out in keeping with the conditions laid down in the Council resolution

of 4 March 1964, namely, with the retention of the present functions of United Nations troops and the existing manner of financing.

**Decision:** *The joint draft resolution submitted by Bolivia, Ivory Coast, Jordan, Malaysia, the Netherlands and Uruguay was put to the vote at the 1224th meeting on 15 June 1965 and was adopted unanimously (resolution 206 (1965)).*

251. The representative of the United States of America expressed his Government's gratitude and appreciation to those concerned with the United Nations force in Cyprus who had won the respect and support of the parties to the dispute and of the entire Council. His Government was willing to contribute to the support of the Force at approximately the level of its previous contributions. It hoped that those who had contributed in the past would likewise continue to do so and would be joined by others wishing to demonstrate their support of United Nations peace-keeping.

#### **K. Communications received between 15 June and 15 July 1965**

252. During this period communications addressed to the Secretary-General were received from the representatives of Cyprus and Turkey. Those from the representative of Turkey included communications from Dr. Küçük, Vice-President of Cyprus. The communications were circulated, when requested, as documents of the Council.

253. Letters dated 15 June (S/6442), 23 June (S/6473) and 1 July (S/6493) from the representative of Cyprus dealt, among other things, with a letter from the representative of Turkey (S/6339) regarding the construction of a road for military use between St. Hilarion Castle and Templos Village; with a Turkish allegation holding the Cyprus authorities responsible for the death of a Turkish Cypriot child; with a letter addressed to the President of the Republic by Dr. Küçük, in his reply to which the representative of Cyprus stressed the fact that the inclusion of a Turkish Cypriot in the Cyprus delegation to the African-Asian Conference fell exclusively within the competence of the legal Government of the State; and with a letter from the representative of Turkey (S/6486), in reply to which the representative of Cyprus informed the Council that his Government, while it had no objection to the admission of female students to the island, could not permit the return to the island from Turkey of male persons who, on the pretext of "studying", received indoctrination and military training there and were being sent to Cyprus for the purpose of carrying out acts of rebellion and terrorism.

254. Letters dated 21, 28 and 29 June 1965 from the representative of Turkey included a letter from Dr. Küçük, Vice-President of Cyprus, to the President of the Republic (S/6463) asking for inclusion of Mr. F. Plümer, Minister of Agriculture and Natural Resources in the Cypriot delegation to the African-Asian Conference in Algiers; messages from Dr. Küçük addressed to the Secretary-General (S/6485) and (S/6486), stressing the gravity of the present situation in Cyprus in connexion with large-scale military exercise in various parts of the island by the Greek forces in Cyprus; and the systematic besieging of Turkish villages by Greek armed personnel to coincide with the Turkish-Greek talks in Athens and Ankara and with the activities of General Grivas in Cyprus as revealed in the articles by General Karayannis in the

Athens paper *Ethnikos Kyriks*; and an appeal to the Secretary-General to use his good offices to prevent "another inhuman arbitrary and unlawful act of the Greek-Cypriot leadership" in prohibiting the return to Cyprus from abroad, for summer school vacations, of Turkish Cypriot students over the age of fifteen. In a letter dated 8 July (S/6512) replying to the letter of the Cyprus representative dated 1 July (S/6493), the representative of Turkey said that he regarded this as a very serious breach by the Cyprus administration of the human and constitutional rights of the Turkish Cypriots. In his view, the arbitrary action of the Greek Cypriot administration in prohibiting the return to Cyprus of some 150 Turkish Cypriot students from

Turkey for their summer vacations, was in direct contravention of the Constitution of Cyprus and disregarded article 13 of the Universal Declaration of Human Rights. While appreciating the UNFICYP intervention which had led to the lifting of this illegal restriction in respect of girl students and of those travelling from countries other than Turkey, the representative of Turkey felt justified in expecting that UNFICYP would not refrain from exerting its full authority for the abolition of this restriction for the Turkish Cypriot students coming from Turkey. He stressed that UNFICYP supervision could have been readily arranged to make sure that the students did not engage in the alleged harmful activities.

### Chapter 3

## LETTER DATED 3 SEPTEMBER 1964 FROM THE PERMANENT REPRESENTATIVE OF MALAYSIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

### A. Communication to the Council

255. By a letter dated 3 September 1964 (S/5930), the Permanent Representative of Malaysia requested an urgent meeting of the Security Council under Article 39 of the Charter, charging that "during the midnight hours of Wednesday, 2 September, an Indonesian aircraft flew over South Malaya dropping a large group of heavily armed paratroopers estimated to be in the neighbourhood of thirty".

256. At its 1144th meeting on 9 September 1964, the Security Council decided, without objection, to include the item on its agenda and invited the representatives of Malaysia and Indonesia to participate without vote in its discussions. At the 1145th meeting on 10 September 1964, the representative of the Philippines was similarly invited, at his request, to participate in its discussions.

### B. Consideration at the 1144th and 1145th, 1148th to 1150th and 1152nd meetings (9-17 September 1964)

257. The representative of Malaysia stated that his country had had very close ties with Indonesia and recalled that in April 1959 the two countries had signed a treaty of friendship. That Treaty of Friendship still remained the only treaty of its kind ever entered into by his country. In the implementation of that treaty, visits of civic leaders and cultural groups had been arranged from 1959 to 1962. Thereafter those exchanges had ceased. Nevertheless, Malaysia valued nothing more than close co-operation with its neighbours, particularly with Indonesia, to develop further the common bonds between them.

258. When, on the eve of their independence, the people of the Borneo States and Singapore had expressed a desire to associate themselves with the Federation of Malaya in a larger federation, the people of Malaya had welcomed them because they had close racial, religious, economic and social ties with them, besides having a similar system of administration, law and justice. That, said the representative of Malaysia, was the sole source and motivation behind the enlarged federation under the new name of Malaysia that had come into being the previous year. However, in spite of all the affinities between the peoples of Malaya and

those of Singapore, Sabah and Sarawak, there would have been no Malaysia if the people themselves had not willed it on the basis of their true expression of opinion. Brunei had not been compelled to join the new federation because its people had not expressed such a wish.

259. Indonesia and the Philippines, however, had raised doubts as regards the observance of the principle of self-determination in the ascertainment of the wishes of the people of the Borneo territories. In order to remove those doubts and to promote further the existing friendship between itself and those two countries, the Federation of Malaya had joined them in requesting the Secretary-General of the United Nations to reascertain the wishes of the people in the two North Borneo territories. After a close examination of the situation on the spot, the Secretary-General had stated:

"Bearing in mind the fundamental agreement of the three participating Governments in the Manila meeting, and the statement by the Republic of Indonesia and the Republic of the Philippines that they would welcome the formation of Malaysia provided that the support of the people of the territories was ascertained by me and that, in my opinion, complete compliance with the principle of self-determination within the requirements of General Assembly resolution 1541 (XV), Principle IX of the Annex, was ensured, my conclusion, based on the findings of the Mission, is that on both of these counts there is no doubt about the wishes of a sizeable majority of the people of these territories to join in the Federation of Malaysia.

"In reaching my conclusions, I have taken account of the concern expressed with regard to the political factors resulting from the constitutional status of the territories and about influences from outside the area on the promotion of the proposed Federation. Giving these considerations their due weight, in relation to the responsibilities and obligations established in Article 73 and General Assembly resolution 1541 (XV) in respect of the territories, I am satisfied that the conclusions set forth above take cognizance of the requirements set forth in the request addressed to me on 5 August 1963 by the Foreign Ministers of the Republic of Indonesia, the Federation of Malaya and the Republic of the Philippines."



260. Indonesia and the Philippines, however, had refused to accept those conclusions which presumably had not been to their liking. They had refused to recognize Malaysia and had broken off diplomatic relations with it. Soon after, Indonesia had announced a policy of military and economic "confrontation". Indonesian army infiltrators, both regulars and irregulars, had started flooding into the Borneo States from across the border and had begun a continuous series of "hit and run" tactics from the safe sanctuary of the Indonesian part of Borneo. To avoid increasing tension in the area, Malaysia, however, had scrupulously desisted from crossing the border into Indonesia in pursuit of the infiltrators even though it was entitled to do that in exercise of its right of self-defence. In spite of the restraint shown by Malaysia, Indonesia had continued to pursue its oft-repeated desire "to crush" Malaysia. Recent events had given evidence of concentration of Indonesian army regulars at staging posts all along the border.

261. Malaysia had not only shown the utmost patience and forbearance, in spite of continually mounting losses in men and material, but had even agreed to hold talks with Indonesia. It had taken part in at least ten such meetings without making any progress towards a solution. In fact, Indonesia's attitudes had hardened at every step. The last of those talks held in Tokyo through the efforts of President Macapagal of the Philippines had also ended in failure. However, the Philippines President, realizing the danger of strife in the region, had suggested further talks to which Malaysia had agreed, provided its territorial integrity and sovereignty were respected. To ensure that, Malaysia had suggested that the talks be begun and properly prepared for by appropriate contacts at official levels. Indonesia too had signified its willingness to attend. But before any preparations could be made, an Indonesian attack had taken place on the morning of 17 August 1964. A large party of sea-borne Indonesian infiltrators, heavily armed, had landed on the shores of South Malaya. That had been the first invasion-like landing in strength on the peninsular part of Malaysia.

262. The landing of 17 August had been followed by another act of aggression wherein Indonesia had dropped three platoons of heavily armed paratroopers in a remote area of southern Malaya. During the midnight hours of 1-2 September, members of the local vigilante corps in the village of Kampong Tenang in Central Johore, the southernmost state of the Malayan Peninsula, had observed flares dropping from the aircraft, followed by parachutes coming down. The information had been conveyed to the security forces in Labis. The security forces had searched the area and recovered four parachutes. In the contacts they had made with the enemy personnel, one Indonesian had been killed and another captured. Later in the day, in further contacts, another Indonesian had been killed and four more captured. Interrogation of the captured personnel had revealed that about forty Indonesian infiltrators had been air-dropped by an Indonesian Air Force plane.

263. Giving further details of this incident, the representative of Malaysia said that up to 8 September five paratroopers had been killed and twelve captured and large quantities of material, including arms and ammunition, had been recovered. In support of his statement, he then submitted a list of the captured arms and equipment. All that evidence clearly proved the

aggression committed against his country. The Security Council could not ignore the evidence submitted to it and was in duty bound to adjudge Indonesia guilty of aggression. It should also enjoin upon Indonesia to desist from further acts of aggression and to vacate the one it had already committed.

264. The representative of Indonesia stated that his Government, which did not recognize "Malaysia" as a sovereign and independent country, had nevertheless decided to participate in the debate because of its direct involvement in the issue. The Malaysian statement contained allegations and accusations which were made out of context and without reference to the deeper and broader conflict in the region. Indonesia regretted that the two countries should find themselves opposing each other in the Security Council since their peoples were so close racially and culturally. However, colonialism and imperialism had separated them. In reality, the deep conflict between the new emerging revolutionary forces of freedom and national self-assertion and the old dominating forces still continued in South-East Asia. The item concerning the complaint of "Malaysia" could thus be viewed only in the wider context of that conflict.

265. Indonesia's own revolution had been a great experience and also a lesson in the struggle against colonialism. That struggle was not yet over. Even after its independence Indonesia had suffered from colonialism. Its neighbouring areas, called at present "Malaysia", had been used by British colonialism as a base from which to fight and subvert the Indonesian revolution. When Malaya had been granted independence in 1957, Indonesia had welcomed it and had sought its co-operation and friendship. But the British held over Malaya, supported by their military bases in Singapore and elsewhere, had not been weakened, and Malaya and Singapore had continued to be used to subvert the Indonesian revolution. It was a matter of distress that both Singapore and Malaya had provided shelter and an active base for secessionist rebels against the Indonesian Republic since 1958.

266. Indonesia had not been *a priori* opposed to the idea of "Malaysia". It had only felt that it would be better that "Malaysia" be formed not primarily as a British-Malayan project, but rather as a South-East Asian project, founded on the co-operative will for freedom of the peoples in that region. Indonesia's experience with British economic and military designs in the area, in particular in Northern Borneo (Kalimantan), had given it grounds to suspect the British-sponsored project of "Malaysia". Some opposition to that project had already arisen among the people of Malaya, Singapore and North Borneo. That opposition had increased with the passage of time. On 8 December 1962, a revolt led from Brunei had started in Northern Borneo against British colonial rule and the British project of "Malaysia". The freedom and independence of the State of Northern Borneo, comprising all three British colonial territories, had been proclaimed and a government-in-exile had been established. However, in spite of its natural sympathies with North Borneo's revolt, Indonesia had not recognized that "government". Meanwhile, the President of the Philippines had suggested that the three Heads of Government of Malaya, Indonesia and the Philippines should meet together to solve the problem of the projected "Federation of Malaysia" and to find ways for close co-operation and development of the people of the area. In response to that suggestion, the three Heads of State had met

in Manila from 30 July to 5 August 1963. The Conference had resulted in the Manila Accord, in which the principles for Maphilindo (a loose association between Malaya—eventually “Malaysia”—the Philippines and Indonesia) were set forth. It was in that spirit that the procedure for the formation of the projected “Federation of Malaysia” had been modified to embody an anti-colonialist spirit and also to give it an Asian label. The Prime Minister of Malaya had agreed to the Manila Declaration and had signed it. It provided that the establishment of the Federation of Malaysia, originally planned for 31 August 1963, might be postponed, to await the result of the agreed reassessment of the wishes of the people of Sabah and Sarawak. Although the modification suggested might have appeared technical or juridical in nature, it was basically a political move and was intended to remove the British “flavour” from the proposed federation in the interest of “Malaysia” itself.

267. From the outset, the British had opposed that new concept, particularly since it had been linked with the concept of “Maphilindo”. British opposition had already been felt during the Manila Conference and it had been confirmed during their “co-operation” in the implementation of that part of the Manila Agreements providing for a United Nations reassessment of the wishes of the peoples of Sabah and Sarawak. The attitude of the colonial authorities in those territories had made a mockery of the actual intent of the Manila Agreements and the same attitude had been demonstrated when the British, together with the Government in Kuala Lumpur, had declared on 29 August 1963 that the “Federation of Malaysia” would be proclaimed on 16 September 1963, without waiting for the outcome of the United Nations reassessment. That declaration, a flagrant violation of the Manila Agreements, had confirmed Indonesian suspicions about the intent of British policy in South-East Asia and made it obvious that there could be no co-operation with a “Malaysia” sponsored by the British.

268. After the United Nations reassessment in Sabah and Sarawak had been completed, British “Malaysia” had attempted to defend its formation and the validity of the defence arrangements it had entered into by various legalistic arguments. But the struggle for freedom and the maintenance of peace in South-East Asia was a political problem to which legal arguments, particularly when they were based on the so-called international law of the world of the colonial Powers, could not be applied. Moreover, the British concept of the “preservation of peace in South-East Asia” amounted to hostility to Indonesia. Mention had already been made of the political and military assistance provided from Singapore and Malaya to the rebels in Indonesia during 1958 and 1959. There was also evidence to show that the British had stepped up their activity in pursuance of the so-called defence arrangements. Already, there had been numerous cases of incursions into Indonesian territory, of unauthorized flights and violations of air-space, smuggling of arms to rebels for use against Indonesia and other subversive activities.

269. After listing cases of “incursions” and “subversive activities” against his country, the representative of Indonesia noted that many other acts of subversion and violation of Indonesian territory might have occurred, escaping the attention of the Indonesian police or village guards in remote jungle areas. The charges of “aggression” against Indonesia should be

considered within the context of the activities against it, aimed at “crushing” the Indonesian revolution. In the face of those activities, the Indonesian people had been compelled to take counter-measures. In the beginning, Indonesia’s response had been only to defend itself in its own territory; however, as its strength increased, it could act in its defence by retaliating, if necessary, on the “enemy’s own territory”. When the British had forced the establishment of the “Federation of Malaysia”, embodying their policy of confrontations against Indonesia and against the concept of Maphilindo, the Indonesian people had risen to action and had volunteered as guerrillas to fight in the cause of freedom. Indonesian volunteers, together with the youth of Sarawak and Sabah, some of whom had been trained on Indonesian territory, had entered “Malaysian” territory and had been fighting there. In the absence of a peaceful solution, particularly after the inconclusive end of the Tokyo Summit Conference, there was danger that fighting and other activities on both sides might escalate.

270. “Malaysia” had now thought fit to submit its complaint of “aggression” to the Security Council even though hostilities between it and Indonesia, involving incursions into each other’s territory, had been going on for some time. Moreover, the acts of Indonesian volunteers, in the cause of freedom against neo-colonialism, could not be termed “aggression”; that term could be applied better to the many hostile acts of the British and the “Malaysians” against Indonesian territory. For its part, Indonesia had never sought war with an independent “Malaysia”, whose people were in fact its brothers. The close co-operation that Indonesia desired with the people of “Malaysia” had been prevented by British policy in South-East Asia. Nevertheless, Indonesia, together with the Philippines, had continuously tried to resolve those differences by peaceful means. To that end, it had attended two meetings in Bangkok which had failed because “Malaysia” had not seemed ready to discuss the political aspect of the question. Because of that failure to resolve the political conflict, the Indonesian policy of confrontation had continued. There was a common basis for such a solution in the Manila Agreements but so far “Malaysia” had refused to abide by it. During the Tokyo meeting, Indonesia had shown the greatest goodwill in seeking a peaceful solution and had even agreed, in spite of its preference for a strict adherence to the Manila Agreements, to a proposal of the Philippine President to refer the dispute to a four-nation African-Asian conciliation commission. Indonesia’s acceptance of that proposal had been an act of faith in African-Asian solidarity and its adherence to the doctrine that Asian problems should be solved by Asians in an Asian manner. “Malaysia”, on the other hand, had accepted the Philippine proposal only in principle and on the condition that, before the African-Asian commission was established, Indonesia must withdraw all its guerrillas from Sarawak and Sabah and discontinue its policy of confrontation. Malaysia had not realized that the Indonesian policy of confrontation was a consequence and not the cause of the “Malaysian” conflict and that that policy would come to an end once the political conflict was resolved.

271. The representative of the United Kingdom of Great Britain and Northern Ireland noted that it was clear from the Indonesian representative’s statement that his Government not only admitted the parachute landings near Labis but even sought justification for



that and earlier actions, including the recent landing on the Malayan peninsula. The Indonesian representative had also made assertions about alleged British and British-Malaysian activities against Indonesia. The British Government had never at any time been actuated by hostility towards Indonesia. The only thing that stood in the way of friendly relations between the two countries was Indonesia's proclaimed policy of confrontation against Malaysia. The allegation that British arms found in Celebes had been supplied to the rebels by the British was quite unfounded. The Council had before it a singularly clear example of an unprovoked attack by one country against another and should deal with the situation by strongly condemning such attacks and by calling for an unequivocal assurance that they would not occur again.

272. At the 1145th meeting of the Council on 10 September, the representative of the Philippines stated that his country's main interest was to help remove the discord and to lay the foundations of an agreement between two sister States. The Manila Accord, which had created the concept of Maphilindo, was designed to bring peace and prosperity to the area and that was also the purpose of the meetings held by the Foreign Ministers of the Maphilindo area. During the Tokyo meetings, President Macapagal of the Philippines had proposed the establishment of an African-Asian conciliation commission. While Indonesia had accepted that proposal without reservation, Malaysia's acceptance had been subject to the condition that Indonesian troops be first withdrawn from Malaysian soil. Subsequent discussions about the composition and terms of reference of the proposed commission had been interrupted by the events that had led to the present discussion before the Council. However, subject to the concurrence of the other parties, the Philippines would be prepared to suggest a commission of four members: that is, Indonesia, Malaysia and the Philippines to choose one member each, and the three thus chosen to select a fourth who would act as Chairman. If it were the desire of the Security Council that a solution be sought along those lines, a recommendation to that effect by the Council would be welcomed by the Philippines. President Macapagal firmly believed that his proposal for a conciliation commission offered the best means to work out a peaceful settlement of the Indonesian-Malaysian differences.

273. The representative of the United States stated that his Government took a serious view of the situation in which a Member State of the United Nations had sanctioned the use of force in the pursuit of its quarrel with another Member State. In fact, the Indonesian statement had expressed pride in the activities of the guerrillas and had given the impression that the Indonesian Government would continue to use force until a settlement was reached. The Council was aware also of the announced objectives of Indonesia "to crush" Malaysia. But it seemed that Indonesia's quarrel was primarily with the United Kingdom which had sponsored Malaysia and was committed to its defence. However, the question before the Council was a complaint by Malaysia relating to violation of its territorial integrity on 2 September 1964 by an armed band, equipped and transported by Indonesia. That incursion had not been denied by the Indonesians. The United States, having a record of friendly co-operation with both States, was distressed by the present dispute between them and the more so because one of them had employed force as an instrument of its policy

towards the other. It had, therefore, worked towards a peaceful resolution of the differences between those two States and had welcomed the efforts of their neighbours, in particular those of the Philippines and Thailand.

274. The United States attitude to the Malaysian complaint resulted directly from its understanding of the obligations of a Member State under the Charter. The Security Council could not condone the use of force in international relations outside the framework of the Charter. Indonesia had not only admitted but had even justified its use of force on the territory of neighbours with whose policies it did not agree. That was a new and dangerous doctrine, contrary to the Charter and liable to disrupt the maintenance of peace. Indonesia had argued that the problem before the Council was political and not legal. But politics could not be separated from law. In view of the arguments submitted by Indonesia, it was all the more necessary for the Council to state categorically that the Indonesian armed action of 2 September was inadmissible. The Council should, therefore, call for the cessation of armed attack on Malaysia and should at the same time help the parties to establish the conditions and the climate in which fruitful negotiations could be held. The Security Council and the Secretary-General might well be utilized in establishing such conditions.

275. The representative of Indonesia stated that to understand the Indonesian approach to the case before the Council it should be remembered that the Indonesian people were still engaged in a struggle against the forces working against their revolution. It was against that background that he had tried to put "Malaysia's" complaint. There was no conflict between the peoples of Indonesia and those of "Malaysia" but rather a political conflict in which the United Kingdom and other colonial forces were clearly involved against the Indonesian revolution. Indonesia's volunteers and native guerrillas from the area were fighting not against the native population of Sabah and Sarawak but against British colonial troops; it was because of the political conflict that many Malaysians were found to be in "Malaysia's" gaols.

276. The complaint by "Malaysia" was thus based on a wrong premise and was presented out of context. The "Malaysian" allegations of a sea-borne landing at Pontian and a paratroop landing at Labis had not been proved by the evidence submitted to the Council. Indonesia had not admitted the incursions of the guerrillas in the territories now called "Malaysia"; it had only drawn the attention of the Council to the fighting that was going on there. The volunteers were fighting for a political cause and for freedom and for them there was no difference between Sabah, Sarawak and Malaya. The Council had to take the whole picture into consideration, consider the reasons that had led to that fighting and remedy the causes of the conflict. Indonesia considered that the area of agreement between the parties based on the Philippine proposal was the only way at present of seeking a solution.

277. The President, speaking as the representative of the Union of Soviet Socialist Republics, stated that the Council's discussion had clearly shown that the complaint submitted by Malaysia could not be dealt with in isolation from the series of incidents that had been happening systematically on the territory of Indonesia. The representative of Indonesia had cited many cases in which Indonesia's territorial integrity

had been violated and saboteurs and weapons sent to assist colonialist agents against the Republic of Indonesia. The Malaysian complaint could, therefore, be understood only in the wider context of the situation prevailing in the region of South-East Asia, where a struggle between the colonialists and the forces of the national liberation movement was being waged. The true purpose of the neo-colonialist creation of Malaysia was to enable the United Kingdom to maintain its supremacy in that part of South-East Asia and to use it as a weapon in the fight against the Republic of Indonesia. In the creation of Malaysia there had also been violations of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples, as the people of North Kalimantan had not been given an opportunity to express their wishes. The United Nations Malaysian Mission, referred to by the representative of Malaysia, had been conducted in the presence of colonialist troops and officials who had had a decisive influence on the results of that "inquiry". In order to ascertain the true wishes of the people of North Kalimantan, it was indispensable for all foreign troops and all colonial officials to be withdrawn and for the investigation to be directed by representatives of neutral developing countries. It was not surprising that of the three States requesting the investigation, only Malaysia had agreed with the conclusions. Indonesia and the Philippines had quite rightly refused to accept them. Moreover, the creation of Malaysia had been announced even before the United Nations Mission had concluded its visit or submitted its report.

278. The influence of the British monopolies on British policy in Malaysia was clearly shown in some of the comments of the British Press. The objective of those monopolies was to hold on to the huge profits that were derived from the exploitation of the riches of Malaya. They were being supported by the British military bases established in accordance with an Agreement imposed by the British on Malaya in 1957. In 1963, the British had automatically made the same Agreement applicable to North Kalimantan in order to give a semblance of legality to the presence of their troops on that territory. According to further reports, Britain had transferred new military units to Malaysia. All that was part of the activities of the colonialists in South-East Asia which had led to a situation threatening the peace of the region. To resolve that situation, it was necessary to put an end to foreign interference and to give the peoples an opportunity to solve their problems and to decide their future by themselves.

279. The representative of Malaysia stated that his country had been described as an example of neo-colonialism simply because Malaya had achieved its independence without bloodshed and had then negotiated with the British for the independence of Sabah and Sarawak. To Malaysians, however, the fact that it had been done peacefully was a most satisfying achievement. Malaya had kept its neighbours fully informed of all developments towards the formation of the Federation of Malaysia; Indonesia had then not only disclaimed interest in territories outside the former Netherlands East Indies but had even wished success to the Federation. How could Indonesia now fail to regard the proposal as anything but a genuine plan for the decolonization by peaceful means of Sabah and Sarawak? The independence of Malaysia had been a true and genuine expression of the will of the people

on the basis of self-determination as confirmed in the findings of the Secretary-General.

280. Indonesia had questioned the timing of the submission of the Malaysia case. The bringing of the matter to the attention of the Security Council had nothing to do with the question of where the aggression had taken place, but with the fact that the situation had reached a stage where the Security Council should be seized of it before irreparable damage was done to the peace and security of South-East Asia. Indonesia had openly admitted acts which were in complete violation of the Charter of the United Nations and the Bandung Declaration. Indonesia had also alleged that Malaya had in 1958 been a base for subversive activities against Indonesia. Those allegations were not true. Malaya had most scrupulously avoided being involved in the internal affairs of Indonesia; in fact, it had given every assistance to Indonesia within the scope of international law. In return, all that Malaysia wished was respect for its territorial integrity and sovereignty. While Malaysia was always willing to seek an honourable solution, it would not negotiate at the point of a gun. During the talks at Bangkok and Tokyo, Indonesia had insisted on maintaining its military presence on Malaysian territory and envisaged withdrawing them progressively as the negotiations progressed towards a political solution. No self-respecting nation could agree to such a procedure; negotiations could not be conducted while the troops of one party were in the territory of another.

281. At the 1148th meeting on 14 September, the representative of Malaysia stated that the formation of his country in its present form had been represented as a "neo-colonial project", although the establishment of Malaysia was not the issue before the Council. That issue had indeed been settled by the people of Malaysia when they had decided it of their own free will. The fact that they had exercised their right of self-determination had been confirmed by the Secretary-General. The danger that was threatening Malaysia was not colonialism, but the neo-imperialism of a neighbour whose avowed policy was to crush Malaysia, as would be clear from public statements of the leaders of that country. It was that aggressive policy that had prompted Malaysia to submit its case to the Security Council, not only for the protection of its territorial integrity and security but also to prevent the escalation of those aggressive acts into total war in the area.

282. Malaysia's defence agreement with the United Kingdom and the presence of foreign military bases on its territory had been cited as a manifestation of neo-colonialism. But any nation enjoyed the sovereign right to enter into a military alliance with another nation for defence purposes; this was in no way inconsistent with the principles of the Charter or the Bandung Declaration. The question of military bases had been discussed at Manila and their existence had not been considered an obstacle to Maphilindo. Malaysia had already given the assurance that the military bases on its territory would not be used to subvert the national independence of Indonesia. The Indonesian representative knew that Malaysian troops had fought and died in the defence of Malaysia against the invaders. It was Indonesia's determination to use its military power—forty times that of Malaysia—for political and territorial aggrandizement which had obliged Malaysia to seek the assistance of its Commonwealth allies.

283. In criticism of Malaysia it was also alleged that its economy was dominated by British monopolistic interests. That was not true, as would be evident from an examination of the statistics of Malaysia's major industries and external trade. Far from exercising economic domination, Britain's importance in Malaysia's overseas trade had declined considerably. Since 1957, Malaysia's trade with countries other than the United Kingdom had expanded consistently, especially with its neighbours like the Philippines and Thailand and also with Japan. Malaysia was a product of the same movement that was bringing changes to the countries of Asia, Africa and Latin America and had the same aspirations. Like them it also had drawn inspiration from the Bandung Conference of 1955. It was for that reason that Malaysia had welcomed the Philippine President's proposal for an African-Asian Conciliation Commission. Indonesia had described Malaysian acceptance of that proposal as conditional. In fact, during all the talks the main problem had been Indonesia's insistence that its regular and irregular forces would remain in Sabah and Sarawak. Prior to the Tokyo meeting, a joint communiqué had been issued stating that Indonesia accepted the principle of withdrawal of its forces, both regulars and irregulars, from Sabah and Sarawak. The Tokyo meeting had failed because Indonesia had returned to its original stand that it would not withdraw its troops. The so-called volunteers from Malaysia, referred to by the representative of Indonesia, were members of organizations which had been discredited in the eyes of the Malaysian people for owing allegiance outside Malaysia and for belonging to anti-nationalist groups. Malaysia would not tolerate opposition to its established Government from people who had chosen violent means in preference to the constitutional methods which were always open to all its people.

284. The representative of Malaysia concluded by stating that the question before the Council was one of unprovoked aggression and one that did not concern Malaysia alone. Further urgency was lent to a dangerous situation by the fact of another landing made on 9 September. Indonesia's declared aim of destroying Malaysia was patently against the principles of the Charter, General Assembly resolutions 1236 (XII) and 1301 (XIII) and the Bandung Declaration. In those circumstances, the Council could not but uphold the Charter and urge Indonesia to fulfil its obligations as a Member State.

285. The representative of Brazil stated that the evidence submitted to the Council indicated that the attack of 2 September against Malaysia had not been an act of individuals but rather the result of a planned action supported by the military authorities of Indonesia. Furthermore, the representative of Indonesia, by stating that the action against the Malay Peninsula had been on a smaller scale than the operations in other parts of Malaysia, had admitted that Indonesian "volunteers", together with local rebels, were engaged in fighting against the Government of Malaysia. The Security Council could not condone the use of force and must, therefore, take swift action to stop the fighting and to prevent the recurrence of similar acts. While the Council's action should be confined to the specific complaint submitted by Malaysia, it would be proper to look into the underlying issues of the question. One of them was the non-recognition by Indonesia of Malaysia as a sovereign State. The community of nations represented by the United Nations had recognized Malaysia not

only as a sovereign State but also as a Member State of the Organization. Indonesia, which supported the principle of coexistence, was bound by the Charter to respect and to live in peace with all Member States. The Brazilian delegation viewed with the utmost concern the violations by Indonesia of its obligations, particularly because it was a country which had come of age under the aegis of the United Nations. If there were problems between Indonesia and Malaysia, they should be resolved by peaceful methods of negotiation as provided by the Charter.

286. The representative of the United Kingdom stated that Indonesia, in admitting the attack on Malaysia on 2 September, had claimed that such attacks were justified by British and Malaysian provocation and by Indonesia's revolutionary doctrine. As far as the United Kingdom Government was concerned, it had been stated already that it had neither supplied arms to Indonesian rebels nor attempted to subvert the Indonesian Government. The charges made of British violations of Indonesian territory referred to dates subsequent to the Indonesian attacks on Malaysia. Had they been the subject of complaint at the time they had occurred, it might have been possible for his Government to refute them in detail. But even on occasions when there had or might have occurred an unintentional and minor violation of the Indonesian frontier, because the border was hard to define from the air, British authorities in the area had expressed their regret to Indonesia. No aerial machine-gun attacks had been mounted in the Borneo territories, nor had any British helicopters been lost, as the Indonesian representative had claimed. The United Kingdom had full diplomatic relations with Indonesia and the normal way of dealing with the Indonesian charges would have been through diplomatic channels.

287. Indonesia had also contended that its revolutionary ethic allowed it to present its armed attacks on a neighbouring country as something other than aggression. However, Indonesia, as a Member State, had accepted obligations under the Charter, particularly those under Article 2, which enjoined upon it to live in peace with its neighbours and to settle its differences by peaceful means. These could not be disowned.

288. The theme that Britain's relationship with Malaysia constituted a threat to Indonesia was unjustified. The United Kingdom had never been actuated by hostility towards Indonesia. The Council would wish to seek an end to the tensions in the area, but it must recognize that good neighbourliness could only be based on respect for the territorial integrity of all concerned.

289. The representative of the United Kingdom then said that the Council had before it a complaint by Malaysia which it should deal with in accordance with the principles of the Charter. The Council should declare its disapproval of the admitted actions of Indonesia and should make it clear that it expected Indonesia to respect the sovereignty and territorial integrity of Malaysia. Malaysia, both generally and as a Member State, had the right to expect the protection of the Council in accordance with Article 2, paragraph 4, of the Charter. Once the undeclared war on Malaysia had been brought to a close, talks might be resumed.

290. The representative of China stated that Indonesia's opposition to the proposal of the formation of an enlarged Malaysian Federation had been well known. The efforts of the President of the Philippines to bring about a settlement of the differences between Indonesia

and Malaysia had so far been unsuccessful. Indonesian hostility had increased after the formal proclamation of Malaysia and guerrilla bands and Indonesian "volunteers" had entered Malaysian territory. According to the present complaint, Indonesia had dropped three platoons of heavily armed paratroopers in southern Malaya. That was not only a challenge to the territorial integrity of Malaysia but also to the purposes and principles of the Charter. In justification of its armed action, Indonesia had implied that its activities in Malaysia were part of its own revolutionary process and had described Malaysia as the creation of "neo-colonialism". Thus Indonesia was denying the people of Sarawak and Sabah their right of self-determination and also refusing to recognize the validity of the findings of the Secretary-General. Indonesia's contention that it could not be deterred by legal arguments about the establishment of Malaysia was not only a dangerous argument but also an untenable one. It amounted to a denial of the existence of international law and a complete negation of the purposes and principles for which the United Nations was founded. The Security Council could not condone the use of force; the dispute must be settled by peaceful means in accordance with the Charter.

291. At the 1149th meeting of the Council on the same day, the representative of Indonesia, after recalling his country's interest in Malaya's achievement of independence and its future development, reiterated its disappointment that the secessionist movements in Indonesia had received support from Singapore, Malaya and from the British colonial territories in Northern Borneo. While Indonesia had been familiar with and could deal with the British colonialist challenge, it found itself in an embarrassing and difficult situation with regard to the newly independent State of Malaya. It had hoped that Malaya would choose a policy of independence and of co-operation with Indonesia. Instead, that country had decided to collaborate with the British in establishing the project of "Malaysia" which was connected from the beginning with the aggressive and subversive British policy in South-East Asia. Indonesia was not against an independent "Malaysia", free from colonialism and established in accordance with the genuine wishes of its people. The present situation, however, was that "Malaysia" was opposed by patriots of North Borneo, some of whom had fought earlier for the Indonesian revolution. Opposition in Singapore had also increased and a large number of people had been arrested for opposing "Malaysia". British military control of Singapore was complete. Moreover, there were regular movements of British military warships in the area and even before the alleged incident of 2 September those warships had entered Indonesia's national waters.

292. "Malaysia" had defended its case by stating that the new federation had been formed after the United Nations assessment of the wishes of the people of the Borneo territories. The assessment, however, had not been carried out as had been intended in the request under the Manila Agreement. Under that Agreement, the Secretary-General had been requested to undertake to assess the genuine political wishes of the people, including those of the many who had been detained by British colonial authorities in Sabah and Sarawak. The time schedule and place of the meetings for the hearings by the United Nations teams had all been arranged by the British colonial authorities who had also provided officials as interpreters and guards at the meetings. No adequate opportunity had been

provided to the United Nations teams to hear the political detainees; only about 4 per cent of them had been heard. Such methods did not constitute the ascertainment of the wishes of people in the free and democratic manner requested by the Manila Accord. The co-operation provided by the British authorities had in fact resulted in sabotage of the real intent of the Manila Agreement, and such an ascertainment could not be accepted by Indonesia and the Philippines. Moreover, even before the United Nations had completed its assessment, the "Kuala Lumpur Government" had announced on 29 August 1963 that the Federation of "Malaysia" would be proclaimed on 16 September 1963. That announcement had completely disregarded the Manila Accord on that point as well as the assessment then being conducted by the United Nations. There was little for "Malaysia" to complain of about Indonesia and the Philippines not accepting the findings of the United Nations team, when it, itself, had shown such complete disregard for those findings. Indonesia was opposing "Malaysia" because it had been created in serious contravention of an existing agreement and because it represented a continuation of British colonial designs in South-East Asia.

293. As for the question of withdrawal of "volunteers", the representative of Indonesia said that his Government had agreed in principle to that withdrawal in the context that a political solution of the dispute would be sought. In fact, Indonesia had started an initial withdrawal in order to facilitate the start of the Tokyo summit meeting. Indonesia's goodwill gesture had, however, been met by obstruction from "Malaysia". Moreover, the presence of those volunteers was a manifestation of the conflict and not its cause. Their presence would come to an end as soon as a political solution was found. At present the situation was fraught with many dangers. The confrontation policy on both sides had not lessened and guerrilla fighting was continuing on both sides. Violations of Indonesia's air-space and territorial waters had not ceased and subversion against its territory was continuing. The situation needed an urgent political solution and as far as Indonesia was concerned it could see the possibility of such a solution in the proposal to submit the dispute to a four-nation African-Asian Consultation Commission. Indonesia believed that the growing responsibility of Asia and Africa to solve their own problems by themselves should be honoured.

294. The representative of the Philippines stated that his delegation was gratified to see that, in spite of the contentions of the two parties, there was a basic desire and willingness on their part to reach an amicable settlement through consultations. The Philippines would be only too glad to see that progress in that respect was made through the implementation of the Macapagal proposal of establishing an African-Asian Commission. Meanwhile, without in any way prejudging the findings of the Security Council on the question of aggression as submitted to it by one of the parties, the Philippines delegation wished to put on record its opposition to aggression committed anywhere in the world. It hoped that the Council could agree on a course of action to head off more serious developments.

295. The representative of Czechoslovakia stated that basically the question before the Council concerned the conflict between the forces of national liberation in Asia and the positions of power still held there

by colonialism. A series of armed actions had taken place in the territory close to the border of Indonesia and the new Federation of Malaysia. In fact those actions had started long before the establishment of Malaysia and had resulted from the hostile attitude of the British colonial Power to the Indonesian revolution. Although the former British territories had become part of Malaysia, the fighting there was still being carried out by British colonial troops, and new British troops and naval units were being brought into the area. It was the same pattern that had been followed in other areas by the colonial Powers. When forced to declare certain territories independent, they nevertheless reserved for themselves certain economic and military privileges. It was not surprising that the people of North Kalimantan had rejected the proposed Federation, linking it with the interests of a colonial Power and foreign monopolists. The resistance by the people of North Kalimantan had commanded the sympathy of the Indonesian people who had always been in the forefront in the struggle against colonialism. Their moral support had found expression in a number of Indonesian volunteers joining in that struggle. That act of the Indonesian volunteers could not constitute a basis for blaming Indonesia for aggression. Such a charge would be contrary to the principles and purposes of the United Nations Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Security Council could not examine individual cases or incidents without taking into account the historical and political background of the dispute and the relevant resolutions and aims of the United Nations in that respect. In those circumstances, a solution could consist only in ensuring the complete departure of colonialism, including its military bases, thereby creating conditions for the peoples of the region to settle their problems by themselves.

296. The representative of the Ivory Coast stated that although the Council was considering a limited incident, it was nevertheless a serious matter as its roots went deep and as it concerned an area where the utmost caution was necessary to avoid an escalation of the conflict. The Ivory Coast, which in the past had condemned and deplored all violations of territorial integrity, believed that the parachuting of troops onto the soil of a Member State was illegal and contrary to the principles of the Charter. The Council should, therefore, deplore and express its regret at the incidents of 2 September 1964 which were the subject of the Malaysian complaint (S/5930). At the same time, the Council should make sure that those events did not recur and should appeal to the parties to abstain from any measure or act of hostility. It was also a matter of satisfaction to note that Indonesia had stated during the present discussion that it had not opposed the idea of Malaysia but that it had wished for an "Asian Malaysia" in preference to what it described as one conceived by the British. Since a desire for negotiations had been expressed, the Security Council should encourage the parties to begin them and, if necessary, seek the assistance of friendly nations in that respect.

297. The representative of Morocco stated that his delegation regretted that the tension that had prevailed for some time between Indonesia and Malaysia had resulted in an armed conflict. Morocco felt that a conflict of that gravity might bring chaos to South-East Asia and might thus have serious repercussions for the maintenance of international peace and security.

It therefore hoped that the two countries would achieve a sincere understanding in order to save their peoples from a ruinous clash.

298. He recalled that the Federation of Malaya had kept itself aloof from military alliances with foreign Powers and noted that the same policy appeared to have been followed by the new Federation of Malaysia. The differences between Indonesia and Malaysia were not based on a territorial claim but rather on Indonesia's fears that the new Federation might lend itself to the strategic and economic interests of the former colonial Power. The presence of an important military base at Singapore, besides forming a link in the chain of strategic and operational bases surrounding the Afro-Asian world, was not likely to give a feeling of security to Indonesia. Morocco hoped that Malaysia, once the situation had become normal, would take into account Indonesian apprehensions and would adopt towards the British base a policy in conformity with its position as a non-aligned country.

299. As regards the complaint submitted by Malaysia (S/5930), the Moroccan delegation would urge upon the parties a cessation of hostilities. It believed that in the present circumstances the guerrilla activities, instead of solving any pending problems, might give rise to a threat to international peace and security. It would also urge the parties to co-operate with the Security Council in order to find the best means for concluding an agreement which would offer to Malaysia guarantees for its security and at the same time open prospects of a peaceful settlement of the dispute through negotiations.

300. The representative of Norway stated that the Council did not need to verify the Malaysian charges about the landings of Indonesian paratroopers as Indonesia had not denied those charges. It was a case of one Member State embarking upon military intervention against the territory of another and Norway deeply deplored and regretted such acts. The representative of Indonesia had given his Government's views on the underlying issues and had maintained that the present situation represented a logical consequence of the conflict. Indonesia's position that the use of military means was part of its declared policy had given an even more serious connotation to the incident reported to the Council. However, the Council had been informed about the talks that had taken place to settle the differences between Indonesia and Malaysia. The Norwegian delegation hoped that the Philippine endeavours in that respect would be successful. Malaysia's reluctance to enter into a new round of talks while military pressure was being exerted was understandable. The Charter provided that all Members should settle their disputes by peaceful means without resorting to the threat or use of force against the territorial integrity or political independence of other States. It would be in conformity with the spirit and aims of the Charter, and in particular with its Article 33, if the Security Council were to appeal to the parties to make renewed efforts towards a negotiated settlement as soon as peaceful conditions had been re-established. In that connexion, the Council might refer also to the Philippine proposal for outside mediation.

301. At the 1150th meeting on 15 September, the representative of the United Kingdom, commenting on the remarks made by the Indonesian representative, stated that there was no obligation under international law to seek prior authorization for the passage of a warship through international straits. In spite of that,



the United Kingdom, as a matter of courtesy, had made a practice of giving notice of the passage of its warships through international straits. On 27 August 1964, a group of British ships had proceeded from Singapore for exercises in Australian waters. Notice of that had been given to the competent Indonesian authorities. There had been no question on that or any other occasion of provocation on the part of British warships against Indonesia.

302. The representative of Indonesia had questioned once again the results of the Secretary-General's findings. However, the leader of the Indonesian Observer team, Mr. Otto Abdul Rahman, had stated publicly that he had been "convinced of the impartiality of the work of the United Nations team".

303. Indonesia had also claimed that the persons fighting against Malaysia were "volunteers". However, in his statement (S/5956), one of those captured in the 2 September attack had admitted being a member of the Indonesian armed forces. He had also made it clear that he had been ordered to board the plane which had carried him to Malaysia. There were also Press reports to show that the so-called volunteer movement was under the direct supervision of the President of Indonesia. Thus, there was considerable evidence to show Indonesia's involvement in the aggression against Malaysia. Moreover, Indonesia had made it quite clear that the 2 September attack had been but an episode in a deliberate policy of aggression pursued by it in defiance of the Charter. A further landing had taken place on 9 September. The Council should act with the greatest expedition to stop the series of armed attacks.

304. The representatives of the Ivory Coast and Morocco stated that the efforts of their delegations to submit an African-Asian draft resolution on the question before the Council had not succeeded. They had undertaken those efforts in the context of their responsibilities as members of the African-Asian group in order to resolve a conflict which involved two members of that group. However, they hoped the Security Council would continue its efforts to restore peace and tranquillity in the area.

305. The representative of Indonesia reiterated that the Malaysian complaint could not be taken as an isolated case because the situation in the whole of South-East Asia consisted in clashes, conflict and turmoil of which the controversy between Indonesia and "Malaysia" was only a part. Those clashes had been admitted. As recently as 6 September the British-"Malaysian" forces had conducted a land-and-air raid on an Indonesian Army post in East Kalimantan. "Malaysia's" charge of so-called aggression of 2 September had completely ignored "Malaysia's" own record of attacks and intrusions. The Security Council should take into consideration the realities of the situation, place the complaint in its proper context and help the parties to return to the conference table.

306. The representative of Bolivia stated that his country had every sympathy with the parties as its own problems were often similar to those of Indonesia and Malaysia. In spite of the present difficulties, Bolivia believed that a satisfactory solution could be found through regional efforts. The Council could encourage that regional understanding by eliminating the factors that might hamper its attainment. Both Malaysia and Indonesia had stated that the same types of weapons, originating from Europe, had been used against each other. In order that the principle of collective security

might function, it was necessary that there should be real control over armament trading.

307. At the same meeting, the representative of Norway submitted the following draft resolution (S/5973):

*"The Security Council,*

*"Taking note of the complaint of Malaysia contained in document S/5930,*

*"Taking into consideration the statements of the parties and of the members of the Council expressed during the discussion,*

*"Deeply concerned by the fact that the armed incidents which have occurred in that region have seriously aggravated the situation and are likely to endanger peace and security in that region,*

*"Noting with satisfaction the desire of the parties to seek a peaceful solution of the differences between them,*

*"Recalling the relevant provisions of the United Nations Charter,*

*"1. Regrets all the incidents which have occurred in the whole region;*

*"2. Deplores the incident of 2 September 1964 which forms the basis of the complaint contained in document S/5930;*

*"3. Requests the parties concerned to make every effort to avoid the recurrence of such incidents;*

*"4. Calls upon the parties to refrain from all threat or use of force and to respect the territorial integrity and political independence of each other, and thus to create a conducive atmosphere for the continuation of their talks;*

*"5. Recommends to the Governments concerned thereupon to resume their talks on the basis of the joint communiqué issued by the Heads of Government following the meeting which took place in Tokyo on 20 June 1964. The Reconciliation Commission provided for by that joint communiqué, once established, should keep the Security Council informed concerning the development of the situation."*

308. Submitting the above draft resolution, the representative of Norway stated that there could remain no reasonable doubt that the incident, as described by Malaysia, had taken place on 2 September 1964, nor could there be any doubt that other incidents had occurred in that whole region. The draft resolution, therefore, taking guidance from the relevant Articles of the Charter, had called upon the parties to refrain from all threat or use of force and to respect the territorial integrity and political independence of each other. That appeal was not addressed to any particular party but to all parties concerned. Finally, there was the recommendation to the parties to resume their talks. It would, however, be clear that there was a certain sequence in the draft resolution implying that the resumption of talks had to be preceded by an undertaking by the parties to refrain from actions likely to endanger the peace in the region.

309. At the 1152nd meeting on 17 September, the representative of France stated that his delegation considered the draft resolution (S/5973) as a compromise text. While it deplored the incident about which one of the parties had complained to the Security Council, it also regretted all the incidents which had occurred in their region. While Indonesia, as an independent sovereign State, was entitled to contest the formation of the Federation of Malaysia and criticize

its policies and activities, that did not include the right to use force to threaten the existence of Malaysia. The draft resolution properly drew the Council's attention beyond the incident of 2 September and those that had preceded it so that, by going back to the root causes, the Council might attempt to bring about a settlement of the problem as a whole. For that reason, the French delegation supported the idea of the resumption of negotiations under the conditions envisaged at the Tokyo meeting and by avoiding the use of means contrary to the Charter.

310. The representative of Indonesia, commenting on the draft resolution (S/5973), stated that his delegation, without in any way questioning the sincerity of purpose of the sponsor, doubted whether the draft resolution would be helpful to the parties in reaching a settlement on the political dispute between them. Some of its paragraphs left room for misinterpretation. In deploring the alleged 2 September incident, the Council would be lending itself to the acceptance of a one-sided account. By its operative paragraph 4, the draft resolution would impose on Indonesia the acceptance of an entity which, in fact, did not exist. Indonesia could not recognize a British-sponsored Malaysia. In any case that was a question to be settled by negotiations, not one to be made a precondition for negotiations. Operative paragraph 4 would thus rather hamper the negotiations by imposing conditions which Indonesia could not accept.

311. The representative of Morocco stated that the submission of the Norwegian draft resolution (S/5973) showed that the Council's efforts to find a solution of the present difficulties between Indonesia and Malaysia had not been interrupted. While considering the present draft resolution, the Moroccan delegation was conscious of its close ties with Indonesia and also of the need for maintaining African-Asian solidarity. However, in spite of those considerations, it felt that in its attitude towards the draft resolution it should be guided only by the principle of respect for laws that must govern relations among States. Nevertheless, in deciding to vote for the draft resolution, the Moroccan delegation had weighed very carefully the arguments presented by the representative of Indonesia, particularly those with respect to operative paragraph 4. The Moroccan delegation hoped that the position taken by his country would contribute to an improvement of the situation and that outside interference would not hamper progress towards resumption of talks between Indonesia and Malaysia.

312. The representative of the Ivory Coast stated that operative paragraph 4 of the Norwegian draft resolution (S/5973) stressed the principle of respect for the territorial integrity and political independence of countries, a principle from which his delegation could not withhold its support. It believed that operative paragraph 4 applied not only to Indonesia and Malaysia but also to those allied with them. In order to restore harmony, negotiations between the parties were indispensable and for that reason, operative paragraph 5 was very important. It was essential that negotiations should be resumed with the help of friendly countries from the African-Asian world.

313. The representative of Norway stated that in including operative paragraph 4 in its draft resolution his delegation was motivated only by the desire, which it shared with other members of the Security Council, that the principles embodied in the Charter of the United Nations should be respected by one and all.

314. The representative of the USSR stated that the draft resolution, as a whole, had not taken account of the true causes of the tension in the region of South-East Asia which had been caused primarily by the unceasing military and political intervention of colonial Powers in the internal affairs of the countries of that region. The Soviet delegation regretted that the draft resolution had failed to appreciate the constructive stand taken by Indonesia and its desire to have talks without any prior condition.

**Decision:** *At the 1152nd meeting on 17 September 1964, the draft resolution submitted by Norway (S/5973) was put to the vote. It received 9 votes in favour to 2 against (Czechoslovakia, USSR) and was not adopted owing to the negative vote of a permanent member of the Council.*

### C. Subsequent communications

315. In a series of letters dated 31 October (S/6034), 3 November (S/6036), 10 November (S/6042), 19 November (S/6054), 4 December (S/6084), 16 December (S/6111), 31 December (S/6134), 7 January 1965 (S/6140), 28 January (S/6167), 8 March (S/6222) and 28 May (S/6388), the representative of Malaysia drew the attention of the Security Council to further violations of Malaysian territory and to the heavy build-up of Indonesian forces along the border in Borneo.

## Chapter 4

**LETTER DATED 5 SEPTEMBER 1964 FROM THE PERMANENT REPRESENTATIVE OF GREECE ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL, AND LETTER DATED 8 SEPTEMBER 1964 FROM THE PERMANENT REPRESENTATIVE OF GREECE ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

**LETTER DATED 6 SEPTEMBER 1964 FROM THE PERMANENT REPRESENTATIVE OF TURKEY ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

### A. Communications to the Council

316. In a letter dated 28 July 1964 (S/5844), the *Chargé d'affaires* a.i. of Greece transmitted to the Security Council the text of the *note verbale* which the Greek Government had addressed to the Turkish

Government in protest against the recent Turkish law concerning education on the islands of Imbros and Tenedos. That law, which made instruction in the Turkish language obligatory in all schools of those islands and permitted the language and religion of the minority to be taught only at the request of parents,



the note stated, was in flagrant violation of the Treaty of Lausanne. The note also protested against numerous cases where the minority had been forced to sell farmlands at minimum prices.

317. In a letter dated 3 September 1964 (S/5933), the Permanent Representative of Greece transmitted to the Council the text of a second protest sent by the Greek Government to the Turkish Government concerning new measures affecting education on the islands of Imbros and Bozcaada, which, it stated, were in violation of the Treaty of Lausanne, of the Protocol of 20 March 1952 to the Convention for the Protection of Human Rights and of the generally accepted principles of international law.

318. In a letter dated 5 September 1964 (S/5934), the Permanent Representative of Greece stated that the Turkish Government had taken a series of increasingly hostile measures against Greek nationals in Turkey, culminating in the expulsion of Greek residents of Istanbul. Turkish spokesmen had repeatedly indicated that on the expiration of the Greco-Turkish Treaty of Establishment of 1930, on 16 September 1964, those measures would be further intensified. In view of the dangerous situation brought about by Turkey's actions, the Greek Government requested that the Security Council be convened to consider the matter and to take appropriate measures.

319. In a letter dated 6 September 1964 (S/5935 and Corr.1), the Permanent Representative of Turkey requested an urgent meeting of the Security Council to discuss and take appropriate measures to forestall the immediate danger to international peace and security arising from the provocative military actions of Greece, including: large concentrations of troops and military equipment in the Dodecanese Islands in violation of treaty stipulations; concentrations on the frontiers of Turkey in Western Thrace; invasion of Cyprus by 10,000 men; encouraging the usurpers of government in Cyprus to impose a solution by force to the Cyprus problem; and acting in collusion with the unlawful Government of Cyprus in undermining the mediation attempt undertaken in accordance with the Security Council resolution of 4 March 1964. Those actions, and others, as well as bellicose statements by the Prime Minister of Greece, created an immediate threat to peace in the area with consequent repercussions on the peace of the world. The Turkish Government therefore called upon the Council to dispatch without delay a fact-finding mission to the area concerned in order to enable the Security Council to take speedy measures.

320. In a letter dated 8 September 1964 (S/5941), the Permanent Representative of Greece drew the attention of the Council to a statement made by the Prime Minister of Turkey on 4 September 1964 to the effect that the present situation created for Turkey the imperious need to intervene militarily in Cyprus at any moment and that that would automatically bring about a state of war between Turkey and Greece. Those bellicose statements added urgency to Greece's request for a meeting.

#### **B. Consideration at the 1146th and 1147th meetings (11 September 1964)**

321. At the 1146th meeting on 11 September 1964, the Security Council included the item on its agenda. It invited the representatives of Greece and Turkey and at the 1147th meeting also the representative of Cyprus to participate in the debate, without the right to vote.

322. The representative of Greece stated that a series of hostile and provocative acts by Turkey against Greece had given rise to an explosive situation. That policy culminated in the application of a plan to exterminate the Greek elements in Istanbul. The Turkish measures were obviously designed to crush the Greek nationals economically before they were expelled. Close to 1,100 persons had so far been expelled.

323. According to certain declarations made by the Turkish Government, those measures were to apply only to Greek nationals, but not to the Greek minority in Istanbul. However, the Greek nationals against whom the measures were to apply were in fact no less indigenous than the others. They were technically Greek nationals because their ancestors had originally been from the provinces of the Ottoman Empire incorporated in the Kingdom of Greece, either at its foundation or afterwards. Past Turkish excesses had not distinguished between the two Greek elements. Statements made by spokesmen for the Turkish Government indicated that unless Greece ceased to support Cyprus, all Greek nationals in Turkey could be expelled *en masse*. To that state of affairs must be added the harassing of the Ecumenical Patriarchate.

324. Recent Turkish statements had acknowledged that the real motive for the mass expulsions was the attitude of Greece to the Cyprus problem. But that did not excuse Turkish reprisals against the Greeks of Istanbul. Moreover, the Greek attitude to the Cyprus crisis had been irreproachable in its restraint. Contrasting that with Turkish actions and with the inflammatory statements made by Turkish leaders, he observed that self-defence was not only a right but a duty. The Greek Government pledged its closest cooperation in seeking a just solution of the question of Cyprus.

325. The representative of Turkey stated that the most serious aspect of a whole series of aggressive Greek moves was the attitude of the Greek Government in the unfortunate issue of Cyprus. The Greek Government had openly invaded the Island of Cyprus under the very eyes of the United Nations peace-keeping force. By aligning itself with the Makarios régime, the Greek Government had encouraged that régime to trample upon the constitution of the island. It continued to condone the illegal and inhuman acts of the Greek Cypriots. By becoming a party to the Makarios policy of imposing a solution by force, the Greek Government had disdained the recommendations of the Security Council. The cause of the dangerous worsening of relations between Turkey and Greece was the brazen resurgence of Greek territorial expansionism. Greece had allowed itself to be led into trouble by the Makarios régime. Faced with that situation, the Turkish Government as a last resort was calling upon the Council to send a fact-finding commission to Cyprus in order to establish the truth and report to the Council.

326. The Turkish Government had denounced the treaty giving special privileges to Greek nationals in Turkey by virtue of the provisions of the same treaty. It had found it necessary to take certain measures against those who were unlawfully engaged in certain occupations reserved solely to Turkish citizens or against those who were undertaking activities against the country.

327. The representative of Greece denied that there was a Greek military unit in Cyprus other than the contingent there officially. Nor was there any concentration of troops and material by Greece either in

the Dodecanese Islands or in the Aegean islands which were demilitarized under the Lausanne Treaty. There were only limited forces in Western Thrace. In the corresponding Turkish areas, on the other hand, there were powerful assault forces.

328. The dispatch of a fact-finding mission to Cyprus fell within the purview of that sovereign country. But as far as Greek territory was concerned, Greece would welcome such an idea on condition that the inquiry covered all the Turkish areas in which there had been threatening military movements, including the regions from which air attacks and naval demonstrations against Cyprus had originated.

329. At the 1147th meeting on 11 September, the President, speaking as the representative of the Union of Soviet Socialist Republics, stated that it was intolerable that innocent people should be made victims of the tension in the area and subjected to mass deportation. In accordance with generally accepted principles of international law, the existence of strained relations between countries did not justify the adoption of repressive measures on the part of one country against the other's nationals living within its borders.

330. The essence of the matter was to put an end as soon as possible to the interference by some NATO Powers in the internal affairs of Cyprus and to the threat of Turkish military invasion of Cyprus.

331. The representative of the Ivory Coast stated that the Council could not remain indifferent to anything that might shatter friendly relations between Greece and Turkey and suggested employing the good offices of common friends of both countries to ease the situation. A war in that part of the Mediterranean would be a world catastrophe.

332. The representative of France appealed to both Governments to show a spirit of tolerance in the treatment of their respective minorities.

333. The representative of Norway deplored measures which resulted in hardships and uncertainty for minorities and expressed the hope that the responsible authorities of the parties concerned would desist from such actions both in their own interests and in the interests of peace in the area.

334. The representative of Cyprus denied the allegation made the previous day by the Prime Minister of Turkey to the effect that the Turkish Cypriots living in the Kokkina area were starving. The Kokkina region had plenty of supplies, as the Secretary-General had noted. Nor was there an economic blockade against the Turkish Cypriots. It was the Turks who had decided to isolate themselves in certain areas, in accordance with instructions from Ankara for political and military purposes. The Cyprus Government was ready to leave it to the Secretary-General to determine what supplies were reasonable and extended an invitation to UNFICYP to send a delegation to the area to investigate the situation. The *Chargés d'affaires* of Turkey and Greece were also invited to go without creating a precedent.

335. The representative of the United Kingdom said that he did not wish to deal with the substance of the Cyprus problem. His Government, however, deplored all forms of pressure, physical, psychological or economic and regarded such pressure as inconsistent with the repeated calls by the Council on all parties to refrain from actions which might exacerbate the situation. He associated himself with the appeals made to the Gov-

ernments and parties concerned to act with the fullest regard to humanitarian principles.

336. The representative of Morocco stated that the expulsion of Greek nationals residing in Turkey, even though it might be considered as falling strictly within Turkey's competence, was likely to aggravate the relations between the two countries. He hoped that, should any measures be taken, they would not be in the form of a massive indiscriminating expulsion which would be prejudicial to the relations between the countries concerned, and to the good reputation of Turkey.

337. The representative of Czechoslovakia considered that the situation was serious, the more so since one of the parties felt that measures tending to aggravate the situation were merely reprisals. The interests of the peoples involved were subordinated to the objectives of the Atlantic Alliance, which had created certain difficulties to the detriment of the relations between the two peoples concerned. The problem of Cyprus would already have been solved had the Cypriot people been given a full chance to decide on their own fate and future and if the efforts to keep alive the vestiges of colonial domination and of warlike bases on Cypriot territory had been eliminated. The United Nations was duty-bound to end such outside pressures.

338. The representative of the United States of America said that the expulsion of Greek nationals from Istanbul seemed a sad sequel to the communal hostility in Cyprus. While entirely within the letter of international agreement, the Turkish Government's measures touched the humane instincts and evoked the profound sympathy of all. Urging the Turkish Government to give very careful consideration to the effect of its actions, he said that he could not ignore the fact that its actions towards Greek nationals were a consequence of the treatment of Turkish-Cypriots in Cyprus. By mutual concern for each other's citizens or ethnic brethren, the Governments of Greece and Turkey could succeed in settling their differences—the principal one being the question of Cyprus.

339. The representative of Bolivia stated that the Council was not faced with a question of judging the substance of the claims of either country. Even though the measures taken by Turkey against Greek nationals might be supported by the security laws, they still were reprisals. He trusted that the Turkish Government would heed the Council's appeal to revoke those measures.

340. The representative of Brazil said that the question of Greek nationals in Turkey was closely related to the question of Cyprus. His Government did not deny the right of any State to regulate the situation of any foreign citizens resident in its territory, but the measures taken must not be of a discriminatory nature. The measures taken by the Turkish Government would not contribute to lessening the tension between the two countries. That question could only be viewed in the light of the whole of the Cyprus problem. By doing so it should be noted that the Cyprus Government, which was closely linked to the Greek Government, had applied against the Turkish community discriminatory measures whose gravity could not be denied.

341. The representative of Turkey said that while his Government welcomed recent reports from the Secretary-General to the effect that certain supplies of food had gone into the Kokkina area, it had no reason to believe that such supplies would continue. It had

therefore suggested that a committee made up of representatives of UNFICYP, the Turkish and Greek embassies and the British High Commissioner should go to the Kokkina area to ascertain the facts and the needs of the people there.

342. There was no question of "mass deportations". The measures taken by Turkey were aimed at a few hundred subversive agents of the Greek Government. After the expiration of the Treaty on 16 September, the Greek citizens living in Istanbul would be subject to the same regulations as applied to all foreign citizens. The Turkish minority in Western Thrace, on the other hand, had been allowed to remain oppressed and underdeveloped culturally and economically for the last four decades. The Turkish proposal for a fact-finding mission applied only to Cyprus; the Greek representative had stretched the scope of the proposal out of proportion.

343. The representative of Greece denied that he had expanded the scope of the proposed fact-finding mission; it was the Turkish representative who had made the proposal to send a mission to the "area concerned" which included Thrace, the Dodecanese and Cyprus.

344. The representative of Cyprus stated that the allegation that the food sent to Turkish areas in Cyprus was not of the necessary caloric value was contradicted by a statement made by a spokesman of the United Nations.

345. It was for the Cyprus Government to invite a fact-finding committee. If the United Nations were to take up the Turkish proposal it must consult his Government. However, the Cyprus Government had made its own proposal.

346. The representative of Turkey stated that the Government in power in Cyprus was not a legitimate one since the Greek element had usurped power by expelling the Turkish element from the Government. The Turkish relationship to that Government was a *de facto* one maintained for the sake of peace. He said that the "area concerned" in connexion with fact-finding was only Cyprus, and gave details of the warlike preparations made by the Greek Government in other areas.

## C. Communications received between 12 September 1964 and 15 July 1965

347. During this period communications addressed to the Secretary-General were received from the representatives of Greece and Turkey dealing with matters similar to those raised in earlier communications. These communications were circulated, when requested, as documents of the Council.

348. The representative of Greece in his letters of 24 and 25 September (S/5988, S/5990), 19 and 23 October (S/6019 and Corr.1, S/6024), 12 December 1964 (S/6109), 5 and 18 January 1965 (S/6143, S/6154), 15 and 29 March (S/6238, S/6266), 5 and 7 April (S/6474, S/6277), 15 and 27 May (S/6362, S/6385), 1, 2, 8, 12 and 21 June (S/6403, S/6405, S/6410, S/6425, S/6441, S/6470) and 6 July (S/6506), complained to the Secretary-General of repeated violations of Greek airspace or territorial waters by Turkish military craft. In his letter of 9 April 1965 (S/6282) he denied the alleged violation of Turkish territorial waters on 17 March by a Greek destroyer. Letters of 2 October 1964 and 17 April 1965 (S/5997, S/6268) dealt with arbitrary measures taken by the Government of Turkey against the Greek minority in the islands of Imbros and Tenedos; and a letter of 25 January 1965 (S/6162) referred to the continuing deportation of Greek citizens residing in Turkey.

349. The representative of Turkey in his letters of 23 February 1965 (S/6199), 23 March (S/6254) and 12 April (S/6285) referred to the violation of Turkish airspace and territorial waters by Greek military craft. In his letters of 12 and 23 February (S/6189, S/6200), 19 and 20 April (S/6287, S/6289) and 14 July (S/6526), the representative of Turkey stated that there had been no violations of Greek airspace or territorial waters as alleged in communications of the representative of Greece. In a letter of 13 September 1964 he again rejected as irresponsible the allegations made by the Government of Greece concerning his Government's policy towards the Oecumenical Patriarchate in Istanbul. In a letter of 12 May (S/6351) he dealt with the alleged incidents in the islands of Imbros and Tenedos.

## Chapter 5

### THE PALESTINE QUESTION

#### A. Communications to the Council received between 6 August and 19 October 1964

350. In a letter dated 6 August 1964 (S/5854) the representative of the Syrian Arab Republic informed the Security Council that Israel armed forces, estimated at one infantry platoon, had attacked Syrian posts across the armistice demarcation line in the Ain-Memoun sector. A heavy exchange of fire had ensued which had lasted until the following day when a ceasefire had been effected at the request of the United Nations Truce Supervision Organization (UNTSO).

351. In a letter dated 10 August (S/5874), the representative of Israel replied that an Israel routine night patrol consisting of six men had crossed by error the Demarcation Line into Syrian territory and that it was absurd to contend that such a patrol could have launched a premeditated attack against fortified Syrian positions.

352. In a letter dated 18 September (S/5980), the representative of Israel drew the attention of the Council to the decisions taken at the Arab Summit Conference held in Alexandria from 5 to 11 September 1964. According to the Declaration issued at the end of the Conference, the Council of the Arab Heads of State had defined the national cause as that of liberating Palestine from Zionist imperialism. The Declaration had further stated that the Council had adopted the necessary resolutions to implement Arab plans, especially in the military and technical fields, and had welcomed the establishment of the Palestine Liberation Organization as a vanguard of the joint Arab struggle to liberate Palestine.

353. The Alexandria decisions were in conflict with the Charter and constituted a threat to international peace and security. It would be unwarranted for the United Nations to acquiesce in this open challenge to

United Nations principles, or to ignore the threat to the peace which was involved.

354. By a letter dated 6 October (S/6003) the representatives of Algeria, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Republic and the Arab Republic of Yemen transmitted to the Council the text of the Declaration issued by the Alexandria Conference. The letter stated that the Israel representative had made deliberate misrepresentations and deletions. This Declaration had reaffirmed the views that their Governments separately and jointly had expressed in the United Nations and in international conferences to uphold and restore the rights of the Palestinian people to their homeland. The letter referred to condemnations of Israel by the Security Council and stated that Israel's record in the international community hardly qualified it to accuse other States of violating the United Nations Charter or of posing a threat to international peace and security.

355. In a letter dated 19 October (S/6020) the representative of Israel, referring to the Arab communications of 6 October (S/6003), reasserted that the official text of the Declaration corroborated the charge made in Israel's previous letter that the purport of the proclamation had been that thirteen Member States were aiming at the liquidation of another Member State.

## **B. Requests for a meeting of the Security Council**

356. In a letter dated 14 November (S/6044), the representative of the Syrian Arab Republic requested an urgent meeting of the Security Council to consider the latest aggression committed by Israel against the Syrian Arab Republic.

357. In a letter dated 15 November (S/6046), the representative of Israel requested an urgent meeting of the Security Council to consider repeated acts of aggression committed by Syrian armed forces against the citizens and territory of Israel in violation of the General Armistice Agreement, culminating in the Syrian attack of 13 November 1964, and threats by spokesmen of the Syrian Government against the territorial integrity and political independence of Israel.

358. In a further letter dated 14 November (S/6045) the representative of Israel gave a résumé of the incident of 13 November. He denied that there was any basis for the Syrian claim that an Israel patrol had crossed the border and penetrated into Syrian territory. The Israel villages of Shear Yashuv and Kibbutz Dan had been subjected to Syrian artillery and heavy mortar bombardment resulting in considerable damage to dwellings and farms. Israel casualties in the incident were three killed and eleven wounded. After the Syrians had disregarded the initial attempts by the United Nations Observers to arrange a cease-fire, Israel planes had been obliged to go into operation in order to halt the bombardment of the Israel villages. The Israel air strike must be understood in relation to the nature of the terrain, as the border area was completely dominated by the adjacent high ground on the Syrian side, which had been heavily fortified by the Syrian armed forces. The incident was the most recent example of indiscriminate firing from Syrian positions across the border at Israel civilians which for years had been a major source of tension along the border. The aggressive behaviour of Syrian troops in the border area had to be seen against the

background of the situation in Syria, Syria's relations with other Arab States and the belligerent policies of the Arab States towards Israel to which reference had been made in the letters of 18 September (S/5980) and 19 October (S/6020).

## **C. Consideration at the 1162nd, 1164th to 1169th, 1179th and 1182nd meetings (16 November-21 December 1964) and report of the Chief of Staff**

359. At the 1162nd meeting on 16 November 1964, the provisional agenda, consisting of the Syrian and Israel communications as sub-items (a) and (b) respectively, was adopted. The representatives of Israel and Syria were invited to take seats at the Council table.

360. The representative of Syria stated that the Israel aerial bombardment constituted armed aggression according to Article 51 of the Charter and was a flagrant violation of the Armistice Agreement. He gave fourteen instances of Israel acts of aggression from 7 October to 12 November 1964, and stated that on 13 November an Israel armoured patrol had crossed the Syrian frontier and Israel artillery had shelled the Syrian villages of Nukheila and Abbasieh, which had had no military elements. Fire had been returned, directed against the military installations and colonies from which shelling emanated, including the village of Dan. Syria had accepted the cease-fire proposed by UNTSO, while Israel had bombed three peaceful villages in addition to the Syrian defensive positions, and had used napalm. A cease-fire had subsequently become effective. Syrian losses were seven dead and twenty-six injured. That deliberate and calculated crime perpetrated on Syrian national territory called for the strongest condemnation by the Security Council, which in past resolutions had repeatedly condemned military action by Israel in breach of the General Armistice Agreements.

361. The basic reason for the tension in the area lay in the fact that the Israel authorities had consistently refused to respect the status of the demilitarized zone as defined in the General Armistice Agreements, and in the explanatory letter of the Acting Mediator. That status rested on the following principles: (1) the return of normal civilian life in all of the Arab villages and in the Israel settlements and colonies; (2) the administration of the demilitarized zone on a local basis, under the control of the Chief of Staff of the area; (3) the recognition that the demilitarized zone did not fall under the sovereignty of any country; and (4) that no armed forces could be stationed in the demilitarized zone, nor could any fortifications be built there. Israel had refused to recognize the special status of the zone, and, on the contrary, had claimed that it was an integral part of Israel territory, even to the point that it could be occupied by Israel troops. Israel had, moreover, refused to discuss anything pertaining to the zone in the Israel-Syrian Mixed Armistice Commission (ISMAC) and had boycotted the Commission since 1951. The present incident had been deliberately provoked by the incursion into Syrian territory of an Israel armoured unit so that Israel might have a pretext for a large-scale air attack on Syrian positions miles inside Syria. He asked the Council to condemn Israel in terms which would leave no doubt that it was determined to put an end to its aggressive acts and policies.

362. The representative of Israel stated that the aggressive behaviour of Syrian troops in forward positions was an expression of the state of war which Syrian leaders were constantly proclaiming. The status of the demilitarized zone and the functioning of ISMAC were not before the Council, since the incident of 13 November did not involve the demilitarized zone in the slightest. The first phase of that incident had taken place when the Syrians had, without provocation, opened fire on an Israel patrol consisting of two men proceeding along the border road in a single vehicle in a sector of the frontier which was not within the demilitarized zone. The patrol was the same kind which regularly travelled along this road, which lay wholly on the Israel side of the border. A little while after the first phase of the incident on 13 November, the Syrians from their artillery positions on the heights had started a simultaneous and co-ordinated bombardment of the Israel villages in the valley below. In addition to Kibbutz Dan and Shear Yashuv, Kibbutz Dafna had been bombarded. These villages were peaceful civilian communities and there was no military reason for the shell fire; a rough estimate of the damage it had caused was half a million dollars. The sole purpose of the air strike launched as a last resort after a United Nations appeal for a cease-fire had been accepted by the Israel side but ignored by the Syrians, had been to suppress gun positions operating against Israel population and territory. The purpose had been achieved and the cease-fire had come into operation immediately afterwards. The Israel Government accepted full responsibility for that defensive measure.

363. The representative of Israel stated that there had been hundreds of instances of Syrian firing across the border at normal Israel activities. Although nobody disagreed that this Syrian behaviour was unlawful and a threat to the peace, nobody had been able to curb the Syrian authorities. Repeated Syrian assurances to UNTSO that they would desist from firing had repeatedly been broken. The recent incident was particularly dangerous in view of warlike statements by the leaders of the Syrian Government and in the broad context of Arab affairs. Referring to his letters of 18 September (S/5980) and 21 October (S/6020) concerning the Conference of the Arab Heads of State in Alexandria in September 1964, he declared that the purport of that Conference was the liquidation of the State of Israel. There had since been increasingly militant pronouncements on the part of Syrian leaders. The Charter and the Armistice Agreement both forbade the use of force, and the Armistice Agreement and subsequent Security Council resolutions stated that the Armistice was a transition to a negotiated and permanent peace. He asked if Syria was prepared to negotiate a peaceful settlement of its conflict with Israel or at least to renounce the use of force. His Government was prepared to give such an undertaking. He asked that the Council should insist that Syria (1) refrain from further attacks and interference with Israel activities in the border zone, and in particular all firing across the border, and (2) refrain from all further threats against Israel's independence and territorial integrity.

364. The representative of Syria pointed out that all Israel advanced kibbutzim were armed and built in places of strategic military importance. As for the cease-fire, it had been accepted only after Israel planes had attacked Syria.

365. The representative of Morocco stated that the massive air attack could be the prelude to a policy which a certain section of Israel opinion had always advocated, the policy of preventive warfare. The participation of aircraft in local conflicts went beyond the scope of mere incidents that might take place from time to time between two hostile armed forces confronting each other. The Israel representative, he added, had referred to the decisions of the Arab Summit Conference but he did not believe that the perspective of the problem should be thus changed. The problem before the Council was a limited one, namely an act of war.

366. In a report dated 24 November (S/6061 and Corr.1-3 and Add.1 (issued subsequently)), the Chief of Staff reviewed the various stages of the incident of 13 November 1964 in the northern area of the Israel-Syrian armistice demarcation line, particularly in the Tel-El-Qadi area.

367. The Chief of Staff reported that firing had actually been started by the Syrian side which had alleged that an Israel armoured personnel carrier had encroached fifty metres into Syrian territory. As soon as firing started it had been heavy on both sides. The Chairman of the Mixed Armistice Commission had then sought a cease-fire. Initially this had been accepted by the senior Israel delegate but it had not been possible to make contact with the senior Syrian delegate in time. The Syrian Front Commander and the senior Israel delegate had subsequently both accepted 1500 hours for the beginning of the cease-fire. The Israel delegate had then advised the United Nations Control Centre in Tiberias that his acceptance of the cease-fire was not final as he had not been able to contact all the Israel positions. That had been followed by Israel bombing and machine gunning of Tel Azaziat and Syrian positions along the Banias-Kuneitra Road which had continued until a cease-fire had become effective at 1530 hours. Casualties and material damage had resulted on both sides.

368. The Chief of Staff stated that the recent tension in the area of Tel-El-Qadi (the Israel "Tel Dan") had begun with the carrying out by Israel of its project for the reconstruction of the track along the international boundary and a drainage ditch parallel to and north of the track. In October 1961, the eastern part of the track running along the northern edge of Tel-El-Qadi east towards Wadi Assal had been constructed, and in May 1962, the western part, from the Hasbani River towards Tel-El-Qadi. A survey had been conducted in 1963 by a team of Canadian surveyors placed at the disposal of UNTSO. This survey had covered the western part of the track, but had not continued as far as Tel-El-Qadi, Israel having withdrawn its co-operation for a continuation of the survey further east. On 28 October 1964, Israel had requested UNTSO co-operation for a survey of the areas intended for the reconstruction of the track from the eastern point surveyed by the Canadian team to the east of Tel-El-Qadi; preliminary material was being collected. In 1963, the Syrians had been disappointed with the results of their co-operation with the Canadian team, which had found that there had been no Israel encroachment into Syria in the portion of the track it had surveyed. The main Syrian objection had been that the UNTSO survey had stopped 250 metres west of Tel-El-Qadi and that the more important "encroachments of the Israeli track



into Syria" were alleged to be further east, in the unsurveyed portion of the track.

369. UNTSO efforts to secure the co-operation of both parties to establish the location of the portion of the track not surveyed in 1963 had been jeopardized by an incident on 3 November 1964 at approximately the same location as the 13 November incident, involving firing on both sides. The origin of the 3 November incident had been the reconstruction of the Israel track. An UNTSO investigation had shown that there appeared to have been an Israel encroachment into Syrian territory, but the official map was not of a scale to permit a definitive judgement in a matter of metres. It involved the question of access by Syrian farmers to a spring which they said they had traditionally used and this could not fail to be connected, at least to some extent, with the Arab-Israel conflict about the use of the Jordan waters.

370. The Chief of Staff said that the 3 and 13 November incidents showed that the question of whether the reconstructed Israel track encroached into Syria or not should not be left in abeyance, and suggested that the two parties might accept the continuation of the 1963 survey. Pending a solution following a report from an independent team of surveyors, the Chairman of the Israel-Syrian Mixed Armistice Commission (ISMAC) should continue to assess, at either party's request, the truth concerning the illegal crossing of the armistice demarcation line. The success of his efforts, however, would depend on the self-restraint exercised by both parties to avoid firing, even of warning shots, and to suspend all activities about which a party had complained, if the Chairman deemed such suspension necessary. These suggestions, the Chief of Staff added, would not be necessary if Israel were not preventing meetings of the Mixed Armistice Commission.

371. In conclusion, the Chief of Staff stated that the bitterness which characterized the relations between the two countries was nourished to a considerable extent by Israel's firm refusal to recognize any *locus standi* to Syria in the demilitarized zone, the greater part of which was now under *de facto* Israel authority, limited only by the efforts of the Chairman and United Nations Observers to fulfil their responsibilities. The tension was also a consequence of Syria's steadfast refusal to seek an end to its conflict with Israel.

372. At the 1164th meeting on 27 November, the representative of Syria, commenting on a map which the representative of Israel had distributed to the Council, stated that the Israel map had deliberately omitted to show that the Israel villages shown were in fact military strongholds and had also omitted altogether the northern section of the demilitarized zone. In that map, the Dan River, which was referred to in the Armistice Agreement maps as the Liddani River, stopped short at some distance from the Israel road shown on the map, whereas the original source of this river was in Syrian territory close to the demarcation line.

373. The history of the Israel track had begun on 15 May 1962 when Israel had opened a new dirt road running along the Syrian-Palestine border and the present Syrian-Israel armistice demarcation line from Tel-El-Qadi up to the southern extremity of El Ghajar Bridge on the Hasbani River. This had penetrated approximately 300 metres inside Syrian territory from the west of the source of the Dan River up to its northern tip. According to UNTSO, the source of the Dan

River was in Syrian territory; the passage of the track to the north of the source was an additional evidence of its location in Syrian territory. He added that two months previously Israel had blasted a number of new springs displacing the original source to the south inside Israel-occupied territory and had placed broken rocks on the original source. Moreover, it had always been the practice in the Mixed Armistice Commission to leave a separation zone of fifty metres in which no work would be undertaken on each side of the demarcation line to allow for the discrepancy in the official Armistice map, so that the Israel road, which was in some places on the line itself, was a clear violation. In 1962, the work on the road had been stopped by a verbal order from the Chief of Staff, but had been resumed on 3 November 1964. The road was meant to perform a military and political function which violated the provisions of the General Armistice Agreement. Syria had opposed its construction from the beginning and had requested a survey of the eastern part to establish beyond doubt the Israel encroachment; the survey had not been possible because of Israel lack of co-operation. Contrary to Israel's allegations, the Syrian authorities had never acquiesced in Israel's right to patrol the road—the Israel representative seemed to have misinterpreted Syrian restraint in this matter. As long as the Israel encroachment was not ended, Syria would continue to oppose Israel's military patrols on the road. The Syrian authorities, however, were prepared to discuss at any time any aspect of that question in the Mixed Armistice Commission.

374. The validity of the Israel peace offers, he said, could best be measured by examining the record of Israel during the past sixteen years. On becoming a Member of the United Nations it had repudiated its signature of the Lausanne Protocol; it was the only Member State in the United Nations which had drawn no less than six condemnations and censures from the Security Council and the General Assembly; it had ignored fourteen United Nations resolutions calling for the repatriation or compensation of the Arab refugees. Each of its peace offers had been a camouflage for fresh acts of aggression. The Second Conference of Heads of State or Government of Non-Aligned Countries held in Cairo in October 1964, in conformity with the Charter of the United Nations, had decided to endorse "the full restoration of all the rights of the Arab people of Palestine to their homeland" and to declare "full support to the Arab people of Palestine in their struggle for liberation from colonialism and racism". Thus, the Conference had decided that the question of Palestine was one of liberating a whole nation—the Arabs of Palestine.

375. Reviewing the incident of 13 November, he said it could be divided into three phases. The first had been when an Israel military patrol supported by tanks and artillery from the rear had entered Syrian territory. This had been intended to sustain by force Israel claims upon that territory and to provoke the Syrians to provide a pretext for the air force to intervene. The second phase had been the artillery duel and exchange of tank, gun and mortar shelling between positions on both sides; this had been initiated by the Israelis to cover the retreat of their armoured patrol. The third phase, which constituted an open and deliberate act of war, had been the massive Israel air raid. The air bombardment had gone beyond the needs of self-defence and constituted reprisals or punitive sanctions, which had rightly been condemned by the United

Nations. The representative of Syria recalled the Security Council's resolution of 18 May 1951 by which the Council had considered Israel's aerial action of 5 April 1951 inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter, and its resolution of 24 November 1953 by which it had censured the retaliatory action at Qibya taken by Israel on 14-15 October 1953.

376. The report of the Chief of Staff, the representative of Syria asserted, had confirmed in every respect the Syrian claims and contentions. In paragraph 4 of the report, the Chief of Staff said that there had been a single warning shot of unknown origin, and presumably coming from a point west of the Syrian village of Nukheila. At the same time, United Nations investigators had confirmed that an Israel armoured personnel carrier had encroached fifty metres into Syrian territory. According to paragraph 7 of the report, the Israel air strike had started six minutes after the Israelis had broken their undertaking to observe the cease-fire. Paragraph 18 of the report, which drew certain analogies between the incident of 3 November and that of 13 November, clearly implied that the Israelis knew of the Syrian expected reaction when they decided to send their military patrol to watch and defend the work unlawfully resumed in the eastern part of the road.

377. Noting that paragraph 22 of the report had stated that, although the Israel encroachment on Syrian territory might be a matter of metres, the maps indicated, however, that in the Tel-El-Qadi area a few metres might be particularly important, he said that his delegation failed to understand how access by Syrian farmers to a spring to which they were legally entitled could be treated as a comparatively minor incident, nor could it understand how encroachment which could go as far as 200 or 300 metres should be treated lightly.

378. Regarding the suggestions contained in the report, he stated that a single warning shot was in the prevailing circumstances the only alternative left to the Syrians because: (1) Syrian complaints were not followed by preventive measures in view of the systematic Israel boycott of ISMAC; (2) Syrian authorities rightly considered such an Israel military incursion into Syrian territory in a particularly sensitive area a very serious matter; and (3) Syrian restraint in face of Israel military incursions was always interpreted by Israel as a precedent establishing acquiescence in the resumption of unlawful Israel projects. He considered that the suggestion to refrain from firing went hand in hand with the suggestion in the same paragraph of the report that work complained of should be suspended where such suspension was deemed necessary by the Chairman of ISMAC.

379. At the 1165th meeting on 27 November, the representative of Israel stated that the over-all picture that emerged from a study of the report of the Chief of Staff and its annexes was substantially the same as the picture that his delegation had already presented to the Council. The map references showed that the patrol vehicle when attacked had been on Israel territory. In this connexion, he added, rechecking of the map references in the report on the incident of 3 November by UNTSO had shown that the possibility of an encroachment at that time might have to be reconsidered. The report indicated that the first cease-fire proposed by UNTSO had immediately been accepted by Israel. That that cease-fire had not gone into effect

was due to the fact that the United Nations representatives had not been able to locate the Syrian delegate to ISMAC. It had been impossible to arrange the second cease-fire in the very limited time allowed in the battle conditions then prevailing. It was not true, as had been alleged, that Israel had attempted to stall off a cease-fire. The investigators had found no evidence of fortifications in the Israel villages which had been attacked; they had found no Syrian village which had been bombed and had been denied access to various places mentioned in the Syrian complaint, nor had they been allowed to check that there had, in fact, been Syrian casualties. He maintained that the Israel bombing had been confined to Syrian military positions; at the time of the incident the only life at the village of Nukheila had been that of Syrian troops in, next to, and in front of the hamlet.

380. As to the border track, it was clear from the report that the Council was not dealing with the question of alleged penetration by individuals into Syrian territory in the normal sense of the term but with Israelis working or travelling on an Israel-made road. The charge of encroachment, therefore, related to the location of the track itself and not to the persons on it. He reviewed the history of the track and denied the allegation in the Chief of Staff's report that the Canadian survey had not been continued eastwards because Israel had withdrawn its co-operation. There had been no question of a survey of the eastern part of the track at the time the Canadian survey of the western part of the track had been completed. There had been no incidents or complaints involving the track from June 1963 to October 1964. In October 1964 it had been found that the track required repair before the winter rains; as work was required east of the sector surveyed by the Canadian team, Israel had proposed that the area over which the work should take place would be surveyed. His Government was prepared to agree to the continuation of the survey.

381. He endorsed the suggestion of the Chief of Staff that there should be no firing across the border and stated that Israel would continue to give careful consideration on their merits to requests by the Chairman of ISMAC for the suspension of activities which were the subject of a complaint. His Government co-operated with the Mixed Armistice Commission in its functions of observation of the border and investigation of complaints. While preserving its position on questions of principle, it was ready to discuss with the Chief of Staff ways and means of utilizing the MAC machinery to the best advantage possible in the circumstances.

382. The representative of the United Kingdom of Great Britain and Northern Ireland said that he was strongly convinced that the Council should direct its attention not to recrimination and bitterness about what had taken place, but to practical steps to prevent any such violence in the future. The loss of life and damage to property caused as a result of the violence of 13 November were serious enough, but it was clear that the danger of new violence in the future continued to threaten as long as nothing was done to deal with and to remove the causes of the outbreak.

383. The first necessity was surely to go to the root of the trouble by defining and marking that section of the armistice demarcation line which was in dispute. The Council should specifically endorse the recommendation that the necessary survey should be urgently undertaken with that end in view. Equally important, the Chief of



Staff of UNTSO had underlined the need for ISMAC to be made an effective instrument for keeping the peace and used as such. Only by full co-operation in and with the Commission could the dangers of the Israel-Syrian frontier be removed for the future. The Council should proceed urgently to support the practical proposals which the Chief of Staff had made.

384. The representative of Morocco said that the latest Israel aggression was characterized by a massive aerial intervention carried out by the Israel air force against villages and defence posts in Syria.

385. When his delegation was making a preliminary study of the Chief of Staff's report, it noted the enormous disproportion between, on the one hand, the nature of the localized character of the incident which had taken place in the Tel-El-Qadi-Nukheila area and, on the other hand, the scale of the aerial intervention against Syrian territory and also the provocative way in which that matter had been presented to the international Press by the Israel military leaders. The incident appeared to his delegation to have been a pretext for a punitive action against a country which had refused to end its conflict with Israel. Furthermore, it should be noted that the aerial attacks had been made after the two parties had agreed to a cease-fire. The fact, itself, contributed to fix Israel's responsibility for the deliberate air attack. The encroachment by the Israel patrol on Syrian soil had been in the same place as a previous encroachment. It was therefore a systematic violation in an area which the United Nations observers considered as one of the points of the armistice line where tension was highest—a violation through which the Israelis, for some doubtless specific purpose, were trying to keep alive a war atmosphere over a certain length of road. That explained why the Israelis after accepting the cease-fire had gone back on the initial decision although it had been practically effective at the time. Israel, with its present military power and its inexhaustible resources throughout the world continued to challenge the United Nations Charter and to threaten peace and security in the region.

386. Commenting on the Israel statement concerning the decisions of the Arab Summit Conference on Palestine, he said that the decisions of the Arab States regarding Palestine were based on the principles of law and justice, and they could not be considered as contradicting the principles of the Charter.

387. At the 1166th meeting on 30 November, the representative of France considered that, to prevent future incidents, the means at the disposal of the Chief of Staff of UNTSO should be reinforced. In this connexion, the Security Council might examine the recommendations made by the Chief of Staff in his report of 24 August 1963. These provided for a determination on the ground of the exact Israel-Syrian boundary in the area where the demarcation line was laid down by the General Armistice Agreement and of the limits of the use of land where the Agreement had provided for demilitarized zones. He endorsed the Chief of Staff's observations regarding the resumption of plenary meetings of the Mixed Armistice Commission and his proposals concerning greater freedom of movement for the United Nations military observers and the installation in the demilitarized zones of temporary mobile observation posts. Since one of the main causes of the tension now prevailing on the Israel-Syrian border was the recent reinforcement of Syrian and Israel troops stationed in the border areas, the Council should ask

both parties to reduce those forces to the levels laid down in the Armistice Agreement.

388. The representative of Czechoslovakia stated that from the circumstances it was evident that Israel had committed an act of aggression against Syrian territory on 13 November, in violation of the Armistice Agreement and the Charter. Legitimate self-defence could not be invoked on this occasion since Israel had not been attacked. Moreover, it was Israel's refusal to co-operate with the Mixed Armistice Commission which had prevented a clarification of the demilitarized zone. The Council should condemn the Israel aggression and insist that arrangements be made to ensure that the Armistice Agreement worked and was fully respected.

389. The representative of China observed that, unlike previous border incidents, this time the retaliation took the form of air attacks by Israel aircraft. Retaliation, however justifiable under the circumstances, was out of proportion to the nature of the provocation. From the Chief of Staff's report it appeared that the incident had been largely due to the fact that the armistice demarcation line in the region of Tel-El-Qadi was not entirely clear. The suggestion of the Chief of Staff that a survey be made of the boundary in the area in question by a team of international experts should therefore be acted upon as quickly as possible.

390. The representative of Norway said that the Council should endorse the specific recommendations of the Chief of Staff, namely, the need for a survey by impartial experts of the frontier between the two countries in order to define and mark the armistice demarcation line, the necessity of avoiding direct unilateral action, either provoked or unprovoked, and the necessity of making the Mixed Armistice Commission function effectively.

391. The representative of Israel, commenting on the possible use of mobile temporary observation posts along the border, stated that his Government, on the three occasions when it had been approached by General Bull, had expressed its agreement regarding the installation of these posts, and the posts had been established. He added that in spite of the difficulties which had arisen concerning the holding of plenary meetings of ISMAC, the Commission had continued to carry out effectively the great bulk of its responsibilities and could not, therefore, be described as being inactive or suspended.

392. At the 1167th meeting on 3 December, the representative of Brazil endorsed the suggestions of General Bull in his report and expressed the hope that both parties would contribute to their implementation. He stated that in the absence of regular meetings of the Mixed Armistice Commission it was difficult for the Council to determine which of the complaints should be considered as a violation of the Armistice Agreement. There was no doubt, according to the report of the Chief of Staff, that the Syrian military posts had started the exchange of fire in a region where an accurate topographical survey was still necessary to establish the location of the armistice demarcation line. On the other hand, one could not fail to take note that Israel's military retaliation was unjustified and out of proportion.

393. The representative of the Ivory Coast maintained that the Council should support the wish expressed by General Bull that when a party alleged that the other had illegally crossed the demarcation

line, it should lodge a complaint with the Mixed Armistice Commission. In any case, the parties should refrain from resorting to the use of arms. The localized problem of Tel-El-Qadi could be solved only by answering the question whether the Israel track encroached at some points on Syrian territory. The Chief of Staff's report let it be understood that it was easy to solve this problem by continuing the topographical survey started in 1963. The Council must, therefore, order the continuation of that survey. It was also essential that the parties agree to a resumption of the activities of the Mixed Armistice Commission.

394. The representative of the Union of Soviet Socialist Republics stated that according to the report of the Chief of Staff the direct cause of the tensions in the area had been that Israel had started construction work on the track. This action had been undertaken unilaterally in spite of the fact that the demarcation was not clear cut and was not recognized by both parties, and that such construction work therefore required prior agreement. This was, moreover, a particularly sensitive area, since it contained the sources of the Jordan River. The appearance of the armed Israel patrol in this region had been intended to start a whole chain of action. This was further proved by the fact that Israel after agreeing to a cease-fire had sent its air force into action and had bombed a whole series of points in Syrian territory. The Israel contention that this was a counter-measure could not be accepted as the Council had already condemned the principle of reprisal. Moreover, Syria had already accepted the cease-fire so no counter-measures were called for. This aggressive action, he emphasized, must be resolutely condemned by the Council so as to make it clear that the Council had firmly decided to put an end to Israel's aggressive acts.

395. At the 1168th meeting on 3 December, the representative of Syria replied in detail to the previous statements of the representative of Israel, maintaining that the Israel account of the incident was quite different from that contained in the Chief of Staff's report.

396. He stated that the following facts emerged from General Bull's report: (1) Israel authorities had provoked the incident of 13 November by sending a military patrol to the eastern part of the road encroaching on Syrian territory, where work had been resumed by the Israelis contrary to UNTSO instructions; (2) the Syrian warning shot or shots had been immediately returned by a wide array of Israel fire from Israel military positions; (3) in spite of a cease-fire agreement, a large number of Israel planes had attacked Syrian villages and military positions. He adduced the following conclusions: (1) the Israelis provoked the incident of 13 November to achieve certain far-reaching objectives; (2) the Israel air attack was not a last resort since a cease-fire agreement had been reached prior to the attack; (3) the premeditated Israel air attack was out of proportion to any Syrian provocation.

397. Commenting on the statements made by the United Kingdom and Norwegian representatives at the 1165th and 1166th meetings respectively to the effect that the task of the Council was not to condemn but to conciliate, he said that tolerance should not distract the Council from the urgent business to which it had to attend, and that such tolerance could best be advocated after the resolutions of the United Nations on Palestine were carried out by the Israel authorities. He added that regarding the Almagor incident the

Norwegian representative had stated on 30 August 1963 that the function of the Security Council was first to weigh all the evidence available and to attempt to form some judgement on it, and secondly to consider what action was proper to prevent the recurrence of similar incidents in the future. He asked the United Kingdom representative whether there was a double yardstick which applied in one case and not in another. The present case was more serious than that of August 1963. He was dismayed that the United Kingdom representative had put on the same level Syria's act of defence and Israel's attack.

398. The demilitarized zones were created specifically in order to separate the Israel and Syrian armed forces and remove the cause of tension. Thus, the only way to stop Israel incursions into the demilitarized zone was by strict observance by Israel of the Armistice Agreement, which was a single and indivisible instrument. One could not invoke part of it as the Israelis had been doing to suit their purpose and ignore the rest of it when it was against their selfish interests.

399. He called on the Council to censure Israel for its reckless behaviour and warn it in clear terms that such acts must cease. The basis of peace and stability in the area must lie in the full adherence by both parties to the General Armistice Agreement. The Council should therefore require the Israel authorities to attend the meetings of the Mixed Armistice Commission. All work on the road should cease immediately until an impartial and general survey had been completed and approved by the Syrian side. Also, his Government did not object to the marking of any section of the northern demarcation line, provided that such marking was also carried out along the entire demarcation line to include the three sectors of the demilitarized zone.

400. The representative of the United Kingdom, in reply, said that in the case of the Almagor incident, doubts were voiced before the Council regarding the very occurrence of the incident itself and the Council had been obliged to attempt to reach a judgement on the facts as well as to contribute to an improvement in the situation. The circumstances were thus a little different from those of the present case. There were certain basic facts which the Council on the basis of the information before it was not in a position to assess—particularly in the absence of a survey. What was not in dispute was that there had been a heavy exchange of fire and a rapid escalation. Therefore his delegation believed that the Council's proceedings would have no purpose if it did not by supporting General Bull's recommendations contribute to conciliation.

401. The representative of the United States of America expressed his disappointment that Syria and Israel had readily once more resorted to arms with a subsequent rapid escalation rather than in the first instance resorting to United Nations machinery. He endorsed the Chief of Staff's recommendation for an independent survey for the purpose of determining the location of the track and its relation to the demarcation line. This appeared to have been accepted by the parties. He added that on the success of limited surveys depended the possibility of more general ones. His delegation urged both sides to submit their complaints to the Mixed Armistice Commission rather than to commence shooting and to suspend activities complained of if the Chairman of the Commission deemed it necessary. Finally, full participation by both parties in

the Commission's activities would, he stated, more than any other single act, increase the chances of a more effective observance of the truce by both sides.

402. The representative of Israel, referring to the statement of the Syrian representative, spoke of the convenient habit of opening fire on Israel activities and then calling it warning shots and asked whether a single warning shot could have produced such dramatic results. He maintained that the track in question had been constructed in 1961 and had been in use for several years and that it was wholly within Israel territory. The place where the attack had taken place had been pinpointed by a United Nations observer as in Israel territory. Syria had never brought forward any evidence to substantiate the encroachment alleged by it at that spot. In proposing that the Canadian survey be continued, his Government did not imply any doubt as to the track's being in Israel territory; it was agreeable to the survey in order to put an end to Syrian claims of encroachment and Syrian shooting at activities there. The fact that a survey of the Tel-El-Qadi sector was now for the first time made conditional by Syria on a total and comprehensive survey of the whole Israel-Syrian border amounted to a rejection of General Bull's proposals. This, he alleged, was because the Syrian authorities realized that the survey would indicate that there were no encroachments.

403. At the 1169th meeting on 8 December, the President drew the Council's attention to the following draft resolution submitted by Morocco (S/6085/Rev.1):

*"The Security Council,*

*"Noting the complaint by Syria to the Security Council concerning the aggression committed by Israel on 13 November 1964,*

*"Noting the counter-complaint by Israel and the statements made to the Council by the representatives of Syria and Israel,*

*"Noting the report of the Chief of Staff of the United Nations Truce Supervision Organization in Palestine,*

*"Recalling its resolutions of 19 January 1956 and 9 April 1962 and in particular the provisions of those resolutions relevant to the maintenance of the Armistice and the settlement of disputes through the intermediary of the Mixed Armistice Commission,*

*"Noting with concern that Israel, in the course of its aggression on 13 November 1964 against the Syrian Arab Republic, used its air force to bomb peaceful villages and defensive positions in Syrian territory, and the violation of the Syrian air space on 13 and 14 November 1964,*

*"1. Condemns the air action undertaken by the armed forces of Israel against the territory of the Syrian Arab Republic on 13 November as constituting a violation of the cease-fire provisions of the Security Council's resolution of 15 July 1948 and as being both incompatible with the obligations binding upon the parties under the terms of the General Armistice Agreement and contrary to the Charter;*

*"2. Expresses the most severe condemnation with regard to this action, which is of such a nature as to endanger peace in that area;*

*"3. Calls upon Israel to take effective measures to prevent the repetition of such actions;*

*"4. Calls upon the Governments of Syria and Israel strictly to apply the provisions of the Armistice Agreement concluded between the two parties and fully to participate in the meetings of the Mixed Armistice Commission."*

404. The representative of Morocco said that it appeared from the Chief of Staff's report that there were two elements which explained why the incident of 13 November had been transformed into an aerial attack against Syrian villages and military positions. The first was Israel's refusal to recognize any *locus standi* to Syria in the demilitarized zone which was purely and simply an attitude which was nothing but a violation of the Armistice Agreement and a defiance of UNTSO. The second was Syria's refusal to seek an end to its conflict with Israel which, on the other hand, was a political attitude that had nothing whatsoever to do with the need for ensuring supervision of the truce. It was therefore clear that the air attack, which could not be justified on a military basis, had been undertaken for political reasons, to force Syria to change its political stand. Introducing his delegation's draft resolution, he said that the Council must prove its dedication to peace by adopting a sufficiently categorical position so as to avoid the recurrence of an act of war such as that committed by Israel on 13 November.

405. The representative of Israel, commenting on the Moroccan draft resolution, stated that it was simply the Syrian contention submitted by the Arab member of the Security Council and, as such, it laid no claim to being impartial or balanced. The impression that Syria, in rejecting the completion of the survey in the Tel-El-Qadi area called for by General Bull by making that survey conditional on a demarcation of the whole border, did not wish its charges of encroachment to be put to the test was corroborated by the fact that the Moroccan draft resolution deliberately evaded all reference to the proposed survey.

406. At the 1179th meeting on 17 December, the President drew the attention of the Council to the following draft resolution jointly submitted by the United Kingdom and the United States (S/6113):

*"The Security Council,*

*"Having heard the statements of the representatives of Israel and the Syrian Arab Republic,*

*"Taking into consideration the report of the Secretary-General of 24 November 1964,*

*"1. Deplores the renewal of military action on the Israel-Syria Armistice Demarcation Line on 13 November 1964 and deeply regrets the loss of life on both sides;*

*"2. Takes special note in the report of the Secretary-General of the observation of the Chief of Staff in paragraphs 24 through 27, and in the light of these observations, recommends specifically:*

*"(a) That Israel and Syria co-operate fully with the Chairman of the Mixed Armistice Commission in his efforts to maintain peace in the area;*

*"(b) That the parties co-operate promptly in the continuation of the work begun in 1963, of survey and demarcation as suggested in paragraph 45 of document S/5401, commencing in the area of Tel-El-Qadi, and proceeding thereafter to completion, in fulfilment of the recommendations of the Chief of Staff's reports of 24 August 1963 and 24 November 1964;*

"(c) That the parties participate fully in the meetings of the Mixed Armistice Commission;

"3. *Requests* the Secretary-General to inform the Council by 31 March of the progress that has been made toward implementing these suggestions."

407. The representative of Morocco regretted that the efforts of certain delegations to find a formula for agreement that might be acceptable to the parties concerned had not been successful. In the circumstances, he asked that his delegation's draft resolution (S/6085/Rev.1) be put to the vote. The representative of the USSR supported this request.

408. Introducing the United Kingdom-United States draft resolution the representative of the United States explained that the co-sponsors did not consider their draft a substitute for the Moroccan draft as the two texts were concerned with different aspects of the 13 November incident. The co-sponsors had thought it advisable that the Council should express itself specifically on the problems relating to the future and to an endorsement of the efforts of the Chief of Staff. The draft stressed the common responsibility of the parties to maintain the terms of the Armistice Agreement and its recommendations were basic minimum steps to be taken as a preventive against this sort of incident.

409. The representative of the United Kingdom, speaking in support of the draft resolution, stated that it was evident that the majority of members of the Council considered that the interests of the parties could best be served by carrying out the Chief of Staff's recommendations and by trying to find means whereby ISMAC could fulfil its vital role. An independent survey of the armistice line in the vicinity of Tel-El-Qadi and acceptance by Israel and Syria of its findings was urgent and essential. His delegation was also convinced that if the work of survey and demarcation could continue in other areas it would be of great benefit to both countries.

410. The representative of Czechoslovakia said that the responsibility for the creation of the situation and for the escalation by aerial bombardment rested with Israel. His delegation therefore supported the Moroccan draft resolution.

411. The representative of France said that his delegation was unable to support the Moroccan draft resolution since the text did not seem to reflect the considerably less categorical conclusions of the Secretary-General's report. Further it reflected only one of the concrete proposals formulated by the Chief of Staff and not the other measures which his delegation had endorsed.

412. The President, speaking as the representative of Bolivia, noted the wish expressed by the parties to see the restoration of peace in the area and the proper functioning of the Mixed Armistice Commission and to avoid new incidents. He appealed to the parties to endeavour to comply with the provisions of the Armistice Agreement and to co-operate with the Commission.

**Decision:** *At the 1179th meeting on 17 December, the Moroccan draft resolution (S/6085/Rev.1) was voted upon and not adopted. There were 3 votes in favour (Czechoslovakia, Morocco, USSR), none against and 8 abstentions.*

413. At the same meeting, the representative of Morocco introduced a number of amendments (S/6116) to the United Kingdom-United States joint draft resolution (S/6113). The amendments called for the following alterations: (1) the insertion in operative para-

graph 1 of the following phrase between the words "Deplores" and "the renewal": "the violation by an Israeli military patrol of the Armistice Demarcation Line in the area of Tel-El-Qadi, which had not been surveyed, contrary to the instructions of the Chairman of the Israel-Syria Mixed Armistice Commission,"; (2) the insertion in operative paragraph 1 of the following phrase between the words "13 November 1964" and "deeply regrets": "and the subsequent unjustified resort by Israel to aerial action"; (3) the deletion in operative paragraph 2, of the word "special" after the word "Takes" and the deletion of the word "specifically" after the word "recommends"; (4) the deletion in sub-paragraph (b) of operative paragraph 2, of the rest of the sub-paragraph after the word "demarcation" and its replacement by the following phrase: "along the entire Armistice Demarcation Line, including the area of Tel-El-Qadi and the three sectors of the Demilitarized Zone, in fulfilment of the recommendations of the Chief of Staff's reports of 24 August 1963 and 24 November 1964"; and (5) the replacement of sub-paragraph (c) of operative paragraph 2 by the following text: "That Israel as well as Syria participate fully in the meetings of the Mixed Armistice Commission".

414. The representative of the USSR considered that the Moroccan amendments and the statement of the representative of Morocco showed the desire of the Arab countries to achieve a constructive solution and would bring the decision of the Council into line with a factual analysis of the circumstances accompanying the events of 13 November.

415. The representative of the United States said that the co-sponsors of the joint draft resolution had limited themselves, in describing the incident, to the barest minimum so as to avoid the serious impasse that had occurred in the efforts to reach a consensus. They had therefore concentrated their efforts on the constructive elements, the recommendations of the Chief of Staff, which would perhaps provide constructive guidelines for the future.

416. The representative of the Ivory Coast stated that the report submitted by General Bull did not completely clear up the problem of the path taken by the Israel patrol, and therefore, in order to avoid a recurrence of such incidents, the most practical solution would be once and for all to make certain that this path was not on Syrian territory. Therefore the political solution would be to draw the line of the path clearly.

417. At the 1182nd meeting on 21 December, the representative of the United States reiterated that to introduce the Moroccan amendments, with the exception of the third amendment, to the joint draft resolution would reopen the entire subject of controversy. Therefore, his delegation could not in good faith support those amendments.

418. The representative of the USSR said that the joint draft resolution tried to put the victim of aggression and the aggressor on the same footing. The Moroccan amendment taking note that the Israel aerial bombardment was completely unfounded seemed to be the very least that could be expected in the circumstances.

419. In submitting its amendments, the delegation of Morocco was thus suggesting once more to those members of the Council who had not supported the first draft resolution that they should nevertheless find a way to arrive at a solution and make it possible for the Security Council to give necessary guidance in order to avoid and prevent a recurrence of aggressive acts,

such as the incident of 13 November, on the Syrian-Israel frontier. By acting in that way, the Security Council could fulfil the obligations imposed on it by the Charter.

420. The Soviet delegation supported all the amendments proposed by the delegation of Morocco, since without them the draft resolution submitted by the United Kingdom and United States delegations would not prevent the recurrence of dangerous incidents such as those of 13 November 1964 for which Israel was to blame. Without those amendments the United Kingdom-United States draft resolution would be completely unacceptable to the USSR delegation.

**Decision:** *At the 1182nd meeting on 21 December, the Moroccan amendments (S/6116) to the United Kingdom-United States draft resolution (S/6113) were put to the vote. The first amendment, to operative paragraph 1, was rejected by 3 votes in favour (Czechoslovakia, Morocco, USSR), none against and 8 abstentions. The second amendment, to operative paragraph 1, was rejected by 5 votes in favour (Bolivia, Brazil, Czechoslovakia, Morocco, USSR), none against and 6 abstentions. The third amendment, to operative paragraph 2, was adopted by 7 votes in favour, none against and 4 abstentions (Bolivia, Brazil, United Kingdom, United States). The fourth amendment, to operative paragraph 2, was rejected by 3 votes in favour (Czechoslovakia, Morocco, USSR), none against and 8 abstentions. The fifth amendment, to operative paragraph 2, was adopted by 7 votes in favour, none against and 4 abstentions (Bolivia, Brazil, United Kingdom, United States).*

421. After the vote, the representative of Morocco said that Syria, as the plaintiff before the Council, had been the victim of an unjustified act of aggression. The sponsors of the joint draft resolution had failed to take into account the minimum necessary in connexion with this incident. The draft resolution was therefore completely unacceptable to his delegation.

**Decision:** *The United Kingdom-United States draft resolution (S/6113) as amended, received 8 votes in favour and 3 against (Czechoslovakia, Morocco, USSR). The draft resolution failed of adoption since one of the negative votes was cast by a permanent member of the Council.*

422. After the vote, the representative of France said that his delegation had supported the joint draft resolution because it considered it essential to follow up the suggestions made by General Bull in the hope of limiting the risk of friction in the future. The text of the joint draft resolution had had the merit of setting aside the controversies to which the description of the incident of 13 November had given rise in the unofficial talks held in the search for a consensus. His delegation had supported the third and fifth amendments proposed by Morocco since they did not alter the balance of the draft.

423. The representative of Israel stated that the Armistice Agreement was never intended to be a substitute for normal and peaceful relations between two neighbouring States, but only a short transitional stage towards those relations. It was his Government's hope that the Government of Syria would come to understand that it was in the interests of the two countries and peoples, and of Middle East peace, to resolve its conflict with Israel by negotiation.

424. The representative of Syria regretted that the Council had been prevented from condemning Israel

after all the facts had been so clearly stated. In favouring the Israel point of view, some permanent members of the Council had once again confirmed the true link which bound them to Israel, the instrument of colonialism in the region. It was necessary that the Council should deal effectively with the persistent defiance by Israel of the authority of the United Nations. He added that the survey of the area of Tel-El-Qadi should be carried out simultaneously on the whole length of the armistice line and also that the Western limits of the demilitarized zone should be included in the survey.

425. The joint draft resolution, he said, had had certain defects. First, it had omitted any reference to the first act of provocation by Israel, its encroachment on Syrian territory, and had also ignored the fact that Israel had resumed work on the eastern part of the road contrary to the instructions of the Chairman of ISMAC. Secondly, it had remained silent concerning Israel's aerial aggression against Syria. Thirdly, it had adopted the Israel point of view in calling for the re-marking of one small part of the northern sector in the demarcation line instead of recommending the full re-marking of the three sectors of the armistice line, in conformity with the recommendations of the Chief of Staff. Fourthly, the draft resolution failed to call on Israel, and Israel alone, to put an end to its boycott of the Mixed Armistice Commission, since Syria had been and was still collaborating fully with the United Nations machinery.

426. The representative of the United States said that his delegation regretted that the Council, because of the exercise of the veto, had been unable to endorse at least the constructive recommendations of the Chief of Staff in regard to the continued maintenance of peace along the demarcation line. However, the lack of unanimity on the part of the permanent members of the Council in this matter derogated in no way from the responsibility of the parties to carry out, in co-operation with General Bull, the terms of the General Armistice Agreement.

427. The representative of the United Kingdom said that his delegation still believed that an impartial survey of the Tel-El-Qadi area was necessary. He referred to his earlier statement in which he had said that if the work of survey and demarcation could continue in other areas, as proposed by the Chief of Staff, it would be of great benefit to both parties.

428. The representative of Norway explained that his delegation had voted for the joint draft resolution because it had recommended for approval specific issues suggested by the Chief of Staff designed to avoid similar incidents in the future. It had not voted for the first Moroccan amendment since it did not consider that the report had brought out clearly that an Israel military patrol had violated the armistice demarcation line. It had not voted for the second amendment which would have deplored Israel's aerial action for the reason that there was no mention of the intervening escalation of the use of military means by both sides after the first incident and up to Israel's aerial action. As to the survey, his delegation had felt that it would be natural to commence it in an area where the lack of demarcation had apparently led to incidents.

#### D. Subsequent communications

429. In a letter dated 26 January (S/6163) to the Secretary-General, the representative of Jordan drew the attention of the Council to violations and military



provocative acts by the Israel authorities in the Mt. Scopus area in Jerusalem. Under the Agreement of 7 July 1948 this area was placed under United Nations protection. In view of the dangerous situation arising from the Israel violations, his Government requested that immediate inspection of Israel positions in the area should be carried out through a special representative of the Secretary-General.

430. In a letter dated 1 March (S/6208), the representative of Israel drew the Security Council's attention to a recent series of acts of sabotage or attempted sabotage on Israel territory, perpetrated by persons crossing the armistice demarcation line from Jordan. Under the Armistice Agreement, the Government of Jordan must accept full responsibility for these acts and discharge that responsibility by apprehending and punishing the persons involved in these actions, and by taking stringent measures to prevent any recurrence of armed infiltration and organized sabotage from its territory. This responsibility had recently received fresh emphasis through the dispatch to the area of a special mission, consisting of Mr. Spinelli as representative of the Secretary-General and Major-General Rikhye as military adviser, following a deterioration of the situation along the border.

431. In a letter dated 1 March (S/6209) to the Secretary-General, the representative of Jordan stated that the preparations by the Israel authorities to review a military parade in the City of Jerusalem and to show their military equipment and heavy arms was in utter violation of the Jordan-Israel Armistice Agreement and of the Security Council resolution of 11 April 1961. He requested the Secretary-General to give the matter full consideration with the aim of preventing such action from being carried out by the Israel authorities.

432. In a letter dated 8 March (S/6220 and Corr.1) to the President of the Security Council, the representative of Jordan, in connexion with the Israel complaint of 1 March (S/6208) stated that following Israel complaints to UNTSO on 29 January and 28 February, investigations carried out by the United Nations observers gave no evidence that there had been any infiltrators into Israel from Jordan territory. In bringing such false accusations to the attention of the Security Council without any evidence, Israel seemed to be contemplating renewed aggression, which was a pattern of behaviour characteristic of Israel.

433. In a letter dated 15 March (S/6232) to the President of the Security Council, the representative of Jordan referred to the Spinelli Mission which the Secretary-General had dispatched to Jerusalem in connexion with the mounting tension along the Israel-Jordan armistice demarcation line. In spite of the good efforts of the Secretary-General, he said, the Israel authorities had resumed their acts of aggression in the Latroun area in violation of the Jordan-Israel Armistice Agreement, and refused to comply with the decisions of MAC in this respect.

434. In a letter dated 15 March (S/6235) to the Secretary-General, the representative of Jordan referred to his letter of 1 March (S/6209) drawing attention to the intention of the Israel authorities to review, in the City of Jerusalem, a military parade on the occasion of Israel's "Independence Day". He added that contrary to the verbal reply which he had received from Dr. Ralph Bunche, as a result of the Secretary-General's efforts to prevent such action, that the parade would be held at Tel Aviv, the Israel Prime Minister had stated that the Israel authorities were still planning to hold

a "symbolic military parade" in Jerusalem. Should this take place, then Israel would definitely be exposing the situation in the Holy City to grave repercussions.

435. In a letter dated 17 March (S/6243) to the President of the Security Council, the representative of Israel drew the attention of the Security Council to the tense and dangerous situation which had developed during the previous two weeks on the Israel-Syrian border, in the vicinity of the village of Almagor. He charged that the Syrian authorities had resumed the practice of opening fire upon peaceful Israel civilian activities in the border area. He listed seven Syrian attacks, between 2 and 16 March, and stated that, in connexion with each of these attacks, Israel had submitted a complaint to the Mixed Armistice Commission and investigations were carried out which, in the case of the 2 and 3 March incidents, confirmed that the Israel tractors when fired upon by Syria were west of the armistice demarcation line. The conclusions of the investigations of the subsequent incidents were not yet available. In connexion with some of these incidents Syria had complained that Israel was cultivating Arab land in the demilitarized zone, but this contention had been rejected as far back as 1957 as a result of a United Nations investigation.

436. In a letter dated 19 March (S/6248) to the President of the Security Council, the representative of Syria drew the attention of the Security Council to the increasing aggressive activities of Israel along the whole armistice demarcation line in general, and the demilitarized zone in particular. He listed ten incidents from 31 December 1964 to 17 March 1965 in which there had been firing on Syrian territory from tanks and Israel posts. Syria had lodged complaints with the Mixed Armistice Commission and called for investigations.

437. In a letter dated 25 May (S/6382), the representative of Syria drew the Security Council's attention to a series of aggressive acts committed by Israel on the Syrian borders and on the armistice demarcation line during the previous two weeks. He listed seven instances of firing against Syrian territory. In two instances, serious damage had been caused to property and investigations had been requested.

438. In a letter dated 27 May (S/6387), the representative of Israel, referring to his letter of 1 March (S/6208), drew attention to renewed acts of violence and sabotage allegedly committed by armed groups penetrating into Israel from Jordan territory. The Israel allegations of acts of sabotage on 2 and 4 March had been confirmed by the Chairman of the Mixed Armistice Commission in a statement of 16 March. Despite these findings, three further armed attacks had occurred during the previous two weeks, two of them against civilian habitations, and seven civilians had been injured.

439. In a letter dated 28 May (S/6390), the representative of Jordan complained to the Council that on 27 May Israel army units had attacked houses, a factory and fuel stations in Jordan; four civilians had been killed and seven wounded. These acts of open military aggression, which had been brought to the attention of the Mixed Armistice Commission, had caused a most dangerous situation in the region. Israel had attempted to explain its military aggression by the occurrence of acts of sabotage inside Israel-held territory attributed to Jordan; the Government of Jordan denied most emphatically any knowledge of or responsibility for such alleged acts.

440. In a subsequent letter dated 28 May (S/6391), the representative of Jordan informed the Council that orders had been issued to the Jordanian Armed Forces to "repel with utmost severity and determination any new Israeli act of aggression".

441. In a letter dated 28 May (S/6392), the representative of Syria submitted to the attention of the Council details regarding incidents of 13 and 22 May. As a result of the investigation of the incident of 13 May, the Chairman of ISMAC had stated that there had been no evidence of any Syrian fire and that the target of Israel fire had been equipment and civilians well inside Syrian territory. The Chairman had drawn Israel's attention to the fact that firing from the demilitarized zone was a serious breach of the General Armistice Agreement. In the incident of 22 May an Israel armoured launch on Lake Tiberias had opened fire across the armistice demarcation line in the direction of Syrian positions. A complaint had been lodged with ISMAC.

442. In a letter dated 1 June (S/6397 and Corr.1), the representative of Israel informed the Council that on 31 May Jordanian army posts had opened fire from the Old City across the armistice demarcation line into Israel territory, and the casualties therefrom had been two killed and four wounded, all of them civilians. There had been no firing from the Israel side. The attack aroused particular revulsion since it had taken place in the city of Jerusalem with its universal associations and its exceptionally sensitive border security problems.

443. In a letter dated 4 June (S/6414), the representative of Israel informed the Council of two acts by saboteurs during the night of 1 June, one allegedly by infiltrators from across the Lebanese border and the other by infiltrators from across the Jordan border. Both incidents had been reported to the Mixed Armistice Commission and investigations were proceeding.

444. Referring to the incident of 25 May, the letter added that the Jordan-Israel Mixed Armistice Commission on 2 June had adopted a decision which completely confirmed the Israel charges and found that there had been a flagrant violation by Jordan of article IV, paragraph 3, of the General Armistice Agreement. The letter quoted the decision of the Commission.

445. In a letter dated 4 June addressed to the President of the Security Council (S/6415), the representative of Jordan denied the Israel allegations contained in the letter of 1 June (S/6397 and Corr.1). The Israel version of the incident of 31 May, he asserted, was a distortion of the truth. Israel had started firing in the no-man's land adjacent to the Jerusalem walls in the direction of the Jordan army defence posts. These posts had fired back in a successful attempt to stop enemy fire and some civilians had been caught in the exchange of fire. Jordan had complained to the Mixed Armistice Commission which had found that Israel had fired shots on the walls of Jerusalem and on Jordan army posts.

446. In a letter dated 15 June (S/6444) to the President of the Security Council, the representative of Lebanon, in replying to the Israel letter of 4 June (S/6414), stated that no evidence had been found to substantiate the allegations that saboteurs had crossed the Lebanese border into Israel and this had been confirmed by the investigations carried out by UNTSO.

447. In a letter of 16 June 1965 (S/6446), the representative of Jordan informed the Council that, in connexion with the incident of 27 May, the Mixed Armistice Commission at its emergency meeting No. 370 decided that the Israel forces had crossed the armistice demarcation line into Jordan and that the raid committed by these forces against the Jordanian civilian inhabitants and their properties resulted in the death of two men and three children and the wounding of two adults and three children.

448. In a letter dated 1 July (S/6492), the representative of Israel, referring to the incident of 31 May 1965, stated that on 28 June the Israel-Jordan Mixed Armistice Commission had justly upheld the Israel complaint. The Commission had noted that "the perpetrators of the shooting were regular Jordanian military personnel . . ."; decided that the shooting was a gross violation of the General Armistice Agreement; and condemned Jordan for the shooting.

449. The United Nations Observers did not substantiate the Jordanian claim reported in the letter of the representative of Jordan on 4 June (S/6415), that Israel had started firing on the Walls of Jerusalem.

450. Moreover, with regard to the incident of 27 May, the Jordan letter of 16 June (S/6446) in transmitting the decision of the Mixed Armistice Commission had conveniently omitted one key paragraph. That paragraph noted that the Israel action "was taken after a series of demolition activities took place against civilians" in Israel.

451. In a letter dated 7 July (S/6508), the *Chargé d'affaires* of Jordan drew the attention of the Council to the alleged misrepresentation and distortions contained in the Israel letter of 1 July (S/6492). He stated that in connexion with the incident of 31 May 1965, the Mixed Armistice Commission had not white-washed the Israel authorities from sparking the fire and that it had confirmed that the shooting had been started by the Israel military forces at Jordanian positions as explained in Jordan's letter of 4 June (S/6415). The Jordanian forces, the letter continued, would continue to uphold their duty of defending Jordanian citizens and property whenever they were endangered by Israel fire.

452. As regards the incident of 27 May, the decision of the Mixed Armistice Commission appearing in Jordan's letter of 16 June (S/6446) was correct. It could not be concluded from the decision of the Mixed Armistice Commission that there was evidence that Jordan had any part in sabotage operations against Ramat Hakovesh.

## Chapter 6

### THE SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

#### A. Communications to the Council received between 21 November and 1 December 1964

453. In a letter dated 21 November 1964 to the President of the Security Council (S/6055), the Per-

manent Representative of Belgium drew the attention of the members of the Council to the danger threatening nearly a thousand persons belonging to eighteen nationalities held as hostages by the rebel authorities in the Stanleyville area. All efforts at amicable negotiation



for the evacuation and safety of the threatened persons having remained without effect, the Belgian Government had taken preliminary measures, in consultation with the Congolese Government and at its request, against the possibility that it might prove necessary to evacuate the hostages.

454. In another letter of 24 November 1964 (S/6063), the Permanent Representative of Belgium informed the Council that, in view of the deterioration of the situation in the Stanleyville area and of the growing imminence of the danger it represented, the Belgian Government had found it necessary to embark, with the Congolese Government's agreement, on the humanitarian action of rescuing the hostages held by the rebel authorities in the Stanleyville area. Belgian paracommandos carried by United States aircraft had been parachuted into that area. The sole objective of the operation was to save endangered lives and it would end as soon as that aim had been achieved. To that communication were annexed: (a) the text of a letter addressed on 21 November 1964 on behalf of the Chief of State by the Prime Minister of the Democratic Republic of the Congo to the Ambassador of Belgium at Leopoldville whereby he authorized the rescue operation while defining and limiting its scope and duration; (b) the text of a statement which Mr. P. H. Spaak, the Vice-President of the Council of Ministers and Minister for Foreign Affairs of Belgium, had addressed to his compatriots on 24 November stating the circumstances which had made it impossible for the Belgian Government not to assume its full responsibilities for the protection of its nationals abroad, in conformity with the rules of international law codified by the Geneva Conventions to which Belgium had acceded.

455. By a letter dated 26 November 1964 (S/6067), the Permanent Representative of Belgium informed the Council of the development of the rescue operation which had meanwhile been continued in the Paulis area to evacuate over 300 foreigners held there as hostages. Finally, on 1 December 1964 (S/6074), he announced the end of the operation: all the Belgian paracommandos had left Kamina on Sunday, 29 November, after having been assembled there since 27 November.

456. In a letter of 24 November 1964 (S/6060) addressed to the Secretary-General, the Prime Minister of the Democratic Republic of the Congo stated that he had authorized the Belgian and United States Governments to render his Government the necessary assistance in organizing a humanitarian mission with a view to evacuating the foreign hostages held by rebel groups in the Stanleyville region.

457. The Permanent Representative of Italy brought to the attention of the members of the Council, by a letter of 23 November 1964 (S/6058), the seriousness of the situation in Stanleyville where impending danger threatened a number of foreign civilians, including about one hundred Italian citizens.

458. In letters addressed to the President of the Security Council on 21, 24, 26 November and 1 December 1964 (S/6056, S/6062, S/6068 and S/6075), the Permanent Representative of the United States informed the members of the Council of the failure of the appeals made by the Congolese Government, the *Ad Hoc* Commission of the Organization of African Unity, various Governments, the International Red Cross and thirteen countries signatories of the Geneva Conventions, to spare the lives of hostages held by rebel groups.

At the request of Belgium and with the authorization of the Democratic Republic of the Congo, the United States had provided air transport for a mission of mercy to effect the release of over 1,000 civilian hostages from eighteen nations held in and around Stanleyville. The latest efforts made by the United States Ambassador to Kenya who had met with a representative from Stanleyville in Nairobi (Kenya) had produced no results, since the latter had refused to discuss the release of the hostages except on conditions which the United States Government had neither the moral nor the legal right to consider and which made it clear that he was attempting to bargain with their lives for political and military purposes.

459. The representative of the United States annexed to one of his communications (S/6062) the text of a letter from the Prime Minister of the Democratic Republic of the Congo authorizing the American Government to furnish necessary transport for that humanitarian mission and the text of a statement issued by the United States Government explaining the background and the limited purpose of the rescue operation to which it was contributing air transport facilities.

460. On 1 December 1964, he informed the President of the Council that the rescue mission, having effected the release of as many hostages as possible, had departed from the Congo on 29 November 1964 (S/6075).

461. The Permanent Representative of the United Kingdom, in a letter dated 23 November 1964, addressed to the Secretary-General (S/6059), informed him that in the light of the humanitarian objectives of the action undertaken by the Belgian and the United States Governments, the United Kingdom Government had granted, upon their request, certain facilities in Ascension Island.

462. By letter dated 25 November 1964 addressed to the President of the Security Council (S/6066), the Permanent Representative of the USSR stated that his Government considered the landing of Belgian parachutists at Stanleyville a flagrant act of armed interference by Belgium, the United States and the United Kingdom in the internal affairs of the Congo and a threat to the freedom and independence of the Congolese and other African peoples. Fallacious references to the need to protect the foreigners at Stanleyville revealed the colonial nature of the action, which actually aimed at giving Tshombé undisguised assistance from regular units of the Belgian Army in suppressing the national liberation movement. Appeals made by Belgium and the United States to the Security Council on 21 November 1964 could not be regarded as anything but a smoke-screen for the intervention which had been prepared. The letter stated that the Soviet Government demanded the immediate cessation of the military intervention in the Congo by Belgium, the United States and the United Kingdom and the withdrawal from the Congo of all Belgian troops and all foreign mercenaries and declared that full responsibility for the consequences of those actions lay squarely with the Governments of the aforementioned States.

463. On 26 November 1964 (S/6069), the Permanent Representative of the United Kingdom communicated to the President of the Security Council the text of a statement issued by the Foreign Office in London rejecting the terms of the Soviet Government's statement. It said that the rescue operation had taken place only because of the refusal of the rebel leaders to

give guarantees for the safety of the civilians in Stanleyville or to treat them in accordance with the normally accepted rules of war.

### **B. Requests for a meeting of the Security Council**

464. By a letter received on 1 December 1964 and subsequent addenda (S/6076 and Add.1 to 5), twenty-one African and Asian States and Yugoslavia requested the Security Council to consider urgently the situation in the Democratic Republic of the Congo, which in their opinion was likely to endanger the maintenance of peace and security in Africa. A memorandum attached to the request referred to the resolutions adopted and the efforts made by the Organization of African Unity with a view to dealing with the situation existing in the Democratic Republic of the Congo. They also alleged that, in complete defiance of Article 52 of the United Nations Charter and as a deliberate affront to the authority of the Organization of African Unity, the Governments of Belgium and the United States, with the concurrence of the United Kingdom Government, had launched military operations in Stanleyville and other parts of the Congo and that such actions constituted an intervention in African affairs and a threat to the peace and security of the African continent.

465. In a message dated 9 December 1964 (S/6096), the Prime Minister of the Government of the Democratic Republic of the Congo also requested the President of the Security Council to convene urgently a meeting of that body to examine several events affecting the sovereignty and independence of his country, whose continuance, he stated, would threaten the peace and stability of the Congo and of the whole of Africa. He stated that there were definite indications that Algeria, Sudan, Ghana, the United Arab Republic, the Chinese communist régime and the USSR were assisting the rebel government in the Congo. The message referred to acknowledgements made in this respect by the Algerian President and the Government of Sudan. Such violations of the sovereignty of a Member State constituted a flagrant intervention in its domestic affairs.

466. These two communications were included respectively as items 2 and 3 on the provisional agenda of the 1170th meeting of the Security Council.

467. On 28 December 1964, the Prime Minister of the Democratic Republic of the Congo sent a further message to the President of the Security Council (S/6126) containing additional information to be considered as included in the complaint brought by his Government on 9 December 1964.

### **C. Consideration at the 1170th to 1178th meetings (9-17 December 1964)**

468. At its 1170th meeting on 9 December 1964, the Security Council examined the question whether item 3 of its provisional agenda (i.e., the complaint submitted by the Democratic Republic of the Congo, S/6096) should be included in its agenda.

469. The representative of the Union of Soviet Socialist Republics supported the inclusion in the agenda of the letter of twenty-one Asian and African States and Yugoslavia, but objected to the inclusion in the agenda of the complaint by the Congolese Government. He regarded the latter as a provocative item and as a manoeuvre to divert the Security Council from the real question, the aggressive actions of the United

States, Belgium and the United Kingdom against the people of the Congo, in violation of the Charter.

470. The representative of the United States considered almost incredible the position taken by certain members of the Council who asked it to hear a complaint against those who had not intervened in the Congo while refusing to hear the complaint submitted by the Government of the Congo itself against some of those same States who, by their own admission, had intervened in the internal affairs of the Congo. The action taken by the United States and Belgium was purely and simply a rescue mission, authorized in advance by the legally constituted Government of the Congo. He suggested that the Council hear the two complaints as a whole.

471. The representative of Czechoslovakia stated that the Council was confronted by a collective colonialist intervention by NATO Powers in the domestic affairs of the Congo. He opposed the inclusion in the agenda of the Congolese complaint which obviously presented only allegations of a hypothetical or fictitious character.

472. The representatives of the United Kingdom of Great Britain and Northern Ireland and of Brazil declared that it would be impossible to consider adequately the original proposal without examining the subsequent complaint of the Government of the Congo itself, since both complaints dealt with the same subject, alleged acts of intervention in the internal affairs of the Congo.

473. The representative of Morocco considered that the Council should not be seized with anything but specific issues containing specific charges, and that the Congolese complaint did not meet these requirements.

474. The representative of the Ivory Coast said that in accordance with normal procedure, members of the Council had been consulted concerning the holding of a meeting on the item proposed by the African States but not with regard to the second complaint. He therefore considered that the Council should begin its discussion of items 1 and 2 of the provisional agenda.

**Decision:** *At its 1170th meeting on 9 December 1964, the Security Council decided by 7 votes in favour (Bolivia, Brazil, China, France, Norway, United Kingdom and United States) and 4 against (Czechoslovakia, Ivory Coast, Morocco and USSR), to include in the agenda item 3 of the provisional agenda.*

475. The representatives of the Sudan, Guinea, Ghana, Belgium, Republic of the Congo (Brazzaville), Algeria, Mali, Democratic Republic of the Congo, Nigeria and United Arab Republic had asked to participate in the discussion in the Council (S/6078, S/6079, S/6080, S/6081, S/6086, S/6090, S/6091, S/6093, S/6095 and S/6097).

476. The representative of the USSR stated that the puppet régime of Tshombé could not represent the Congolese people and that its claim to speak in the name of the people of the Congo should be rejected by the Security Council.

477. The representative of the Ivory Coast said that his delegation believed the Government of the Congo to be a legal government and that its representatives enjoyed that legal status and therefore had the right to participate in the discussion of the problem.

478. The President invited the representatives of the States which had requested to be heard to participate without the right to vote in the discussion of the items on the agenda.

479. The representative of the Republic of the Congo (Brazzaville) considered that the problem at hand was the latest aggression committed by the United States, Belgium and the United Kingdom against black populations. In fact, that aggression had been premeditated. As early as 5 September 1964, the Council of Foreign Ministers of the Organization of African Unity had learned that those three countries wanted to evacuate the white inhabitants of Stanleyville. Such a manoeuvre was intended to make it possible to place at the disposal of the Leopoldville authorities effective means of mass destruction and to unleash bombs on the black population of Stanleyville. When their first attempt had failed, those three countries had resorted to direct intervention. The so-called humanitarian operation at Stanleyville was nothing but a pretext conceived for the purpose of safeguarding material and selfish interests. A claim was made, in the name of humanity, to save an insignificant number of whites, while tens of thousands of blacks were massacred. The Security Council could not fail to condemn the nefarious action undertaken by a certain group of whites designed to exterminate the black inhabitants. The situation created in Africa as a result of that aggression was extremely grave because it gave a permanent feeling of insecurity to all black peoples, in particular to those living in neighbouring countries, by creating the impression that the white man was not to be touched and that the blacks had to be extremely careful lest the slightest thing might place millions of their own lives in danger.

480. The representative of Ghana felt that the recent foreign military intervention in the Congo must be isolated from the over-all political situation in that country. In flagrant breach of the resolution adopted by the Security Council at the 873rd meeting on 14 July 1960, Belgium had by one way or another got its troops back into the Congo. Likewise, by their military intervention in the Congo, foreign Powers had defied resolution 1474 (ES-IV) adopted by the General Assembly at its 906th meeting on 16 September 1960 and had undermined the unity, territorial integrity and political independence of the Congo. The Council of Ministers of the Organization of African Unity, however, which had met at Addis Ababa from 5 to 9 September 1964, at the request of the Congolese President, Mr. Joseph Kasavubu, and with the active participation of the Congolese Prime Minister, Mr. Moïse Tshombé, had been of the opinion that the situation in the Congo was not one deserving a military solution, but one requiring a political and reconciliatory solution. It had passed a resolution to this effect and had established an *ad hoc* commission to help in the restoration of national reconciliation in the Congo.

481. The United States had, on 30 September 1964, assured the Reconciliatory *ad hoc* Commission, whose chairman was Mr. Jomo Kenyatta, of its co-operation in every appropriate way. Representatives of the United States had also taken part in several meetings in Nairobi and elsewhere with the Commission and all interested parties. Unfortunately, the United States Government had broken off the talks with the representatives of the nationalists on the question of the so-called hostages. It had explained its part in the military intervention at Stanleyville by asserting that its conduct was lawful since it had been agreed to and authorized by the legal Government of Mr. Tshombé. Irrespective of the question of the legality of Mr. Tshombé's government, the United States Government was applying a different standard from that which it had adopted in the Cuban

crisis when it had maintained that the legal Government of Cuba could not call for Soviet military help.

482. The problem of the Congo was of concern to its immediate neighbours, to all Africa and to the United Nations itself, whose financial crisis had been brought about by its Congo peace-keeping operation. The Security Council should therefore help the Organization of African Unity to bring about an amicable settlement.

483. As for the so-called humanitarian motivation of the Belgian-United States military intervention, the representative of Ghana stressed that humanitarianism in that context was held to relate to the saving of the lives of a few persons of the white race, while at the same time thousands of African lives were destroyed. In any event, the aggression had precipitated the killing of the very citizens it was meant to "rescue". Referring to a statement made by Mr. Ball, Assistant Secretary of State of the United States, that the Stanleyville operation had not been undertaken solely for rescue of nationals of the three Powers concerned, but was designed to rescue nationals of all States and such Congolese citizens as might, in the opinion of the United States and Belgium, be in danger, the representative of Ghana maintained that in international law the United States was not entitled to intervention to rescue non-nationals. In conclusion, the representative of Ghana reiterated the appeal made by the *ad hoc* Reconciliation Commission to all combatants to lay down their arms so as to enable the Commission to bring about national reconciliation. That was the African way of solving such problems and the Organization of African Unity, which had succeeded in other cases, would have succeeded in this one too, but for foreign planes, arms and mercenaries which had deluded the Congolese Government into thinking that a military solution could be achieved thereby. The formula proposed by the Organization of African Unity was: cease-fire followed by national reconciliation and general elections.

484. The President of the Republic of Ghana had foreseen that when the United Nations forces withdrew from the Congo, various warring factions would arise again and he had vainly proposed that Africans should fill the vacuum with an African peace force until the situation could be stabilized. When the present hostilities had started, he had also advocated the withdrawal of foreign planes, arms and mercenaries and their replacement by an African peace force until after the general elections. That also had not been heeded. Ghana, above all, was interested that the Council should take a positive decision to get rid of foreign intervention in the Congo and to help the Congolese Government and people to settle their own problems.

485. The representative of Sudan stated that the policy of his country towards the Congolese internal conflicts had always been one of strict neutrality. Sudan had been among the first to answer the call of the United Nations and to send troops to the Congo, for one purpose only: to participate with units from other Member States, many from African States, in preserving the political independence and territorial integrity of the Congo. But after all the sacrifices, developments in the Congo had come full circle: foreign mercenaries were back and a sinister ghost from the past had reappeared in the form of Belgian paratroopers flown into the Congo in American aircraft taking off from a British base. It had been argued that the operation had become necessary to save the lives of over a thousand

white hostages; but it was clear that the dropping of paratroopers would provoke only violence. It could be foreseen that illiterate and poverty-stricken tribesmen faced with heavily armed soldiers dropping from the skies would panic and would vent their wrath on the helpless hostages. On the other hand, many men of goodwill had commented on the callous way in which African property and lives had been treated.

486. The so-called rescue operation had also alarmed Africans because it had been undertaken in the face and in defiance of an action set in motion by the Organization of African Unity, which had made considerable progress in persuading the Stanleyville authorities to agree to negotiations with Leopoldville and to talks in Nairobi on the release of hostages.

487. The representative of Sudan denied Press reports that Sudanese airports had been used for this or that purpose. Using such vague and inaccurate information, Mr. Tshombé had, in his application to the Council, hinted of a complaint against Sudan. The truth of the matter was that Sudan had allowed medical equipment to go through to those who had asked for it, i.e., Congolese who were refugees on Sudanese soil.

488. The representative of Sudan pointed out that the Congo problem was first a Congolese problem and then an African problem. It could only be solved by the people of the Congo themselves with the help of their African brothers.

489. At the 1171st meeting of the Council on 10 December 1964, in addition to the representatives previously invited, the representatives of Burundi and Kenya were invited at their request (S/6099 and S/6100) to participate in the discussion without the right to vote.

490. The representative of Guinea stated that his Government was fully committed to the complete liberation of the African continent and the unity of its peoples and countries. Such goals could be reached only in the context of a policy independent of blocs and free from foreign interference from any source.

491. The representative of Guinea retraced the development of the Congolese tragedy in the last four years. It began with the installation in Leopoldville of a nationalist African Government headed by a national hero: Patrice Lumumba. Then Belgium, under the same pretext as it was now invoking, had intervened in the Congo following the secession of Katanga. The United Nations had had to intervene and the sad outcome of that operation had been the assassination of Patrice Lumumba and his companions; the disguised assassination of Dag Hammarskjöld; the seizure of power in Leopoldville by the Katangese rebel, Moïse Tshombé; the placing of the Congo under colonialist trusteeship, and the financial, moral and political crisis of the United Nations.

492. Following the withdrawal of the United Nations forces, recurring crises in the Congo resulted in the confrontation leading to a civil war between those factions which wanted to throw off the yoke of imperialist domination and certain Congolese groups which wished to maintain that domination at all costs.

493. In that context, the Organization of African Unity had adopted a resolution in which it called for, *inter alia*, the expulsion of all mercenaries from the Congo as soon as possible; an end to all foreign interventions; and a cease-fire by all those now fighting. It noted the undertaking by the Prime Minister of the Congo to guarantee the security of the combatants who

laid down their arms and appealed for efforts to restore and consolidate national reconciliation. It decided to send an OAU *ad hoc* fact-finding commission to Leopoldville, Brazzaville and Burundi for the purpose of helping the restoration of national reconciliation in the Congo and normalizing relations between the Democratic Republic of the Congo and its neighbours. But the Leopoldville authorities had instead intensified the recruitment of mercenaries; they had asked and obtained military assistance from the United States and Belgium and had tried to impose a military solution. In the course of a blind war under the direction of Belgian, South African and Rhodesian mercenaries, under the protection of United States planes piloted by Cuban mercenaries, the Leopoldville authorities had murdered hundreds upon hundreds of defenceless Congolese civilians whom they had called rebels for the needs of their cause. Those responsible for such happenings must also be held accountable for the deplorable death of innocent victims in Stanleyville, as it was well known that no European had been executed by the Stanleyville authorities during the whole period which had preceded the dropping of Belgian paratroops.

494. In fact, while negotiations had been in progress in Nairobi, one of the negotiators had been preparing hypocritically the operation which had resulted in the fall of Stanleyville, the liquidation of the nationalist forces and the consolidation of the power of Tshombé over all parts of the Congo.

495. The struggle going on could not be described in terms of the usual clichés about communism and anti-communism; it was a struggle of African nationalism against the colonialist régime established in Leopoldville.

496. After the military intervention in Stanleyville, the *ad hoc* Commission of the OAU had recommended a meeting of the Heads of State and Government of the OAU to be held in Addis Ababa on 18 December, preceded by a meeting of the Council of Ministers on 16 and 17 December.

497. The Commission had also recommended effective measures to implement the provisions of the OAU resolution, as well as the convening in the near future of a round-table conference of all Congolese leaders of all opinions, under the auspices of the OAU, and free elections in all territories of the Congo, under the control of the OAU.

498. The Security Council was in duty bound to endorse those recommendations.

499. The representatives of Mali declared that the act of violence committed by Belgium and the United States not only flouted the provisions of the Charter concerning the peaceful settlement of disputes, but also constituted a pointed challenge to the OAU. The real purpose of the aggressors had been to seize Stanleyville, and then to consolidate their imperialistic hegemony over the Congo under the cover of their puppets. The lives of the hostages had not been their true concern; if it had been, how could one explain that the "rescue" action had been concentrated on Stanleyville, when everyone knew that other Europeans living in neighbouring places ran the risk of reprisals as a result of the fall of Stanleyville.

500. Furthermore, the operation allegedly undertaken to save human lives had been paid for by the sacrifice of thousands of other human lives. Such "humanitarian" arguments were regarded suspiciously by the peoples of Africa, especially since those who were advancing them included persons who formerly

described colonization, too, as a humanitarian action aimed at bringing the benefits of a certain civilization to populations which were called primitive and backward.

501. While the Council of Ministers of the OAU meeting in Addis Ababa in September 1964 had reached the conclusion that the solution of the Congolese problem was purely political and that any military action would aggravate the disorder, the United States had steadily increased its military intervention by supplying to the Congolese Government T-28 bomber-fighter trainer aircraft, B-25 light bombers, B-26 aircraft and C-130 turboprop transport aircraft. Those aircraft had been flown by some United States civilian pilots under contract to the Congolese Government and by anti-Castro Cuban pilots.

502. Regardless of the interpretations or definitions of aggression, the American-Belgian operation, which had employed bombers and hundreds of paratroopers, constituted a true aggression against the population of that region of Africa. Africans were disturbed at the practice of recruiting mercenaries to fight the legitimate aspirations and will of a people, all the more since the practice was encouraged by some permanent members of the Council. Moreover, the Stanleyville intervention established a precedent threatening the independence of African States, since certain big Powers could use the pretext of domestic difficulties in such States to carry out military intervention for the alleged purpose of protecting their nationals. That aggression raised a further question: that of the existence of foreign bases in other countries. The United Kingdom had assumed a share of responsibility for the tragic events at Stanleyville when it had placed its colonial base on Ascension Island at the disposal of the interventionist troops. According to the representative of Mali, it was a piece of legalistic quibbling to speak of the legality of the Tshombé Government or, for that matter, of the legality of the fascist and racist States of Southern Rhodesia or South Africa.

503. At the 1172nd meeting of the Council on 10 December 1964, the representative of the Central African Republic was invited, at his request (S/6101), to participate in the discussion without the right to vote.

504. The representative of Algeria reviewed the history of the Congo since its accession to independence and pointed out that it had been marked by a series of armed interventions either direct or disguised. After the withdrawal of the United Nations Force, the very person who had been thrown out of the Congo thanks to the United Nations had been installed at the head of the Leopoldville Government. It was natural that such a man, identified with separatism and foreign imperialist interests, met with strong opposition in his own country, as well as on African and international levels. Those who wished to maintain their man in power then set everything in motion to help him, at first by sending weapons, means of transportation and military advisers, then by recruiting mercenaries. As events had not gone according to plan, direct intervention had become inevitable. The aggressors wanted first of all to give some sort of legal guise to their intervention. In order to do so, they invoked article 3 of the Geneva Conventions of 1949 and asserted that their intervention had been authorized by the Congolese Prime Minister. But, when the first Belgian memorandum concerning the fate of thousands of non-Congolese allegedly in danger of death had

been sent to the President of the Council on 21 November 1964, Belgian units had already been stationed in Ascension Island. The Belgian memorandum had created the impression that before an irreparable step was taken, the Belgian Government would request an urgent meeting of the Council. Similarly, in his communication of 21 November 1964, the representative of the United States had hinted that there was a possibility of resorting to the Security Council if necessary, i.e., if a stalemate occurred in the Nairobi negotiations. But as events had turned out, the Belgian Government had not considered it its duty to request an urgent meeting of the Council. Meanwhile, at Nairobi, the Foreign Minister of the Government of Stanleyville had pointed out that foreign nationals would not be attacked or mistreated as long as the Congolese populations were not subjected to oppressive measures; he had asked that bombings and threats should be stopped and that the advance of the mercenaries towards Stanleyville should be halted and the Congolese left to settle their own political problems. Those proposals had been in keeping with the initiative taken on 19 November by Prime Minister Kenyatta who had stated that he could not assist in the evacuation of civilians unless a cease-fire had been arranged.

505. The representative of Algeria drew attention to the fact that the Congolese Prime Minister had authorized the United States and Belgian intervention while conversations were taking place in Nairobi. Moreover, the decision to intervene had been taken jointly by the United States and Belgium in agreement with the Congolese Government, which had been informed. Thus, the authorities of Leopoldville had given their agreement without having made a request.

506. It therefore appeared clearly that war preparations had been undertaken while the United States was promising to cease the sending of weapons and to start negotiations. The premeditation of the aggression could no longer be doubted. That aggression flouted the moral authority and prestige of the OAU. It constituted a direct danger to the independence and security of the African continent.

507. If the Belgian Government had really had humanitarian intentions, it should have known from the outset that its military intervention in the Congo would obviously require the prior repatriation of all Belgian civilians, at least of those living in the exposed regions. It was very difficult to believe that Belgium and the United States had not realized that their aggression against Stanleyville would provoke the very killings that they were trying to avoid. The truth was that that obvious aggression was an illustration of the classical imperialist policy of giving independence to a country while retaining a system under which economic exploitation, and even political management, could continue.

508. Referring to the complaint submitted against some countries, including his own, the representative of Algeria said that that constituted a diversionary operation and a typical stratagem used to hamper a true debate in the Council.

509. At the 1173rd meeting of the Council on 11 December 1964, the representative of Belgium stated that what had most disquieted him in the speeches he had heard was that certain of them showed a feeling of defiance and mistrust painfully close to the type of racist feeling so heatedly denounced and fought against. He declared that he would put forward clearly the reasons which had led the Belgian Government to



take a very grave decision which it knew perfectly well would provoke the usual accusations of colonialism, neo-colonialism and imperialism. But besides such accusations there appeared to be a scarcely disguised will to separate Africa from Europe, and even perhaps to pit the black man against the white.

510. The Stanleyville operation had not been a military operation; it had not been intended as assistance to the Congolese army, nor had it been meant to conquer and to hold on to any territory. Its purpose had been to save between 1,500 and 2,000 lives of persons held as hostages by rebel authorities.

511. It had been said that the operation was a premeditated military aggression, and even that a conspiracy had been prepared to evacuate the whites in order to proceed with the slaughtering of the blacks. Those infamous accusations were not supported by the slightest beginning of a proof or the slightest fact.

512. In July 1964, while the rebel forces advanced toward Stanleyville, the Belgian Government, aware of what had happened in other areas of the Congo, had tried to organize a first evacuation by air. Only 150 persons—including Indians, Pakistanis, and a certain number of Congolese—had been removed from the city. The others had refused to leave.

513. In August, the situation had become more disquieting since the rebel authorities publicly and officially propounded the theory that foreigners, particularly the Belgians and Americans, were considered not only as prisoners of war but as hostages.

514. As time passed, the situation of the hostages had grown more dangerous. Belgians and Americans had been arrested, threatened, harassed, humiliated and then imprisoned.

515. On 29 October, the International Red Cross had stated that, despite efforts over several weeks, no authorization had been received from the insurgent Government to send an observer to Stanleyville. General Olenga, in a radio message monitored in Leopoldville, had asked regional commanders to place all foreigners in their zones under house arrest. On 30 October, the rebel authorities had declared that they could no longer guarantee the lives of Belgians and Americans.

516. It might be true that no one (with one exception) had been killed in Stanleyville before 24 November, but it was also true that before 24 November, in the region occupied by the rebels, several dozens of people had been killed, often under atrocious circumstances.

517. In the face of threats to the lives of the hostages, the alternative had been either to do nothing and take the risk of allowing them to be murdered or to take the risk of trying to rescue them. Before deciding on the parachute drop, all available ways and means for obtaining the liberation of the hostages had been exhausted: the Belgian Government had communicated with the United Nations, the Organization of African Unity, the International Red Cross, with all the Heads of African States and with the authorities in Stanleyville. It had all been in vain.

518. The negotiations which had started on 22 November in Nairobi could not have been successful as the rebel authorities had wanted to bargain for the hostages; instead of agreeing to free those innocent persons, they had set prior political conditions which neither the United States nor the Belgian Government could have obtained from the Congolese Government.

519. In spite of Gbenye's threatening telegram of 22 November, the Belgian and American Governments had waited until the end of 23 November before deciding that the paratroops would be dropped over Stanleyville at dawn on the 24th. That date had been chosen because from previous experience it was felt that the most dangerous moment for the lives of foreigners would be when the Congolese National Army stood at the gates of Stanleyville and had to fight; nobody knew whether the fight would be victorious or how long it would last. The rescue operation begun on the 24th had been finished on the 27th when all Belgian soldiers had been back in Kamina and, on the 29th, not a single Belgian soldier had remained on Congolese soil.

520. The rescue operation had been described as an act of premeditated aggression. But why then had the Belgian soldiers left Stanleyville while the fighting was going on and when the civil war was far from being ended? How could a man of good faith contend that that was a military operation?

521. It had also been stated that the proof that that had not been a rescue operation could be found in the fact that Belgians had abandoned a number of foreigners in the north-east pocket of the Congo. The only reason why no rescue operation had been undertaken there was that it would have been impossible to save by another parachute drop the foreigners who were scattered over hundreds of kilometres. Moreover, aggressors generally did not announce their plans but in the present case there had been notification that such an operation might have to take place.

522. Some speakers had asserted that an abominable distinction had been made between the lives of whites and blacks. Such an accusation was absolutely false. Among the people evacuated from Stanleyville, there were at least 400 Indians and Pakistanis and more than 200 Congolese. Moreover, the Belgian Government had a special responsibility for the lives of its own citizens whom it had sent to the Congo as technical assistants: professors, veterinarians, doctors, etc.

523. The Belgian soldiers had been instructed not to use their weapons unless it was absolutely necessary to free people who were in danger or for self-defence.

524. With respect to the problem of the mercenaries, the representative of Belgium declared that it must be discussed between the Organization of African Unity and the Leopoldville Government. The Belgian Government had no responsibility for the recruitment of mercenaries.

525. The Stanleyville incident should be viewed in the context of Belgian policy in the Congo, which was entirely removed from any idea of aggression. The policy pursued by the Foreign Minister of Belgium had been to assist the Leopoldville Government in ending the Katangese secession, to give it technical assistance and, later, military technical assistance. Since the moment the fighting broke out, he had constantly proclaimed that a political solution must be found and that there was no military solution to the rebellion in the Congo.

526. The military technical aid given by Belgium to the Congo could not be called interference in Congolese affairs: there was interference in the internal affairs of a country when rebellion or revolution was upheld against the legal Government, not when that Government was given the assistance it had requested. Belgium had given its assistance to the Adoula Gov-



ernment; it had continued giving it to the Tshombé Government.

527. The historical error of those who pretended to believe that the present revolt in the Congo was directed against Tshombé should be rectified: actually, the revolt had broken out when Mr. Adoula had been the Prime Minister, first in Kwilu, in the beginning of 1964, and then in Kivu.

528. Belgium had repeatedly stated to Mr. Adoula that the solution to the problem of rebellion should be a political and not a military one. He had also made very clear in a letter sent on 12 June 1964 to Mr. Adoula that while Belgium had agreed to participate in the strengthening of the forces of order, it was quite another matter to participate directly in repressive operations. Belgium had, however, been unable to convince Mr. Adoula to follow its advice.

529. When Mr. Tshombé had come to power, Belgium had continued the same policy of searching for a political solution.

530. On 16 August 1964 in Brussels, he had told all the Ambassadors of African countries that he was extremely surprised and disturbed to see African countries not reacting while rebellion was going on in Kivu and Kwilu. A few days later, a Conference had taken place at Addis Ababa and when its final act had been made public, he had stated in a public communiqué that he was gratified and was available to co-operate with the OAU. Were those actions and statements those of a man planning aggression?

531. The Foreign Minister of Belgium had even gone so far as to invite Mr. Gbenye to come to Brussels, which the latter had done. On 26 August 1964, the Belgian Ambassador in Bujumbura had been instructed by telegram to obtain the agreement of Gbenye and of his friends on the text of a formula for reconciliation and to bring about a conversation with Mr. Tshombé.

532. It was true that there were Belgian economic interests in the Congo. But the truth of the matter was that at present Belgium could do quite well without the Congo while the reverse was not yet a fact. In March, agreements had been concluded with Mr. Adoula which, if implemented, would have allowed the Congolese to be the masters of all their mines, transport and electricity.

533. In conclusion, the representative of Belgium declared that his country was not colonialist, nor neo-colonialist, nor imperialist. It was ready to co-operate with the United Nations, with the Organization of African Unity and with the legal Government of the Congo so as to assist it in overcoming its immense difficulties.

534. The representative of the Democratic Republic of the Congo examined the problem of the Belgian-American rescue operation in connexion with the sovereignty of his country. Immediately prior to that operation, the Congolese troops, which at that time had been meeting with virtually no resistance, had been very close to Stanleyville. In the light of pronouncements made by the military chiefs of the rebellion, it was clear that the lives of the civilian hostages would have been endangered had the Congolese troops gone too far. All appeals made to the rebels to make possible the evacuation of the foreigners had met with no success. The rebels preferred to barter human lives against political advantages such as the recognition of the rebel government.

535. It was in the face of such unacceptable demands that the idea of a rescue operation had been born. Conversations had been started, and had resulted in the agreement of the Congolese Government contained in its letters to the Ambassadors of the United States and of Belgium in Leopoldville (S/6062 and S/6063).

536. After authorization had been given by the Congolese Government, the parachute drop had taken place in specified zones, for a specific purpose, with the least damage possible. Never had the paratroopers tried to repress the rebellion. Actually the battle between the Congolese army and the rebels had taken place after the paratroops had already withdrawn. Once the rescue operation had been completed, the Belgian soldiers had left Congolese soil. The spokesmen of some countries, neighbours of the Congo, had represented the Stanleyville operation as a threat to Africa. But those same countries had remained silent when three Governments of East Africa had asked for the intervention of foreign troops to put down an insurrection on their own territories. A similar double standard had been applied with regard to the armed opposition to the legal Congolese Government; his Government regarded those who were engaged in such opposition as rebels, while some countries, which had however recognized the Congolese Government, called the rebels either nationalists or patriots. That explained why it had not been possible for the Organization of African Unity to render appropriate assistance for the solution of the Congo difficulties.

537. The opposition against the Adoula Government had acquired a violent character after the Parliament had been recessed. On 30 June 1964, when the Parliament had been dissolved, at the end of its term, the Adoula Government had resigned and, while it was still exercising its functions, Mr. Tshombé, after having been welcomed with honours in Mali, returned to the Congo and at the request of the Chief of State was entrusted with the duty of forming a new government. Mr. Tshombé had entered into consultation with representatives of all political tendencies, including those which had adopted violence as a means of opposition, namely, the CNL. The Government had then appealed to the whole population to put an end to violence. Within the CNL, some had heard the appeal and had come back to the country; violence had stopped in Leopoldville. But others, dazzled by initial military successes in the eastern part of the country, had preferred to intensify violence in those regions. The Government had had no choice but to reply to violence with violence.

538. The representative of the Congo expressed surprise that some had taken it upon themselves to lecture his Government in that respect while, in their own countries, they were practising violent repression of all opposition. Moreover, no protests had been heard from the authors of all that false indignation at the time when the rebels had been barbarously massacring the entire intellectual *élite* in the areas occupied by them. In those regions, all the officials and also the employees of private organizations who could not show a MNC-Lumumba card had been executed. In Stanleyville alone, more than 2,000 Congolese belonging to the *élite* had been massacred, most of them in front of the Patrice Lumumba Monument, which had served as an altar for those bloody sacrifices.

539. Reference had been made by certain delegations to the African political solution recommended by the Council of Ministers of the Organization of African

Unity on 10 September 1964. The resolution adopted then, the Congolese Government having however abstained at the time of the vote, had recommended a political solution, the halting of recruitment of volunteers called "mercenaries", the halting of the fighting, and the setting up of an *ad hoc* Commission with a specific task.

540. As regards a political solution, reconciliation presupposed a return to order. The Congolese Government had rightly pointed out that it was not possible to impose an end to the fighting on a Government which was faced with an armed rebellion.

541. With respect to the cessation of recruitment of the so-called mercenaries, the Congolese Prime Minister had asked the Council of Ministers to accept that the African countries to which his Government had made an appeal should render it military assistance in order to maintain order in the pacified areas. The Council had stated that it was not its duty to do so, but had expressed the wish that the volunteers be immediately withdrawn without being replaced.

542. In the exercise of its mandate, the *ad hoc* Commission had been supposed to go immediately to Leopoldville, Burundi and Brazzaville. Instead, the Commission had sent a sub-commission to Washington while the Commission itself had refused to leave Nairobi, contenting itself with ineffectual appeals for the cessation of fighting. During the time of the rebel advances and the massacres of officials and employees of companies carried out by the rebels, the Commission had remained silent. But the fall of Stanleyville, the bastion of the rebels, had shaken the Commission suddenly and it had then called a hasty meeting.

543. The Commission's decision to send a sub-commission to Washington was an abuse of the 10 September resolution appealing to all Powers intervening in the internal affairs of the Congo to put an end to their interference. The Council of Ministers had refused to specify the States which were intervening and it had been agreed that each country would assume its own responsibility for engaging in negotiations with whom it wished. Thus, in acting as it did, the Commission had taken it upon itself to go beyond what was permitted and it had assumed a responsibility which the Council of Ministers had left to the decision of each Member State.

544. In view of the dual attitude within the Organization of African Unity, a speedy solution of the thorny problem of the Congo appeared difficult indeed.

545. The Congolese representative cited a dispatch from Khartoum dated 4 December stating that the Sudan Government had authorized Congolese rebels who were refugees on its territory to undertake military training in Sudan. He also mentioned a statement made by Mr. Ben Bella as reproduced in a dispatch from Algiers, dated 25 November, according to which Algeria would send to the rebels weapons and volunteers, just as it had already done.

546. Such statements had all been made by persons who claimed that they were concerned about peace in Africa. He hoped that the Council would not be taken in by those whose armies had been seen in Syria, Yemen, Saudi Arabia, Kuwait and Algeria. It was a strange kind of African "Monroe Doctrine" to wish to prevent others from interfering in African affairs while they were always ready to interfere in the affairs of other continents.

547. Some had thought it appropriate to place the present debates on a racial level. Whites of Europe and America were condemned for providing arms to a Black army, because they would be utilized against their black brothers. But what about the arms given by the whites of North Africa to the black rebels? Would those arms not be used by the rebels against their black brothers?

548. In fact the rebellion was being supported by certain countries whose interests were served by that disorder. Important resources of the Congo—the gold of Kilo-Moto, diamonds, coffee were taken away from the real owner, the Congolese State, and were smuggled or sent illegally to certain neighbouring countries which supported the rebellion with men, arms and training fields.

549. Either one believed that the Stanleyville operation was a threat to the peace, in which case it was the role of the Security Council, not of the OAU, to make the necessary recommendations, or one believed that there was no threat to the peace and, in that case, there was no need to convene the Council, even to affirm the prestige of a regional organization. That was not the role of the Security Council.

550. The United States-Belgian operation had not been a permanent, serious nor imminent danger for Africa. The real, imminent and serious threat to Congolese sovereignty had come from the armed support given by certain countries to the rebels.

551. The representative of the Ivory Coast found it profoundly regrettable that the question before the Council had been placed in a racial context. He felt certain that the Security Council would ignore all that impassioned aspect and would bring the problem to its proper proportions. The problem in question bore on the normal, diplomatic principle of the duty of a State to protect its citizens. The Council would examine which methods, which procedures one could follow in order to ensure the application of that recognized legal concept.

552. The representative of Morocco expressed dismay at the references made by the Congolese representative to the "whites of North Africa". Such a generalization arose from a concept based on subjective considerations which Africans of the North and of the South, with the exception of Southern Rhodesia and South Africa, had irrevocably rejected. Africa was a single Africa. He would oppose most resolutely any efforts to divide the continent into several Africas.

553. At the 1174th meeting on 14 December 1964, the representative of the United Arab Republic declared that the Stanleyville operation constituted a flagrant violation of the Charter, a threat to peace and security in Africa and an intervention in the internal affairs of Africa. Those were the three reasons which had prompted his Government to bring the matter before the Security Council.

554. Contrary to the statements made by the Belgian and Congolese representatives, there was no question of separating Africa from Europe, or of pitting the black man against the white. No people today on the planet, whether black, yellow or white, could live in seclusion. But the Africans refused any relations based on racial superiority, domination and exploitation.

555. The intention of the twenty-two countries which requested the convening of the Council was to bring to the latter's attention solely the foreign military intervention in Stanleyville and not the whole Congolese question which belonged to the people concerned, i.e.,

the Congolese people. The proper forum and appropriate institution to discuss that question was the OAU to which it had been brought by the Government of the Congo itself.

556. The representative of Belgium had said that the aim of the Stanleyville operation had been to save the lives of 1,500 to 2,000 hostages, not to conquer any territory. But there were still 1,000 foreigners, mainly Greeks and Greek Cypriots, living in the eastern province of the Congo, and their lives had not been threatened. It had also been contended that the decision as to the timing of the landing on 24 November 1964 had been based on the belief that the execution of the hostages would take place on that day because the Congolese army was expected to reach Stanleyville at that time. The fact was that the killings of foreigners occurred when the paratroopers started to land, not when the Congolese army reached Stanleyville. At any rate, Mr. Spaak could have impressed upon Mr. Tshombé the need to delay the advance of the Congolese army for a few days until all the foreigners, at least those who wished to leave, had been evacuated.

557. The Foreign Minister of Belgium had also blamed certain African countries, including the United Arab Republic, for having failed to endorse a plan of reorganizing the Congolese Army. The reason for their attitude had always been very clear: they felt that the United Nations could not and should not serve as an umbrella for implementing policies of the NATO countries in the Congo.

558. On the other hand, it was a gross over-simplification to believe, as Mr. Spaak did, that the main source of trouble in the Congo was the failure to maintain law and order. Such a thesis suited the policies and interests of those who, under that pretence, intervened in the Congo to safeguard their interests or to save the lives of foreign citizens, mainly Belgians. The truth was that civil strife and instability in the Congo resulted from a systematic policy of foreign intervention by Powers from outside Africa. It was well known that nearly 500 mercenaries spear-heading Congolese troops came mostly from South Africa, Rhodesia and Belgium. Their so-called pacification task had resulted in the killing of thousands of innocent Congolese, and in widespread pillaging.

559. As for sending arms and equipment to Mr. Tshombé, reports were numerous that the United States had provided them, as well as pilots recruited from the ranks of anti-Castro Cubans and even American civilian pilots who were flying combat missions for the Congolese Government against rebels.

560. The *ad hoc* Commission of the OAU had, on 21 September 1964, called upon the United States Government to withdraw all its military supplies, equipment and men from the Congo. But the appeal made to that effect by the special delegation sent to Washington had not been heeded. With respect to the complaint made against certain countries by the Democratic Republic of the Congo, it was a last-minute effort meant to confuse the issue of which the Council was already seized. The Congolese allegations were not supported by any documentation or argument. The United Arab Republic was proud of its record concerning the Congo in the United Nations and it supported the objectives of the OAU and the United Nations, namely, the consolidation and safeguarding of the independence of the Congo, its unity and territorial integrity, the non-interference by foreign

Powers in Congolese affairs and the dispensing of necessary help and assistance to the Congolese people to overcome their difficulties, which were the result of 100 years of Belgian colonial rule.

561. The representative of the United States recapitulated the various accusations made against his country, from "wanton" or "premeditated aggression" to "nefarious action" designed "to exterminate the black inhabitants" and the killing of Lumumba "with cynicism and premeditation". The United States Government had been charged directly or indirectly with having been an accomplice to the death of Dag Hammarskjöld and even with the assassination of President Kennedy. Never before had he heard such irresponsible and insulting language in the Council's chamber. The spectre of racial antagonism had been raised at a time when all responsible men and Governments were trying to erase every vestige of racism. But the antidote for white racism was not black racism. Fortunately, the representatives of the Ivory Coast and of Morocco had already deplored the introduction into the debates of racial strife and hatred.

562. The Foreign Minister of Congo (Brazzaville) appeared to attribute the difficulties of his country's neighbour to a mythical struggle between blacks and whites, although, for more than a year, his Government and others had encouraged and supported rebellion against the legitimate Government of the Congo, whether under President Kasa-Vubu or Prime Ministers Adoula and Tshombé.

563. The United States and Belgium were accused of massacring "thousands and thousands of Congolese" in the recent rescue operation while the truth was that a very small number of rebels had been killed. On the contrary, the rebellion, supported by the Congo (Brazzaville) and other States, was responsible for the massacre of thousands of Congolese civilians, for the most part local leaders and intellectuals associated with the Government of Adoula.

564. The Stanleyville operation had been carried out with restraint, courage, discipline and dispatch. In four days, 2,000 people, Europeans, Americans, Africans and Asians belonging to nineteen nationalities had been rescued and evacuated to safe territory. Yet the twenty-two Asian and African States which supported the request for the meeting of the Council charged that the Stanleyville operation constituted intervention in African affairs, a violation of the Charter, and a threat to the peace of Africa. The complaint failed, however, to mention the repulsive threats made by the rebels, the authorization of the rescue mission by the Government of the Congo, the withdrawal of the mission as soon as foreign hostages had been evacuated; nor did it mention that some of the signatories of the complaint were themselves intervening in the Congo against its Government.

565. The United States had violated no provision of the Charter; its action had been no threat to the peace; it had not been an affront to the OAU, and it had constituted no intervention in Congolese or African affairs. Anyone unobstructed by hatred for Tshombé, or for the Congo, for Belgium, for the United States or for the United Kingdom could see clearly that the only purpose of the mission had been to save innocent people, many of them teachers, doctors and missionaries.

566. For months before the rescue mission had even been discussed, efforts had been pursued through every conceivable channel to persuade the rebels to

release the hostages, but every approach had been ignored or rejected by the insurgents; the Red Cross, the World Health Organization and the United Nations had been vilified by the rebels as "espionage organizations in the service of the neo-colonialists".

567. When the possibility had arisen, through the good offices of the Chairman of the *ad hoc* Commission of the OAU, of a meeting with a representative of the rebels in Nairobi on 21 November, the United States Government had named its Ambassador to Kenya to represent it for the purpose of discussing the safety of the hostages. The rebel representative had appeared in Nairobi on 22 November and at the meeting held on 23 November had refused to consider the problem of the release of the hostages on its humanitarian merits; he had persisted in trying to barter their lives for political and military concessions from the Government of the Congo. Meanwhile, threats of imminent execution of the hostages had continued. It had become clear that all hope had run out and that time was short. At that very time, five members of the American consular staff in Stanleyville were under threat of public execution, as well as a dedicated medical United States missionary, Dr. Paul Carlson, falsely charged with being a spy.

568. From mid-August onward, seizing and holding foreigners as hostages had become a customary act of rebel policy. Many had been deliberately killed; thirty-five foreigners were known to have been tortured and slaughtered before 24 November 1964. During that same period, the rebels had systematically slaughtered local Congolese officials, police, teachers, intellectuals, members of opposing political parties, labour leaders, members of unions, etc. Their number might never be known, but it had reached thousands long before 24 November. Yet, not one of the words spoken by those who had brought the complaint before the Council had been raised in condemnation of the medieval practice of taking hostages and of the deliberate liquidation of the intelligentsia.

569. The charge that the rescue operation had been a cynical pretext for armed intervention in the Congo should be viewed in the context of the United States policy vis-à-vis the Congo. From the outset, the United States had been opposed to any break-up of the Congo by secessionist movements, wherever their base might have been. It had favoured political reconciliation of dissident groups. It had remained opposed to foreign intervention in Congolese internal affairs.

570. In July 1960, when the then Central Government of the Congo, faced with a mutiny in its security forces, had requested the United States to lend military assistance in restoring order, the request had been declined by the United States Government in favour of a United Nations effort. Any other course might have brought international conflict to the heart of Africa. Unfortunately, the United Nations, largely because some Member States refused to pay their assessments for the Congo operation, had been unable to remain long enough to finish its task. Well before it had withdrawn, new insurrections had broken out, encouraged from neighbouring countries. Prime Minister Adoula had repeatedly sought help from Africa, but with one or two exceptions, his plea for help had been unheeded.

571. Those circumstances had led him to seek military help from the United States and Belgium. It had been charged that that constituted military intervention in the Congo. But what Prime Minister

Adoula had done in requesting some military *matériel* and training assistance had also been done or was being done by other African States. In fact, there was probably not one African State that was not obtaining military equipment or training from outside Africa. One could therefore wonder whether the sovereign right to request such assistance was to be exercised by some and to be denied to others. The United States had furnished assistance to the Congolese Government only when it became apparent that the United Nations would be unable to undertake the necessary reorganization of the Congolese army. If the countries which wished the Government of the Congo not to seek such aid were sincere, then they should scrupulously refrain from stirring up rebellion and aiding the insurgents.

572. The granting of assistance, economic, military or other, to a government recognized diplomatically by other States as the responsible Government, at its request and in the exercise of its sovereign right, was to be regarded as legitimate. It was for the insiders, not the outsiders, to decide when intervention was right; if not, every internal rivalry would become a Spanish Civil War, with each faction drawing in other African or great Powers from other continents.

573. The aid given by the United States to the successive governments of the Congo upon request should be contrasted with the current intervention in support of the rebellion by foreign countries as far away as Peking and Moscow, and as near as Burundi or Congo (Brazzaville). Admissions of Algerian assistance had been made openly by the President of Algeria. Moreover, rebel leaders were received in Khartoum and Cairo; Algerian, Ghanaian or Egyptian aircraft transferred cargoes of arms to Juba in Sudan and the Soviet Union had offered to replace the arms given to the rebels by the United Arab Republic and Algeria. What was actually happening was that outside Governments were claiming that they—not the Government of the Congo—were to decide whether that Government could be assisted, or whether its enemies should be assisted to overthrow it. That was the proper and urgent business before the Council, not a four-day effort, which had long since ended, to save innocent lives.

574. The representative of the United States referred to the unanimous decision adopted by the Council on 22 July 1960 calling on all States to refrain from any action tending to impede the restoration of law and order and the exercise by the Government of the Congo of its authority as well as the resolution of 24 November 1961 calling on Governments to lend their support to the Central Government of the Congo. Those resolutions were still in full force, since, as the Secretary-General had pointed out in his last report of 29 June 1964 on the Congo, they had no terminal date. It was up to the Council to see to it that the prior decisions of the Council were enforced. The Council should also consider urgently the establishment of an inspection and investigation group so that outside intervention in the affairs of the Congolese Government could be brought to an end.

575. The present transitional Government of the Congo, appointed by President Kasa-Vubu, had been charged under the provisions of the new Constitution with the responsibility of preparing for national elections to be held early in 1965. It was in the general interest that that Government should be given every opportunity to create the conditions for full and free elections

which would permit the Congolese people to choose freely their own leaders. It was clear that the Congo problem must be solved in an African context. The United States Government viewed with hope the constructive initiative taken in September 1964 by the OAU which should try to find new ways of applying the sound principles it had then laid down. It was also timely for the United Nations to re-examine both what it was doing and what more it could do to assist the Congolese Government to solve its problems. The United States Government shared the conviction expressed by the Foreign Minister of Belgium that the problems of the Congo could not be solved by military means alone. It therefore pledged its support of all responsible efforts by the United Nations and the OAU and by other appropriate international organizations towards a constructive solution.

576. At the 1175th meeting of the Council on 15 December 1964, the representative of the United Kingdom said he would strongly reject the accusations made against his Government with respect to the Stanleyville rescue operation which was already a matter of history, but the future was now more important than the past. Several factors, which had dominated the Council's deliberations, also poisoned relations and bedevilled all attempts to make progress. First, there was the indignation and anger arising from race and colour feeling. In this connexion, it was useful to recall that Mr. Nelson Mandela, now serving sentence for life in South Africa, had said that he detested "racialism because I regard it as a barbaric thing, whether it comes from a black man or from a white man". Racial feelings would not help the Council to reach any sound solution. The second factor was the terrible burden of the bloody past whose ghosts had spread suspicion and distrust. It was therefore all the more essential to make a sustained effort to bring to the Congolese problems steadiness and objectivity. The third and most dangerous obstacle in the way of constructive results was the wish of those opposed to good order and good sense, who wanted to make of the Congo, and indeed of Africa, a cockpit for the cold war.

577. Turning to the rescue operation itself, the representative of the United Kingdom stated that his Government had promptly given permission to make available the airfield at Ascension Island when a request was put to it in order to make possible an operation whose sole object was to save lives and when all other appeals had failed. When the task was one of saving lives, the taking of risks was well justified, even the risk of misunderstanding and the imputation of false motives.

578. A satisfactory outcome of the Congolese problem should be predicated on three main principles: the solution should be the work of the Congolese themselves without outside interference but with the help, not the hindrance, of other Africans; the settlement should be a political one; no outside support should be given to rebel movements against legally established Governments. Help was certainly required by the Congolese Government to achieve such aims: help in reconciliation, help in training Congolese security forces capable of maintaining law and order; help in the whole range of economic development; and above all help in preventing armed intervention and foreign domination.

579. The representative of the United Kingdom recalled the heroic efforts already made in those

directions by the United Nations, efforts still going on, thanks to 2,000 United Nations servants in the field of technical assistance. What was needed now was a new political initiative which represented for the OAU an urgent challenge and an opportunity of overwhelming importance.

580. The representative of Kenya stated that the recent military intervention mounted by the United States and Belgium, with the collaboration of the United Kingdom, constituted unwarranted intervention in African affairs, violating the Charter and representing a threat to peace. It was the climactic outcome of systematic interference aiming at maintaining Belgium's economic interests in the Congo. The recent intervention by Belgium and its collaborators could hardly be interpreted as being in keeping with the resolutions of the Council (14 July 1960) and of the General Assembly (20 September 1960), with the restoration of law and order, nor with respect for the unity, integrity and independence of the Congo. The representative of Kenya mentioned the role played in September 1964 by the OAU and the resolution it had adopted at that time. During that historic session, the OAU had set up an *ad hoc* Commission under the Chairmanship of the President of Kenya, Mzee Jomo Kenyatta, who had immediately issued an appeal for the cessation of hostilities and had convened a meeting of the *ad hoc* Commission in Nairobi. The Democratic Republic of the Congo, represented at that meeting by Mr. Tshombé himself, had undertaken to facilitate the cessation of hostilities. A special delegation of five Ministers from Kenya, Ghana, Guinea, Nigeria and the United Arab Republic had been dispatched to see the President of the United States, but had been unable to meet him in person. It was the feeling of the *ad hoc* Commission that the achievement of its high mission of reconciliation required the withdrawal of all foreign military intervention in the Congo. The United States Government had assured the Commission that it would co-operate in every appropriate way to help the Commission achieve its objectives. But the subsequent events clearly proved that the United States had committed a breach of faith and that its assurance had been only a ruse to further its domination and its military objectives in the Congo. The three-Power conspiracy was a calculated attempt to impose American-Belgian domination in the Congo and to undermine the OAU.

581. The question of the hostages in Stanleyville constituted a ready-made pretext for the United States and Belgium to intervene in the Congo. But even before receiving the appeals from U Thant and from Mr. Dean Rusk to save the lives of hostages, President Kenyatta had contacted the Leopoldville and Stanleyville authorities and had appealed for the cessation of hostilities, and for the safety of civilians held as hostages, as well as for the admission of the International Red Cross. It was evident that the cardinal necessity in the Congo was the cessation of hostilities. Mr. Tshombé had promised to bring this about and to facilitate contacts with the fighting factions to that end. But the task had been made impossible by the continued Belgian-American aid to Mr. Tshombé in men, money and *matériel*. That support had encouraged Mr. Tshombé to ignore the resolutions of the OAU. President Kenyatta had arranged immediately for a meeting with the American Ambassador on 21 November. The representative of the Stanleyville authorities had arrived on the 22nd and the meeting had taken



place on the 23rd. Meanwhile, President Kenyatta had made another appeal for the safety of the hostages. The Ambassador had been warned that the negotiations in progress would be wholly nullified by any military intervention and that the OAU could not be held responsible for anything that might happen following a landing of troops. Stanleyville had given telegraphic assurance that the hostages would be safe as long as the talks were going on. The American Ambassador, however, had stood for force only. The Stanleyville representative had requested that the discussion should bear not only on the question of hostages, but on all elements of the Congo situation. But the American Ambassador had stated that he was empowered only to discuss the question of hostages and that he would seek further instructions from Washington. A further meeting had been planned for the same night or the following day.

582. On 23 November, President Kenyatta, when learning of the paratroopers' readiness in Ascension Island, had notified the United States Ambassador that the presence of mercenaries in the Congo made it difficult for the *ad hoc* Commission to send its delegation to the Congo and that the invasion of Stanleyville by the mercenaries or by the Belgian paratroopers must be stopped if safety of all civilians was to be ensured. On the morning of 24 November, the paratroopers had been dropped on Stanleyville; that new development had led to the breaking off of negotiations at a time when there existed tangible prospects of repatriation of civilians through the services of the International Red Cross, and of a cease-fire, assuming that the United States and other countries supporting Tshombé were willing to co-operate. The American-Belgian intervention, with British collaboration, constituted under those conditions an insult to President Kenyatta, and an attempt to humiliate the OAU and to disregard African interests.

583. The Belgian Minister of Foreign Affairs had contended that all available ways and means to save the hostages had been exhausted before the parachute drop had been decided. That was one of the most hypocritical claims of modern times to cover up an act of premeditated aggression. The so-called "humanitarian" Stanleyville operation should be viewed in the light of the fact that not a single hostage had been killed before it had taken place and that the dropping of paratroopers had coincided perfectly with the assault of white mercenaries.

584. Actually, the Belgian-United States aggression had been wholly and directly responsible for all the excesses committed. On the other hand, where was that humanitarianism when white mercenaries were given full licence to murder innocent Africans; when Patrice Lumumba, acclaimed as a national hero, had been brutally done to death; when innocent Africans had been butchered in Sharpeville (South Africa); when American negroes were brutally done to death in Mississippi and elsewhere. The military operation of the three Powers constituted a dangerous precedent: it involved the security of Africans and the maintenance of international peace and understanding. Referring to the approval given by the Congolese Government to the Stanleyville operation, the representative of Kenya noted that that consent had not been intended to be a licence to let loose terror and bloodshed. He also compared the Cuban crisis concerning the withdrawal of missiles with the Stanleyville operation and asked: Who had given the United States consent for

its interference in Cuba? Why then would the Monroe Doctrine and the right of self-defence invoked by the United States apply only to the Western Hemisphere and give the United States freedom to act otherwise, with impunity, in other areas?

585. The representative of Kenya stated that there was no validity in the comparison made by the Congolese representative between the foreign military help requested by certain East African Governments to contain recent disorders in their armies and that requested by the Congolese Government. The two cases were entirely different: the disorder in Kenya had been confined to a minute section of the army, a mere handful of dissatisfied officers, while the Congolese disorder was completely political and represented a rebellion which at one time had controlled one third of the Congolese territory. In Kenya, the causes of the disturbance had been rectified immediately. Foreign troops had not been invited to consolidate the authority of a faltering order, as in the Congo, but to assist a democratic, popularly elected and universally acclaimed Government in full control of the country.

586. The attempts made by the Congolese representative to drive a wedge into African unity by referring to an Arab Africa and a black Africa, was an imperialist-inspired concept which would never find acceptance.

587. In concluding, the representative of Kenya said that a solution of the Congolese problem was possible only in an African context: that required a cease-fire, an immediate end of foreign intervention, an immediate expulsion of mercenaries, a national political reconciliation, a broad-based administration followed by national elections, and a popularly elected Government. In that respect, the OAU could and would help bring about most of those objectives and especially a normalization of relations between the Congo and its neighbours.

588. The representative of the Central African Republic stated that the request to convene the Council made by twenty-two Powers was based essentially upon the provisions of Articles 34, 35 and 52 of the Charter. The Security Council was well within its rights in considering the matter and in adopting an effective solution.

589. The Congolese problem concerned the Central African Republic because the Congo was an African country, a member of the OAU and a neighbouring territory. Shortly after the murderous intervention of 24 November, the Council of Ministers of the Central African Republic had issued a communiqué in which it deplored the Stanleyville operation, noted that it constituted direct interference in the internal affairs of an independent State, and launched an urgent appeal to all Congolese to solve their problems in concord and unity. On 24 November, the President of the Central African Republic had declared that his country would offer asylum to all refugees coming from the Congo, provided that they abstain from any subversive activity while on its territory.

590. The Central African Republic considered the OAU resolution of 10 September 1964 as still valid and felt that its implementation had been crippled by the Stanleyville intervention. In condemning those events, the Security Council should take appropriate measures to prevent their recurrence. But, in the opinion of the Central African Government, ill-con-



sidered moral pressure upon the two parties or any military aid even by sister African countries would only complicate the problem. In spite of acts of banditry committed against its nationals by insufficiently controlled Congolese elements, the Central African Republic did not consider itself entitled thereby to refuse recognition to the Leopoldville Government as the legitimate Congolese Government, and it would never countenance any subversive manoeuvres on its territory directed against a legal government, recognized by it as such.

591. The representative of the Central African Republic hoped that with the selfless assistance of the OAU, the solution of the Congolese problem, which was essentially a political illness, could be achieved through essentially political means, which excluded all recourse to the use of force.

592. At the 1176th meeting of the Council on 15 December 1964, the representative of Nigeria said that his Government participated in the debates neither as an accused, nor as an accuser, but as an interested onlooker. Nigeria had indeed tried to dissuade fellow African countries from bringing the matter to the Council and to let the OAU handle it. If reason had prevailed, the OAU would have found a solution to the problem. But unfortunately those who had seized the Council had overlooked the African tradition. Nigeria had thought it necessary to participate in the discussion lest it be thought that the opinion of the twenty-two Powers was the only opinion existing on the African scene. The deciding factor concerning the accusation that three foreign countries—Belgium, the United States of America, and the United Kingdom—had interfered in Congolese internal affairs, must be the view of the country directly affected. The Democratic Republic of the Congo had stated that the Governments accused of intervention had come with its knowledge, consent, approval, and, indeed, by invitation. It was recognized by the United Nations and the OAU that the Congo was a sovereign and independent State of Africa. Therefore Nigeria held, on the basis of Article 2 of the United Nations Charter and article III of the OAU Charter, that no African State had a right to represent the views of the Democratic Republic of the Congo without its authorization. It might be distasteful that the Congolese Government employed mercenaries, but if circumstances had compelled the latter to take these steps, those who had driven it to such extreme measures were to be blamed rather than the Congolese Government itself. It was a fact that a number of African States had frustrated the giving of assistance to the Congo when the former Congolese Prime Minister, Mr. Adoula, had appealed to the OAU, and that those same African States could now be found among those who had brought the matter to the Council. Nigeria regarded that as the worst type of inconsistency.

593. If one's brothers and sisters let one down, there was nothing wrong in turning to one's faithful friends for assistance, in carrying out a delicate operation involving nationals of other countries. If Nigerian subjects were involved in similar circumstances, Nigeria would not hesitate to extricate them from such a situation. At any rate, Mr. Tshombé had inherited a state of subversion which had started during the term of office of his predecessor, Mr. Adoula. The latter had been confirmed as Prime Minister by unanimous approval of both Houses of the Congolese

Parliament and the legality of his position as Prime Minister had never been questioned. But it was Mr. Adoula who had complained that a sister country across the river had become a base for subversion and that diplomatic representatives of sister African countries were bringing plastic bombs from across the river. Another African country bordering Kivu Province had also been accused at the time of aiding and abetting the Congolese rebellion. The OAU members knew about this. Mr. Tshombé had been accused of being responsible for the Katanga secession. That might be so, but one should not forget that there had been two seats of secession in the Congo: one in Elisabethville and the other in Stanleyville, and that some of the States presently making accusations had recognized the Stanleyville Government and had even accredited ambassadors to that secessionist movement.

594. The representative of Nigeria then examined the activities of the Council of Ministers and of the *ad hoc* Commission of the OAU. While the resolutions adopted by the first body were correct, the whole matter had been mishandled by the Commission.

595. The Council of Ministers had not asked that the Congolese Government lay down its arms along with the rebels, as a condition of settlement of its dispute with them. The Council of Ministers had been careful to note in the first place that the Congolese Government would ensure the safety of those rebels who laid down their arms. Moreover, the Commission had been supposed to go to Burundi and to Brazzaville, but it had sat in Nairobi and had sent a delegation to another country. The proper thing would have been to dismiss that Commission, if found incompetent. Unfortunately, there was a vocal minority in the OAU that arrogated to itself certain powers, not given to it, to be the leaders of Africa. The representative of Nigeria invited the Security Council to concentrate its attention on the complaint made by the Congolese Government.

596. All independent African States had their teething troubles. The country had become independent at a time when no administrative officers had yet been trained. The first duty of African brothers should have been to help the Congo to stand on its own feet, but, instead, the Congo had become the target of the ambition of the same vocal minority. It was inconsistent on the part of the Congo's neighbours to identify the receiving of economic assistance with alignment in one case and not in other cases; or to say that technical military assistance was good in one case and bad in another. With respect to the charge that Sudanese territory had been used as a base for interference in the Congo, the representative of Nigeria declared he had been relieved by the recent statement of the Sudanese Foreign Minister that only some medical equipment and supplies had been transported. Such equipment, he suggested, however, should go through the channel of the legitimate Government and not through the rebels, especially since Sudan was involved in a conflict of race between the 4 million Southern Sudanese and the 10 million Northern Sudanese. As the people of Southern Sudan and of Northern Congo were the same people, it would not be difficult for the Congo to subvert Sudan, and vice versa. But that would be mutual suicide. The same applied to the neighbouring countries of Uganda, Burundi, Tanzania, Zambia, the Central African Republic and the Congo (Brazzaville). Subversion of the Congo might ultimately mean their own subversion.

597. The representative of Nigeria pointed out that not a single one of the accusers had said that his country did not recognize the Congo as a sovereign State, nor its Government headed by Mr. Tshombé. He concurred with their request to the Council that it help the OAU to find a solution to the Congolese problem, and agreed with the suggestion that it might assist the Congo through the appointment of a body of people who would investigate the matter of border complaints and through the selection of some African countries and other small Powers that could be of assistance to the Congo in finding a solution to its problems. The Congo could enter into bilateral agreements with any of those States for military maintenance of law and order. If the borders were secure, it would be possible for the Congo to reorganize itself. The Council might also seek from African countries undertakings that they would not allow their territories to be used for interference in Congolese affairs and obtain from the Congo Government a declaration of amnesty for the rebels prepared to abandon their activities. If all that was done in co-operation with the OAU, a solution might be found.

598. The representative of France declared that his delegation was far from making unilateral accusations but that it was not ready either to join in overly biased condemnations. From a legal point of view, the Stanleyville action had been authorized by the legal Government of the Congo. That action had made it possible to free the greatest number of hostages, unjustly detained and threatened and had attained the precise and limited objective expected of it. Such had been the human aspect of an initiative which had not been without inconvenience and risk.

599. None of the previous speakers had justified the taking of hostages, defended the brutality of that act, nor denied the innocence of the hostages. None of them—for that would have been contrary to the best traditions of Africa—had condoned the conduct of those who had held a dreadful threat over the heads of these men, women and children. Therefore, there had been nothing in the Stanleyville operation that could injure the legitimate concern for dignity evinced by some African speakers, especially since nobody would be bold enough to cast the first stone, by forgetting the horrors which occurred in continents other than Africa. The problems confronting the independent Congo must be solved by the Congolese themselves with the help of other African countries that could assist the Congo in restoring peace and tranquillity within its borders. As far as France was concerned, it would continue, as long as the Congolese Government so wished, the assistance it was able to furnish for its peaceful development.

600. At the 1177th meeting of the Council on 16 December 1964, the representative of Uganda was invited at his request (S/6110) to take part in the discussion without the right to vote.

601. The representative of Burundi stated that his Government firmly believed that the problem of hostages in Stanleyville in 1964 had been no less a neo-colonialist creation than had the problem of the Congolese mutiny in 1960. The Congolese problems were the results of a nominal independence, of an incomplete and artificial education and of a fanatical type of imperialism. Reality had been distorted to the extent of representing the Congolese problem as one of racial origin opposing Arab Africans to non-Arab Africans, or as an open crisis pitting the upholders of savagery, communism and cannibalism against the saviours of Western civilization and culture.

602. The only real problems were those opposing Africans to the non-Africans intervening openly in the affairs of the Congo, and of Africa. Burundi strongly supported the efforts of the OAU and of its *ad hoc* Commission to find a peaceful solution to the Congo problem. These efforts were being actively pursued but the authorities in Brussels, London and Washington had decided to impose a solution of force. The brutal Stanleyville operation had been decided upon because the advance of the revolutionary forces had been so rapid since July that those who were humiliated by it sought to bring it to a tragic end.

603. The argument that the Belgian-American intervention was aimed only at saving the whites from black rebels was a fascist justification. In fact, the majority of the white population in Stanleyville had shared the hopes and anxieties of the black population. The truth was that the whites in Stanleyville had been in danger only after the paratroop drops had been carried out.

604. The intervention of South African and Southern Rhodesian mercenaries was being carried out with the avowed intention of undertaking a military adventure in the heart of Africa, with the idea of making of the Congo a large-scale Katanga, a colonized country which would serve as a spearhead, as a position to be held in order to prevent the decolonization of the rest of Africa.

605. Burundi had been accused by the United States of interfering in the internal affairs of the Congo. That was ironical coming from a country responsible for so many crises in the world: in Cuba, in Viet-Nam and in the Congo. In fact, the delegations which had levelled charges against certain African countries were trying to create a systematic division in order to prevent a just solution of the Congolese question.

606. The representative of Belgium said that a vague and ambiguous accusation had been levelled and repeated that Belgian soldiers had carried out massacres in the Congo. No specific information had been given, however, and Belgium could only protest most categorically against such irresponsible affirmations.

607. Some complainants had also asserted that the hostages had been held in perfect security under the protection of rebel authorities and that there would have been no massacre of hostages, had the rescue operation not taken place. Actually, more than thirty-seven persons of many nationalities had been massacred before 24 November, very often under most cruel conditions. It was significant that none of the complainants had felt that he should condemn the odious practice of taking hostages.

608. The representative of the Ivory Coast compared the Congolese situation of 1960 to that of 1964. In 1960, there had been an effort to shatter Congolese unity; in 1964, the objective was more difficult to understand. The fighting still going on had begun under Prime Minister Adoula who with the assistance of his Minister of the Interior, Mr. Gbenye, had reduced the *de facto* governments of Elisabethville and Stanleyville, but the struggle was presently being carried out under a different Prime Minister.

609. Foreign assistance to a constitutional government, at its request, was legitimate, while military assistance to a fraction of the population which rebelled against its own government was not only illegitimate, but illegal, and in Africa immoral since these opposing elements were not ideological but clashes of personalities. It should be clear to everybody that what was called

subversion in the north, west or east of Africa was equally so in the heart of the continent.

610. The United Nations had safeguarded Congolese unity at the risk of its own existence and the OAU should learn, for its own survival, from the experience of the United Nations in the Congo and set aside useless doctrinaire squabbles.

611. The war ravaging the Congo, in terms of the number of its thousands of victims on both sides and the moral principles at stake, went beyond the proportions of a localized civil war. The murderous nature of the fighting was a result of the importance and intensity of the different foreign interventions. It was regrettable that public opinion had not heretofore seemed unduly disturbed by the thousands of Congolese victims, but had seized a pretext, which was indeed a humanitarian one, to attempt muddling brotherly relations between white and black people.

612. It was equally to be regretted that racists and enemies of Africa had set in motion a campaign justifying the Stanleyville action on the basis of racial considerations. Despite passions and emotions, the Ivory Coast wished to continue its consistent policy of an untiring search for a peaceful solution of the Congolese problem. So far, the aid provided by both sides to the Congolese had not promoted any solution, but had aided the Congolese to kill each other. The danger which the United Nations had tried so hard to spare the Congo was recurring at present, i.e., the confrontation of the Great Powers.

613. A precondition for the restoration of peace was to reject the "isms" whether capitalism, socialism or communism; they were not in the African vocabulary, should not divide Africans, and should not be invoked against them. A compromise could not be arrived at if it was made dependent on prior conditions or exclusions. A good mediator should be able to define the necessary elements for a *rapprochement* and to reduce the divisive factors. The OAU could assist the Congolese Government to find a solution but it should do so by collaboration with the latter.

614. The Security Council should obtain from all States a promise to abstain from intervention in the domestic affairs of the Congo and to refrain from doing anything that might hamper or delay the restoration of order and national reconciliation. The Ivory Coast was among those which deplored the hesitations of the OAU and its fruitless quarrels between individuals; but it was confident that African wisdom would finally prevail. He appealed to the Great Powers to do nothing to prevent the Security Council from achieving a solution satisfactory to the Congolese people.

615. In the view of the representative of Brazil, undeniable evidence and proofs pointed to the responsibility of the rebels who were fighting for the establishment of the so-called "Congolese People's Republic". Not one fact, not one proof had been brought forth which could justify the taking of hostages and other criminal acts which had taken place in Stanleyville and elsewhere. Brazil's reprobation of such barbaric acts had a special significance as it could not be accused of partiality. Brazil had always been a constant foe of colonialism. Brazil considered as divorced from reality the allegations that the rescue operation of Stanleyville proved the existence of a conspiracy set up for the express purpose of persecuting the Negro race. It could not agree that to condemn the barbarisms committed by the rebels in Stanleyville was to take part in a

global racist conspiracy against black people. Anti-colonialist by tradition and anti-racist by the exercise of a true racial democracy, Brazil felt at ease in voicing its disapproval of the Stanleyville nightmare. From a juridical point of view, the life-saving operation of Stanleyville, solicited as it had been by the only legal Congolese Government, exercising its sovereign powers, was completely legitimate.

616. Moreover, such an operation found its justification in the frustration of a crime recognized as such by international law, by all norms of international conduct, and by general principles imposing a minimum of respect for the human person, i.e., the use of innocent civilians as hostages, as a bargaining point in wartime. Thus, in the view of the delegation of Brazil, the rescue operation had been legitimate both as to means and as to motivation.

617. The fact that the violations of basic principles of law and of morality had been perpetrated by insurrectionists and not by a legally recognized African Government did not make the rebels any less reprehensible.

618. Brazil strongly supported the suggestion to establish an investigating committee to report to the Council. The ultimate solution of the Congolese problem lay exclusively in the hands of the Congolese people; that was why Brazil could not accept any justification for the various forms of assistance allegedly given by certain Governments to the rebel movement. With the valuable help of the OAU, a peaceful settlement would eventually be found, paving the way for national reconciliation.

619. The representative of Uganda stated that his country, as a neighbour to the Congo, was deeply interested in events there. There was no comparison, as had been alleged, between the Congolese rebellion and the situation which had arisen in Uganda and other East African countries. There had never been a rebellion against the lawful Government of Uganda, whereas in the Congo, foreign mercenaries and military equipment supported one faction against the other. He thought that the Security Council was the right body in which to discuss the intervention by the United States, Belgium and the United Kingdom since they were Members of the United Nations, and not members of the OAU. But the allegations that certain African States had interfered in the international affairs of the Congo should have been raised before the OAU and not the Security Council.

620. The delegation of Uganda was disappointed that Mr. Tshombé, who had accepted the terms of reference and conditions laid down by the Foreign Ministers at Addis Ababa, had been unable to fulfil his promise to stop the fighting; ensure the security of the insurgents who would also cease fire; withdraw the mercenaries and start negotiations with the anti-government forces. Without those conditions being fulfilled, it would be impossible for the *ad hoc* Commission to visit the Congo. It had been claimed that African countries had refused military aid to Tshombé in replacement of mercenaries; but the whole aim of such mercenaries was contrary to African objectives since they, were actually in the Congo to exterminate innocent lives for the sake of money and not to maintain law and order.

621. The 24th of November 1964 had been a tragic day for the Congo and Africa since it raised the whole issue of the independence of small States. While the Government of Uganda abhorred the practice of hold-

ing civilian hostages, it equally condemned the bombing and machine-gunning of whole villages. The events of 24 November could be understood only in the light of the imminent advance of the mercenaries on Stanleyville and of the intention of bombing the city. The so-called rescue operation had actually been a supporting operation to the one led by the mercenaries. The United States and others had appealed to the *ad hoc* Commission to plead on behalf of the white hostages while they had already decided to endanger them by their impending military operation. The Nairobi Conference had not succeeded because both parties had talked at cross-purposes. The United States and Leopoldville had been interested only in the lives of the white hostages and in maximizing the military advantages against the Stanleyville régime, which they accused of trying to make political capital out of the hostages.

622. The representative of Uganda proposed that the Council and the United States, Belgium and the United Kingdom bring all their influence to bear on Mr. Tshombé to accept the resolution of the OAU for the withdrawal of all mercenaries. He suggested that an urgent meeting of the *ad hoc* Commission be held, attended by Prime Minister Tshombé, with the main objective of stopping all fighting. At the same time, the leaders of the Stanleyville régime should be asked to give guarantees of a simultaneous cease-fire.

623. The representative of China declared that the facts of the taking of hostages and of the threats made against them were not in dispute: what was in dispute was whether the rescue operation had been necessary. His delegation was fully satisfied with the statements made by the representatives of Belgium and the United States that the operation had been necessary to save the lives of the hostages and that the mission had been a humanitarian one and nothing more. The operation had been expressly authorized by the legally constituted government of the country concerned. The Council should be concerned not with a matter that had already passed into history, but with the future of the Congo, and especially with its complaint that certain sister African States were aiding and abetting the rebels. He drew attention to the Council's resolution of 22 July 1960, which was still in force and which called upon all States to refrain from any action which might undermine the territorial integrity and political independence of the Congo.

624. The representative of China supported the suggestion that the Council establish an inspection and investigation group so as to bring an end to outside intervention in the affairs of the Congo, not only from sister African States, but from countries outside Africa, including the Chinese communists.

625. At the 1178th meeting of the Council, held on 17 December 1964, the representative of the United Republic of Tanzania was invited at his request (S/6112) to participate without vote in the debate.

626. The representative of Tanzania stated that two unfortunate developments had made it imperative for him to intervene: the charge levelled against certain countries that they were assisting the Congolese rebels; and the charge of racialism made against those representatives who had refused to consider the Stanleyville operation as a mere rescue operation. It had been said that the complaint brought to the Council by twenty-two Powers should not have been made as the paratroop operation had been effected with the consent and approval of the legal Congolese Government. The latter's legality was held in dispute by many people and several

Governments. Moreover the very unrest and civil war in the Congo was proof enough that many Congolese questioned the legality of Mr. Tshombé's government.

627. Allegations had been made about the ineffectiveness of the OAU and of its *ad hoc* Commission. In fact, the Commission had been making substantial progress towards an agreed settlement between opposing parties and towards securing the safety of all residents in the Stanleyville area when, in an action reminiscent of Pearl Harbor, foreign troops had been flown into the Congo, ruining the efforts of the Commission.

628. With respect to the complaint that certain African States were subverting the Congolese Government, no evidence, written or concrete, had been supplied.

629. An invidious comparison had also been made between the situation in certain African countries when their armies had mutinied and the Congo civil war. It was simply facetious to compare a mutiny occasioned by dissatisfaction with the foreign officers in the army and with rates of pay to a full-fledged civil war.

630. Turning to the Stanleyville operation, the representative of Tanzania stated that it would go down in history as the most unwarranted and provocative interference by the Western world in the affairs and peace of the African continent. The definition of intervention given by the representative of the United States should be modified: intervention consisted in the attitude and policies of those major Powers which opposed the exercise of the right of peoples to self-determination. The Stanleyville operation had constituted an intervention because it had been a conspiracy to impose upon the people of the Congo the disputed authority of the Tshombé government and to provide air-cover for the capture of the nationalist liberation headquarters. But Africans were sure that if the non-African countries would leave the Congolese problem to the OAU and not undermine that organization, an African solution would be found to that African problem.

631. The representative of Morocco ascribed the domestic struggles of the Congo to certain negative factors such as that country's former social structure and the permanent interference by certain colonial interests. The so-called rescue operation in Stanleyville had not been the beginning of the Congo's drama. As early as September 1964, the Council of Ministers of the OAU had expressed its disquiet at the foreign interventions and the presence of mercenaries in the Congo. The *ad hoc* Commission had taken up the question of the American military assistance and the arrival of new mercenary reinforcements.

632. The Moroccan delegation thought that the Stanleyville operation had been the most spectacular and most controversial demonstration of interference in the affairs of the Congo. Some wondered if it had not been the result of a predetermined policy; a development in a series of stages in accordance with an established blueprint.

633. The representative of Morocco pointed out two aspects of the present Congo tragedy: (a) those who were now playing the role of apostles of unity and independence of the Congo were the same as those who previously had been most severely judged for having been the docile instruments of colonial domination; (b) the bands of mercenaries were recruited among the bitter colonialists and racists who could one day force other African countries into the most odious

colonialism. The motives invoked to justify the Stanleyville action should not, however, be overlooked or rejected out of hand. It was as repugnant to try to use civilians as a political pawn and as a means of pressure against an enemy as to use the uncertainty hanging over the lives of 1,500 foreigners as a pretext to attack a country.

634. The Moroccan Government, though not unmindful of the humanitarian aspect of the so-called rescue mission, considered that it was also necessary to take note of the fact that there would have been no loss of lives if that mission had not taken place. Before the parachute drop, the Stanleyville authorities had taken all possible means to avoid the carrying out of the horrible designs somewhat hastily attributed to them. The later massacres were to be attributed to the disarray and anger of irresponsible and uncontrollable elements. That painful event could not eclipse the tragic spectacle of thousands of Africans being massacred systematically on both sides. Truly, that had been an act of genocide.

635. The Congo, if really independent, constituted an important factor in the policy of decolonization and emancipation; but it was unfortunately used as a pawn in the fight between the national liberation forces and the forces which wanted to block a constructive African solution.

636. The Moroccan Government considered that no State, whether African or not, had the right to interfere in the domestic affairs of the Congo, and that any assistance to the Congo must only be for disinterested and peaceful purposes. The Stanleyville operation had seriously damaged the possible role of the OAU, which was still fragile and confronted with many serious problems. Those responsible for that operation would have been wiser to have borne that element in mind. If the great Powers chose to turn the African continent into a vast "cold war" camp, the consequences would be catastrophic for Africa and the world as a whole. An Africa divided into antagonistic blocs would be only one more element of discord and would render more precarious the maintenance of international peace.

637. In the interest of peace, Africa must remain an unaligned continent and the Congo regain its national unity and balance as an independent and sovereign State through peaceful and not through military means.

638. The representative of the Union of Soviet Socialist Republics stated that the Stanleyville operation had constituted open military interference in the internal affairs of the Congo by Belgium and the United States with the support of the United Kingdom. The united action of the colonialists carried out by Belgian paratroops dropped on Stanleyville from United States military transport aircraft coming from a United Kingdom colonial possession, Ascension Island, showed that this time the interventionists had decided to act in the most blatant fashion, casting aside the screen offered by the United Nations flag. This aggressive action of the colonial Powers in the Congo and the repression carried out by Belgian paratroops against Congolese patriots not only were monstrous crimes against the people of the Congo, but threatened the security of the peoples of other African States and the peace of the world. This was why the appeal by the Governments of Africa and Asia to the Security Council was completely justified and legitimate.

639. In their statements to the Council, the Foreign Ministers of the Congo (Brazzaville), Ghana, the

Sudan, Guinea, Mali, Kenya, the Central African Republic, Burundi and Uganda and, today, Tanzania, as well as the permanent representatives of Algeria, the United Arab Republic and Morocco, had convincingly proved that the intervention of the NATO Powers in the Congo was an intolerable interference in the internal affairs of Africa, a blatant violation of the United Nations Charter and a threat to peace and security in the whole African continent. They expressed the attitude of the peoples of that continent with regard to the provocative act of interference by the NATO Powers in African affairs.

640. The objectives of the intervention by the NATO Powers were the suppression of the patriotic forces of the Congo, the consolidation of the puppet régime of Tshombé, and the transformation of the Congo into a large beach-head of colonialism in Central Africa, aimed at subverting the national liberation struggle against Portuguese colonialism and at maintaining a racist régime in Rhodesia and South Africa.

641. As early as August 1964, it had been known that foreign monopolies were taking measures to put an end to the patriotic movement in the Congo. The preceding month, they had put at the head of a puppet régime in the Congo the man who, as their agent, had been the Katanga separatist, Mr. Tshombé.

642. The threads of the new conspiracy of the colonialists had led to the same foreign Powers and to the same large monopolies, which obtained billions in profits from the copper, uranium, diamond and other mines in the Congo, Rhodesia, and the Republic of South Africa. In one way or another they strove to obstruct the implementation in the south of Africa of the provisions of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples. Belgian monopolies had invested about \$3,000 million in the Congo, and they intended to continue to pump out of the country profits in the millions of dollars.

643. Important financial interests in areas liberated by the patriotic forces were also held by British monopolies, such as Unilever, among others. Firms and banks in the United States had in recent years played an increasing role in the colonial exploitation of the Congo.

644. In the interests of foreign monopolies were the motivating force which had again led to direct imperialist aggression in the Congo. Indeed the United States was the first to have come openly to the rescue of Tshombé by supplying him with transport planes, bombers, fighter-bombers, American military personnel who were trained as specialists in anti-guerrilla warfare, and Cuban counter-revolutionaries. In addition, the agents of imperialists in the Congo received the help of units of hundreds of mercenaries composed of Belgian, South African and Rhodesian racists, Britons and others.

645. That Congolese version of the Foreign Legion which had been sent to the front lines by American planes and used Belgian, American, West German and Portuguese weapons, had sown death and destruction but not a single voice of condemnation had then been raised by the colonial Powers which hypocritically claimed to defend the cause of civilization and humanitarianism. The facts showed that the foreign puppet, Tshombé, who by the will of African States had not been admitted to the first meeting of the Organization of African Unity and to the Cairo Conference of Heads of State or Government of Non-Aligned Countries, had started openly to sell out the wealth of the Congo



to foreign colonialists. In mid-November 1964 a detailed plan had been worked out; it was made up of three interlocking parts: the first was reliance upon foreign mercenaries and the direct assistance of colonial Powers; the second was the transfer of the State apparatus to the colonialists through the device of placing Belgians beside every Congolese Minister or high official; the third was Tshombé's decision to conclude with foreign monopolies long-term contracts giving them direct responsibility for the maintenance of order in areas where they were active.

646. The transfer of Belgian paratroopers to the English Ascension Island had become known on 17 November 1964. In that connexion, the Soviet Union recalled that it had repeatedly drawn attention to the fact that such so-called small colonial possessions were used for military purposes by Western Powers and that it had demanded that an end be put to that illegal use of those territories. At the same time that the military intervention in the Congo was being prepared, government officials of Western Powers and representatives of foreign monopolies and of Tshombé's régime had been putting the final touches to the criminal conspiracy for a direct dismemberment of the Congo into spheres of influence of the Western Powers. On the very day when Belgian paratroopers had been dropped on Stanleyville, Tshombé had declared that the fall of Stanleyville would stimulate new foreign investments in the Congo, and a large-scale plan of development to be carried out in co-operation with the United States, Great Britain and West Germany had been made public.

647. It was clear that the landing of Belgian paratroopers had been arranged so that they could transfer the positions occupied by them to the Tshombé mercenaries, who had been unable to resist the successful struggle of the Congolese patriotic forces.

648. The Foreign Minister of Belgium had vainly tried to establish a distinction between the Belgian paratroopers and the mercenaries, and also the Belgian military advisers in Tshombé's army. They were wearing the same uniform, and the man at the head of the mercenaries in the Congo was Frederick Van de Walle, who had been the Belgian Consul General in Katanga at the time of the secessionist Tshombé. In Tshombé's army there were 250 Belgian military advisers who directed and led the operations. It should be stressed that the return of Belgian paratroopers, and the increase in the number of Belgian military advisers and mercenaries were a flagrant violation of the decisions of the Council demanding the withdrawal of all Belgian military personnel from the Congo.

649. The allegation of humanitarian motives to justify the Stanleyville operation was a hypocritical pretext, similar to those extensively used throughout history by imperialists who repressed the peoples of the countries which they invaded under the guise of ensuring the security of white diplomats, settlers or missionaries. In the case of the Stanleyville operation, not only had the Congolese patriots suffered but the foreigners themselves had been made, in cold blood, the victims of the imperialist objectives. In spite of the appeal made from Stanleyville on 21 November by the Consuls of the United States of America and Belgium that their Governments adopt a position of absolute neutrality to save the lives of their citizens, the interests of the latter were deliberately sacrificed in order to protect the interests of the monopolies. Recently, Mr. Gbenye had stated in Paulis that on

the eve of the Stanleyville aggression he had given assurances to the Foreign Minister of Belgium that he would ensure the security of all those who lived in territory controlled by the insurgents, but that only three hours after his communication, the aggression had been unleashed. Mr. Gbenye had further stated that there was proof of the fact that the white mercenaries had massacred over 10,000 Congolese.

650. The threadbare screen of the legality of Tshombé's régime was nothing but a pretext to justify *ex post facto* the new intervention of the NATO Powers in the Congo.

651. The Soviet delegation deemed it necessary to recall the conclusions of the report of the United Nations Commission which had investigated the death of the Prime Minister of the Congo, Mr. Lumumba, and his aides, in which the responsibility of Mr. Tshombé had been officially established. To proclaim the Tshombé régime's legality under such conditions was equivalent to violating the decisions of the Council, and mocking the heroic struggle of the Congolese people for freedom and independence.

652. The unfounded accusations and provocative statements made against some African countries by colonial Powers were merely a smoke-screen intended to conceal the continuing intervention of the colonialists in the Congo. The Stanleyville operation might be over, but American planes, Belgian military advisers, South African, Rhodesian and other foreign mercenaries continued to carry on their monstrous activities. Progressive forces in all countries demanded the immediate cessation of the colonialist aggression in the Congo. As stated in the memorandum of the twenty-two Powers, the aggressions committed by the NATO Powers in Stanleyville and elsewhere in the Congo were in direct violation of Article 52 of the United Nations Charter, subverted the authority of the OAU, and constituted a threat to international peace.

653. The Soviet Union had categorically condemned those aggressive acts and gave its full support to the legitimate demand of the African countries. It was also in full agreement with the judgement of the African countries that the Congo problem was an African problem to be resolved above all by the Africans themselves and the people of the Congo. It was the urgent duty of the Council to put an end to the actions of the interventionists.

#### **D. Consideration at the 1181st and 1183rd to 1189th meetings (21-30 December 1964)**

654. At the 1181st meeting of the Council on 21 December 1964, the representative of Czechoslovakia stated that a number of facts and arguments had been adduced by the representatives of many African States to confirm and prove the rightness of their complaint whereas the representatives of Belgium, the United States and the United Kingdom had not succeeded in disproving it. There was no doubt whatsoever that the parachuting of Belgian units at the very moment when mercenaries had been attacking Stanleyville had a definite military significance. Those who expressed indignation about the taking of Americans and Belgians as hostages failed to take into account that that had happened in the context of civil strife, resulting directly from a systematic policy of foreign intervention by Powers from outside Africa. Was it extraordinary that the patriots had taken into custody people who, by their nationality—and some of them, certainly, by their ac-



tivities—could be regarded as agents of those Powers? Moreover, none of the hostages had in fact been killed before 24 November 1964. A few hours before the Belgian-American attack, Mr. Gbenye had assured Mr. Spaak that the lives of those present in the territory under the patriots' jurisdiction would be protected. President Kenyatta and those who conducted the Nairobi negotiations seriously had been in favour of a policy aimed at saving many lives—thousands of African lives and hundreds of European hostages—but the United States Ambassador “stood for force only” as the representative of Kenya had declared.

655. The roots of the Stanleyville operation were to be found in past periods and in hundreds of previous cases in which citizens of an interventionist Power had got into troubles resulting from the policy of their country and had been rescued by acts such as naval demonstrations, bombings, the landing of marines or armed invasion.

656. A much more serious case had happened in 1938 and 1939 in Czechoslovakia when the Nazi régime had explained and justified the prepared occupation of the country allegedly because of a persistent and urgent call for help from the Germans living there and threatened by the Czechs.

657. The Czechoslovakian delegation rejected any return to such forms of diplomacy, which belonged to the age of the gunboat and the big stick policy. The argument of the African representatives that by aiming at the rescue of several hundred white hostages from a doubtful danger, the attackers had brought about the death of several thousand Congolese, had been rejected by some as being an expression of black racism, but the African representatives had simply stated that the humanism of the Stanleyville operation, if any, had been humanism of the “gunboat” and “big stick” period.

658. The OAU had played a positive part in trying to protect the Congo from outside interference and in bringing its development into harmony with that of other independent African States. The task of the United Nations was to ensure that the process of decolonization and emancipation in the Congo was not affected by any obstructions and interference by colonialist and new colonialist Powers. The Security Council should act in this sense and condemn the Belgian-American attack on Stanleyville.

659. The representative of Sudan urged the Council to discard the counter-complaint brought by the Democratic Republic of the Congo as frivolous. He also re-asserted that Sudan had not lent its airports to planes carrying arms to the opposition in the Congo.

660. The evidence which had been adduced showed that the OAU would have handled the matter satisfactorily, had it not been for the interruption of 24 November. The OAU should therefore continue its good work. That should not however be construed as a request that the Council keep its hands off the question. On the contrary, it was desirable that the Council formulate a resolution referring the matter back to the OAU and associate itself more closely with the latter.

661. Although Sudan recognized the present Government in Leopoldville, it could not help but suspect that Tshombé had actually “tricked” the three Western Powers into rescuing their citizens, because he wanted the road prepared for his mercenaries to enter Stanleyville. When everything was reduced to ruthless

manœuvring and the gaining of ends, irrespective of the means, the Stanleyville authorities could hardly be blamed if they had looked upon hostages as a bargaining counter.

662. The representative of Ghana said that the charge of racism levelled by the representatives of Belgium and of the United States was, to say the least, unfounded. They seemed to confuse deep feelings with hatred. After nearly six centuries of contact between Europe and Africa, Africa stood in no need of lectures on racism.

663. With respect to the assertion made by Mr. Spaak that certain African countries, including Ghana, had been opposed to Mr. Adoula's plan for the reorganization and training of the Congolese national army, the representative of Ghana stated that no head of State had done more in that respect than the President of Ghana. The Secretary-General of the United Nations had noted in his latest annual report that the United Nations training plan, based mainly on assistance by other African countries, could not be implemented as the Prime Minister, Mr. Adoula, had been unable to obtain the approval of the Commander of the Army, General Mobutu, for the project.

664. Both Belgium and the United States, in a clear defiance of admonitions by the Council, had taken advantage of the United Nations withdrawal to reintroduce military and war material into the Congo.

665. Everybody seemed to agree on the need for a political settlement in the Congo. But that settlement could be reached only by bringing all factions of the Congo together. The Council of Ministers of the OAU had not asked the *ad hoc* Commission to support only Mr. Tshombé's Government because that would have been tantamount to seeking a military solution and would have negated reconciliation.

666. At the 1183rd meeting of the Council on 22 December 1964, the representative of Algeria stressed that vague charges, based on Press reports drafted in the conditional mood, had been made against Algeria, which supposedly had provided military assistance to the Stanleyville authorities. No proof had been advanced in support of those charges which were designed to lead public opinion to believe that the war in the Congo was due to the intervention of certain African countries.

667. Actually, the nationalist movement in the Congo enjoyed the support of the people: it was a genuine revolutionary struggle to put an end to corruption and to foreign domination. Mention had been made of the legality of the Tshombé Government. But the process was a classical one: a régime in the pay of a foreign Power was set up and a neo-colonialist policy was then followed.

668. If any comparison between Algeria and the Congo was warranted, it was between the present Congo and the Algeria of the war of liberation. While it was true that each State must be free to seek military assistance wherever it could obtain it, there was a vast difference between a State which had to equip itself militarily to defend itself and an organ responsible to certain foreign interests which was given arms to crush a people and to maintain foreign domination and exploitation.

669. The representatives of Belgium and of the United States had tried to tinge with racism the condemnations stated before the Council. In that connexion, it should be recalled that no African country

had ever erected racial or religious discrimination into a government system; that there was not and never had been in Africa any colour bar, and no Mason-Dixon line.

670. The armed intervention on 24 November had actually been meant to shake the OAU because it was becoming a weapon to be feared in the hands of African countries.

671. Algeria wanted to say clearly that no one had the right to appropriate the role of international policeman and that, for its part, Algeria, as in the past, would face its responsibilities and would rise against all external forces which might attempt to obstruct the march of Africa.

672. The Security Council could not refrain from taking into account the violation of Article 52 of the Charter. It was its duty to support the African countries in their action. It should condemn unambiguously foreign military intervention and thus make it possible for the OAU to solve the Congolese problem in accordance with its own principles and aspirations.

673. The representative of the United States observed that while some reassuring statements had been made in the Council by the Foreign Ministers of Sudan and Ghana denying that they were in any way aiding the rebels, no similar denial had been forthcoming from the representative of Algeria.

674. As for the assertion that no civilians had been killed before the Belgian soldiers had arrived to rescue the hostages, that was completely inaccurate. The representative of the United States had in his hands a list of fifty-eight persons (with names and dates) who had been murdered before 24 November 1964 and he offered to make the list available to anyone who chose to examine it.

675. The representative of Norway recalled that the Congo, by nature a rich and prosperous country, had been subject to constant strife and misery since it had become independent. The real victims of the separatist and secessionist movements were the Congolese people themselves. It served no purpose to point out that some of the victims were black and some white.

676. The Norwegian delegation found no reason to doubt that the motive behind the Stanleyville operation had been to save the lives of innocent people.

677. Law and order could be achieved in the Congo only through political reconciliation and not through the use of military force. The main factor which prevented the finding of a solution was not a lack of weapons but an excess of weapons in the hands of formations which were not under proper discipline and direction. The Norwegian delegation supported the view of all those who had expressed an earnest interest in finding a peaceful solution to the Congo problem, preferably through the OAU.

678. The President of the Council, speaking as the representative of Bolivia, recalled the experience of the Latin American countries, twenty of which, once the violence of their resentment had been wiped away, called Spain or Portugal their mother country. The general conviction of Latin America was that it was safe to assume that in the course of time, when political passions had died down, the new African nations would follow that lead in their behaviour. Africans could not without taking a backwards step reject the seeds of cultural development sown on the African continent by other peoples of ancient cultures.

679. It was more important to bury colonialism forever in the souls of man than to enshrine it in history. Disarmament of the mind, and abolition of rancour were the most constructive steps which the present era could take in order to achieve real disarmament. The representative of Bolivia hoped that, in the not too distant future, a new and generous symbiosis free of prejudice would develop between the one-time colonizers and the newly independent countries. With respect to the complaint brought before the Council by twenty-two African countries, the views of the Bolivian delegation were that the Democratic Republic of the Congo was a sovereign nation with full international status.

680. The existing Congolese Government was the legitimate Government of the country; no offence had been inflicted on Congolese sovereignty or on African dignity if that Government had not only authorized but requested that a reduced foreign military force carry out, over a short period, a specific duty, namely the liberation of more than 1,000 hostages. Bolivia believed that that had been a clear-cut rescue operation, lamentable from the political point of view of sovereignty, but morally indispensable and duly authorized. The only firm way to avoid the recurrence of such events was the unification of the Congo and the subsequent national pacification. The OAU was the operative instrument to fulfil that final condition. It would be appropriate for the Congolese Government to dispense with the services of mercenary troops which constituted an element of disquiet to all African nations.

681. At the 1184th meeting of the Council held on 23 December 1964, the representative of Kenya stated that, contrary to the assertions of the representative of the United States, every means, legal, moral and humane, had not been exhausted before the Stanleyville operation had taken place. In fact, the United States Ambassador to Kenya had insisted during the Nairobi talks that a further meeting be held on 24 November. The meeting had naturally been called off when the parties learned of the paratroopers' drop on Stanleyville on that very day.

682. It had never been suggested that the United States or any other Government had no right to provide assistance to the Congo. But that was an oversimplification of the problem; if one side in a civil war received arms and equipment from some other source, the other side would also receive similar help from other sources. That would frustrate efforts at peace and reconciliation. The Congo was an African problem and it should be settled on a political basis by Africans who did not want to see another "scramble for power in Africa". An attempt had been made to differentiate between mercenaries, paratroopers, military advisers, anti-Castro pilots, logistical units and Congolese troops. Actually, all those military units were a well-coordinated, integrated combat force; there was hardly any distinction to be drawn between their activities and functions. If the United States and Belgian Governments believed that by continuing to supply arms to Mr. Tshombé, they could solve the problem militarily, they should know that some African countries would be prepared to challenge their might by all legitimate means available.

683. The representative of Nigeria had contended that no African State had the right to represent the views of the Congolese Government without its authorization. In reply, the representative of Kenya observed

that African countries had every right to speak on the Congo situation either in the OAU, or in the Council.

684. It had also been stated that the Congolese Government had been asked to lay down its arms along with the Stanleyville forces. That was a deliberate attempt to misinterpret the situation. The *ad hoc* Commission had only wanted that both parties stop fighting to make way for negotiations and reconciliation, and that had been accepted by Mr. Tshombé himself.

685. The reference by the representative of Nigeria to the so-called ambitions of a vocal minority in the African group was a mere political mirage. Actually, the Nigerian stand had been overwhelmingly repudiated at a meeting of the Council of Ministers of the OAU held in New York on 18 December 1964.

686. The representative of the Democratic Republic of the Congo denied that the representative of Algeria had the right to speak in the name of Africa or of the Congolese people. That representative had given the best proof of Algerian interference in the domestic affairs of the Congo: not only had he not disclaimed Ben Bella's statement to that effect, but he had proudly said that Algeria would always be there to oppose any outside intervention in Africa. Moreover, he had not expressed disapproval of the practice of taking hostages or of the atrocities perpetrated by the rebels. Obviously, Algeria, which supplied weapons to the rebellion, under the pretense of supporting a liberation movement, did not care if the Congolese killed one another. That was the method applied by Algeria itself, which had physically eliminated the opponents of the régime.

687. The Congolese representative observed, in reply to the Foreign Minister of Sudan, that in the booty abandoned by the fleeing rebels cases had been discovered bearing the sign of the International Red Cross but containing arms and munitions. The representative of Sudan had mentioned that cases and packages of medicines and clothing had arrived from Cairo in Khartoum for the Congolese refugees in Sudan. He had not denied a report by the official agency of Khartoum that a training ground in Sudan had been put at the disposal of the Congolese rebels.

688. The statement made by the representative of Kenya was the most disturbing and confusing. Sometimes he had spoken on behalf of his President, and, at other times, on behalf of the *ad hoc* Commission. Such confusion did not assist the work of President Kenyatta or of the Commission. Moreover, he had mentioned that certain countries challenged the legality of the present Congolese Government. Which were those countries? How could the Minister of Kenya expect the co-operation of the Leopoldville Government if he challenged the legality of that Government? Was that a position to be adopted by a genuine mediator?

689. The representative of Kenya had also mentioned Article 33 of the Charter, referring to the peaceful settlement of disputes between States, as applying to the dispute between the Congolese Government and the rebels. Such an argument could only mean that the representative of Kenya considered the region of Stanleyville as a State and its so-called government a government under international law.

690. Any comparison between the intervention of British troops in East Africa and the Congolese situation had been rejected by the representative of Kenya as being unjustifiable. In fact, the situation in the Congo in 1960 was similar to that which had recently arisen in Tanganyika, Uganda, and Kenya.

691. An appeal for Belgian troops had been made at the time by the Government of Lumumba who, after having accepted Belgian intervention in Kasai and Katanga, had prohibited it in Leopoldville as a result of criticisms made by the same countries which in 1964 found nothing to criticize in the attitude of the Governments of Tanganyika, Uganda and Kenya. Thus the mutiny of the Congolese army, because of the weakness of the Government, had led to collusion between political parties and military bodies lacking in discipline. The Stanleyville operation, on the other hand, had been quite different from the intervention of British troops in the Eastern African countries: if an appeal had been made to foreign troops, it was not to put down a mutiny, but to liberate foreigners held as hostages. That operation had lasted three days whereas, in East Africa, British troops had stayed on for months. The Congolese Government would have been justified in asking foreign assistance to put down the rebellion, especially since its request to OAU had not received a favourable hearing. And was that Government supposed to sit idly by while certain African countries were assisting the rebellion?

692. It had been repeated that the solution to the Congolese crisis was a political, not a military, one. That was true in so far as it meant that the political solution was a final one. The restoration of public order was a *sine qua non* for the achievement of a political solution.

693. Reference had been made to a resolution adopted recently in New York by the Council of Ministers of the OAU. The constitutionality of the session was challenged by the Congolese representative because it had been held under conditions contrary to the charter of that organization. Not only had the rules of procedure been set aside but article XII of the charter had been ignored. At the time the meeting had begun seventeen ministers had been present, but when the vote had been taken there had been only five ministers in the room. The Congolese Government did not feel bound by such an unconstitutional resolution.

694. The representative of the Congo (Brazzaville) said that the Congolese problem had been misrepresented, or shifted, so as to divert attention from the true facts.

695. The representative of Nigeria had participated in the debate solely for the purpose of playing his role of valet of imperialism and neo-colonialism. He could aptly be called a traitor and an enemy of Africa.

696. The representative of the United States had rightly recalled that the Secretary-General had stated in his report of 29 June 1964 that the resolutions of the Security Council were not limited in time and remained valid. That also applied to the resolution of the Council of 21 February 1961 whereby it had decided to investigate the circumstances of the death of Lumumba and his colleagues.

697. According to the Council's resolutions, the solution of the Congolese problem was to remain in the hands of the Congolese people themselves without any interference from outside.

698. False accusations had been brought against the Congo (Brazzaville), mainly by the representative of the United States, that it had supported the rebellion. That was not a new accusation. Two weeks after the Brazzaville Government had established diplomatic relations with Peking, the American *Chargé d'affaires* in Brazzaville had expressed his Government's concern

that the Chinese communists would use the Congo (Brazzaville) as a basis for subversion in the Democratic Republic of the Congo. Later Mr. Averill Harriman had made certain accusations, and Mr. Mennen Williams had come to discuss the matter with the Brazzaville Government. That Government was alleged by the Democratic Republic of the Congo to have granted bases to opponents of the Leopoldville régime, and to have provided them there with training in guerrilla warfare given by Chinese instructors. The ambassadors of the United States and Belgium had been invited to visit the north of the country to see for themselves that those camps had never existed. Brazzaville had never supported the rebellion; it had merely welcomed on its territory people who were persecuted in their own country for their opinions and political ideas.

699. The representative of the Congo (Brazzaville) denied that he had ever attempted to dig a ditch between Africa and Europe, or to pit the black man against the white man. He had said and maintained that the Stanleyville operation had been marked by an evident racial discrimination and was the work of a certain group of white men who, like the Belgians and Americans, had treated Africans with contempt and still continued to do so. But the black man would never allow himself to be treated as he had been in the past. The Stanleyville operation had been premeditated. If the Belgian and American Governments had merely wished to ensure the safety of their nationals in the Congo, they could have followed the precedent of 1960 when Belgians who had been, they said, fleeing from death had been sheltered for several months in Brazzaville. Instead, those two Governments had intentionally kept their nationals in the Stanleyville area because they had wanted to have a pretext for intervening directly by military means.

700. When the ambassadors of Belgium, of the United Kingdom and the *Chargé d'affaires* of the United States had been received on 21 November by the Foreign Minister of the Congo (Brazzaville) they had specifically stated that the Stanleyville operation was intended to save the nationals who were there. Tshombé had been used as a straw-man to cover up the operation and cast over it a mantle of what was called legality. To be legal, it needed to receive the approval of the Houses, but they had already been dissolved under Mr. Adoula.

701. After having sabotaged the ardent efforts of the *ad hoc* Commission of the OAU to solve the Congolese problem, the United States Government was contending that the Congolese problem had become too important for that organization to solve and it suggested the sending of a commission of investigation to the Congo. But the Republic of the Congo (Brazzaville) was mature, it had made its choice and would defend it at all costs to the very end.

702. The representative of Brazil observed that the Foreign Minister of Congo (Brazzaville), who had, fifteen days earlier, pleaded his case with a kind of language not customary in the Council, had come again with the same kind of language and had not brought a single new argument to support his stand in defence of the crimes perpetrated by rebel troops.

703. At the 1185th meeting of the Council, held on 24 December 1964, the representative of Nigeria stated that his Government had expected that a number of African representatives would express disagreement

with Nigeria's stand, which was at variance with theirs, but had not anticipated the personal attacks, made in unfortunate language, levelled against its Foreign Minister. He expressed satisfaction at the fact that all the members of the Council had agreed that the Congolese problem would best be solved within the framework of the OAU.

704. The representative of the Democratic Republic of the Congo exercised his right of reply particularly with regard to the statements made by the Foreign Minister of the Congo (Brazzaville). The latter had created some confusion about the legality of the present Congolese Government by mixing up such constitutional notions as the ending of a legislature, the dissolution of a parliament and a transitional government. The Congolese Parliament had been recessed by the Head of State in September 1963, when Mr. Adoula had been in power because he considered that a Parliament convened for an extraordinary session could not deal with regular matters. The legislature elected for four years in 1960 under the *Loi fondamentale* had ended in June 1964. It had therefore been dissolved at that time and, in conformity with constitutional provisions, the Government had submitted its resignation to the Head of State, who had accepted it. Meanwhile a new constitution had been adopted in June 1964, and, in accordance with its provisions, a provisional government had been set up with the specific aim of preparing the elections which were to take place within nine months of the government's constitution. Mr. Tshombé's government was transitional but the fact that there was no parliament did not mean that it was illegal.

705. The representative of the United States declared that he had hoped that the participation of the United States in the Stanleyville mission would be correctly understood as he fancied that the principles and motives which had inspired it were shared by all men of goodwill and of humane instincts everywhere.

706. Unfortunately, there had been an incessant, parrot-like repetition of absurd charges against the United States and even of resentment at its consistent efforts to help achieve the unity, integrity and peaceful development of the Congo. Yet no such complaints had been made about the United States when United Nations troops had been transported in United States of America vessels and aircraft, had used American equipment and had been supported by American voluntary contributions during the struggle to end the Katangese secession. Actually, American policy had not changed: it had always been to preserve the unity of the Congo, first through the United Nations, subsequently through the Central Government.

707. One of the most despicable charges heard so far was the assertion made by the Foreign Minister of the Congo (Brazzaville) that the United States of America and Belgium had intentionally kept their nationals in the region occupied by the rebels to create a pretext for military intervention. That was a repulsive assault, while everybody knew that the United States Government had sought to persuade all Americans, except the staff of the Consulate in Stanleyville, to leave the region prior to the occupation by the rebels on 5 August.

708. Other strange doctrines had also been asserted which, in the last analysis, meant that some African States could intervene against their neighbour while they were denying the right of other States to answer their neighbour's call for help. A rebellion had been

equated with a legitimate Government. It had also been claimed that the United States of America sought to establish in the Congo a beach-head for the purpose of monopolistic exploitation of the Congo's wealth. Such misrepresentation of the United States public and private efforts to assist under-developed nations constituted an old and familiar technique used by communist countries. What was new was the small chorus of African voices echoing the same refrain. Quite wrongly, the representative of Czechoslovakia had claimed that NATO, created for the defence of Europe, had intervened in the Congo. The truth was that two members of NATO had helped the Government of the Congo, at its request.

709. The communist States, on the other hand, had never denied that they were intervening, often through military assistance, in what they called wars of liberation. On occasion, they had assisted genuine nationalist movements, but in many cases, they had intervened in countries already independent and Members of the United Nations, or on behalf of subversive movements or open rebellions. Such intervention of an established Government against another established Government, both of independent countries, would if continued destroy international co-operation. That hardly qualified communist States to denounce the aid given to a sovereign Government resisting armed rebellion inspired from abroad.

710. The bulk of the charges against his Government seemed to fall into the category of motivation rather than that of facts. He could only hope that, in the light of the long record of his country's assistance to other developing nations, those who questioned American motives and purposes would reconsider the question, in the privacy of their conscience.

711. History would record the following facts: the long efforts of the Congolese Government to obtain help in the training and equipping of its army to preserve law and order against the day when the United Nations forces would have to leave; the answer to that call by Belgium and the United States of America; the beginning of the rebellion against Mr. Adoula's Government; the appeal made by Mr. Adoula to African nations to help fill the void created by the final departure of United Nations forces; their failure to respond and their denunciation of those who had; and finally the unashamed and even exulting admission by the Chiefs of State of Algeria and the United Arab Republic that they were sending arms to the rebels to help overthrow the Government of the Congo and that they would continue to do so.

712. Contrary to the bold assertions of the Foreign Minister of Kenya that the United States was frustrating peace in the Congo, the United States wished to reiterate its promise to co-operate with the Organization of African Unity, with the Security Council and with the Government of the Congo in finding a *bona fide* solution to the problems, political and economic, besetting that great country.

713. The representative of the Soviet Union stated that the representative of the United States had erroneously asserted that the question under discussion had been transferred from the realm of fact to the area of motives. It was indeed not necessary to impugn motives since the established facts were sufficient evidence in themselves. Imperialist intervention in the Congo had started in July 1960; it had continued in spite of the decisions of the Security Council and it had led to the grisly murder of Patrice Lumumba. The

colonialists claimed that their intervention in the Congo was legitimate because it stemmed not from present occurrences, but from circumstances which had begun in the time of Adoula's Government. Such attempts to justify their flagrant interference in the Congo were unjustified and cynical because the former Premier of the Congo had also been a man of the Americans. That was clearly stated in the memoirs of Sir Roy Welensky, entitled "Four Thousand Days", where he related a conversation to that effect which had taken place on 26 August 1961 between himself and Mr. Mennen Williams, United States Assistant Secretary of State. Adoula himself had admitted openly at his last press conference before his departure that everyone in the Congo spoke of him as the man of the Americans. The case of Tshombé was even more flagrant: it was well known that the colonialists gave their support to Tshombé because he had always been the straw man of the imperialists and their agent in the Congo. A former United Nations representative in the Congo, Conor Cruise O'Brien, had recently written in *The Observer* that Tshombé's astuteness as a politician consisted in working closely with those who controlled the resources of the Congo, and specially with the agents of the Union minière du Haut-Katanga.

714. Tshombé and his régime had been supported by Belgian, United Kingdom, West German and South African mercenaries. He had obtained weapons from the same sources. Thus Tshombé's régime was an absolutely foreign one having nothing in common with the Congolese people. The fact that it was supported by the racists of South Africa and Rhodesia had aroused the justified concern of the African countries.

715. Of course, the interventionists tried to hide behind the screen of the alleged legitimacy of the puppet régime of Tshombé. Their manoeuvres were all too obvious. They had ignored and continued to ignore the aspirations and opinions of the African peoples, but they would be judged on the basis of their actions, and not of their linguistic acrobatics. Their morbid attempt to try to see a communist threat in everything had already been ridiculed by the representatives of African countries. That tendency had led the United States of America to take upon itself the role of international policeman in regard to the repression of national liberation movements in many regions of the world. That could not fail to lead to an increase of tensions in international relations.

716. There was a simple and effective way to liberate the United States of America from such indignation; it had only to put an end to its flagrant violation of the internal affairs of other countries and particularly of the Congo and to withdraw from that country all the foreign contingents and military technicians.

717. At the 1186th meeting of the Council, held on 28 December 1964, the representative of Czechoslovakia said that he had been misquoted by the representative of the United States. He had not said that NATO had intervened in the Congo. He had merely called attention to the fact that the action taken by Belgium had been approved by the Council of NATO in Paris, according to a statement made by the Belgian Foreign Minister in the Belgian Parliament. The world Press had reported that NATO's Permanent Council had unanimously expressed its "understanding and approval" of the combined United States of America-Belgium military operation in the Congo. Those reasons had prompted the Czechoslovak delegation to wonder why a NATO organ should take a decision on an



event taking place in a country lying outside the area of its activities, as defined in its basic legal document. That question had not been answered.

718. The representative of the Ivory Coast introduced the following draft resolution jointly sponsored by his country and Morocco (S/6123/Rev.1).

*"The Security Council,*

*"Noting with concern the aggravation of the situation in the Democratic Republic of the Congo,*

*"Deploring the recent events in that country,*

*"Convinced that the solution of the Congolese problem depends on national reconciliation and the restoration of public order,*

*"Recalling the pertinent resolutions of the General Assembly and the Security Council,*

*"Reaffirming the sovereignty and territorial integrity of the Democratic Republic of the Congo,*

*"Taking into consideration the resolution of the Organization of African Unity dated 10 September 1964, in particular paragraph (1) relating to the mercenaries,*

*"Convinced that the Organization of African Unity should be able, in the context of Article 52 of the Charter of the United Nations, to help find a peaceful solution to all the problems and disputes affecting peace and security in the continent of Africa,*

*"Having in mind the efforts of the Organization of African Unity to help the Government of the Democratic Republic of the Congo and the other political factions in the Congo to find a peaceful solution to their dispute,*

*"1. Requests all States to refrain or desist from intervening in the domestic affairs of the Congo;*

*"2. Appeals for a cease-fire in the Congo in accordance with the resolution of the Organization of African Unity dated 10 September 1964;*

*"3. Considers, in accordance with that same resolution, that the mercenaries should as a matter of urgency be withdrawn from the Congo;*

*"4. Encourages the Organization of African Unity to pursue its efforts to help the Government of the Democratic Republic of the Congo to achieve national reconciliation in accordance with resolution CM/Resolution 5 (III) dated 10 September 1964 of the Organization of African Unity;*

*"5. Requests all States to assist the Organization of African Unity in the attainment of these objectives;*

*"6. Requests the Secretary-General of the United Nations to follow the implementation of the present resolution, to follow the situation in the Congo, and to report to the Security Council at the appropriate time".*

719. He said that the objective of the draft resolution was to put an end to the killing in the Congo and stemmed from the sponsors' conviction that the solution of the Congolese problem could only be a political one, depending both upon a national reconciliation and on the restoration of public order. It was clear from the text of the draft resolution that the Council was not considering the question under Chapter VII of the Charter: the resolution could therefore be formulated only in terms of an appeal. Moreover, any approach to a solution must take into account the fact that the Congo was a sovereign State, Member of the United Nations.

720. The Council should utilize all means of peaceful settlement at its disposal, including regional organizations which were one of the means specified in Article 52 of the Charter. The Council itself, all the States, and especially the Democratic Republic of the Congo, must therefore assist the OAU to act successfully. The OAU, for its part, must assist in restoring the element of confidence between itself and the Congolese Government. Whatever the cost the latter should get rid of the mercenaries if it did not want to become isolated in Africa and vulnerable to attacks. Since there was in the Congo not simply a threat to peace but a hot war of disturbing proportions, the Council was in duty bound, through the Secretary-General, the executive organ, to keep abreast of the problem, of the implementation of the resolution and to be prepared to raise the problem again when circumstances justified it.

721. The representative of Morocco stated that the draft resolution reflected African opinion as accurately as possible. Speaking of the preamble of the draft resolution, he noted that national reconciliation had been placed before restoration of public order because the former was a condition precedent to the latter.

722. The solution of the Congolese problem had been envisaged within the framework of the OAU; that explained why the resolution of the OAU of 10 September 1964 had been taken into account. The problem of the mercenaries was certainly the one which, by far, offered the greatest danger to the dignity and honour of Africa and of the Congo itself. The dispute which was pitting the Congolese Government against other factions was obviously political in nature and caused thousands of victims on both sides. Such a dispute must be solved by peaceful means, within the framework of the OAU.

723. Paragraph 2 of the operative part appealed for a cease-fire in accordance with the resolution of the OAU of 10 September 1964. It might be recalled that such an appeal had been adopted at Addis Ababa by the unanimous vote of all delegations, including that representing the Congolese Government. The importance of national reconciliation could not be stressed enough. Such reconciliations to be effective must extend to all the political factions.

724. The representative of Guinea, speaking on behalf of the complainant countries, said that in a spirit of compromise the latter had agreed not to refer specifically or to express any judgement on the Belgian-American intervention in the preamble, it being understood that those matters were implicitly referred to in some paragraphs of the preamble. The draft resolution would have been acceptable to those countries if their suggestions concerning operative paragraphs 2 and 3 had been fully taken into account. In its original form, operative paragraph 2, which had requested both the OAU and the Secretary-General to ensure observance of the cease-fire and to report to the Council had placed the efforts of the OAU outside the strict framework of Articles 52 and 54 of the Charter and, to a certain extent, had cast doubt upon its competence, if not its effectiveness. In its revised form, operative paragraph 2 had been substantially improved; but operative paragraph 6 seemed to some extent to reintroduce the reference to the Secretary-General, which had formerly appeared in paragraph 2. Without questioning the competence of the Secretary-General, the complainant countries thought that the OAU which had already successfully dealt with the Algerian-Moroccan and the



Somalian-Ethiopian disputes should be allowed to continue its efforts without supervision from the United Nations.

725. With respect to operative paragraph 3, the complainant countries thought that the Council should clearly express its opinion about the mercenaries instead of expressing merely a wish or a hope.

726. The representative of the Ivory Coast reiterated that the draft resolution was the result of a compromise and that its main objective was to put an end to the killing of Congolese by Congolese. As members of the OAU, the sponsors had also borne in mind that they had to safeguard the OAU and support its effectiveness. That was why operative paragraph 2, in its revised text, appealed for a cease-fire in accordance with the OAU's resolution.

727. Operative paragraph 4 repeated the wording adopted almost unanimously by the Council of Ministers of the OAU, to the effect that the OAU should help the Congolese Government to achieve national reconciliation. If there was to be a change in the wording, the Council of Ministers of the OAU should be asked to pronounce itself on it.

728. In operative paragraph 6, the usual formula had been used. It was indeed normal that the Security Council, after having adopted decisions on the matters stated in operative paragraphs 1, 2 and 3, i.e., abstention by all States from intervention in Congolese internal affairs, a cease-fire and withdrawal of mercenaries, should request the Secretary-General to follow the implementation of those decisions.

729. The representative of Morocco pointed out that the sponsors of the draft resolution were bound to seek common ground, i.e., a resolution which would meet the African point of view and could also be adopted by the Security Council, while also fulfilling the expectations of the people of the Congo.

730. At the 1187th meeting of the Council held on 29 December 1964, the representative of Guinea said that the only remaining objection of the complainant African countries concerned operative paragraph 6 of the joint draft resolution, which appeared to them to cast some doubt on the competence and efficiency of the OAU. Their position was that the Congolese problem fell within the purview of the OAU.

731. What they would have liked, if the majority of the Council had agreed, was a resolution along the lines of operative paragraph 10 of the resolution adopted by the Council of Ministers of the OAU, at New York, on 18 December 1964, by 20 votes to none, with 10 abstentions, which addressed an appeal to the Council: to condemn the recent military intervention in the Congo; to recommend an African solution to the problem; and to recommend to all the Powers concerned to co-operate with the OAU. They had made the widest possible concessions to take into account the different positions of the members of the Council and had accepted the revised text of the draft resolution with the exception of operative paragraph 6. The best way to handle the difficulty was to use the terms of Article 54 of the Charter and to ask the OAU to keep the Security Council informed of the measures it might take and of the results it might achieve. Since the two sponsors of the draft resolution had been unable to obtain the support of all the members of the Council for that suggestion, the African complainant countries felt compelled to submit the following amendment

(S/6128) to operative paragraph 6 of the draft resolution (S/6123/Rev.1).

"Replace operative paragraph 6 by the following:

"6. *Requests* the Organization of African Unity, in accordance with Article 54 of the Charter of the United Nations, to keep the Security Council fully informed of any action it may take under the present resolution".

If such an amendment were not acceptable, it would be very difficult, if not impossible, for the African complainant countries to give their support to the draft resolution and they would be forced to oppose it by expressing their point of view, since they could not vote.

732. The representative of the Ivory Coast stated that the two sponsors of the draft resolution had taken into account the comment, the amendments, and even the draft resolutions, which their colleagues from the complainant African countries had submitted to them.

733. Operative paragraph 6 seemed however to be the subject of such strong objection that its opponents had declared they would oppose the whole draft resolution if their amendment to that paragraph was not accepted. Operative paragraph 6 was perfectly normal: there was no reason why anyone should fear a report from the Secretary-General on that subject. The Secretary-General had the task of following any situation in the world which might disturb peace. On the other hand, the Council must not shirk its responsibilities and hand them over to other organizations, even regional organizations, however respectable they might be. The Ivory Coast maintained a consistent position in such matters since it had also opposed the handing over of responsibility by the Security Council to the Organization of American States, in the case of the Panama Canal problem.

734. Actually, the draft resolution submitted to the Council did not take away from the OAU any of its rights. What operative paragraph 6 meant was that the Security Council would be kept informed by the Secretary-General of what occurred concerning the provisions of operative paragraphs 1, 2 and 3. The latter was not asked to implement the resolution. The Council had the right to be kept informed by the Secretary-General and it should not waive that right.

735. The representative of Morocco stated that with regard to operative paragraph 6, the Security Council and the OAU were faced with a problem of principle. That final paragraph represented in fact a time-honoured formula used in all the resolutions so far adopted by the Security Council, which had always requested the Secretary-General to report to the Council on the evolution of the situation discussed by it. That was one of the prerogatives of the Council itself which should never be interpreted as a tendency to doubt the competence of the OAU. The Secretary-General was not requested to put anything into execution, or to carry out a task of supervision or even to verify anything. Morocco was not in favour of the United Nations intervening again in the affairs of the Congo, and it did not want operative paragraph 6 to open the door to re-entry of the United Nations into the Congo. There was no doubt that the Congolese problem fell within the competence of the OAU and that appeared clearly from the wording of every paragraph of the draft resolution. But had the Security Council the right, or would the Council wish, to delegate part of its powers to a regional organization? Morocco felt that

the Council should preserve the prerogatives vested in it by the Charter in the interest of international peace and security.

736. During the Cuban crisis, Morocco had been against the view that the Organization of American States should be regarded as the only body competent to solve the problem and had thought that the United Nations should not relinquish its powers to any other organization.

737. According to the amendment proposed to operative paragraph 6, the Security Council would request the OAU to keep it informed of the development of the situation. That was not a request which the Council should make to the OAU. It could address itself only to the constitutional organs, provided for in the Charter; in the present case, the Secretary-General. In that connexion, the eighteen African countries should show understanding, common sense and a spirit of fairness. The two sponsors of the draft resolution had, through a sustained effort, tried to reconcile the various positions presented to the Council, while bearing in mind the necessity of gaining acceptance for the point of view of Africa. The Moroccan delegation had not therefore expected to see, and regretted, an amendment officially submitted to the Council. That amendment was, in fact, designed to take away from the Council some of its powers and to give them to the OAU. If the eighteen African countries opposed the draft resolution, which was in very large measure the result of their work, that would mean that they were giving up what they had done so far to settle the Congo problem.

738. The representative of Guinea stated that with respect to the fear expressed by the representative of Morocco that there was a trend to deprive the Security Council of some of its responsibilities or prerogatives, that was very far from the intention of the eighteen African countries. Their amendment repeated practically word for word the provisions of Article 52 of the Charter. It merely meant that the Council requested the OAU to do a certain number of things. Official submission of an amendment had become unavoidable when the draft resolution had been circulated before an agreement could be reached on a final text for operative paragraph 6. But an agreement could still be achieved as a result of the present debates.

739. The representative of the Ivory Coast specified that when the three representatives (including the representative of Guinea) selected by the Group of Eighteen had met with the two sponsors of the draft resolution, they had come with the working document of that Group. A draft had been prepared on which all five agreed. The following day those three representatives had come back to discuss the draft and had reopened the entire question. Therefore, the whole situation had been gone over twice. The Ivory Coast had then threatened to submit the draft resolution and the Group of Eighteen had also threatened to submit a draft resolution of their own, which was precisely the document to which the representative of the Ivory Coast had previously referred. Operative paragraph 6 was therefore based on the text of the draft resolution which the Group of Eighteen had threatened to submit. Nothing had been omitted by the sponsors of the draft resolution and under those conditions, they could not understand the amendment to operative paragraph 6.

740. The Council knew the usual procedure very well; it knew that a regional organization had a right to consider a situation arising in its region; that was what had happened in the present case, but the OAU

had come to the Council, as to an appellate body, as it were. The Council had therefore the right to issue directives and to ask the Secretary-General to inform it of the development of the situation in connexion with its decisions.

741. At the 1188th meeting of the Council held on 30 December 1964, the representative of the USSR declared that the strong protest expressed by so many independent African States against the inadmissible actions of the aggressors confirmed that the Belgian and United States intervention must be decisively condemned and that military interference, including the use of mercenaries, must come to an end. The Congolese problem, which was essentially an African problem, should be solved by the Africans, and in particular by the people of the Congo. The joint draft resolution did not fully reflect the legitimate demands of the African States: no mention by name was made of those responsible for the aggressive actions undertaken against the Congolese people; nor did the draft contain appropriate condemnation of their armed intervention. The Soviet delegation, which believed that the views of the complainant African States should be duly reflected in the draft resolution, therefore requested that the amendment of the eighteen African States (S/6128) be put to the vote.

742. The representative of Morocco stated that his delegation had left nothing undone in order that its actions and efforts might reflect the authentic expression of what the Africans wanted for the Congo. If those efforts did finally lead to positive results, that would be due to an accident of history and not to Moroccan policy which had always been directed against all forms of foreign domination in Africa. Its line of conduct had always been a comprehensive and dynamic one tending towards a formula acceptable in the Council and in keeping with the objectives of the OAU.

743. The two sponsors of the draft resolution who had stated earlier the reasons of principle why they objected to the wording of the amendment of the eighteen Powers had, however, come to the conclusion that they could accept the inclusion of the amendment in the draft resolution, not as a replacement for paragraph 6 but as an addition. Their change of attitude was due to the fact that an important delegation, and furthermore a permanent member of the Council which had always been most zealous in the defence of the Council's powers, had decided to support the amendment. Consequently, the two sponsors no longer had any reason to outdo others in their defence of the prerogatives of the Council.

744. The representative of the Ivory Coast stressed that if no resolution emerged from the Council's discussion, the situation might well become further aggravated. It was in the interest of the OAU that there be a Security Council resolution.

745. Further analysis of the eighteen-Power amendment showed that there would be no contradiction if it were included in the draft resolution. Operative paragraphs 1, 2, 3 and 5 concerned decisions to be taken by the Council. Hence, it was for the Council to make sure, through the executive organ, the Secretary-General, that they were fully respected. It could not be left to the OAU to undertake the expulsion of mercenaries or to set itself up as a *gendarme* to prevent other States from intervening in the internal affairs of the Congo. But it was the duty of the OAU to report to the Council and to inform it of the measures taken by the OAU within the framework of operative para-

graph 4, asking it to achieve national reconciliation in the Congo.

746. The representative of Guinea declared that the draft resolution did not contain all the elements which the eighteen Powers could have enthusiastically supported; they had nevertheless given their agreement to all the provisions of that draft, while protesting against the rather lenient treatment of the problem of the mercenaries whose indescribable acts of cruelty had been perpetrated in order to ensure the continuation of colonialist interests in the Congo.

747. With respect to the new proposal made by the sponsors of the draft resolution, the representative of Guinea indicated that the eighteen Powers had never opposed and would never oppose the role of the Secretary-General of the United Nations. However, it was well known that after four years of effort, the United Nations had failed politically in the Congo.

748. The inclusion of the amendment in the draft resolution was acceptable and the eighteen Powers would be prepared to see the draft resolution represent the consensus of the Security Council if, in paragraph 6, the words "to follow the implementation of the present resolution" were deleted leaving paragraph 6 to read as follows:

*"Requests the Secretary-General of the United Nations to follow the situation in the Congo and to report to the Security Council at the appropriate time".*

749. The representative of the Ivory Coast pointed out that the draft resolution stated that the mercenaries should be withdrawn, even though there were some divergencies of view as to the methods to be employed in withdrawing them. With respect to the proposal made by the representative of Guinea to delete from the draft resolution the words "to follow the implementation of the present resolution", the representative of the Ivory Coast wondered whether it would be right on account of that phrase, to debate the draft resolution all over again if the sponsors of the draft resolution did not accept the deletion. Should a draft resolution of the Council be hindered because it asked the executive organ to follow the implementation of the Council's own resolution, although that was within the competence of the Secretary-General as recognized by the Charter? The delegation of the Ivory Coast was not ready to delete one single word from its draft resolution.

750. The representative of Morocco stated that he agreed with the representative of Guinea on what he had said concerning the question of the mercenaries. The last suggestion he had made did not touch on the most essential part of the draft resolution; it should not create an insurmountable obstacle and should not bring about an eleventh-hour difficulty. The representative of Morocco was therefore making a fraternal appeal to the representative of Guinea not to press his suggestion so that the discussion could be concluded and a vote taken on the draft resolution as it was without the deletion.

751. The President asked the representative of the Soviet Union whether he was prepared to agree to the draft resolution of the two sponsors with the addition of the text which he had proposed.

752. The representative of the Union of Soviet Socialist Republics stated that from the trend of the discussion, it appeared that the Council was quite close to taking a decision which at least should not be ob-

jected to by the interested parties. Regarding the question addressed to him by the President, he confirmed his proposal that operative paragraph 6 be replaced by the text appearing in document S/6128. He requested that some additional time be given to the parties concerned to ponder the situation so that a decision might perhaps be taken very shortly by the Council.

753. At the 1189th meeting of the Council, held on 30 December 1964, the representative of the Ivory Coast pointed out that there was no contradiction between the text of the amendment, which would become paragraph 6 of the draft resolution, and the last paragraph of the original draft resolution, which would become paragraph 7. The OAU, in conformity with Article 54 of the Charter, would keep the Council informed of all action it might undertake, particularly with regard to the mission assigned to it under paragraph 4.

754. On his part, the Secretary-General would follow the situation as a whole in the Congo and report to the Council at any time he regarded as appropriate, especially on the points covered by paragraphs 1, 2, 3 and 5 of the resolution. Since that objective might be reached even with the omission of the phrase: "to follow the implementation of the present resolution", the sponsors had agreed that the phrase in question be deleted so as to reconcile the points of view and to obtain a unanimous decision by the Council.

755. The representative of Morocco stated that a draft resolution had finally been agreed upon which would assign to the OAU, the Council and the Secretary-General the most appropriate parts in the settlement of the problem. That was a particularly happy outcome since the Africans wanted to avoid giving the world the impression of being divided. They had succeeded in proving by their actions that Africa was not divided in its determination to struggle persistently against foreign domination in all its forms, against all types of colonialism, and of racial or political discrimination.

756. The representative of Guinea paid tribute to the sponsors of the draft resolution for their efforts to reach an agreed African solution. That proved that among the Africans there were no fundamental differences regarding the liberation of their continent.

757. The representative of the Union of Soviet Socialist Republics declared that since the interested parties had been able to find a formulation of which they all approved, his delegation would not press for a separate vote on its amendment, which had now been incorporated in the text of the amended draft resolution.

758. At the request of the representative of France, a separate vote was taken on the first operative paragraph of the draft resolution.

**Decisions:** *At the 1189th meeting on 30 December 1964, the first operative paragraph of the joint draft resolution (S/6123/Rev.1) was adopted unanimously.*

*At the same meeting, the draft resolution (S/6123/Rev.1) as modified was adopted by 10 votes to none, with 1 abstention (France) (S/6129).*

759. The representative of the United Kingdom stated that in voting for the resolution his delegation had assumed, with reference to operative paragraph 2, that those elements fighting in opposition to the legitimate Congolese Government were in sufficient control of their followers to enable the cease-fire to be brought about.

760. The representative of France stated that the resolution established objectives approved by his Government which was in favour of the cease-fire and the withdrawal of mercenaries from the Congo and ardently desired that national reconciliation might finally be achieved in that country which had been so sorely tried for the last four years. On the other hand, the French Government had always been attached to the principle of non-intervention in the domestic affairs of States. That was the reason why it had voted in favour of operative paragraph 1 and had abstained on the resolution as a whole, because the other operative paragraphs were not in conformity with the rule of non-intervention which implied that the Congolese problem should be settled by the Congolese themselves, without any external interference.

761. The representative of the Democratic Republic of the Congo wanted to clarify a point which had been mis-stated: his delegation had not voted in favour of the resolution adopted at Addis Ababa on 10 September 1964 by the Council of Ministers of the OAU; it had abstained.

762. He maintained that the words "civil war", often used in reference to the situation in the Congo, were applicable to a minority whose activities extended to a very small part of the national territory. The truth was that the rebellion, fomented by some agitators, would have been ended long ago had it not been for the assistance it was receiving from abroad.

763. His delegation also could not accept as correct the expression used by some representatives: "the Government and the other political factions". The Government could not be thus placed on a footing of equality with some political factions. The fact that there was an opposition to the Government was not surprising. That was true of any democratic country. But that opposition must act through legal means. Even if one assumed that the rebellion was led by a political faction, and not by anarchists hungry for power, it should be condemned because it resorted to violence and was doing everything to prevent elections from taking place within the time-limit provided for in the constitution.

764. The Congolese delegation regretted that the draft resolution did not condemn the illegal interventions, particularly of three African States, in the internal affairs of its country. It hoped that the injunction addressed to States to desist from such intervention would be respected by those three States. As regards the so-called mercenaries, the Congolese Government would be able to dispense with the services of those volunteers once the armed opposition and, above all, the foreign assistance to the rebellion had ceased. It understood the concern motivating the appeal for a cease-fire, namely to save human lives, but it was also its paramount duty to protect the lives of the majority of its citizens against the threats of a minority of anarchists. It had guaranteed the security of any rebels who voluntarily laid down their arms and it therefore hoped that the threat in question could be eliminated without bloodshed. The Congolese delegation had taken note of the appeal to the extent that it constituted an invitation to the rebels to stop using violence and an invitation to the Government to show understanding towards persons who were really not aware of the significance of their actions. The Congolese Government would cooperate with the OAU within the framework of respect for the fundamental principles of the Charter, especially those relating to the sovereignty of Member States.

765. The representative of the United States declared that operative paragraph 1 of the resolution clearly obligated those States now providing assistance to rebellious factions to cease such intervention.

766. Operative paragraph 2 sought only an end to the fighting which had so disrupted the Congo as to make governing difficult and at some times and places impossible. It was not however the intention of the resolution to restrict the freedom of the Congolese Government to govern or to exercise its responsibilities for maintaining the sovereignty and unity of the Congo.

767. With respect to operative paragraph 3 concerning the mercenaries, it was up to all the States to help create the conditions which would enable the Congolese Government to take action in accordance with that provision.

768. Operative paragraph 4 provided a firm basis for effective OAU action in the process of national reconciliation. The United States stood ready to co-operate with the OAU as requested in paragraph 5. The Council had acted wisely in asking the Secretary-General to follow the situation in the Congo and to keep the Council informed. If there was to be a meaningful cease-fire, it could be achieved only through proper observance by a neutral and impartial body. He expressed the hope that in particular the Secretary-General, as part of his mandate, would do whatever was possible to help ensure compliance with the provisions concerning the appeals for a cease-fire and for non-intervention in the internal affairs of the Congo.

769. The interpretation by the representative of Guinea that the second preambular paragraph referred to and deplored implicitly the Belgian-American rescue mission in Stanleyville was not shared by the overwhelming majority of the members of the Council; the United States delegation did not so interpret it. Nor could he agree with the statement made by the representative of Guinea to the effect that the United Nations had failed in the Congo. On the contrary, the United Nations had a long history of constructive help to the central Government, especially in dealing decisively with several secessions in several provinces and in helping to achieve unity, progress and development in the Congo. It was not the fault of the United Nations if there was now rebellion and violence in the Congo.

770. The representative of the Union of Soviet Socialist Republics stated that the representative of the United States had interpreted operative paragraph 1 as if it referred to anyone at all except the United States. In fact, the interventionists had been unmasked in the Council on the basis of well-documented testimony concerning the horrible crimes perpetrated at Stanleyville. Therefore that paragraph was addressed primarily to those who had been condemned by the Council for their armed intervention, namely Belgium and the United States. That was entirely in keeping with the wording of the preamble where the Council deplored the recent events in the Congo. Which were those recent events if not the armed intervention of Belgium and the United States?

771. The representative of the United States observed that there had been no need to unmask the interventionists since they had admitted their intervention with pride, indeed with exultation. But those interventionists were not the United States and Belgium whose sole crime had been to help save the lives of 2,000 innocent hostages held illegally.

772. The representative of Czechoslovakia declared that in his opinion operative paragraph 1 was directed mainly at interventions such as the neo-colonialist Belgium-United States operation of 24 November 1964. His delegation considered that the task of the United Nations was to assure the people of the Congo and of Africa of the possibility of seeking and finding a Congolese and African solution to the problem, repelling any colonialist or neo-colonialist intervention of any kind. It therefore considered it appropriate that provision had been made for the active and decisive role of the OAU which had shown, in the present debate, a spirit of moderation and careful thinking.

#### E. Subsequent communications

773. On 5 January 1965 (S/6138) the Permanent Representative of the Democratic Republic of the

Congo informed the President of the Security Council that Congolese military authorities had seized, in the area of Mahagi, near the Sudanese border, two lorries of Soviet manufacture carrying machine-guns of Chinese origin destined for the Congolese rebellion.

774. In a further letter dated 3 February 1965 (S/6172) he related that an armed band sent from the Republic of the Congo (Brazzaville) had attacked the localities of Nkolo and Yumbi, some 300 kilometres north of Leopoldville, and had seized a group of peaceful citizens of the Democratic Republic of the Congo, whom they carried off with them by force. His Government had lodged a vigorous protest with the Brazzaville Government and reserved the right to take any action required by the situation resulting from this new act of aggression.

### Chapter 7

#### QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA: LETTERS DATED 2 AND 30 AUGUST 1963 ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL ON BEHALF OF THE REPRESENTATIVES OF THIRTY-TWO MEMBER STATES

775. In letters dated 28 July 1964 (S/5856) and 22 December 1964 (S/5854/Add.1), the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples forwarded the report of the Committee on Southern Rhodesia, and the supplement to that report, to the Security Council.

776a. On 23 April 1965 (S/6300), the Chairman transmitted the text of a resolution on Southern Rhodesia adopted by the Special Committee on 22 April, in which, *inter alia*, it drew the immediate attention of the Security Council to "the grave situation prevailing in Southern Rhodesia and, in particular, to the serious implications of the elections announced to take place on 7 May 1965 under a constitution which has been rejected by the majority of the people of Southern Rhodesia and the abrogation of which has repeatedly been called for by the Special Committee and the General Assembly since 1962".

776b. In a letter dated 21 April 1965 (S/6294 and Add.1), the representatives of Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Dahomey, Democratic Republic of the Congo, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia requested the convening of an urgent meeting of the Council to examine the very serious situation existing in Southern Rhodesia. In an enclosed memorandum, it was stated that, despite the relevant resolutions of the General Assembly, the efforts of the Special Committee and the United Nations Secretary-General and the repeated appeals made by the African Heads of State and Government, the United Kingdom had done nothing to apply the Declaration on the Granting of Independence to Colonial Countries and Peoples to its colony of Southern Rhodesia. Their Governments were profoundly disturbed at the continuing deterioration of the situation in the Territory, resulting in particular from the intensification of the repressive meas-

ures directed against the African nationalist leaders. The recent decision to hold elections on the basis of the constitution of 1961 was a challenge to the United Nations and to the Organization of African Unity. The threats of the so-called Prime Minister of the Territory to proclaim independence without regard for the opinion of the African inhabitants was creating a dangerous situation which constituted a threat to international peace and security. In the circumstances, and in view of the passivity of the United Kingdom Government, an urgent meeting of the Council must be held with a view to taking the measures required to put an end to the dangerous trend of the present situation.

777. At the 1194th meeting on 30 April 1965, the representative of the United Kingdom entered a general reservation about the competence of the Council to discuss the question on the basis of the material contained in the letter from the thirty-five African States.

778. At the same meeting, the Ministers for Foreign Affairs of Senegal and Algeria, in accordance with their requests (S/6297 and S/6304), were invited to participate in the discussion.

779. The representative of Senegal explained that the Heads of State of the Organization of African Unity had appointed Algeria and Senegal to bring the question before the Council and that, in taking that course the Organization had wanted to stress the unanimity of Africa in the face of the grave problem of Southern Rhodesia. Recalling the previous discussion of the matter in the Security Council, he stated that if the Government of the United Kingdom had taken into consideration the resolutions adopted by the Assembly, had accepted the joint draft resolution submitted to the Council in 1963 and had pursued a firm policy, the matter would not now be before the Council. But the situation had been left to deteriorate and the means at the disposal of the racist Government of Southern Rhodesia had been increased by its having received the air power of the Central African Federation upon the dissolution of that Federation. A minority of settlers had been given the right to legislate and to decide the destiny of the African majority; it drew



inspiration from South Africa whence the settlers received advice and encouragement. Unfortunately, the statement of October 1964 of the British Labour Government had not led the settlers to abandon their intention of proclaiming unilateral independence, and in this they drew support from South Africa. The British Minister for Overseas Development had stated on 22 April that the United Kingdom would meet with failure if it tried to use force to solve the Rhodesian problem. It was clear that the Government of Mr. Smith in Southern Rhodesia was resolved to proclaim independence and was not afraid of being prevented from doing so in any manner by the Government of the United Kingdom. It seemingly did not realize the repercussions a unilateral proclamation of independence would have in Africa and elsewhere.

780. The Security Council must face its responsibilities, and it was high time for the United Kingdom Government to take concrete action. The threat of exclusion from the Commonwealth made in Mr. Wilson's statement of 27 October 1964 was seemingly meaningless since a unilateral proclamation of independence would be an act of secession. Nor was there any reason to think that economic sanctions would be particularly effective.

781. Noting that the Government of the United Kingdom had used force in Kenya and had engaged in police operations in other places, for example, Aden and Oman, he declared that the United Kingdom could legally use force in Rhodesia. If it did not take preventive measures, many would feel that the United Kingdom was indeed an accomplice in the creation of the situation which would emerge in Southern Rhodesia. The necessary measures had been outlined by the Committee of Twenty-Four: the elections of 7 May 1965 should be prevented from taking place; all persons arbitrarily detained should be freed; the United Kingdom should seriously prepare Southern Rhodesia for independence by setting up a constitutional conference and should assure the Council that the air force given to Southern Rhodesia after dissolution of the Federation would not be used for the suppression of nationalist movements. Finally, the United Kingdom was asked to abrogate immediately the constitution of 1961. The United Kingdom should understand its historical responsibility; it had certainly not forgotten the consequences of its attitude in South Africa in 1910.

782. The representative of Algeria said that the matter was brought before the Council because the deterioration of the situation threatened to create in the very near future a situation fraught with tragic consequences. Responsibilities must be clearly defined and international public opinion must be fully informed concerning the crime about to be perpetrated. The Council was called upon to prevent the creation of an explosive situation and to make sure that the despair of an oppressed people did not plunge that part of Africa into the bloodiest of all tragedies. The African countries would never agree to see Rhodesia transformed into a second South Africa.

783. But the attitude of the British Government, the recommendations of the United Nations and the warnings of the Organization of African Unity had been unable to overcome the stubbornness of Mr. Ian Smith.

784. Reviewing the circumstances of the African population, whose fate was being mapped out without its participation and against its interests, the representative of Algeria said that that population was terrorized and deprived of any means of legal action to make its

views heard and its rights respected. It was in an atmosphere of tension and police oppression that the Smith Government proposed to hold new elections and to proclaim the country's independence. But it was childish to think that the people of Southern Rhodesia would simply resign themselves to their fate, bow to force, give up their rights and submit forever to the domination of the minority. Their struggle would continue, would spread to the entire country and would not stop until it had put an end to tyranny and exploitation. All of Africa would be at the side of the people of Rhodesia in a struggle for the liberty and dignity of all Africans. That was why the Organization of African Unity was once again drawing the attention of the Council to the matter and urgently requested that everything should be done to avoid something irreparable.

785. The stand taken by Mr. Wilson in his statement of 27 October 1964, after the Labour Party had assumed power in the United Kingdom, to the effect that a unilateral declaration of independence by Southern Rhodesia would be illegal and seriously affect its relations with the United Kingdom and the rest of the Commonwealth, had been encouraging, but the later attitude of the Labour Government had been passive and, notably in the case of the visit of the Minister for Commonwealth Relations to Southern Rhodesia, that Government had retreated from its earlier stand. He reviewed the intentions of the Smith Government in relation to the 1961 constitution, if given a mandate under the forthcoming elections of 7 May to show that it intended to adopt measures to deprive the Africans of any power, even token power. Since 1923, the British Government had refused to assume its responsibilities, and had tried to hide behind legal arguments which, in its opinion, did not allow it to fulfil its commitments to the Africans. But the British Government could not respect the 1961 constitution without, by the same token, renouncing the principles solemnly affirmed in the Devonshire Declaration of 1923, namely, that the interests of the Africans should be paramount. The African States and the people were convinced that the Government of the United Kingdom did possess the means to satisfy the just claims of the African peoples. If that Government continued to tolerate the dangerous steps of Mr. Smith, it would be clear that the United Kingdom was following an imperialist policy in that part of the African continent for the sole benefit of the colonial interests and of those who had not as yet lost hope of perpetuating the regime of domination and racial discrimination in Southern Rhodesia.

786. The representative of the United Kingdom of Great Britain and Northern Ireland said that he fully respected the sense of anxiety with which the Foreign Ministers of Algeria and Senegal had spoken. The situation in Southern Rhodesia was indeed full of potential difficulties and there was no room for complacency. The policy of his Government was based on three principles: (1) that the British Government, which alone had the authority to grant independence to Southern Rhodesia, must be satisfied that any basis for independence was acceptable to the people of the country as a whole; (2) that a way forward must be sought by negotiation, not by unconstitutional or illegal action; and (3) that no one must be left in any doubt of the true constitutional position or of the political and economic consequences which would flow from an illegal declaration of independence. He reviewed the efforts made by the new British Government and said that no one could suggest that it had not acted with speed,



frankness and firmness since it had taken office. It had been right to endeavour to negotiate and while there was any hope or any prospect of thus preventing disaster, negotiation should be pressed to the very end. Despite the United Kingdom reservations on competence and responsibility, his delegation had consistently shown its understanding of the general concern over the Rhodesian problem.

787. He then quoted the text of a statement which the Prime Minister of the United Kingdom had made in the House of Commons on the afternoon of the previous day. That statement, *inter alia*, noted that the Rhodesian White Paper, which set out the views of the Rhodesian Government on the economic effects of a unilateral declaration of independence, completely misinterpreted the likely effect. The Prime Minister's statement of 27 October 1964, to which the Government adhered, had expressed the view that the economic effects of a unilateral declaration would be disastrous to the prosperity and prospects of the people of Rhodesia. The Rhodesian Tobacco Association was itself reported to have reached the conclusion that the imposition of embargoes would be disastrous to the tobacco industry. The White Paper had sought to reassure Rhodesians that after a unilateral declaration money would be forthcoming for investment in Rhodesia, but a unilateral declaration would put a stop to the flow of capital from Britain, hitherto the chief external source of capital for Rhodesia. The Prime Minister's statement also reiterated other points of the statement made on 27 October and concluded that there could be no justification for the Rhodesian Government or people to nurse the delusion that they would receive widespread international support in the event of a unilateral declaration of independence. Her Majesty's Government remained firmly convinced that the only route by which Rhodesia could achieve independence without grave consequences to herself was by the process of constitutional negotiations.

788. The United Kingdom Government, the representative concluded, did not seek to shirk or share the great responsibility that it carried in Rhodesia, but it had the right to expect that members of the Council would not make its task more difficult.

789. The representative of the Ivory Coast regretted the United Kingdom position on the issue of competence of the Security Council. Noting that it was on the initiative of the United Kingdom itself that the question of Cyprus had been brought to the Council, he failed to see how that body could be competent to deal with problems resulting from the application of the constitution of Cyprus but not competent to deal with the situation arising in Southern Rhodesia. While it was true that the United Kingdom indicated that when the Government of Southern Rhodesia unilaterally declared its independence, there would be economic sanctions, the United Kingdom itself had sought to prove that economic sanctions would be ineffective in the case of South Africa. How could they then be effective in Southern Rhodesia? He hoped that the Council would hear from the United Kingdom a clear-cut statement that a unilateral declaration of independence would cause Britain to reinstate its rights over Southern Rhodesia.

790. In another statement at the 1195th meeting on 3 May 1965, the representative of the Ivory Coast attributed the crisis in Southern Rhodesia to the detestable constitution of 1961. It was difficult to understand why the United Kingdom had not introduced a

constitution similar to those instituted in former United Kingdom territories. As a result of the surrender by the United Kingdom of the powers it had held under the constitution of 1923 to legislate on all matters involving the status of African interests, four million Africans had been delivered with hands tied to those who were enacting laws similar to the ones of South Africa. African leaders had been deprived of their liberty; troops were being deployed on the border of Zambia; military personnel from South Africa were present in Rhodesia disguised as experts. The objective of the 7 May elections was to facilitate constitutional steps to make a unilateral proclamation of independence legal. Those steps were being taken with the support and advice of the Prime Minister of the South African racists. Unless the United Kingdom wanted to harm its relations with 200 million Africans, it must intervene, by force if necessary, to preserve the rights of four million Africans. The Council, he declared, should ask the United Kingdom to free all political detainees in Southern Rhodesia, suspend any measures leading to a unilateral declaration of independence and call a constitutional conference of all parties and groups in South Africa to discuss the conditions for accession to independence and administrative and governmental structure based on equality for all. In that connexion, he added that the Council should note the statement of 27 October by the United Kingdom Government rejecting any unilateral declaration of independence and should invite the United Nations to assist the United Kingdom in implementing it. The Council should also call upon Member States not to recognize a Rhodesian Government born from a unilateral declaration of independence but to take sanctions against such a Government.

791. The representative of Jordan paid tribute to the sense of responsibility demonstrated by the Member States which had brought the matter to the Council. He observed that indications were that, despite all the warnings of the United Kingdom Government, the minority Government of Southern Rhodesia was determined to declare independence unilaterally, probably between July and November 1965, and was taking its own precautions against what could follow. It appeared that if independence was opposed by the United Kingdom, the Southern Rhodesian Government would retaliate by cutting off the coal, power and petroleum supplies for the copper mines of Zambia, as well as the use of the Rhodesia export railway. Noting that the United Kingdom contended that the Government of Southern Rhodesia had the right to hold the forthcoming elections under the 1961 constitution, he pointed out that not everyone agreed. He hoped that the United Kingdom would suspend that constitution without any further delay and would convene a constitutional conference with the participation of all the political leaders of the country, whether in prison or in exile.

792. The representative of the Union of Soviet Socialist Republics declared that the substance of the problem was to be found in the fact that the colonialists and the handful of racists were endeavouring to deprive millions of Africans in Southern Rhodesia of the right to freedom, to independence, to their own land. The criminal actions of the colonialists and the racists in Southern Rhodesia were creating a threat to peace, not only in Africa, but to international peace and security. The situation in Southern Rhodesia had deteriorated since the Council had last discussed the matter in September 1963, when the United Kingdom had vetoed a

draft resolution on the matter. That situation began to take the shape of a threat to international peace and security. Strengthened by the armed forces transferred to it by the United Kingdom, the Smith Government increasingly pursued repressive policies. The arrests of the leader of the party of the Union of the African People of Zimbabwe, Mr. Joshua Nkomo, and the leader of the Party of the African National Union, the Rev. Sithole, were punitive measures inflicted upon nationalist leaders who were struggling for the democratic rights of the indigenous population. The constitution of 1961 was an anti-democratic document aimed at perpetuating the power of the white racists in Southern Rhodesia. It did not provide for the creation of any genuine organs of government, nor did it grant universal suffrage. 217,000 whites elected fifty representatives to the Parliament, while four million Africans were permitted to be represented in that same Parliament by not more than fifteen representatives. Thus one member of that Parliament represented 4,300 white voters while at the same time another represented 270,000 Africans, i.e., the white settler received sixty times the representation of an indigenous African. This constitution was in conflict with the very basic principles of the Charter of the United Nations as well as with the Declaration on the Granting of Independence to Colonial Countries and Peoples. But the amendments which the Smith Government envisaged would mean that even the minimal electoral rights of the Africans would be removed. Stating that events in Rhodesia had important repercussions for the peace of Africa, he noted that representatives of African States had emphasized that the imperialist Powers were trying to set up in Africa south of the Equator strongholds of colonialism to be used as bases for possible counter-attacks in the future against independent African States, and in such plans Rhodesia, as one of the important links in the chain by which colonialism still held on to part of Africa, occupied an important place. The relationships between South Africa and Southern Rhodesia had been further strengthened. The new trade agreements which Southern Rhodesia had concluded with South Africa and Portugal were a step towards the creation of a colonialist common market in the heart of Africa. Together with Spain, those three countries were planning to create a military colonialist bloc, the aim of which was to combat national liberation movements in Central and Southern Africa and to exert pressure on the independent African States. In Southern Rhodesia military manoeuvres were taking place with the participation of Portuguese and South African units. The representative of the Soviet Union noted that the United Kingdom was not opposing the creation of wider foreign relations by the Smith Government and that most of the States having diplomatic relations with Southern Rhodesia were NATO Powers. Assistance was also being given to the Smith régime by those foreign monopolies which had been operating in Southern Rhodesia for many years; Smith and his Government were, in fact, their representatives. The United Kingdom had all the necessary means to intervene in Southern Rhodesia and in other instances it had used and was using troops in its colonial territories without speaking of negotiations. Its inactivity in Southern Rhodesia was therefore astonishing. The United Kingdom had ignored recommendations contained in resolutions of the General Assembly and the Committee of Twenty-Four. What was important was to prevent an illegal declaration of independence and not what the United Kingdom would do when the racists in Southern Rhodesia had com-

pletely usurped all power. The Security Council could not remain indifferent to a situation so serious for world peace. It must demand that the United Kingdom Government take the necessary steps to prevent the elections scheduled for 7 May in Southern Rhodesia from taking place on the basis of the racist constitution, that that constitution be abrogated and that a constitutional Conference should be convened immediately with the participation of the representatives of all political parties in Southern Rhodesia in order to elaborate a new constitution based on equal rights of the indigenous population and on the immediate solution of the question of the independence of the country.

793. At the 1197th meeting on 4 May 1965, the representative of the Netherlands expressed concern over the situation, which had deteriorated since 1963. Stressing the ultimate responsibility of the United Kingdom in the matter, and supporting the strong stand which the United Kingdom Government was taking with regard to a unilateral declaration of independence, he said that the legal and practical limits within which the United Kingdom had to operate must be recognized and he doubted whether it would be much use for the Council to pass judgement on the legal possibilities open under British constitutional law to prevent the elections from taking place. He noted that the British Government had given the assurance that it would not grant independence to Southern Rhodesia except on a basis acceptable to the people of the country as a whole. To apply force, he felt, would not achieve any useful results. He suggested that the Council should reaffirm the right of Rhodesians to self-determination under a majority government; deplore that the May elections were to be held on a basis contrary to the Charter; appeal to the United Kingdom not to grant independence except on a basis acceptable to all the people of the country and point out the danger of such a declaration, and endorse the statements of the United Kingdom Prime Minister; urge the United Kingdom to widen the constitutional talks; and keep open the possibility of reconsidering the matter if the situation deteriorated further.

794. The representative of Bolivia said that the United Kingdom should implement its October declaration as a matter of urgent necessity. He also urged that it take steps to avoid a conflict on the issue, which would have unforeseeable consequences.

795. The representative of the United Kingdom said that changes to the entrenched provisions of the 1961 constitution could be made only by a special referendum in which the different communities, including of course the Africans, would be able to express separately their own wishes, or alternatively with the specific approval of the United Kingdom Government. These clauses were regarded as basic in the interests of all the peoples of Rhodesia. He noted that the constitution had been introduced on the publicly stated assumption that it would lead to majority rule in Southern Rhodesia in accordance with the normal pattern of progress by steps. This had been the pattern followed in other British territories. Reiterating the limits of his Government's competence in the matter, he stressed that it could not take unconstitutional action, for by so doing it might bring about the result which the Council sought to avoid. He quoted again the clear warning of the United Kingdom Government of 27 October. He believed that the Africans did not wish to see conflict in Africa and were as anxious as the United Kingdom Government to see successful negotiations.

796. The representative of China observed that while the United Kingdom stressed the need to continue negotiations with the Southern Rhodesian Government as the best way towards a solution of the problem, the Africans did not believe that negotiations could be successful in the existing circumstances and called for cancellation of the scheduled elections and suspension of the 1961 constitution, as well as for the convening of a constitutional conference. The concrete measures of positive action advocated by the African States deserved serious consideration.

797. The representative of the Ivory Coast recalled that his delegation had always pressed for peaceful solutions by negotiations or other means. He was not convinced that the entrenched clauses of the 1961 constitution represented any guarantee to the Africans. In no circumstances, he declared, should the four million Africans of Southern Rhodesia be left at the mercy of the 200,000 settlers.

798. The representative of Senegal stressed the responsibilities of the Security Council in the dangerous situation which confronted it. The question of Southern Rhodesia might create a particularly acute problem for international peace and security because the Africans would never agree to, and would use all means—even outside means, if necessary—to stop the creation of a situation which might well endanger the whole continent. He noted that the United Kingdom Government, for its part, had referred only to negotiations. But negotiations must stand some chance of success. The United Kingdom declaration of 27 October did not meet the needs of the Africans, who wanted the United Kingdom to take concrete measures to prevent a one-sided declaration of independence by the minority government of Southern Rhodesia. Regardless of the price they might have to pay, the Africans unanimously agreed that they would not tolerate another South Africa in their continent.

799. The representative of Algeria said that the United Kingdom should implement and apply its declarations of faith and belief concerning Southern Rhodesia. Negotiations had virtues that violence could not claim but no dialogue between an administering Power and a racist minority, which was to replace it and exercise rights never possessed by the United Kingdom, could offer any hope for a solution or ensure the rights of the Africans. Comparing the situation in Southern Rhodesia with that which had prevailed in Algeria, where the French had assumed their historic responsibilities, he expressed the conviction that the United Kingdom had the power to rectify the situation constitutionally and peacefully and, if that should prove necessary, to settle the matter by other means. The Council should take concrete measures as soon as possible.

800. At the 1199th meeting on 5 May 1965, the President, speaking as the representative of Malaysia, said that his Government felt utterly convinced that the United Kingdom Government had all the legal authority that it might need to enforce its political judgement on the Southern Rhodesian Government. It was unable to accept the thesis on which the United Kingdom Government's arguments were based. A private arrangement, a convention which tied the United Kingdom's hands, could not absolve it from its Charter obligations vis-à-vis Southern Rhodesia. The world at large was likely to regard such an attitude as an effort to avoid inescapable international obligations.

801. Reviewing the constitutional aspects of the issue, he noted that the Southern Rhodesian constitution provided for discretionary powers to be exercised by the Governor, along the guidelines set by the Government of the United Kingdom. It would have been within the Governor's discretion not to dissolve the Legislative Assembly. However, the United Kingdom could disallow, and should tell Southern Rhodesia that it would disallow, any legislation contrived in order to abridge or deny the undoubted rights of the African population. Mr. Smith was clearly on the road to a unilateral declaration of independence, and was not going to be swayed by negotiations. The United Kingdom owed a duty to itself, to the United Nations, and to the four million Africans that it sought to protect in Southern Rhodesia. In conclusion, he quoted an article in the *Manchester Guardian Weekly* of 29 April, in which it was stated that although the use of force would be distasteful, as in British Guiana, it might be necessary.

802. The representative of Uruguay declared that the United Nations, which had been considering the question of Southern Rhodesia since 1962, was not prepared to end its efforts to restore the rights of the people of that Territory. The Southern Rhodesia constitution was undemocratic and was based on the heresy and myth of racial superiority. His delegation regarded the official statements made on the subject by the United Kingdom Prime Minister and by the former Prime Minister as very important. It did not regard the obstacles as insurmountable but considered the need for decisive action to be urgent.

803. The representative of the Ivory Coast introduced the following resolution, sponsored by the Ivory Coast, Jordan and Malaysia. The resolution, as subsequently revised by the sponsors (S/6329/Rev.1), read:

*"The Security Council,*

*"Having examined the situation in Southern Rhodesia,*

*"Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 1747 (XVI) of 28 June 1962, 1760 (XVII) of 31 October 1962, 1883 (XVIII) of 14 October 1963 and 1889 (XVIII) of 6 November 1963 and the resolutions of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, especially its resolution of 22 April 1965 (A/AC.109/112);*

*"Endorsing the requests which the General Assembly and the Special Committee have many times addressed to the United Kingdom to obtain:*

*"(a) The release of all political prisoners, detainees and restrictees;*

*"(b) The repeal of all repressive and discriminatory legislation and in particular the Law and Order (Maintenance) Act and the Land Apportionment Act;*

*"(c) The removal of all restrictions on political activity and the establishment of full democratic freedom and equality of political rights,*

*"Noting that the Special Committee has drawn the attention of the Security Council to the grave situation prevailing in Southern Rhodesia and, in particular, to the serious implications of the elections announced to take place on 7 May 1965 under a constitution which has been rejected by the majority of the people of Southern Rhodesia and the abroga-*

tion of which has repeatedly been called for by the General Assembly and the Special Committee since 1962,

"*Deeply disturbed* at the further worsening of the situation in the Territory due to the application of the aforementioned constitution of 1961 and to recent events, especially the minority Government's threats of a unilateral declaration of independence,

"1. *Notes* the United Kingdom Government's statement of 27 October 1964 specifying the conditions under which Southern Rhodesia might attain independence;

"2. *Notes further and approves* the opinion of the majority of the population of Southern Rhodesia that the United Kingdom should convene a constitutional conference;

"3. *Requests* the United Kingdom Government and all States Members of the United Nations not to accept a unilateral declaration of independence for Southern Rhodesia by the minority Government;

"4. *Requests* the United Kingdom to take all necessary action to prevent the unilateral declaration of independence;

"5. *Requests* the United Kingdom Government not to transfer under any circumstances to its colony of Southern Rhodesia, as at present governed, any of the powers or attributes of sovereignty, but to promote the country's attainment of independence by a democratic system of government in accordance with the aspirations of the majority of the population;

"6. *Further requests* the United Kingdom Government to enter into consultations with all concerned with a view to convening a conference of all political parties in order to adopt new constitutional provisions acceptable to the majority of the people of Rhodesia, so that the earliest possible date may be set for independence;

"7. *Decides* to keep the question of Southern Rhodesia on its agenda."

The joint draft resolution, the representative of the Ivory Coast explained, was a compromise: although it did not entirely meet the wishes of the African representatives, it was imperative, in view of the gravity of the situation, that a resolution should be adopted which would express the views of the Council on the problem of Southern Rhodesia.

804. The representative of Jordan urged that the joint draft be adopted by a unanimous vote.

805. At the 1201st meeting, also on 5 May 1965, the representative of the United States of America recalled that his Government, which shared the apprehension of the African States, had urged that the constitution of Southern Rhodesia be amended to provide for liberalization of the franchise in a manner which would speedily lead to universal adult suffrage. It had emphasized the importance of immediate steps to break down patterns of discrimination and had expressed the view that independence for Southern Rhodesia must come and could only be achieved under conditions acceptable to the majority of the people of the Territory.

806. His delegation found it difficult to believe that the Government of Southern Rhodesia could ignore the unequivocal United Kingdom statements and the warnings given by the Rhodesian Tobacco Trade Association and others. The United States subscribed to the view that a Southern Rhodesia which achieved independence under conditions which did not have the

approval of the substantial majority of the people would find itself isolated and unrecognized in the world community. The internal consequences could culminate in bloodshed and violence. The United States welcomed the United Kingdom Government's willingness to talk with all the parties, which could lead to direct talks between the parties themselves. The Southern Rhodesian Government must face reality and face up to its responsibilities, which encompassed the entire population of Southern Rhodesia. The white minority must show that it did not intend to cling to its position of predominant power and special privilege, and he hoped that the people of Southern Rhodesia, and in particular members of the Government, would detect the deep concern of the Council, of the African nations and of the world community.

807. The representative of the USSR declared that the Council must prevent the new crime planned by the United Kingdom Government and the Southern Rhodesian racists, namely, to turn Southern Rhodesia into a racist State like South Africa. The joint draft resolution was very weak and did not meet the requirements of the serious and dangerous situation in Southern Rhodesia. He therefore introduced the following amendments (S/6332/Rev.1) to the joint draft resolution:

"1. Delete paragraphs 3 and 4 of the operative part of the draft resolution and replace them with the following:

"'3. *Requests* the United Kingdom Government to cancel the elections set by the Government of Southern Rhodesia for 7 May on the basis of the Constitution of 1961.'

"2. Delete from paragraph 5 the words: 'not to transfer under any circumstances to its colony of Southern Rhodesia, as at present governed, any of the powers or attributes of sovereignty, but to promote the country's attainment' and replace them by the following: 'to take the necessary measures to immediate granting to Southern Rhodesia'.

"3. Renumerate accordingly paragraphs 5, 6 and 7 to 4, 5 and 6."

808. At the 1202nd meeting on 6 May 1965, the representative of the Ivory Coast said that paragraphs 3 and 4 of the joint draft resolution in effect requested the United Kingdom to take preventive action to forestall a unilateral declaration of independence. It was difficult to agree to the deletion of that request, particularly since the USSR amendment would substitute a call to cancel the elections of 7 May. By the time any such amendment was adopted and sent to Salisbury via the United Kingdom, the elections would be over. Dealing with the amendment concerning independence, he expressed the fear that it might be misinterpreted and lead to confusion in Southern Rhodesia. Noting that if approval of the amendment led to rejection of the resolution, the situation would be catastrophic, he asked the Soviet representative to do something to avoid such an occurrence.

809. The representative of the USSR said that on the basis of a position of principle, his delegation considered it necessary for the draft resolution to provide for an immediate granting of independence to the people of Southern Rhodesia, on the basis of total equality of the indigenous inhabitants of that country and through the creation of a system of democratic government in accordance with the aspirations of the majority of the population. Cancellation of the 7 May elections was an essential measure. The USSR amendments were com-

pletely in line with the interests of the population in Southern Rhodesia.

**Decisions:** *The USSR amendments (S/6332/Rev.1) received 1 vote in favour (USSR) and 2 against (Netherlands, United Kingdom) with 8 abstentions, and were not adopted. The joint draft resolution (S/6329/Rev.1) was adopted by 7 votes in favour, with 4 abstentions (France, USSR, United Kingdom, United States) (resolution 202 (1965)).*

810. The representative of the United Kingdom reaffirmed the basic reservation of his Government on the issue of competence. His abstention from the vote had not changed that position. He reiterated that Southern Rhodesia was self-governing and had been so for decades. He also reserved his Government's position on allegations or assumptions regarding the internal affairs of Rhodesia. His Government favoured consultation and negotiation, but the question of how they could best be pursued must remain within its responsibility. His Government would continue its endeavours faithfully to discharge its heavy responsibilities.

811. The representative of France reiterated his delegation's view that since Southern Rhodesia was not a Non-Self-Governing Territory within the meaning of Article 73 of the Charter, the United Nations was not competent to decide upon questions concerning its political development. But in the light of the basic facts of the situation it went without saying that France also considered that elections should be as representative as possible, without discrimination, especially against the vast majority of the population. If the idea of the Salisbury leaders was that the majority should not rule for fifty years, that was shocking and completely unrealistic. The French Government fully shared the anxiety voiced in the Council, particularly by the Ministers for Foreign Affairs of Senegal and Algeria, at the measures which had been taken and the intentions expressed at Salisbury. What his Government questioned was simply the jurisdiction of the United Nations; it did not question the need to put an end to delaying tactics, mere shows of action and half-measures which only served to conceal the true problem. What had to be done, and what the United Kingdom Government itself wanted to do, was both to prevent a reprehensible minority régime from becoming firmly established in Southern Rhodesia and to enable a new African nation to become the master of its own destiny as soon as possible and thus, in its turn, be in a position to make its contribution to the community of nations.

812. The representative of the United States said that the resolution was constructive in both spirit and intent and that his Government had always adhered to the principles it embodied. However, it would have preferred some changes in the wording. The United States, he said, would not recognize a unilateral declaration of independence. The demands in the third operative paragraph could not be realistically implemented by the United Kingdom without the full co-operation of the Government of Southern Rhodesia which had not been forthcoming, and indeed the resolution was somewhat unbalanced since it focused entirely on the United Kingdom, although the most critical aspect was the attitude of the Government of Southern Rhodesia. That was why his delegation had abstained. He hoped that the Southern Rhodesian Government would heed the resolution and would be guided by its purposes.

813. The representative of Bolivia said that in voting for the resolution adopted by the Council, he had borne

in mind the legitimate aspirations of the people of Southern Rhodesia and the duty of the Council to preserve peace, even though his delegation had not been entirely in agreement with some of the provisions of the preamble.

814. The representative of the USSR said that his delegation had abstained because it found the resolution clearly insufficient. The real intention of the British colonialists had been shown by the United Kingdom vote against the USSR amendments requesting immediate independence for the people of Southern Rhodesia and cancellation of the elections set for 7 May on the basis of the 1961 Constitution. If events in Southern Rhodesia continued on the present course, he declared, the question should be re-examined by the Council.

815. The representative of Algeria regretted that the resolution had not been adopted unanimously owing to the negative stand of the United Kingdom and others. No one doubted that the elections which would take place despite the adoption of the resolution might lead to a unilateral declaration of independence. That could bring about a storm and nobody could then reproach the Africans if recourse was had to the violence they had sought to avoid. Observing that the text adopted by the Council was far from being completely satisfactory, he declared that the United Kingdom must now control Mr. Ian Smith. It was perhaps the last gesture of confidence in the United Kingdom on the part of the Africans. It could not be doubted that negotiations with Mr. Smith could lead only to an independence of the South African type or, at best, maintenance of the *status quo*. Energetic action by the United Kingdom was needed to preserve peace and to strengthen the authority of the United Nations. A letter just received from the President of Zambia expressing determination to fight against any attempt by Rhodesia illegally to strangle his country, demonstrated the gravity of the situation.

816. The representative of Senegal said that the decision adopted by the Council, though not the one requested by the Africans, should be a warning to those who might be tempted to encourage the Government of Southern Rhodesia in its sinister policy. He noted that the question remained on the agenda of the Council and reserved the right to call for the Council to meet if the government of Mr. Smith wished to draw from the elections consequences that all feared. He appealed to the United Kingdom to carry out its responsibilities in the matter.

817a. The representative of the Ivory Coast said that the resolution demonstrated that the Africans offered and were asking for co-operation to achieve a peaceful solution. He regretted that four permanent members had abstained. All the United Nations Members, he said, must use all means to prevent a unilateral declaration of independence and the United Kingdom must grant independence to Southern Rhodesia by setting up a democratic government representing the wishes of the majority of the population as a whole. The resolution just adopted contained the essence of the needs, but the sponsors had been constrained to accept the bare minimum in order to avoid the famous veto.

817b. In a letter dated 2 June 1965 (S/6412), the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration



on the Granting of Independence to Colonial Countries and Peoples transmitted the text of a resolution adopted on 23 May in which the Special Committee, *inter alia*, drew the attention of the Security Council to "the extremely serious situation which would arise in the Territory if the authorities of Southern Rhodesia were

to execute the persons sentenced to death under the amended Law and Order (Maintenance) Act".

817c. In a letter dated 5 June (S/6416), the representative of the USSR reaffirmed the position set out by the Soviet delegation in the Security Council during the debate on the situation in Southern Rhodesia.

## Chapter 8

### LETTER DATED 1 MAY 1965 FROM THE PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

#### A. Communications to the Council received between 29 April and 3 May 1965

818. By a letter dated 29 April 1965 (S/6310), the representative of the United States of America informed the Security Council that on 28 April the President of the United States had ordered American troops ashore in the Dominican Republic in order to protect American citizens there and escort them to safety from that country. The President had acted after being informed by the military authorities of the Dominican Republic that American lives were in danger, that their safety could no longer be guaranteed, and that the assistance of United States military personnel was required. It was further stated that, at the request of the United States, the Council of the Organization of American States (OAS) was meeting to consider the situation in the Dominican Republic. The text of the President's statement on the situation in the Dominican Republic was annexed to the letter.

819. By a cable dated 29 April (S/6313), the Secretary-General of the OAS transmitted to the Secretary-General, in accordance with Article 54 of the Charter, the communication approved by the Council of the OAS at its meeting on that day. The communication contained a message to Monsignor Emmanuel Clarizio, Papal Nuncio and Dean of the Diplomatic Corps in Santo Domingo, and expressed the earnest hope of the Council of the OAS that all armed activities and hostilities taking place in the Dominican Republic would be suspended; it requested him to inform the Council of the prospect for an immediate cease-fire.

820. By a cable dated 30 April (S/6315), the Secretary-General of the OAS transmitted for the information of the Security Council the text of two resolutions adopted that day by the Council of the OAS. By the first, it called a Meeting of Consultation of Ministers of Foreign Affairs of the American Republics for 1 May 1965 to consider the grave situation created by armed hostilities in the Dominican Republic. In its second resolution, the Council reiterated its appeal of 29 April, called upon all authorities, political parties and factions engaged in fighting in the Dominican Republic to take all possible measures forthwith with a view to bringing about a cease-fire, and also appealed for the immediate establishment of an international neutral zone comprising the section of the City of Santo Domingo immediately adjoining the embassies of foreign Governments.

821. By a letter dated 1 May (S/6317), the representative of the Union of Soviet Socialist Republics transmitted to the Council a statement of TASS. This statement, *inter alia*, declared that on 28 April the President of the United States had ordered the landing of United States troops on the territory of the Domini-

can Republic and that by the next day the strength of the United States troops in the Dominican Republic had reached 1,700. The United States was conducting its intervention under the pretext of "ensuring the safety" of United States citizens and lately behind the screen of the Organization of American States. It was perfectly clear, however, that the landing of the United States marines was nothing but an act of direct aggression against the people of the Dominican Republic, in cynical violation of all norms of international law and the Charter of the United Nations. The intervention was a new manifestation of the United States policy of aggression and its attempts to repress the national liberation movement.

822. By a cable dated 1 May (S/6319), the Assistant Secretary-General of the OAS transmitted the text of a resolution adopted that day by the Tenth Meeting of Consultation of Ministers of Foreign Affairs. Under that resolution, the Tenth Meeting of Consultation had decided to establish a commission composed of Argentina, Brazil, Colombia, Guatemala and Panama and instructed it to proceed immediately to the city of Santo Domingo to bring about the restoration of peace and normalcy and to offer its good offices to the Dominican armed groups, political groups and diplomatic representatives to bring about as a matter of urgency a cease-fire and the orderly evacuation of persons who had taken refuge in embassies and of all foreign nationals who wished to leave the Dominican Republic.

823. By a telegram dated 3 May (S/6323), the Assistant Secretary-General of the OAS transmitted the text of a resolution adopted that day by the Tenth Meeting of Consultation of Ministers of Foreign Affairs. It stated, *inter alia*, that the Tenth Meeting of Consultation had resolved to direct an urgent appeal to all member States of the OAS, within the limit of their possibilities, to make available to the secretariat of the OAS food, medicines and trained medical personnel for immediate dispatch to the Dominican Republic for the humanitarian purpose of assisting the people of that country on the basis of need, without regard to their participation in the disturbances.

#### B. Request for a meeting of the Security Council

824. In a letter dated 1 May 1965 (S/6316), the representative of the USSR requested that an urgent meeting of the Council be convened to consider the question of the armed interference by the United States in the internal affairs of the Dominican Republic.

825. The Security Council included the item in its agenda without objection at its 1196th meeting on 3 May 1965. Pursuant to his request (S/6318), the representative of Cuba was invited to participate in the discussion without the right to vote.



### C. Consideration at the 1196th to 1198th and 1200th meetings (3-5 May 1965)

826. The representative of the USSR stated that the Council was asked to deal with the open armed intervention by the United States in the internal affairs of the Dominican Republic, a Member State of the United Nations. Already, 14,000 American troops had landed on the territory of the Republic and had taken over the city of Santo Domingo. The actions of the American land forces were being supported by the United States Air Force and Navy.

827. The United States had taken that action under the pretext of saving American lives. However, it was quite clear that the intervention of the United States marines and paratroopers constituted an act of direct aggression in complete violation of the Charter of the United Nations and was designed to maintain in power a reactionary régime which suited United States interests. It amounted to suppressing by means of force the will of the Dominican people for freedom and independence.

828. The United States had continued to land its forces ever after a meeting of the Security Council had been requested to consider the question. That proved clearly that the United States had not been engaged in a so-called mercy mission and indeed the United States itself had given up the false pretext of rescuing American lives as it had made clear that it intended to keep the American soldiers in the Dominican Republic in its attempts to maintain in power a reactionary régime.

829. To justify that, it had once again raised the bogey of anti-communism. The fact, however, was that the United States had arrogated to itself the right to undertake punitive military actions against national liberation movements in complete disregard of the sovereignty of the countries concerned and in violation of the United Nations Charter, particularly paragraphs 4 and 7 of its Article 2, which categorically prohibited the threat or use of force against the territorial integrity or political independence of any State and also interference in the domestic affairs of any Member State. Besides that, the United States had violated article 17 of the OAS Charter which clearly stated that the territory of a State was inviolable and could not be subject, even temporarily, to military occupation.

830. The United States had not consulted the OAS beforehand, but had convened the Council of Ministers of the OAS only after the United States marines had already landed in the Dominican Republic. Now it was trying to utilize the OAS to cover its imperialist and interventionist policies which were completely in line with the interests of the American monopolies in the Dominican Republic.

831. In its present intervention in the Dominican Republic, the United States was following its past traditions. The Bulletin of the State Department of the United States, as early as 1950, had given a long list of the cases where the United States, under various pretexts, had intervened militarily.<sup>1</sup> In recent times also,

<sup>1</sup> At the request of the USSR delegation, in a letter dated 3 May, an attached article from the State Department Bulletin (No. 578 of 31 July 1950) was issued as a Security Council document (S/6325). In a letter dated 5 May, the United States representative requested that the full and correct text of the article, which he transmitted, should be issued as a Security Council document (S/6331). On 7 May 1965 the representative of Brazil addressed a letter (S/6343) to the President of the Security Council in which he stated that the landing of American forces in Brazil referred to in document S/6325 had never occurred.

the United States had resorted to armed interference against countries struggling for national liberation, like the bombing of the Democratic Republic of Viet-Nam, the armed attacks against the cities and villages of Laos, and the aggressive actions in the Congo and against the Republic of Panama. Its provocations and hostile acts against the Republic of Cuba had continued since 1961. Thus the intervention of the Dominican Republic was only one additional link in the chain of United States aggressive acts.

832. The United States action had been preceded by large-scale military manoeuvres between 9 and 11 April in the vicinity of Vieques Island. Units of American armed forces which had taken part in those manoeuvres, and in particular the aircraft carrier Boxer, were being used in the aggression against the Dominican Republic. It was not surprising that other Latin American States viewed the United States intervention with concern and apprehension, for it had revived the memories of previous interventions. The Council could not overlook the legitimate protests which had been made by Latin American States. The United States action had the most serious consequences for international peace and security and there was a danger that this policy would be extended to other countries of Latin America, Africa and Asia.

833. The armed intervention of the United States in the internal affairs of the Dominican Republic must be condemned by the Council as a violation of international peace and an action incompatible with the obligations assumed by the United States under the Charter of the United Nations, and the Council must call upon the United States immediately to withdraw its troops from the territory of the Dominican Republic. The Council must carry out its responsibilities under the United Nations Charter.

834. The representative of the United States charged that in introducing irrelevant subjects, such as the Congo, Viet-Nam, Panama and Cuba, the Soviet Union was once again attempting to use an organ of the United Nations to repeat Soviet complaints about United States help to those resisting communist expansion. Whenever there were difficulties in the Western Hemisphere involving the United States, the Soviet Union always accused the United States of aggression or intervention, overlooking its own acts like the installation of long-range nuclear missiles in Cuba or aid to the Castro regime to foment the overthrow of established Governments throughout the Caribbean area. Whenever any defensive action was taken against subversion and disorder, the Soviet Union was always the first to call it "intervention" or "aggression"; however, the Western Hemisphere had an active and effective regional organization, the Organization of American States (OAS), which the American States preferred to be the vehicle for resolving the problems of that Hemisphere. That organization had been dealing with the situation in the Dominican Republic and had made substantial progress.

835. The representative of the United States recalled that the people of the Dominican Republic had suffered from constant turmoil and political conflict following the tyrannical reign of the former dictator Trujillo. The final overthrow of that régime had been brought about in part by the action of the OAS in adopting diplomatic sanctions against the Trujillo dictatorship. At that time, and in the period following it, the United States had supported every effort of the

Dominican people to establish a representative democracy.

836. The United States did not consider that the opposition forces in the Dominican Republic were all communists. For one thing, the United States never had believed that the Dominican Republican Party (PRD) led by former President Juan Bosch was extremist. The co-operation of the United States with ex-president Bosch for many years spoke for itself. But, while the PRD had planned and during its first hours had led the revolutionary movement, a small group of well-known communists had attempted to seize control of the revolution and of the armed bands in the streets of Santo Domingo. As a result, law and order had broken down completely and various foreign embassies had been violated.

837. In the absence of any governmental authority, the United States embassy had been informed that the police and the authorities in Santo Domingo could no longer give any guarantee concerning the safety of Americans or of any foreign nationals and that only an immediate landing of United States forces could safeguard the lives of Americans and other foreigners in Santo Domingo. The United States Embassy had been under fire and, according to the Red Cross, the death toll in the city had reached 400. Faced with that emergency, and on a request for assistance from those Dominican authorities still struggling to maintain order, the United States on 28 April had dispatched the first of the security forces sent to the Dominican Republic. They had been able to evacuate nearly 2,000 American and 1,000 other nationals from thirty countries without loss, although some United States military personnel had been killed or wounded.

838. The United States had made a full report to the OAS and, as called for by that organization, had established a neutral zone of refuge. Besides the 3,000 already evacuated, more than 5,000 persons of American and other nationalities were still awaiting evacuation. The United States had distributed food and medical supplies to all elements in Santo Domingo to relieve the suffering of the population.

839. Reviewing the events preceding the dispatch of United States troops to Santo Domingo, the representative of the United States said that on 27 April the situation in the Dominican Republic had been considered by the Peace Committee of the OAS. On 28 April the OAS had been formally informed about the situation by the Ambassador of the Dominican Republic. The United States had asked immediately for an urgent meeting of the Council of the OAS to consider ways to bring an end to the bloodshed by a cease-fire. At the same time it had also informed the Security Council of the action that it had taken to evacuate citizens of foreign nationality and its calling of the meeting of the OAS. The Council of the OAS had met on 29 April and as a first step called for an immediate cease-fire on all sides, and then had addressed an appeal to the Papal Nuncio in Santo Domingo, requesting his good offices in achieving a cease-fire. The next day the Council had again called upon all parties to pursue immediately all possible means by which a cease-fire might be established and had made an appeal to all concerned for the immediate establishment of an international neutral zone of refuge. The Security Council had been kept informed of all those actions in accordance with Article 54 of the Charter.

840. The Council of the OAS had also dispatched its Secretary-General to the Dominican Republic and after

the meeting the next day it had dispatched a five-member committee, composed of Argentina, Brazil, Colombia, Guatemala and Panama, to go to Santo Domingo. The Committee had been directed to give priority to two tasks: first, to offer its good offices to all groups in Santo Domingo for the purpose of obtaining a cease-fire and, secondly, to carry out an investigation of all the aspects of the situation existing in the Dominican Republic.

841. As a result of the above repeated appeals, a cease-fire had been agreed to—on the initiative of the Papal Nuncio—in the afternoon of 30 April. On 1 May it had been signed also by Colonel Caamaño which had led to an improvement in the situation. However, lawlessness and disorder had by no means been eliminated. It had become clear that communist leaders, many trained in Cuba, had taken increasing control of what had been initially a democratic movement, and many of the original leaders of the rebellion had taken refuge in foreign embassies. It was quite clear that the American nations could not permit the establishment of another communist government in the Western Hemisphere. That had been the unanimous view of all the American nations when they had declared in January 1962 that "the principles of communism are incompatible with the principles of the inter-American system". Accordingly, the resources of the entire Hemisphere had been summoned to meet the danger.

842. While the United States welcomed a discussion of the situation in the Dominican Republic by the Security Council, it must, however, be recalled that under Article 33 of the Charter efforts should be made to find solutions to disputes, first of all by peaceful means, including "recourse to regional agencies or arrangements". That procedure had been followed in similar situations in the past. The Charter specifically recognized the authority of regional organizations under Article 52. The Security Council recognized the advisability of encouraging regional efforts and its confidence in the abilities of regional organizations to deal with their own problems had been justified by the record.

843. The United States had no intention of seeking to dictate the political future of the Dominican Republic. It believed that the Dominican people, under the established principle of self-determination, should select their own Government through free elections. The United States was primarily interested in the re-establishment of constitutional government and, to that end, in assisting to maintain the stability essential to the expression of the free choice of the Dominican people. To achieve that objective, the United States would continue to work with the OAS.

844. The representative of Cuba stated that the Security Council could not overlook the invasion and subsequent military occupation of the Dominican Republic by the United States. The Council must take appropriate measures to condemn United States aggression and to prevent its very serious consequences.

845. Although the United States had tried to present its action as "humanitarian", the recent events in the Dominican Republic spoke for themselves. Since 24 April, when the news of the overthrow of the Dominican Government had come over the radio and it had become known that the young officers who had assumed power and had the support of the civilian population intended to reinstate the deposed President, Juan Bosch, and to reinstate the Constitution of 1963 the United States interest in Dominican developments had also been evident. An American aircraft carrier, the Boxer,

with 1,000 marines and other warships had come close to the Dominican Republic. On 28 April, the President of the United States had ordered the landing of American marines, stating that they had been requested by the authorities of the Dominican Republic. On the next day, more marines had landed and the "secure zone" established by the United States marines covered 26 square kilometres, which was practically the entire city. As the Constitutionalist captured more ground, the United States had planned and prepared for more landings and according to press reports the American troops, together with those of General Wessin, who participated in the military coups against Juan Bosch in September 1963 had entered into open combat with the Constitutionalist troops.

846. The Conference of the Organization of American States meeting in Washington on 1 May on the insistence of the United States had found an interventionist formula which, however, violated the principle of non-intervention upon which that organization rested. The OAS had also sent a Commission to Santo Domingo, thereby converting the unilateral action undertaken by the United States into multilateral action and by so doing had tried to "legalize the American military occupation".

847. Meanwhile, the combat between the Constitutionalist and the American interventionist troops had increased with more losses on both sides. It was announced that the United States would further increase its troops in the Dominican Republic. It had become clear that the objective of the United States had not been just to evacuate its own and other foreign citizens but to establish in the Dominican Republic a régime subservient to it. Using the same pretext, the United States had intervened in the past in Mexico, in Haiti and in other Central American Republics, as well as in Cuba. The people of the Dominican Republic were, however, fighting for their freedom. The principle of non-intervention had been established by the Ninth Inter-American Conference held in Bogotá in 1948, but it seemed that the United States had joined the Organization of American States only to be able to carry out legally its own imperialistic policies in Latin America. A regional body created primarily to safeguard the sovereignty and independence of its member States was being used to legalize all types of oppression. Instead of insisting on the immediate withdrawal of the interventionist troops, the OAS had limited itself to nominating a commission of investigation. Thus, while the people of the Dominican Republic had been sacrificing their lives, the OAS had been concentrating on evacuating those who had taken asylum in the Embassies and the foreign citizens, and had nominated a committee to that end. The OAS resolution had made no mention of the United States intervention and of the violation of article 15 of the OAS Charter. In spite of the subservience shown by a majority of the members of the OAS, it must, however, be recalled that Chile had insisted on the immediate withdrawal of the United States troops. That was the only correct position that could be taken. The United States had intervened to fight a constitutionalist movement which was trying to restore to power the President who had been elected in accordance with a constitution established by the people. Finally, the representative of Cuba urged the Council to condemn the intervention, to insist upon the immediate withdrawal of the United States military forces and to adopt the necessary measures to that end.

848. In a subsequent statement at the same meeting, the representative of the USSR stated that the representative of the United States had not been able to provide any satisfactory reasons for his country's intervention in the internal affairs of the Dominican Republic. At first it had been stated that the only motive for the landing of the marines in Santo Domingo was the desire to protect the lives of American citizens. However, that reason had soon been changed to the thesis of the threat of communism in the Dominican Republic and to the fear of the emergence there of a second Cuba. Whatever imaginary excuses the United States might advance, the Latin American countries could not fail to be shocked by the application of naked force in their hemisphere where their internal affairs did not suit United States policies. There was no doubt that the landing of American forces in the Dominican Republic and the participation by those forces in an attempt to crush the struggle of the people of that country for freedom had to be qualified as an act of direct aggression. For that reason, the Security Council was bound to consider urgently, under Article 39 of the Charter, the question of the armed interference of the United States in the internal affairs of the Dominican Republic. The Council could not be prevented from taking action simply because the OAS was reportedly also dealing with the question. Article 52 of the Charter specifically mentioned that the activities of regional organizations should be consistent with the Purposes and Principles of the United Nations, and for the purpose of ensuring rapid and effective measures the Members of the United Nations had placed upon the Security Council, and not upon any other organ, the prime responsibility for the maintenance of international peace and security. Under Article 53, the Charter categorically prohibited the application of coercive or enforcement measures by regional organizations without the authorization of the Security Council. Neither the United States nor the OAS had yet received such authorization from the Security Council. Therefore, the actions of the United States were completely in violation of the United Nations Charter, as well as in violation of the charter of the OAS.

849. The representative of the United States said that his Government was fully convinced that history would give its verdict that the role of the United States forces in the Dominican Republic had been constructive and in the interest of the freedom of that country. Since the Second World War, the United States had had to send troops to Korea, Lebanon, the Congo and Viet-Nam. In no case had those troops derogated from the sovereignty and independence of the country in which they had been employed. Indeed, one of the main reasons for their dispatch had been to help preserve the independence of those countries, whether threatened by direct aggression or by modern forces of subversion. The United States troops in the Dominican Republic had not indulged in any fighting as had been alleged. In fact, they had tried to stop bloodshed and to restore order. The United States had not invaded the Dominican Republic, but had acted in concert with its fellow representatives in the Western Hemisphere to protect foreigners, to protect that country from a communist seizure and to let the Dominicans themselves determine their future.

850. At the 1198th meeting of the Council on 4 May, the representative of Uruguay stated that his country had opposed the holding of the Meeting of

Consultation of Ministers of Foreign Affairs of the OAS because the civil strife in the Dominican Republic was a matter essentially within the domestic jurisdiction of that State. Uruguay had also expressed its displeasure at the landing of American forces in Santo Domingo, which it considered to have been in contravention to the charter of the OAS, in particular its articles 15 and 17 which categorically prohibited any type of intervention and guaranteed the territorial inviolability of a Member State against military occupation on any ground whatsoever.

851. In his 2 May broadcast, the President of the United States had explained some of the aspects of the situation in the Dominican Republic in the light of what he had called the principles of the inter-American system. That doctrine, which could be considered a corollary to the earlier Monroe Doctrine, was not only a political statement, but had expressed unilateral views, issued under the exclusive responsibility of the Government of the United States. Nor could there be any doubt regarding the competence of the Security Council to deal with any controversial disputes likely to endanger international peace and security, in accordance with Article 52, paragraph 4, and Articles 34 and 35 of the Charter of the United Nations. It was true that certain precedents could be cited when the Security Council had decided to suspend consideration of a specific question pending a report from the OAS, as in the case of the Cuban complaint in July 1960 against the United States, or when it had not opposed, in January 1964, a suggestion to adopt certain urgent measures to strengthen the action of the regional organization. At no time, however, had the power of the Security Council to exercise the functions assigned to it by the Charter been challenged. The principle of the regional system could not be invoked in order to prevent States from having direct access to the jurisdiction of the United Nations.

852. Uruguay had voted in favour of the OAS resolution (S/6319) because of the humanitarian needs and so that the essential facts could be investigated, as well as because of Uruguay's attachment to the ideal of continental solidarity.

853. The representative of Bolivia stated that the problem should, at least for the time being, be kept within the jurisdiction of the OAS which was already exercising its authority. He suggested that the President of the Council should be authorized: first, to appeal to the opposing political factions to cease hostilities; second, to express the hope of the Council that the parties would contribute to the restoration of legal order in the country; and third, to request the Secretary-General of the OAS to keep the Council informed regarding any measures which that organization might adopt.

854. The representative of the United Kingdom shared the wide concern felt about the breakdown of order in the Dominican Republic, and added that his Government fully understood the reasons that had prompted the emergency action taken by the United States Government. It also welcomed the decision of the OAS to send its Secretary-General to Santo Domingo to appoint a five-member Committee to make the cease-fire effective and to mediate amongst the various factions involved in the fighting. The members of the OAS had acted precisely in accordance with the aims and principles of the charter of their organization, as well as of that of the United Nations. In accordance with Article 54 of the United Nations Charter, the

Secretary-General of the OAS had reported to the Council on all developments. The representative of the United Kingdom suggested that the Council would best serve the cause of peace in the Dominican Republic if it expressed its support of the action taken by the OAS and appealed to all involved in the fighting to submit to the mediation of the OAS Committee. The Council should look to the OAS to find a settlement which would facilitate a rapid return to normal conditions and to the establishment of a free government.

855. The representative of Cuba said that there was no legal justification for the suggestion that the Security Council should abstain from deciding upon the substance of the question before it because the OAS had been dealing with it. Under Article 34, the Security Council had the right to investigate any dispute or any situation which might constitute a threat to international peace and security and there was no distinction between areas where there was a regional organization and those where there was none. Furthermore, Article 52, on which the United States had based its position, did not recognize any priority or exclusive rights for such regional arrangements. Nor was there anything in the provisions of Chapters VI and VII that could authorize the United States to interpret the powers of the Security Council in a restrictive manner or to suggest that the mere fact that one of the parties had turned to the regional organization meant that the Security Council should let the regional body provide a shield for the action of that party, which also happened to be an aggressor. Moreover, the fact that the regional body was considering a situation could in no way restrict the primary responsibility of the Council for the maintenance of international peace and security. Finally he noted that a Constitutional Conference held in Santo Domingo in accordance with the 1963 Constitution had elected Col. Caamaño President of the Dominican Republic and therefore there was a Constitutional Government in that country to deal with.

856. The representative of France said that the United States concern for the safety of its citizens in the Dominican Republic and the wish to arrange for their evacuation was well understood in his country. However, such an operation must be limited in its objectives, duration and scale, otherwise the landing of the United States forces in considerable numbers could be considered an armed intervention, the need for which was not apparent. In the absence of complete information which might justify the maintenance of forces of intervention, France could only express the hope that a fratricidal war would be halted and that the Dominican population would be given an early opportunity to choose freely its own government and that there would be an early ending of the presence of foreign troops on the island. This position corresponded to the principle of non-intervention and that was all the more necessary because the intervention seemed to have been exercised against those who claimed to be on the side of the constitution.

857. At the same meeting, the representative of the USSR stated that the United States had implied that it had obtained prior sanction from the OAS for its military intervention in the Dominican Republic. But that had not been the sequence of events and article 17 of the charter of the OAS, as pointed out by the representative of Uruguay, stated clearly that the territory of a member State of the organization was

inviolable and could not be the object, even temporarily, of military occupation. The Security Council was entitled to know under what article of the charter of the OAS the United States could take military action on the territory of a member State. The substance of the matter was that neither the charter of the OAS nor that of the United Nations gave any sanction to unilateral military action against a Member State. Moreover, according to the latest press reports, the number of United States troops had increased to 18,500 and the situation thus created could only be evaluated as an act of direct aggression. The Security Council, having the primary responsibility for the maintenance of international peace and security, must take action to condemn the unilateral military intervention of the United States and to call for the immediate withdrawal of United States troops from the Dominican Republic. He submitted the following draft resolution (S/6328):

*"The Security Council,*

*"Having examined the question of armed intervention by the United States of America in the domestic affairs of the Dominican Republic,*

*"1. Condemns the armed intervention by the United States of America in the domestic affairs of the Dominican Republic as a gross violation of the Charter of the United Nations;*

*"2. Demands the immediate withdrawal of the armed forces of the United States of America from the territory of the Dominican Republic."*

858. At the 1200th meeting on 5 May, the representative of Jordan expressed concern at the occurrence of unauthorized military actions. That show of force, which had brought back the memories of earlier armed intervention, had aroused the fears of small nations which depended on the United Nations to safeguard their independence and territorial integrity. His delegation believed that events in the Dominican Republic involved an internal movement aimed at changing the government in that country. The Security Council could consider an internal situation only in the context of its repercussion on international peace and security. The Jordanian delegation wondered whether the events in the Dominican Republic would have taken the present acute turn had they been left alone. Whatever explanations might be advanced to justify the United States military intervention, the only right course would have been to bring the matter to the Security Council. Instead, the United States, basing itself on a report of the situation from its officers in Santo Domingo, had made a swift armed intervention. The Security Council and the OAS had been notified only after that action had taken place. Such a course, if condoned, would undermine the basic principles of the sovereignty of States and international order.

859. Although the OAS had held its first meeting, the situation in Santo Domingo remained grave. The United Nations must intervene and place matters under its control, especially since the question had now been brought to its attention. Regional organizations had a role to play, but the Security Council, which had primary responsibility for maintaining peace and security, should deal with a problem of such magnitude.

860. At the same meeting, the representative of the United States reiterated that his Government's action in the Dominican Republic had been emergency action taken to protect lives and to give the inter-American system a chance to deal with a situation falling within

its competence. On 28 April, following a complete breakdown of law and order, the authorities in Santo Domingo had requested the United States to send in armed forces. At that stage, the United States could have chosen to do nothing, leaving the lives of thousands of foreign citizens in imminent danger; it could have recognized the military junta, which would have amounted to taking sides in an unresolved struggle among political factions in that country; or it could have sent its own security forces on a provisional basis until the OAS was able to meet and decide on an action. In the circumstances then prevailing, there had been no time for deliberations or the organization of action under international machinery, and consequently the United States had decided on the last of these three alternatives.

861. The United States believed that its action had been taken just in time to avert wholesale deaths by violence and terrorism, compounded by the threat of disease and starvation. Moreover, a full week had passed since 28 April and the only effective forces of law and order in and around the city of Santo Domingo were still the United States forces. As a result of the United States action, 4,067 persons had been evacuated of whom 2,694 were United States citizens and 1,373 were citizens of forty-one other nations. Emergency shipments of medical supplies and food also had been made and were being distributed. Two field hospitals had been established and the serious situation created as a result of the breakdown of all kinds of facilities was being met.

862. The United States was continuing its presence in the Dominican Republic also for the purpose of preserving the capacity of the OAS to function in the manner intended by its charter, to achieve peace and justice by securing a cease-fire and the re-establishment of processes within which the people of the Dominican Republic could choose their own government. A fundamental principle of the inter-American system was the effective exercise of representative democracy. On the arrival of United States forces, it had become apparent that the structure of the government had broken down to the point where not only was there no authority to preserve law and order but also no mechanism by which the Dominican people could freely choose their own government. The obligations of non-intervention contained in articles 15 and 17 of the OAS charter did not preclude the use of armed forces for the humanitarian purpose of saving the lives of foreigners.

863. The OAS had been in continuous session since 28 April and during its deliberations the United States had urged it to help restore constitutional government, had deplored the lack of available inter-American machinery to deal with such emergencies and had approved the establishment of such machinery as soon as possible. At present, the OAS Commission was working in Santo Domingo and appeared to be making progress. An initial cease-fire, arranged on 30 April, had been replaced by a truce agreement called the Act of Santo Domingo which had been signed by both sides. The OAS Commission had recommended also the establishment of a combined inter-American military force.

864. The OAS action had been made possible by temporary presence of the United States forces. What had begun as a democratic revolution had been quickly penetrated by a group of trained communists; had they succeeded in establishing themselves as the Govern-



ment of the Dominican Republic, the event would have been irreversible and the OAS would have had no opportunity of allowing the Dominican people to determine their own future. That was not an imaginary danger. The three communist organizations in the Dominican Republic had received training and financial support from abroad. Soon after the army officers' revolt, the communist leaders had come forward and had taken arms and ammunition from a military camp. They had been led by men trained abroad, particularly in Cuba. Although the United States did not believe that the bulk of the participants in the rebellion were communists and while it could not predict the future, it could, however, recall that in Cuba only a handful of communists had ultimately taken control of the country. It was a modern reality that an attempt by a conspiratorial group to seize control by force could be an assault upon the integrity of a state. However, the case was at present in the hands of the competent regional organization and the United States trusted that the Security Council would keep the question under its review until the OAS had completed its work.

865. The representative of Cuba stated that there was no truth in the United States charges about communist instigation or agents coming from Cuba and elsewhere to take part in the Dominican revolution. The United States had made those charges to confuse the issues and to justify its own armed aggression. The establishment of a constitutionalist government headed by Colonel Francisco Caamaño Deñó and the statements of the leaders of that government provided additional proof of the falseness of the United States charges. It all amounted to the fact that the United States had arrogated to itself the right to intervene in any country of the Western Hemisphere where there was a revolution and also to give a label to that revolution. In view of the opposition of some of them it was putting pressure on Latin American Governments, especially Mexico, Chile and Uruguay, to approve action that might give a semblance of legality to its intervention in the Dominican Republic. However, no amount of legal sophistry could justify United States action taken in complete violation of the purposes and principles of the United Nations Charter. Under Article 2, paragraph 4, the threat or use of force against the territorial integrity of Member States was not permitted and, as the Uruguayan jurist, Eduardo Jiménez de Aréchaga, had stated, with that Article the principle of centralization of the use of force in international affairs had been established. The use of force could be considered legitimate only when it followed a decision of the United Nations. In the circumstances, the Security Council should approve the draft resolution submitted by the Soviet Union.

866. The representative of the USSR stated that no diversionary tactics could hide the fact that the United States had intervened militarily in the Dominican Republic against the wishes of the people of that country and in violation of the principles and purposes of the United Nations Charter and international law. The representative of Uruguay had already pointed out that the United States had acted under the so-called "Johnson Doctrine" which, like the Monroe Doctrine, could not be a legal justification for intervention, as it expressed only a unilateral view. He had declared himself in favour of the Security Council calling for immediate cessation of the arbitrarily unilateral action of the United States and for giving all the people of the Dominican Republic the oppor-

tunity to decide their own affairs without outside interference. The United States, however, instead of heeding the sentiments expressed in the Security Council as well as outside it, was continuing its illegal action. The concentration of its troops in the Dominican Republic and off its shores was continuing and had increased. A special military command of the United States had been set up to control the operations and to direct the army of occupation in the area.

867. To cover its military occupation of the Dominican Republic, the United States was using the OAS. However, even the charter of the OAS, after bitter experiences of past United States interventions, included articles dealing with non-intervention in the internal affairs of its Member States. Moreover, the United Nations Charter provided that enforcement action by regional agencies could not be taken without authorization from the Security Council. The United States had claimed that its troops were the only forces in the Dominican Republic which could maintain law and order. However, it appeared to many that the American troops were interventionists repressing the popular movement by force of arms directly or through the reactionary military junta they had erected for the purpose. Colonel Francisco Caamaño Deñó, who had taken up the constitutional functions of the Dominican Republic, had stated that they wished the United States troops to leave the country as soon as possible.

868. The representative of the United States said that the steps taken by the OAS did not constitute enforcement action. What was being done by the United States would fall within the scope of the authority of the OAS as provided under Article 52. As regards the question of interference, the United States had repeatedly stated that it had taken its action in order to preserve democratic liberties in the Dominican Republic and it had declared its intention to withdraw its forces from the Dominican Republic as soon as arrangements had been made by the OAS for the establishment of an indigenous Dominican Government which would assure the people of that country their right to determine their own future.

#### **D. Communications from States Members of the United Nations received by the Council between 30 April and 13 May 1965**

869. In letters addressed to the President of the Council or to the Secretary-General on 30 April (S/6314), 4 May (S/6330), 5 May (S/6341), 7 May (S/6339), 10 May (S/6347) and 13 May (S/6354), the representatives of Cuba, Yugoslavia, Mongolia, Poland, Cambodia and Albania, respectively, condemned the intervention of the United States in the Dominican Republic by which the principles of international law and the Charter of the United Nations had been fully violated. They requested the Council to take speedy steps to ensure the withdrawal of the United States forces from the Dominican Republic and to restore the sovereignty and independence of a Member State of the United Nations.

#### **E. Communications from the Organization of American States received between 6 and 10 May 1965**

870. By a cable dated 6 May (S/6333/Rev.1), the Assistant Secretary-General of the OAS transmitted the text of a resolution adopted by the Tenth Meeting



of Consultation of Ministers on that day. Under that resolution, the Tenth Meeting resolved, *inter alia*, (1) to request Governments of its member States that were willing and capable of doing so to make contingents of their land, naval, air or police forces available to the OAS, in order to form an Inter-American Force that would operate under the authority of the Tenth Meeting of Consultation; (2) that that Force would have as its sole purpose co-operating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that would permit the functioning of democratic institutions; (3) to request the commanders of the contingents of forces that made up that force to work out directly among themselves and with a committee of the Meeting the technical measures necessary to establish a unified command of the OAS for the co-ordinated and effective action of the Inter-American Armed Force. In the composition of that Force, an effort would be made to see that the national contingents would be progressively equalized and (4) at such time as the OAS unified command determined that the Inter-American Armed Force was adequate for the purposes contemplated by the resolution adopted by the Meeting on 1 May 1965, the full responsibility of meeting those purposes would be assumed by that force.

871. By a cable dated 10 May (S/6345/Rev.1), the Assistant Secretary-General of the OAS informed the Security Council that the Tenth Meeting of Consultation of Ministers of Foreign Affairs had stated that it was calling upon the Committee which it had established on 1 May (S/6319) to assume the functions of the Committee referred to in paragraph 3 of the 6 May resolution (S/6333/Rev.1).

#### **F. Consideration at 1202nd to 1204th meetings (6-11 May 1965)**

872. At the 1202nd meeting of the Council on 6 May, the President, speaking as the representative of Malaysia, stated that the situation in the Dominican Republic was changing so rapidly that for the moment it was difficult to analyse the basic causes that had led to it. However, it was beyond doubt that there had been a complete breakdown of the administrative machinery in Santo Domingo since 28 April and that a state of anarchy had existed there. The reasons put forward by the United States for sending its troops to the Dominican Republic had been questioned and considered a violation of the principles of the Charter of the United Nations. There was no doubt that non-interference in the political sovereignty of a Member State was the very basis of the Charter. Malaysia, which had itself suffered a transgression of that very vital principle, attached the highest importance to it. It could not agree that a right of intervention existed outside the scope of the Charter.

873. His delegation found it heartening that the OAS had taken up the matter and had notified the Secretary-General of the United Nations, under Article 54, of the steps that it had taken. The most significant of those actions was the creation of a Commission of inquiry and mediation. Malaysia favoured that action because it was committed to the principle of the regional settlement of disputes.

874. The representative of China stated that his delegation had no doubts that the United States had acted both in accord with its own vital interests and those of the Western Hemisphere. It seemed to his delegation that intervention and aggression were not necessarily synonymous words. Subversion and infiltration by proxy had become the most effective tool of communist foreign policy and inasmuch as that was part of the contemporary world, the Council could not overlook it.

875. The United States action in the Dominican crisis was no doubt an act of intervention, but far from being an aggression it had been intended to accomplish the dual purpose of protecting American lives and forestalling a communist take-over of a sister Republic. It was in fact a response to the challenge of the communist intervention and subversion. It would be a mockery of the principles of self-determination if the people of the Dominican Republic were left at the mercy of the communist adventurers. Only the American States themselves could decide whether the United States action was permissible under the existing treaties and regional arrangements. However, the OAS could not allow itself to stand aside in the face of a situation that constituted a threat to the peace and tranquillity of the whole hemisphere. For those reasons the Chinese delegation would support the Bolivian suggestions that the Security Council should call upon the political factions in the Dominican Republic to achieve a cease-fire and to request the Secretary-General of the OAS to keep it informed of the actions taken.

876. At the same meeting, the representative of the USSR, asking for a vote on his delegation's draft resolution (S/6328), stated that the situation in the Dominican Republic had deteriorated further as the United States had continued to expand its armed aggression. During the past few days, the United States naval and land forces operating against the Dominican Republic had increased more than five times while the foreign armed troops inside the country had increased almost twenty times. To conceal its armed intervention, the United States was again using the façade of the OAS. However, in the OAS itself, there was criticism of the United States action, especially from such Latin American countries as Mexico, Uruguay, Chile, Ecuador and Peru, which, according to press reports, had dissociated themselves from the United States plans to utilize the OAS to serve its interests. Moreover, there was no legal basis for the United States contention that the OAS, and not the Security Council, should deal with the Dominican crisis resulting from United States armed action. The Soviet Union urged immediate and resolute action by the Council to stop that aggression.

877. The representative of the United States, referring to the resolution of the Tenth Meeting of Consultation of Ministers of Foreign Affairs of the Organization of American States (S/6333/Rev.1) said that the United States believed that its adoption was a step forward in the development of the inter-American system. With reference to paragraph 4 of that resolution, the United States representative to the OAS had already stated that when the Unified Command of the OAS was able to determine that the Inter-American Force was adequate to deal with the situation in the Dominican Republic and that United States forces were not needed as part of the Inter-

American Armed Forces, they would be withdrawn from the Dominican Republic.

878. The representative of the USSR stated that no outside body could be permitted to take decisions and adopt resolutions on matters which fell exclusively within the jurisdiction of the Security Council. The United States had asserted that Article 53 of the Charter did not apply in the present case as the actions taken by it and the OAS had not been coercive measures. But certainly the thousands of United States soldiers were not sitting idle. Article 53 of the Charter clearly stated that no coercive measures could be undertaken without authorization from the Security Council.

879. The representative of Uruguay suggested that, in view of the need to study the resolution adopted by the OAS, about which the United States representative had informed the Council, and of other developments that had taken place since the Council's last meeting, a vote on the USSR draft resolution be postponed until the next meeting.

880. The representative of the Netherlands and Jordan supported the Uruguayan suggestion. In supporting the postponement of a vote, the representative of Jordan stated, however, that the measures taken by the OAS constituted independent action in no way affecting the work and responsibility of the Security Council for the maintenance of international peace and security.

881. With the consent of the representative of the USSR, the Council agreed to defer a vote on the Soviet draft resolution (S/6328).

882. At the 1203rd meeting of the Council on 7 May, the representative of the Netherlands stated that his delegation appreciated the humanitarian aspect of the United States operation which had led to the saving of many lives, including those of a number of Dutch nationals. The situation in the Dominican Republic demanded an urgent solution leading to the withdrawal of all foreign troops. In view of the long-standing tradition that conflicts arising in the Western Hemisphere and not involving outside Powers were dealt with primarily through the OAS, the Netherlands delegation would favour that course being followed in the present case. Such an action would also be in conformity with the Charter of the United Nations, in particular with Article 33, paragraph 1, and Article 52, paragraph 2. In fact in paragraph 3 of Article 52, the Charter asked the Security Council to encourage the pacific settlement of local disputes through regional arrangements. But that did not mean that the Security Council was not competent to take cognizance of such a dispute and to make recommendations. It was therefore perfectly correct that the matter had been raised in the Council and discussed by it. However, the Council should keep in mind the self-limitation which followed from both the letter and spirit of the Charter.

883. The OAS had already taken the matter in hand. A cease-fire had been concluded and an Inter-American Armed Force under the authority of the Tenth Meeting of Consultation was being established. The United States declaration about the withdrawal of its forces, once they were not needed as part of the inter-American armed forces, was a satisfactory development and gave hope that the OAS would be able to handle the situation. In the meantime, the Council

should keep the matter on its agenda and could discuss it again if the efforts of the OAS should fail.

884. The representative of the Ivory Coast stated that his Government considered the situation in the Dominican Republic in the light of two basic principles: it was opposed to the overthrow of a legal government by unconstitutional means; and secondly it strongly upheld the principle of non-interference in the internal affairs of another country. Non-interference also meant that no State had the right to train elements on its territory for subversion in another country or to send its armed force to the territory of another country unless requested by the legally constituted government of that country. It seemed that in the present case those who had defended constitutional legality had suffered most. However, certain humanitarian problems that arose as a result of civil wars, such as safeguarding the lives of those who were not party to the conflict, could not be overlooked. The Security Council would not be able to deal with that problem in a useful and humanitarian way unless it brought about a solution which, while bringing about the withdrawal of United States armed forces from the island, would freeze the situation there, assure the supply of food and medicine as well as speed up a peaceful settlement of the conflict by constitutional means. The Council could accomplish that task through co-operation with the OAS.

885. At the same meeting, the representative of Cuba stated that the OAS action of 6 May had sought to transform the invading forces of the United States into an "international peace force". The Council, considering the draft resolution of the USSR, had to decide on three basic facts: whether the United States action was a violation of the Charter subject to condemnation; whether an OAS resolution could condone *ex post facto* an act considered illegal by international law; and whether the OAS could create a peace-keeping force without an authorization by the Security Council.

886. It had been proved beyond doubt that the United States unilateral military intervention was a violation of the Charter. Dealing with the legality of the OAS resolution, he pointed out that the required two-thirds majority had been obtained by the fourteenth vote of the representative of a régime which had been overthrown two weeks previously. Another of those fourteen votes was that of the United States, a country itself charged with aggression. The OAS resolution was thus null and void. Even if there was any validity to those decisions, the OAS, as a regional organization, was not empowered to apply enforcement measures without the authorization of the Security Council. In the circumstances, the Security Council must declare that the unilateral action of the United States was a violation of international law and of the sovereignty of the Dominican Republic, that the OAS resolution was null and void and that it could not be implemented without Security Council authorization.

887. The representative of Bolivia stated that his delegation was surprised and pained by the sharp attacks on the OAS. He recalled that at the time of the discussion of the question of the Congo in December 1964, there was a unanimous view in the Council that that delicate question should be left in the hands of the Organization of African Unity, a much newer regional body, whereas the OAS had been in operation for seventy-five years and its contribution to the solution

of regional problems had been numerous, responsible and praiseworthy.

888. The representative of the USSR repeated that the United States had grossly violated the elementary principles of international law in committing an armed aggression against a Member of the United Nations. Armed intervention in the internal affairs of other countries had become the official doctrine of the United States. The aggressive actions of the United States in the Dominican Republic had met with universal condemnation, which had been reflected in statements made in the Security Council.

889. The representative of the United States stated that the decision with regard to the question as to who was qualified to vote for his country in the OAS was a matter for the OAS to decide. Moreover, even if the Dominican Republic had not been represented there would have been no difference whatever in the outcome. The pertinent rules of procedure for meetings of the Organ of Consultation provided that decisions should be taken by two thirds of the countries represented at a given meeting. Thus, even if the Dominican Republic had not been represented at the Tenth Meeting of Consultation of Foreign Ministers, the 6 May resolution would still have received the necessary two-thirds vote of 13 out of a total of 19 present.

890. At the 1204th meeting of the Security Council on 11 May, the representative of Uruguay submitted the following draft resolution (S/6346):

*"The Security Council,*

*"Having considered the situation existing in the Dominican Republic,*

*"Taking note of the communications dated 29 April, 30 April, 1 May, 3 May and 6 May from the Organization of American States, reporting on the measures taken by that Organization in connexion with the situation existing in the Republic,*

*"Having regard to Articles 24, 34 and 35, and the relevant provisions of Chapter VIII, of the Charter of the United Nations,*

*"Reaffirming the principles set forth in Chapter I of the Charter of the United Nations and, in particular, in Article 2, paragraphs 4 and 7,*

*"Having particular regard also to the provisions of articles 15 and 17 of the Charter of the Organization of American States,*

*"1. Expresses its deep concern at the recent developments in the Dominican Republic;*

*"2. Reaffirms the right of the people of the Dominican Republic freely to exercise, without coercion of any kind, their sovereign right of self-determination;*

*"3. Urgently appeals to all contending factions in the Dominican Republic to cease hostilities and to make every possible effort to achieve a peaceful and democratic settlement of their differences;*

*"4. Invites the Secretary-General to follow closely the events in the Dominican Republic and to take such measures as he may deem appropriate for the purpose of reporting to the Security Council on all aspects of the situation;*

*"5. Invites the Organization of American States to keep the Security Council promptly and fully informed of the action taken by the Organization of American States with respect to the situation existing in the Dominican Republic;*

*"6. Also invites the Organization of American States to co-operate with the Secretary-General of*

*the United Nations in the implementation of this resolution."*

891. The representative of Uruguay stated that during the last week the situation in Santo Domingo had undergone certain changes. A cease-fire had been achieved and in that achievement an important role had been played by the Commission set up by the OAS. There was also the resolution adopted on 6 May by the Tenth Meeting of Consultation of Ministers for Foreign Affairs of the OAS; although Uruguay had voted against that resolution, its adoption had nevertheless constituted a new element. Furthermore, events in the Dominican Republic itself were occurring at a very rapid pace. The Council could not overlook these facts in considering what action to take. In addition, the Council had had no direct information either about those events or about the wishes of the Dominican people. No representative of the Dominican Republic had participated in its debates nor had it received any direct communications from the factions in the dispute. Moreover, there did not seem to be any unanimity regarding what substantive decisions the Council might adopt. That was a very serious matter because the absence of a decision by the Council would imply its inability to fulfil its duties and might seriously damage the prestige of the United Nations. It would also establish a precedent of far-reaching consequence for small nations who were members of regional organizations and might weaken their trust in the safeguards against aggression set forth in the Charter of the United Nations. In the circumstances, it was essential for the Council to reach agreement on a draft resolution which, without pronouncing on the substance of the question, would nevertheless allow the Council to exercise its competence and, at the same time, unequivocally to state its authority. Such an action by the Council would give encouragement to those who were defending their sovereign rights and provide a warning to those who had taken steps to violate those rights.

892. The representative of Jordan stated that the Council's inability to act would be a most serious development with regard to the principle of collective responsibility and would weaken reliance on the efforts of the United Nations in the maintenance of international peace and security. The Council was being told that since the OAS had taken charge of the question, the Security Council should limit itself to encouraging those efforts. However, the efforts of a regional organization could in no way be considered a substitute for the responsibilities of the Security Council. In view of the fact that it was necessary to maintain harmony and co-operation between the duties of the Security Council as a principal organ of the United Nations and the endeavours of the regional agency, the Jordanian delegation regarded the draft resolution submitted by the Uruguayan delegate as a step in the right direction.

893. The representative of the USSR stated that first and foremost the task before the Council was to ask for an immediate cessation of the aggression by the United States and for the withdrawal of its troops from the Dominican Republic. The actions of the United States also violated such fundamental provisions of the United Nations Charter as the principle that force may not be used against the territorial integrity or political independence of another State, the principle of non-intervention in the internal affairs of States, the principle of respect for the equal rights and self-

determination of peoples, and the principle of the peaceful coexistence of States. The Security Council could not pass over that fact. It also could not ignore the fact that, under pressure from the United States, the OAS had taken an unprecedented and illegal set of actions which had resulted in the creation of the so-called inter-American armed forces. Those actions had been taken in violation of Article 53 of the Charter of the United Nations. Under one pretext or another the United States was continuing its intervention in the internal affairs of a Member State. Among other excuses for intervention the bogey of communism had been used. However, Colonel Caamaño, the provisional President of the Dominican Republic, had stated very clearly that there were no communists in his movement and that he failed to understand how by their alleged presence fifty-three communists could take control of the whole country. The United States aggression was an expression of its present policy of interference in the affairs of other countries through which it was undermining the principle of the peaceful coexistence of States, particularly smaller ones. It had followed that policy in the Congo and Panama and was following it at present in Viet-Nam and the Dominican Republic, applying force of arms for the repression of the peoples' movement for liberation and independence, and if the United States aggression was not halted, other countries would be its victims tomorrow. The Security Council must take urgent measures to ensure that the troops of the interventionists were immediately withdrawn from the territory of a Member State of the United Nations.

894. The representative of the United States reiterated that the action taken by his Government in the Dominican Republic had been to protect the lives of foreign nationals and to give the inter-American system a chance to deal with the situation. The United States forces were not asserting any authority to govern any part of the Dominican Republic and were not taking sides in the conflict. The United States fully supported the vigorous action which the OAS had taken to deal with that situation, including the establishment of an Inter-American Force. United States forces would be withdrawn when the OAS Command of the Inter-American Force determined that they were not needed. The United States believed that the people of the Dominican Republic had an inherent right to choose freely their own government.

895. The representative of the United States then said that in the opinion of his Government the OAS had acted effectively and vigorously and noted that the Charter of the United Nations provided that a regional solution was one of the methods to be sought in the first instance. That solution was well under way. In those circumstances the draft resolution submitted by Uruguay might hamper, instead of promote, a solution in the Dominican Republic. If a resolution were necessary, it should have no ambiguity and no inferences. Especially harmful would be the inference that the Security Council was not encouraging the regional organization.

#### **G. Communication from the Organization of American States dated 12 May 1965**

896. By a letter dated 12 May, the Assistant Secretary-General of the OAS forwarded copies of the First Report of the Special Committee of the Tenth Meeting of Consultation of the Ministers of

Foreign Affairs. The report gave the composition of the Committee established under the 1 May 1965 resolution of the Tenth Meeting and also an account of the efforts and negotiations carried on by the Committee since its arrival in Santo Domingo on 2 May 1965.

#### **H. Consideration at the 1207th to 1209th meetings (13-14 May 1965)**

897. At the 1207th meeting of the Council on 13 May, the representative of the United Kingdom stated that there had been in the Council and outside expression of a profound anxiety not only about the situation in the Dominican Republic but also about the authority and responsibility of the United Nations. The Council must devote all its efforts to come to the right decision in a spirit of constructive co-operation. In that respect he was increasingly impressed with the extent of common ground on which members of the Council agreed.

898. The principles to be borne in mind were that international security was a responsibility of the United Nations; that the use of armed force was subject to the obligations of the Charter; and that the Charter specifically recognized the role of regional agencies in the maintenance of international peace and security. In the light of these principles, the United Kingdom delegation had welcomed the decision of the OAS to appoint a Special Committee to make a cease-fire effective and to mediate amongst those who had been involved in the fighting. At the same time, it also emphasized the need for United Nations action in encouragement and support of the efforts of the OAS. The United Kingdom delegation had welcomed these efforts but responsibility in the present case lay not only with the OAS but also with the Security Council.

899. At the same meeting, the President stated that he had received a telegram from the "Constitutional Government" of the Dominican Republic informing him that that Government had appointed Mr. Rubén Brache as Permanent Representative to the United Nations and also requesting that Mr. Brache be received in that capacity in the Security Council. The President added that in accordance with the provisions of rules 14 and 15 of the rules of procedure he had advised Mr. Brache to get into touch with the Secretary-General.

900. The Secretary-General informed the Council of the communications received covering credentials, stating that he did not have sufficient evidence to formulate an opinion on the adequacy of the provisional credentials which had been submitted. Following a discussion on whether Mr. Brache should be heard, the Council decided to postpone a decision until the following day, pending a written report from the Secretary-General.

901. The Secretary-General reported to the Council on 14 May (S/6353) that on 10 May he had received a cable signed by Dr. Jottin Cury, "Minister of Foreign Affairs of the Dominican Republic" informing him that the "Constitutional Government" had appointed Mr. Rubén Brache as Permanent Representative of the Dominican Republic to the United Nations and requesting that that cable be accepted as provisional credentials for Mr. Brache. On the same day another cable had been received by him signed by Dr. Horacio Vicioso Soto, "Secretary of State for Foreign Affairs", informing him that the "Government of National

Reconstruction" of the Dominican Republic had confirmed Mr. Guaroa Velázquez as Permanent Representative of the Dominican Republic and requesting that Mr. Guaroa Velázquez be recognized as such until the receipt of formal credentials. The Secretary-General added that from the statements which had been made in the Security Council and the communications received from the OAS concerning the Dominican Republic, it was apparent that the situation in that country was far from clear as to which of the contending authorities constituted the government of that country. Furthermore, there was no information as to which of the contending authorities was regarded as the government by the majority of States Members of the United Nations. In the light of those circumstances, he felt that at that stage he did not have sufficient information to formulate any opinion as to the adequacy of the provisional credentials which had been submitted to him.

902. After some further discussion at the 1209th meeting on 14 May, the President stated that it was the consensus of the Council that the President should take note of the report of the Secretary-General, leaving the matter open with regard to the credentials of the representative of the Dominican Republic, and that there was no objection to inviting the two persons who had requested to be heard to make statements to the Council under rule 39 of the provisional rules of procedure.

903. At the 1208th meeting of the Council on 14 May, the President informed the Council that the previous night the Secretary-General had received a telegram from a Dr. Jottin Cury, Minister of Foreign Affairs of the Dominican Republic, requesting an urgent meeting of the Council to consider the situation created by the alleged movements of the United States troops outside their positions in the "security zone" and by bombing by three P-51 aircraft of the Santo Domingo radio station, causing many fatalities and damage. The President stated that as a result of consultations with members of the Council he had called a meeting for that morning.

904. The representative of Jordan stated that as an urgent measure on the part of the Security Council with regard to the present developments in the Dominican Republic and to enable the Council to obtain a clear report on the situation, the delegations of Malaysia and the Ivory Coast together with his own, were submitting the following draft resolution (S/6355) upon which they would request an immediate vote which they trusted would be unanimous.

*"The Security Council,*

*"Deeply concerned at the grave events in the Dominican Republic,*

*"1. Calls for a strict cease-fire;*

*"2. Invites the Secretary-General to send, as an urgent measure, a representative to the Dominican Republic for the purpose of reporting to the Security Council on the present situation;*

*"3. Calls upon all concerned in the Dominican Republic to co-operate with the representative of the Secretary-General in the carrying out of this task."*

**Decision:** *The three-Power joint draft resolution (S/6355) was adopted unanimously (resolution 203 (1965)).*

905. At the same meeting, the representative of the USSR stated that from the telegram of Dr. Jottin

Cury, Minister of Foreign Affairs of the Constitutional Government, it appeared that the United States troops had carried out military operations against the forces of the Constitutional Government and consequently Santo Domingo had become the site of tragic events. It seemed that the United States marines and paratroopers were expanding their bridgeheads and were pushing the Constitutional Government's troops back. At the same time, they were giving protection and support to the military junta and its troops. By its new aggressive acts against the Dominican people, United States imperialism had once again revealed its true aim, which was the suppression of all democratic forces in the Dominican Republic. That new crisis had once again highlighted the need for immediate action by the Security Council.

906. The representative of the United States said that with regard to the charges made in the telegram of Dr. Jottin Cury, his delegation had been able to get the essential facts. A United States jeep carrying three or four men had driven in error into the area held by the Caamaño group. Two of the men had been killed and one wounded. That was the extent of the so-called concentration of troops and of the attack referred to in the telegram. In another case in which the United States troops had returned sniper fire, the United States had promptly reported the incident to the OAS Commission for relay to the Caamaño headquarters. However, the Caamaño group had spread the rumour that American troops had been invading downtown Santo Domingo. The aerial attack referred to in the telegram had been without prior warning and without United States knowledge. The planes had taken off from the San Isidro airport which was not under United States control. The aeroplanes had also directed fire towards the United States Embassy in the security zone and the United States had made a formal protest to the OAS. The United States deplored all violation of the cease-fire and had reported all those violations to the OAS. The OAS Commission was on the job. It had successfully arranged the cease-fire and the Act of Santo Domingo. It had made efforts to set up an Inter-American Armed Force and to take over the supervision of public order in the Dominican Republic. It was therefore time to stop all efforts to discredit the OAS and to show instead the Council's reliance on regional arrangements.

907. The representative of France stated that although the Council had not yet been fully informed regarding the origin and the development of the action of 13 May, the gravity of that action could be established from Dr. Cury's telegram. The present crisis justified the continuing attention of the Security Council to the developments in the Dominican Republic. In adopting a unanimous resolution, the Council had taken a very timely action and had reaffirmed its competence. An urgent step had been required to bring about the complete cessation of hostilities. The Council also needed to obtain all necessary information, in the first place through the Secretary-General, in order to continue its consideration of the present question.

908. The representative of the USSR said that the United States had claimed that its troops had been fired upon without warning. In that respect one could ask why the United States had violated the sovereignty of the Dominican Republic and had invaded that country. Similarly, the Security Council had not yet been told who had authorized a regional organization to undertake armed enforcement action. No organization and no



forces had been given the right to interfere in the internal affairs of any Member State without the approval of the Security Council.

#### **I. Reports of the Secretary-General dated 15 to 19 May 1965**

909. On 15 May the Secretary-General informed the Council (S/6358) that pursuant to the resolution adopted by the Security Council on 14 May 1965 (S/RES/203 (1965)), and further to his statement at the 1208th meeting of the Council, he had appointed Mr. José Antonio Mayobre, Executive Secretary of the Economic Commission for Latin America, as his representative in the Dominican Republic. He added that an advance party, led by Major-General I. G. Rikhye, had already arrived in Santo Domingo.

910. On 18 May the Secretary-General further informed the Council (S/6365) that Mr. Mayobre, after consultations with him in New York, had left for Santo Domingo on 17 May and that he had asked Mr. Mayobre as a first and most urgent step to notify formally all the parties concerned of the Security Council's call for a strict cease-fire. He had also asked Mr. Mayobre to convey to all those involved in the conflict in the Dominican Republic his most pressing and earnest appeal to heed the call of the Security Council for an immediate cessation of hostilities as an essential step in bringing about a propitious atmosphere in which a solution might be found to the grave difficulties facing the Dominican Republic.

911. On 19 May the Secretary-General submitted another report to the Security Council (S/6369), which stated, *inter alia*, that shortly after his arrival in Santo Domingo, Mr. Mayobre had met with leaders of the two factions engaged in the fighting and had conveyed to them the appeal of the Secretary-General. The leaders had apprised Mr. Mayobre of their views on the situation. Mr. Mayobre had met with the Secretary-General of the OAS, the Papal Nuncio and other members of the diplomatic corps and with Mr. McGeorge Bundy and other United States officials. The Secretary-General further stated that on 18 May at about 2230 hours EST, he had received a report by telephone from Mr. Mayobre advising him of the very serious fighting that had been going on in the northern section of the capital and of the numerous casualties caused in that fighting. It was Mr. Mayobre's assessment that the Imbert forces would continue to press their attack overnight and particularly during the day of 19 May. It had not been possible to persuade General Imbert to agree to a cease-fire, although he had expressed a willingness to agree to a suspension of hostilities some time on 19 May to facilitate the work of the Red Cross in searching for the dead and wounded. In the light of the situation described by his representative as "extremely grave", and as recommended by him, the Secretary-General had conveyed the above information to the United States Government and had requested it to use its good offices to urge the opposing forces to heed the call of the Security Council for a strict cease-fire.

#### **J. Consideration at the 1212th meeting (19 May 1965)**

912. At the 1212th meeting of the Council on 19 May, the representative of the USSR stated that the Secretary-General's report showed that the situation in Santo Domingo was serious and alarming. The question of the armed intervention of the United States in

the internal affairs of the Dominican Republic had been on the agenda of the Security Council for more than two weeks and during that period the situation had further deteriorated. In spite of the fact that all foreigners had already been evacuated from that country, the number of United States servicemen had increased to 33,300. Having run short of all excuses for justifying its intervention in the Dominican Republic, the United States was trying to suggest that all complications in the Dominican Republic had arisen from the internal struggle between the opposing factions in that country. However, the United States had taken the side of the military junta from the very beginning and was providing it with direct military assistance and financial support which was a further manifestation of its intervention in the internal affairs of the Dominican Republic. It was quite clear that troop moves by the forces supporting General Imbert had taken place within the security zone and through American checkpoints and that no such facilities had been provided to the troops of Colonel Caamaño. The United States interference was further established by the dispatch of a high-level mission sent from Washington which had arrived in Santo Domingo even before the representative of the Secretary-General had had time to reach there. The question of the internal organization of the Dominican Republic, the choice of its government and the settlement of the dispute in that country must be decided only by the Dominican people themselves, without any outside interference and without the benefit of any special missions from abroad. The tense situation in the Dominican Republic was the direct result of United States intervention and armed invasion. If there had been no armed intervention by the United States, the Dominican people would long since have succeeded in settling their internal affairs. The Soviet delegation had therefore heard with surprise that the United States had been asked to use its good offices to call upon the opposing factions to carry out the appeal of the Security Council regarding the observance of the cease-fire. In fact, the only thing that the United States need be told was that it should immediately withdraw its occupation forces from the Dominican Republic.

913. The representative of France said that the Secretary-General's report had confirmed the gravity of events and of serious loss of life in Santo Domingo and that it was urgent that the truce called for by the International Red Cross and sought by the representative of the Secretary-General, for the purposes of evacuating and administering to the wounded, be put into effect without further delay. He would also suggest that the Secretary-General should instruct his representative to concentrate his efforts mainly on that point and that, on behalf of the Security Council, the President might, before the end of the meeting, make an urgent appeal for a truce.

914. The representative of the United States stated that the special United States mission in Santo Domingo, represented by the USSR delegation as amounting to interference in the internal affairs of that country, had gone there to stop the fighting and to reconcile the factions; they had collaborated closely with the OAS mission and had been in touch also with the representative of the Secretary-General. The United States had avoided scrupulously giving military assistance to either of the opposing factions in the Dominican Republic and had refused them permission to use the neutral zone or the lines of communication. It had no control of the area outside that zone or lines of com-



munication, nor did it control the San Isidro airfield, of which it used only a part. The United States forces were functioning in the Dominican Republic within the framework of the OAS resolutions; those resolutions dealt only with the creation of an international neutral zone and the lines of communication, and the United States had been operating in that context alone. The United States believed the people of the Dominican Republic should have a government of their own choosing and its action had that primary purpose. That right would have been denied if the forces at work at the outset of the revolution had succeeded.

915. After further discussion the President stated that the report made to the Security Council by the Secretary-General on the situation in Santo Domingo (S/6369) was of a grim character. In connexion with the resolution S/RES/203 (1965) and in accordance with the unanimous desire of the members of the Security Council, he would request the Secretary-General to convey to his representative in Santo Domingo that the Security Council desired that his urgent efforts should be devoted to the immediate securing of a suspension of hostilities so that the humanitarian work of the Red Cross to search for the dead and wounded might be facilitated.

916. At the same meeting the Council, in accordance with the decision taken at the 1209th meeting on 14 May, heard statements from Mr. Rubén Brache and Mr. Guaroa Velázquez.

917. Mr. Brache stated that article 15 of the Bogotá Charter, which had been signed and ratified by the United States, clearly asked member States not to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of another member State. In violation of that article and without consultation with the members of the OAS, the United States had militarily invaded the Dominican Republic. As was clear from world Press reports, there had been no danger to the lives of any foreigners living at that time in the Dominican Republic and at no time had any part of the revolution been under communist control. He wished to denounce the military occupation of his country under the pretext of saving lives which was in fact costing hundreds of Dominican lives, and also to denounce the military support and financial assistance given by the United States authorities in Santo Domingo to General Imbert. If the United States Marines had not landed in Santo Domingo the constitutional revolution would have assured itself of success against the forces of trained militarists. As a result of its action the United States had forfeited its right to speak on behalf of democracy and truth.

918. Mr. Guaroa Velázquez stated that first he would put on record his protest that he was not being heard by the Council as the legitimate representative of the Dominican Republic to the United Nations, a position which he continued to occupy. He then said that the Government of National Reconstruction in the Dominican Republic was the successor of the Triumvirate which had governed the Dominican Republic since 25 September 1963 and which had been overthrown in the recent insurrection. It was composed mainly of civilians and its chief purpose was to restore peace and tranquillity. It had the support of the democratic section of the population and the armed forces. It was entitled to be regarded as the only legal Government of the Dominican Republic. The area under rebel control was limited to a few streets in the old part of Santo Domingo where the rebels had tried to

set up a semblance of government whose support came mainly from civilian contingents armed by the rebel faction and from communist agitators.

919. The Government of National Reconstruction was determined that peace, order and stability should be permanently established in the Dominican Republic and had even shown its readiness to come to an agreement and arrangement with the rebel factions. However, the rebels had refused constantly to deal with the OAS or hold conversations with representatives of the Government of National Reconstruction. A conflict was taking place to stop communism from taking over the Dominican Republic. In that conflict, ideologically alien forces had decided to intervene to take advantage of the situation. The situation was, however, in the hands of the OAS which had taken measures to remedy and normalize the situation in all its aspects. The people of the Dominican Republic had welcomed those measures and trusted that the OAS would succeed in its mission.

#### **K. Communications from the Organization of American States dated 19 May 1965**

920. By a letter dated 19 May (S/6370), the Assistant Secretary-General of the OAS transmitted for the information of the Security Council copies of the Second Report of the Special Committee of the Tenth Meeting of Consultation of Ministers of Foreign Affairs. The Report, after reviewing developments in the Dominican Republic since the adoption of the OAS resolutions of 1 and 6 May and the work of the Special Committee, stated that the Committee had made every effort to obtain a meeting between the heads of the two conflicting factions, Colonel Caamaño and General Imbert, hoping that such a meeting might help to iron out differences and lead to the re-establishment of normal conditions in the Dominican Republic. However, it had not been possible to hold that meeting and the Committee had made a new appeal to the parties demanding strict compliance with the cease-fire agreement. The report also noted that the adoption of the Security Council resolution (S/RES/203 (1965)) and the appearance of a new international proceeding in the Dominican problem at a time when the efforts of the OAS for conciliation were being carried forward had created a factor of such a nature that it had compromised and interfered with the action entrusted to the Special Committee. The impact had been felt immediately. The United Nations presence had an undeniable political effect not only among the diplomatic corps accredited in Santo Domingo but also in the attitude of the parties. It could be said that with the intervention of the United Nations the progress of the negotiations conducted by the Special Committee had been greatly obstructed. In its conclusions, the Report stated that since the primary objectives for which the Special Committee had been established had been fulfilled, and that since new factors had entered into the problem after the adoption of the 1 May resolution, it would suggest that the Tenth Meeting of Consultation might make another study of the situation to agree upon the most appropriate measures to achieve the re-establishment of peace and normality. In order that the OAS might achieve its objective within the principles of the inter-American system, the Special Committee felt it essential to request the United Nations Security Council to suspend all action until the regional procedures had been exhausted, as established in Article 52, para-

graph 2, of the Charter, in order to avoid simultaneous action on the part of two international organizations, in a way that could delay fulfilment of achieving the establishment of peace and normality in the Dominican Republic.

921. In a minority report (S/6370/Add.1), the representative of Panama stated that he did not consider that the primary objective assigned to the Special Committee in the resolution of 1 May had yet been accomplished, which was "to obtain re-establishment of peace and normal conditions". Therefore, he believed that the suggestion contained in the Report of the Committee to dissolve the Special Committee would seriously discredit the OAS because it would imply admission of lack of strength and of capacity to solve a problem of a member State which at that moment was being led by a civil war. The OAS was called upon to solve precisely that kind of problem satisfactorily.

#### L. Consideration at the 1213th meeting (20 May 1965)

922. At its 1213th meeting of the Council on 20 May, the President informed the Council that that afternoon the Secretary-General had received a telegram from Dr. Jottin Cury, "Minister of Foreign Affairs" of the Dominican Republic, stating that on the afternoon of 19 May, American soldiers had fired at Constitutionalist troops from the rear while those troops had been fighting in their own zone against the forces of General Imbert. That attack had resulted in the loss of life of many fighters including the Minister of Interior and Police, Lieutenant Colonel Raphael Fernández Domínguez. That attack by American troops was one more proof, added the telegram, of the obvious assistance which the invaders had been giving to the military forces opposing the establishment of the democratic régime in the Dominican Republic.

923. The representative of the United States said that the allegations contained in Dr. Jottin Cury's telegram had distorted the situation by failing to include all of the relevant facts and by drawing unwarranted and premature conclusions. Colonel Fernández had been in a group of twenty or more members of the Caamaño forces that had apparently been engaged in probing the defences of the National Palace which was located near the security zone and the lines of communication. That group had approached the palace from the rear and firing had broken out between the group and the forces of General Imbert which were inside the Palace. At the same time, the group had started firing into the line of communication, whereupon the United States forces stationed along the corridor had returned the fire. It was during that attack on the Palace and the accompanying exchange of fire that Colonel Fernández had been killed. Also killed in the same attack had been one Miguel Román who had been one of the chief communist agents trying to take over the Dominican revolution.

924. The United States troops were under strict instructions to observe neutrality and not to fire unless fired upon. In many instances the United States troops had not returned fire for fear of harming innocent civilians. The United States had refused and would continue to refuse any request from either side to allow troop movements through the line of communication and through the security zone. It had given no arms to either side but had distributed food regardless of political allegiance. The representative of the United States

then said that the report of the OAS to the Council had shown the need to give more serious attention to the relationship between the OAS and the United Nations. The OAS Committee had done very useful work. It had helped to negotiate the cease-fire, to see to the orderly evacuation of the asylees in the Embassy and of all foreigners wishing to leave the Dominican Republic, and to provide food and medicine and equipment necessary to mitigate the sufferings of the Dominican people. An Inter-American Armed Force was in process of formation. Contingents of three Latin American countries were already on the ground, and other countries were taking steps to provide units for that Force. A unified command would soon be created and the United States forces in the Dominican Republic would go under its command.

925. The representative of Cuba stated that the crux of the problem was that the Security Council had been confronted by a *fait accompli*, with the unconditional acquiescence of the OAS, in complete disregard of the authority of the Security Council and the principles of the United Nations. The United States had taken over a sovereign State and was now trying to give that action a legal veneer. While the report of the Special Committee of the OAS (S/6370) had omitted mentioning the United States aggression, it contained passages which reflected upon the work of the Security Council, holding it responsible for any deterioration that might have taken place recently in Santo Domingo and requested it to suspend all actions until the regional procedures had been exhausted. However, the recent events in Santo Domingo did not corroborate that claim of the OAS Special Committee. In its telegram of 13 May, the Constitutionalist Government had stated that the OAS had shown that it was incapable of resolving the Dominican situation as it was afraid of opposing the wishes of the United States. With the co-operation of the OAS, aggression against a sovereign State had been committed and a type of arbitrary trusteeship set up which was a dangerous precedent for all small nations in general. In the circumstances, it was essential for the Security Council to establish its authority and to order immediate withdrawal of all American forces from the Dominican Republic and to annul the illegal actions taken by the OAS.

926. The representative of Jordan stated that the Secretary-General's report as well as other information available to the Council had made it clear that General Imbert was adopting an attitude of non-compliance with the decision of the Security Council of 14 May, which had called for a strict cease-fire, and was equally opposed to the decision of the OAS to the same end. There were also other questions with regard to the confused military situation in Santo Domingo, and the Security Council was in need of a clearer picture of the various armed activities that had been going on there. However, the immediate question was how to impose a cease-fire. The Security Council, having involved itself in the situation by unanimously adopting the resolution of 14 May and having reaffirmed it by the appeal at its last meeting, should continue to deal progressively with the situation. That should be done without prejudice to any positive efforts on the part of the OAS. In fact, the presence of the United Nations in Santo Domingo had put some more pressure on conflicting parties and had shown the Dominican people the real concern of the world community. What the Council must consider thoroughly was how to strengthen

the United Nations presence and how that presence could lead to the establishment of conditions of peace. His delegation hoped that the Secretary-General's representative in Santo Domingo would be in a position to express his views on the appropriate measures the Council could take for the immediate enforcement of the cease-fire.

927. The representative of the USSR declared that the United States aggression had been fully exposed in the Council. The United States was openly appropriating to itself the role of dictating to other countries the system they should have, thus undermining the principles of non-interference in the internal affairs of States, respect for territorial integrity and sovereignty and the right of people to self-determination without any outside interference. He also stated that the Secretary-General's report of 19 May contained a number of factual statements from which it would be seen that the United States was providing assistance to the military junta in the Dominican Republic. The report had quoted Colonel Caamaño's statement to the effect that the creation of the security zone and the United States control of the corridor had constituted direct support for the leaders of the junta. From the sanctuary provided by the United States, the junta troops were able to attack the forces of the Constitutional Government. The United States representative had tried to assure the members of the Security Council that his Government had scrupulously avoided providing any military assistance to the two factions and had prohibited the use of the security zone by both sides. However, it was clear from press reports that the troops of the military junta had been constantly using the corridor occupied and guarded by the United States Marines. On the other hand, the troops of Colonel Caamaño had been completely cut off from their headquarters located in the lower part of the city.

928. The representative of the USSR then said that the Security Council could not overlook the fact that the Special Committee of the OAS, in its second report (S/6370), had challenged the authority and prestige of the United Nations and the Security Council by asserting that the action of the Council had been an obstruction and a hindrance. In fact it had proposed that the Security Council should cease its examination of the case of the armed aggression of the United States against the Dominican Republic. The action of the OAS was leading to a situation where the responsibility of the United Nations for the maintenance of peace and security would be undermined and the Charter of the United Nations flagrantly violated. The Soviet delegation was also surprised to see that the Secretary-General's representative in his report had remained completely silent regarding the incursion of the United States into the Dominican Republic. The basic question still remained the continued occupation of that country by American armed forces and it was unjustifiable that a request be made to the armed forces themselves to provide their good offices for the observance of the cease-fire. The Security Council was within its right to expect from the representative of the United Nations in the Dominican Republic exhaustive information and considerations which might be useful to it with regard to the adoption of measures for the immediate halting of the United States aggression in the Dominican Republic.

929. The representative of the Ivory Coast considered that it was clear from the information available to the Council that the cease-fire of 5 May 1965 had

been violated and that war had been renewed in Santo Domingo. However, the reasons for the breakdown of the cease-fire and the renewal of war were not clear. He supported the suggestion that the representative of the Secretary-General be asked to submit a more up-to-date report, setting forth the indispensable measures needed at the moment to ensure more strict compliance with the Security Council resolution of 14 May (S/RES/203 (1965)).

930. By a cable dated 20 May (S/6372/Rev.1), the Assistant Secretary-General of the OAS transmitted the text of a resolution adopted that day by the Tenth Meeting of Consultation of Ministers of Foreign Affairs. The resolution reiterated the gratitude of the Tenth Meeting of the Special Committee for its services and entrusted the Secretary-General of the OAS with the task of negotiating a strict cease-fire in accordance with the Act of Santo Domingo. The Secretary-General of the OAS was also to provide his good offices to the parties with a view to the establishment of a climate of peace and reconciliation that would permit the functioning of democratic institutions in the Dominican Republic. The resolution also asked him to co-ordinate, in so far as relevant, action leading to the attainment of his mission with that which the representative of the Secretary-General of the United Nations was undertaking.

#### **M. Reports of the Secretary-General dated 20 and 21 May 1965**

931. On 20 May, the Secretary-General reported (S/6371) that he had conveyed to his representative in the Dominican Republic the message of the President of the Security Council with regard to the Council's unanimous desire that urgent efforts be made to secure an immediate suspension of hostilities so that the humanitarian work of the Red Cross to search for the dead and wounded might be facilitated. The Secretary-General had asked his representative to make all possible efforts for the immediate implementation of that message and to report to him as soon as possible on the results.

932. The Secretary-General also reported that his representative, on the morning of 19 May, and prior to the receipt of the President's message, had met the representative of the Dominican Red Cross, the International Red Cross and the Pan American Sanitary Bureau with a suggestion that they should meet with the leaders of the two factions engaged in the fighting and request a twelve-hour suspension of hostilities to remove the dead and wounded from the battle area. While the leaders of the two factions had agreed in principle that a twelve-hour cease-fire be imposed on Friday, 21 May, General Imbert had refused to sign a joint agreement with Colonel Caamaño. Thereupon it had been decided to prepare separate identical agreements.

933. On 21 May the Secretary-General reported (S/6371/Add.1) that he had received further information from his representative in Santo Domingo to the effect that the negotiations with the leaders of the two factions for suspension of hostilities had been successfully concluded in pursuance of the message of the President of the Security Council of 19 May 1965. An agreement had been reached for the suspension of hostilities for twenty-four hours to begin on Friday, 21 May, at 1200 hours local time. The Secretary-General expressed his appreciation of the way in which Mr. Mayobre had been discharging his responsibilities

and also of the humanitarian efforts of the representatives of the Dominican Red Cross, the International Red Cross and the Pan American Sanitary Bureau.

#### N. Consideration at the 1214th and 1215th meetings (21 May 1965)

934. At the 1214th meeting of the Council on 21 May, the representative of the United States said that it was a matter of satisfaction that, as reported by the Secretary-General, a twenty-four-hour truce had been arranged for the humanitarian purpose of permitting the Red Cross to carry out its task. He hoped that that would lead to further improvement and to establishing conditions to ensure against further hostilities and a strict observance of a cease-fire which had been agreed upon previously pursuant to the Act of Santo Domingo. Another important development had been the OAS decision to empower its Secretary-General to undertake certain activities in the Dominican Republic, in particular to bring about strict observance of the cease-fire and to provide his good offices to the parties. The OAS also had asked its Secretary-General to co-ordinate his actions with those of the representative of the Secretary-General of the United Nations. The United States trusted the Security Council would do everything in its power to encourage and facilitate the efforts of the regional organization to bring about a peaceful solution of the present crisis in the Dominican Republic. The United States representative then submitted the following draft resolution (S/6373):

*"The Security Council,*

*"Taking note of the reports of the Organization of American States,*

*"Taking note also of the reports of the Secretary-General,*

*"1. Notes with satisfaction the temporary suspension of hostilities agreed to for humanitarian purposes;*

*"2. Calls for observance of a strict cessation of hostilities;*

*"3. Notes that the Tenth Meeting of Consultation of the Ministers of Foreign Affairs of the Organization of American States has appointed its Secretary-General to represent it in the Dominican Republic and has entrusted him with carrying out the objectives established by the Organization of American States;*

*"4. Urges the Organization of American States to intensify its efforts to establish the basis for the functioning of democratic institutions in the Dominican Republic and in particular to assure observance of the cease-fire agreed upon in the Act of Santo Domingo;*

*"5. Requests the representative appointed by the Secretary-General, in carrying out the responsibilities assigned to him by the Security Council, to co-ordinate with the Secretary-General of the Organization of American States in light of the resolution adopted by the Organization of American States on 20 May 1965."*

935. The representative of Bolivia recalled that his delegation at the start of the Council's consideration of the present question had stated that for the moment the problem should be kept within the jurisdiction of the OAS. At the same time, it suggested that the President of the Council should appeal to the political factions in the Dominican Republic to take all peaceful

measures to ensure a cease-fire and a cessation of hostilities. He was glad that his delegation's suggestion had been unanimously approved by the Council when it had been submitted again by France. The representative of Bolivia then said that the work of the OAS in Santo Domingo, beginning on 2 May when the Special Committee had arrived at that city, had been of an exemplary nature. In view of its record of efficiency, devotion and achievement, it was essential that an attitude of constructive co-operation should be extended to it by all those delegated to that country by the Security Council, who should co-ordinate their activities with those of the OAS in bringing about the pacification of the Dominican Republic and the re-establishment of democratic institutions.

936. At the same meeting the representative of Uruguay stated that, since events in Santo Domingo had been changing rapidly, since the Security Council had on 14 May adopted a unanimous resolution and since the Council had been informed by the Secretary-General of the establishment of a truce, his delegation felt that it would be in keeping with the circumstances to introduce certain changes in its draft resolution so as to bring it up to date. He circulated the following revised text (S/6346/Rev.1):

*"The Security Council,*

*"Having considered the situation existing in the Dominican Republic,*

*"Having examined the reports by the Secretary-General (S/6369 and S/6371),*

*"Taking note of the communications dated 29 April, 30 April, 1 May, 3 May, 6 May and 20 May 1965 from the Organization of American States, reporting on the measures taken by the Organization in connexion with the situation existing in the Republic,*

*"Having regard to Articles 24, 34 and 35, and the relevant provisions of Chapter VIII, of the Charter of the United Nations,*

*"Reaffirming the principles set forth in Chapter I of the Charter of the United Nations and, in particular, in Article 2, paragraphs 4 and 7,*

*"Having particular regard also to the provisions of articles 15 and 17 of the Charter of the Organization of American States;*

*"1. Expresses its deep concern at the developments in the Dominican Republic and the growing deterioration of the situation;*

*"2. Reaffirms the right of the people of the Dominican Republic freely to exercise, without coercion of any kind, their sovereign right of self-determination;*

*"3. Calls for immediate compliance with the cease-fire ordered by the Security Council in its resolution 203 (1965) of 14 May 1965;*

*"4. Calls upon all States to refrain from supplying the contending factions, directly or indirectly, with facilities or military assistance of any kind and to refrain from any measure which might prevent the restoration of normal living conditions in the country;*

*"5. Invites the Secretary-General to continue to watch closely the events in the Dominican Republic and to take such measures as he may deem appropriate for the purpose of reporting to the Security Council on all aspects of the situation;*

*"6. Invites the Organization of American States to keep the Security Council promptly and fully in-*

formed of the action taken by the Organization of American States with respect to the situation existing in the Dominican Republic;

"7. *Also invites* the Organization of American States to co-operate with the Secretary-General of the United Nations in the implementation of this resolution."

937. The representative of the USSR submitted the following amendments (S/6352/Rev.2) to the revised draft resolution submitted by Uruguay (S/6346/Rev.1):

"1. Delete the first preambular paragraph.

"2. Add the following preambular paragraph:

"*Having considered* the question of the armed intervention of the United States of America in the internal affairs of the Dominican Republic'.

"3. Delete the third preambular paragraph.

"4. Add the following words to operative paragraph 1:

"and condemns the armed intervention of the United States of America in the internal affairs of the Dominican Republic as a gross violation of the Charter of the United Nations'.

"5. Delete operative paragraphs 6 and 7.

"6. Add the following as an operative paragraph:

"*Demands* the Government of the United States immediately to withdraw its armed forces from the territory of the Dominican Republic'."

938. Also at the 1214th meeting the Secretary-General reported that he had received urgent information from his representative in Santo Domingo to the effect that heavy firing by General Imbert's forces was then going on. The Secretary-General's representative had added that that morning's fighting was still confused in the area east of the cemetery where pockets of Colonel Caamaño's troops were offering resistance and that he was trying to get further information about the fighting.

939. The representative of the United Kingdom, after recalling his delegation's statement at the 1207th meeting on 13 May, said that it was a matter of special satisfaction to his delegation that the next day after that statement the Council had reached a unanimous conclusion and action had been taken in pursuance of that decision. The two unanimous decisions taken by the Council had been well-founded and well-timed. His delegation also appreciated the part which the OAS had played in the beginning of the present crisis of the Dominican Republic. What was now required was speedy and effective co-ordination of all the efforts that were being made in Santo Domingo. Recalling the principles he had outlined on 13 May he said that they could be translated into the following positive purposes: to secure and maintain a strict cease-fire; to facilitate and encourage the establishment of a temporary Dominican régime broadly based in its support; to withdraw all outside forces once a broadly based régime was established; and to establish a situation in which free elections could take place and the Dominican people could pronounce freely their choice for their future government. His delegation believed that all those purposes could be achieved only through co-operation and had noted with satisfaction that the resolution of the OAS had asked its Secretary-General to co-ordinate his efforts with the representative of the Secretary-

General of the United Nations. The United Kingdom delegation was in favour of all measures for close co-operation between the regional authority and the United Nations.

940. The representative of France asked if the truce was in fact being respected. If not, the latest report received by the Secretary-General from his representative in the Dominican Republic showed where the responsibility lay since it indicated that the forces of General Imbert were still on the offensive. In view of that, if the truce was not being respected, the Council must deplore that grave action in view of the appeal that had been made by the President on behalf of the Council.

941. The representative of the USSR stated that the United States, after having committed aggression against a small country of Latin America, was trying to dictate to the Security Council its own conditions by introducing a draft resolution. A solution of the question before the Council would not be reached unless the Council took action to eliminate the main cause of the present tragedy in the Dominican Republic. Consequently, the Council must ask for the immediate withdrawal of all American troops from that country. It was for that reason that his delegation would ask for a vote on the draft resolution it had submitted on 4 May (S/6328).

942. The representative of Jordan, while asking for a separate vote on the two operative paragraphs of the USSR draft resolution, stated that his delegation had maintained from the beginning that the United States military intervention in the Dominican Republic was unjustified and contrary to the principles and purposes of the United Nations Charter. It had also stressed that the use of armed forces to settle matters could not yield positive results. Moreover, his delegation belonged to a group of nations that stood against the presence of foreign troops in any country without the permission of the duly constituted government of that country.

943. The representative of Uruguay stated that his delegation would be unable to vote in favour of the USSR draft resolution because its contents were identical to those of the Soviet amendments to the draft resolution submitted by his delegation. Moreover, it was imperative that the Council should try for a formula which, without making a pronouncement on the issue before it, might achieve unanimity. Since his delegation believed that that unanimity or consensus could be achieved under the revised Uruguayan draft resolution (S/6346/Rev.2), it could not vote in favour of a draft resolution that might disturb that balance.

**Decision:** *The preambular paragraph of the USSR draft resolution (S/6328) received 2 votes in favour (Jordan, USSR), 5 against and 4 abstentions (France, Ivory Coast, Malaysia, Uruguay). The preambular paragraph was not adopted.*

*Operative paragraph 1 received 1 vote in favour (USSR), 6 against and 4 abstentions (France, Ivory Coast, Jordan, Malaysia).*

*The second operative paragraph received 2 votes in favour (Jordan, USSR), 6 against and 3 abstentions (France, Ivory Coast, Malaysia). The paragraphs were not adopted.*

944. The representative of the USSR noted that the Security Council had failed to do its duty, vested



in it by the United Nations Charter, to take effective measures to curb the United States aggression. That had confirmed the fact that the Council did not properly reflect in its membership the situation in the world. The peace-loving States of Africa and Asia were not properly represented in it. The fact that the Security Council had been unable to do its duty had undermined the confidence of the people in its ability to come effectively to the defence of peoples who were fighting for their freedom and independence.

945. The representative of France, explaining his abstention in voting, expressed his hope that the fratricidal war would be stopped, that the Dominican people would be allowed to choose its government freely and that an end would be speedily put to the presence of foreign troops in the island.

946. The representative of the Ivory Coast, explaining his vote, said that he did not consider an intervention to be legal unless it was requested by the legally constituted government of the country concerned.

947. The representative of the Netherlands suggested that the vote on the two remaining drafts before the Council be postponed to a later date in order to hold consultations to reach agreement on a compromise text. The question with which the draft resolutions dealt, namely, the delineation of competence between the United Nations and the regional organizations, was one of fundamental importance. The Council should adopt a resolution which contained the minimum to which all could agree. A concerted effort to that effect should be made once more in order to bring the debate to a constructive end. His delegation was prepared to take an active part in such a new effort.

948. At its 1215th meeting on 21 May, the Secretary-General informed the Council that he had received a message from his representative in Santo Domingo stating that he had completed a tour of the no-man's land between General Imbert's and Colonel Caamaño's forces. While there had been a few scattered shots fired by both sides, the cease-fire was fully effective. The Red Cross, which had succeeded in starting its work early that morning near the fighting zone, was fully engaged in its humanitarian task. However, he had been advised by the medical staff of the hospitals he had personally visited that another period of twenty-four hours was necessary to evacuate the sick and wounded to less congested hospitals and therefore he was proceeding immediately to endeavour to obtain an extension of the truce for another twenty-four hours.

949. At the same meeting the representative of Jordan stated that the revised text of the draft resolution submitted by Uruguay (S/6346/Rev.1) was acceptable to his delegation. The changes made in that draft resolution brought it closer to the present requirements in the situation in the Dominican Republic. The United States draft resolution, on the other hand, by requesting the representative of the Secretary-General of the United Nations to co-ordinate the responsibilities assigned to him by the Security Council with the tasks of the Secretary-General of the OAS, would place the regional organization in the position of a superior body. Without going into the effect of such a proposal on the future functioning of the United Nations, with regard to any situation that might arise in any other region where a regional organization existed, he wondered whether the efforts of the United Nations were directed to establishing a strong international system for world peace or to substituting for it a regional system.

## O. Communications from the Organization of American States dated 22-24 May 1965

950. By a cable dated 22 May 1965 (S/6374), the Assistant Secretary-General of the OAS transmitted, for the information of the Security Council, the text of a resolution adopted that day by the Tenth Meeting of Consultation of Ministers of Foreign Affairs. The resolution called upon the parties in the Dominican Republic to transform the suspension of hostilities into a permanent cease-fire in accordance with the Act of Santo Domingo and with the resolution of the Tenth Meeting of 19 May 1965.

951. On the same day, the Assistant Secretary-General forwarded (S/6377/Rev.1) the text of another resolution adopted at the Thirteenth Plenary Session of the Tenth Meeting of Consultations of Ministers held on that day. The resolution, *inter alia*, asked the Secretary-General of the OAS to assume the functions referred to in paragraph 3 of the Tenth Meeting's resolution of 6 May 1965; requested the Government of Brazil to designate the Commander of the Inter-American Armed Force and the Government of the United States to designate the Deputy Commander of that Force; appointed a committee composed of those members designated by the President of the Tenth Meeting of Consultation to study the functioning and maintenance of the Inter-American Armed Force and to present a report to the Meeting of Consultation.

952. On 24 May, the Assistant Secretary-General of the OAS forwarded (S/6381) for the information of the Security Council the text of the Constituent Act Inter-American Armed Force signed at Santo Domingo on 23 May 1965.

## P. Reports of the Secretary-General dated 23-24 May 1965

953. On 23 May the Secretary-General submitted a further report (S/6378) containing information transmitted to him from his representative in the Dominican Republic in the evening of 22 May 1965. The report stated that General Imbert had claimed that the forces of Colonel Caamaño had been shooting at his positions at the National Palace on 22 May at 1730 hours local time and again at 1815 hours. General Imbert had stated that his troops had been instructed not to return the fire. Colonel Caamaño's headquarters, on the other hand, had charged that soldiers from the National Palace had been installing a machine-gun post two blocks south of the Palace and that in order to cover the operation they had opened fire on Caamaño positions in the area. The Caamaño forces claimed that they had not returned the fire. General Imbert's headquarters disclaimed having any troops in the area mentioned by Colonel Caamaño's headquarters. The information available to the representative of the Secretary-General had led him to conclude that an exchange of fire had taken place between the United States and the Caamaño forces. It might also be noted that from the beginning of the present crisis, Colonel Caamaño had been complaining of the continuous encroachment by the United States troops as a result of the enlargement of the corridor. The representative of the Secretary-General had been informed by United States officials that the United States position on that question was that the corridor would be extended as and when the United States forces determined it to be necessary. The Secretary-General's representative had drawn the attention of the



United States Embassy at Santo Domingo to the incident and to reports that the United States troops had further extended their corridor, and had requested information on the subject.

954. On 24 May, the Secretary-General reported (S/6380) on the basis of the latest information received from his representative, that the general situation in the Dominican Republic as of 23 May at 1820 hours local time seemed to show improvement. The cease-fire had generally been maintained with the exception of isolated incidents.

955. With regard to the charges of Colonel Caamaño concerning the extension of the corridor, the Secretary-General's representative had been informed by two officials of the United States in Santo Domingo that the United States troops had returned fire only after the Caamaño group forces had made very serious violations of the cease-fire on 22 May. They had also rejected Colonel Caamaño's contention that the United States troops had been using mortars or that they had pushed forward from the United States controlled corridor in the vicinity of the National Palace.

#### **Q. Consideration at the 1216th to 1219th meetings (22-25 May 1965)**

956. At the 1216th meeting of the Council on 22 May, the representative of Uruguay asked for a vote on his delegation's draft resolution. He added that in submitting its revised text the Uruguayan delegation had striven for the minimum acceptable to all, taking into account the various ideas and suggestions submitted during the course of the Council's debate. A suggestion had been made to submit another text in the hope of "bridging the gulf" between the two draft resolutions before the Council. However, the Uruguayan resolution was itself a compromise text and furthermore it embodied principles, such as non-intervention, prohibition of the use of force and self-determination, which were not negotiable.

957. The Secretary-General informed the Council that with the exception of a few shots heard during the previous night the cease-fire was being observed.

958. The representative of France stated that the Uruguayan draft resolution (S/6346/Rev.1) appeared to take largely into account the wish expressed at the previous meeting that a compromise text be prepared. Although it did not fully reflect the views of the French delegation, particularly in containing no provision regarding the grave situation which resulted from the presence of foreign troops on Dominican soil, its reference in the preamble to paragraphs 4 and 7 of Article 2 of the Charter was appropriate in that respect. It was difficult to understand how the presence of those two fundamental principles of the United Nations in the draft could prevent some members from giving their support to it. The draft resolution also reflected the common interest of all Latin American countries and their concern with the present situation, even though one of the main elements was not of their making. The French delegation appreciated the efforts which the Latin American countries had made to solve the present crisis. Operative paragraphs 3 and 4 of the revised text also took into consideration the immediate action demanded by the people of the Dominican Republic. For those reasons, the French delegation would vote in favour of the revised Uruguayan draft resolution (S/6346/Rev.1) and would abstain from voting on the USSR amendment to it.

959. The representative of the United States stated that his delegation did not favour the adoption of the Uruguayan revised draft resolution (S/6346/Rev.1) as that draft did not give sufficient recognition to the critical role which the OAS had played in finding a solution to the Dominican problem and consequently did not reflect the balance which should be maintained between the regional machinery and that of the United Nations. Nor did the draft resolution express any satisfaction or appreciation of the work that the OAS had done and was doing. The fact that its operative paragraph 3 appealed to the factions in the Dominican Republic to cease hostilities without mentioning that the cease-fire had already been signed by them as a result of the OAS action, was the result of the imbalance of the draft on those points. Moreover, in asking the Secretary-General of the United Nations to follow the situation, no indication was given that he should do so in concert with the OAS. In its reference to articles of the Charter of the United Nations as well as to those of the OAS, the draft resolution had been selective in that it had cited articles which favoured a certain thesis, minimizing the importance of seeking a solution through regional efforts.

960. For these reasons the United States would be unable to support the Uruguayan draft resolution, although it concurred with the substance of its two main points, namely, the right of the people of the Dominican Republic freely to exercise their sovereign right of self-determination and the appeal to all factions to cease hostilities.

961. The representative of the Ivory Coast stated that the revised Uruguayan draft resolution (S/6346/Rev.1) was a compromise between the views of those who wanted the Council explicitly to encourage the OAS in its efforts in the Dominican Republic and those who were opposed to the role of the OAS. The Uruguayan text mentioned the OAS when it noted the communications from that organization and asked it to keep the Council informed of the measures it might take with respect to the situation, thus implicitly accepting the idea that the OAS would have to take measures. The draft resolution also reaffirmed the right of the Dominican people to self-determination and the principle of non-intervention in the domestic affairs of the country and called for compliance with the cease-fire. If the cease-fire depended on the two factions, and the powers of the Security Council seemed to be limited, the Council could at least, as operative paragraph 4 provided, call upon all States not to supply the two factions with any military aid.

962. The Council then voted on the USSR amendments (S/6352/Rev.2) to the revised Uruguayan draft resolution (S/6346/Rev.1).

**Decisions:** *At the 1216th meeting of the Council on 22 May, the first USSR amendment received 1 vote in favour (USSR) and 7 against, with 3 abstentions (China, France, United States); the second USSR amendment received 2 votes in favour (Jordan, USSR) and 6 against, with 3 abstentions (France, Ivory Coast, Malaysia); the third USSR amendment received 1 vote in favour (USSR) and 8 against, with 2 abstentions (China, France); the fourth USSR amendment received 1 vote in favour (USSR) and 6 against, with 4 abstentions (France, Ivory Coast, Jordan, Malaysia); the fifth USSR amendment received 1 vote in favour (USSR) and 7 against, with 3 abstentions (China, France, United States); the sixth USSR amendment received 2 votes in favour (Jordan, USSR) and 6*

against, with 3 abstentions (France, Ivory Coast, Malaysia). The USSR amendments (S/6352/Rev.2) were not adopted.

963. Following the rejection of the USSR amendments, the representative of the USSR asked the representative of Uruguay to agree to separate votes on the third paragraph of the preamble and on operative paragraphs 6 and 7 of the revised Uruguayan draft resolution (S/6346/Rev.1). If those paragraphs were deleted his delegation could vote in favour of the draft resolution as a whole.

964. The representative of Uruguay regretted that he could not agree to this request since he believed that the paragraphs in question were essential to the Uruguayan draft resolution as they were the ones that introduced elements of balance with respect to the functioning of the United Nations and the regional organizations.

**Decision:** *The Uruguayan revised draft resolution received 5 votes in favour (France, Ivory Coast, Jordan, Malaysia, Uruguay) and 1 against (USSR), with 5 abstentions. The draft resolution (S/6346/Rev.1) was therefore not adopted.*

965. The representative of the USSR stated that his delegation's amendments had had the purpose of excluding provisions which could be used as a pretext for sanctioning *ex post facto* the illegal activities of the OAS. The amendments had also provided for an unequivocal condemnation of the United States military intervention in the internal affairs of the Dominican Republic and the withdrawal of its troops from that country. Because those amendments had not been adopted and also because the representative of Uruguay had not agreed to the Soviet request for separate votes on paragraphs which referred to the activities of the OAS, there was no alternative left for the Soviet delegation but to vote against the Uruguayan draft. In so doing the Soviet Union had acted in defence of the Charter of the United Nations.

966. The representatives of Bolivia and the Netherlands, in explaining their abstentions, stated that, in their view, the draft resolution did not correctly reflect the competence of the regional organization. The representative of the Netherlands had felt much sympathy for the purposes embodied in the Uruguayan draft. If it had been put to the vote paragraph by paragraph he would have been able to vote for most of the paragraphs. He repeated his suggestion that the members of the Council should try to agree on a draft resolution which would contain the constructive elements on which there was fairly wide agreement in the Council.

967. The representative of the United Kingdom, while paying tribute to the efforts of the representative of Uruguay to reach the maximum agreement in the Council, considered that a further effort should be made in that direction. He submitted the following draft resolution (S/6375):

*"The Security Council,*

*"Noting with satisfaction the suspension of hostilities on 21 May 1965,*

*"Welcoming the decisions of the Organization of American States taken on 20 and 21 May 1965,*

*"1. Calls for a continued and complete cessation of hostilities;*

*"2. Calls on all concerned to intensify efforts to this end and to do nothing to prejudice the achievement of this immediate and urgent aim."*

968. The representative of the United Kingdom stated that the Council must immediately call for the temporary truce to be converted into a permanent cessation of hostilities and should evolve a resolution which could cover all aspects of the problem of the Dominican Republic before the Council. The United Kingdom delegation deplored the attempts of those who had caused the breakdown of the truce which the OAS had established, just as it would deplore any further attempt to revive the conflict in that country. His delegation was gratified to hear from the representative of the Secretary-General that the temporary truce appeared to be extended. Since it seemed precarious, it was the more necessary for the Council to make every effort to make it a permanent cessation of hostilities.

969. At the same meeting, the representative of France reiterated the principle of non-intervention in the domestic affairs of the Dominican Republic and his interest in putting an end to the hostilities. He stated that for the honour of the Security Council and the United Nations, the debate should not be left without a conclusion, even if only of a provisional kind, making it clear that the Council must continue to be concerned with the present question, and above all, that the cease-fire obtained by the Secretary-General must become permanent. It was essential therefore for the Security Council to keep the matter under review and express clearly its will to see the suspension of hostilities become permanent and the population of the Dominican Republic able to choose its own government freely by democratic means. For those reasons his delegation was submitting the following draft resolution (S/6376):

*"The Security Council,*

*"Deeply concerned at the situation in the Dominican Republic,*

*"Recalling its resolution 203 (1965) of 14 May 1965,*

*"1. Requests that the suspension of hostilities in Santo Domingo be transformed into a permanent cease-fire;*

*"2. Invites the Secretary-General to submit a report to it on the implementation of the present resolution."*

970. At the 1217th meeting of the Council on 22 May, the Secretary-General submitted a further report (S/6371/Add. 2) on the situation in Santo Domingo based on information received from his representative. During that morning, rumours had circulated in Santo Domingo that "the high military command" of the "Government of Reconstruction" would not accept the prolongation of the cessation of hostilities. The Secretary-General's representative had met with the representative of the "Government of Reconstruction" regarding the extension of the truce for an additional period of twenty-four hours. At that meeting, General Imbert had stated that he alone was not the government, which consisted of the junta as a whole, and added that the truce could be maintained in the northern zone of the city. The Secretary-General's representative had drawn General Imbert's attention to the fact that the request of the Security Council had been for the cessation of hostilities covering the entire city and not only a part of it. General Imbert had then replied that

the "Government of Reconstruction" would not approve the prolongation of the truce for an additional twenty-four hours. The Secretary-General's representative had stated that since Colonel Caamaño had accepted both the cease-fire and the extension of the truce, the full responsibility for loss of lives and destruction that might occur thereafter would fall on the "Government of Reconstruction". General Imbert then had stated that he accepted that responsibility. The Secretary-General added that the ominous implications of General Imbert's refusal to extend the truce and to observe the strict cease-fire were very clear. After meeting with General Imbert, the Secretary-General of the OAS had seen the Secretary-General's representative and had informed him that the United States Embassy had advised that the United States forces would not permit General Imbert's armed forces to use their aircraft and "other facilities that were under the control of the United States forces". The representatives of the Red Cross also expressed their grave concern and had requested that an appeal be made in order to obtain from both factions all facilities for the accomplishment of their task. The Secretary-General's representative had added that, with the exception of some shots fired during the night, the cease-fire was being observed at the time of his report, i.e., just prior to the expiration of the twenty-four-hour truce. The Secretary-General further stated that at 2.45 a.m. that day he had received the text of the statement issued to the Press by General Imbert which declared, *inter alia*, that the "Government of National Reconstruction" must have its hands free to repel any violent action and that his troops would continue to occupy the positions they then held. The Government, however, sought peace and did not plan to initiate any warlike action. It would abstain from the resumption of fire, unless it was provoked, while discussions with the Secretary-General of the OAS continued for the purpose of finding a definitive solution to the conflict. Without this action it would not be possible to re-establish a normal situation in the country.

971. The representative of the USSR stated that the report of the Secretary-General clearly indicated that the situation in the Dominican Republic was becoming increasingly ominous. The dialogue that was being conducted between the Security Council and Santo Domingo was not consonant with the dignity and authority of the Security Council; visits were being made to the leader of the military junta who was constantly defying the authority of the Security Council and the appeals made by it. General Imbert was only a puppet and the Security Council should not deal with him but take immediate action against the military intervention of the United States.

972. The representative of the United States stated that the report of the Secretary-General on the suspension of hostilities was not as ominous as some had feared that morning. In view of the present positions of the forces of the two factions, north and south of the line of communications, the action which the United States forces were taking to prevent any attacks across the line of communications or through the safety zone or by air or sea was the most effective possible assurance against fighting on any large scale. As reported by the Secretary-General, General Imbert had declared his intention not to resume hostilities unless he was fired upon. The United States was not quite certain if Colonel Caamaño also had taken the same position. In the cir-

cumstances, the urgency had diminished. The United States would have voted in favour of the United Kingdom draft which welcomed the recent decision of the OAS and called for a complete cessation of hostilities. The French text on the other hand eliminated any reference to the OAS. Since the French draft resolution did not even encourage the regional activity which Article 52, paragraph 3, of the Charter enjoined the Council to encourage, the United States could not vote in favour of it. However, because the draft resolution did not impede the OAS in the exercise of its functions, because of the desirability of further steps to extend the truce in a formal fashion and because all concerned in restoring peace to the Dominican Republic were working in consultation, the United States would not seek to prevent the adoption of the French draft resolution but would abstain.

973. The Council then voted on the French draft resolution (S/6376), after the representative of the United Kingdom had indicated that he would not object to priority being given to the French text.

**Decision:** *The French draft resolution (S/6376) was adopted by 10 votes in favour, none against and 1 abstention (United States) (resolution 205 (1965)).*

974. At the 1218th meeting of the Council on 24 May, the representative of the United States, after referring to the 6 May resolution of the OAS which had authorized the establishment of an Inter-American Force, stated that contingents from Costa Rica, Honduras, Nicaragua, Brazil and the United States were already on the ground in Santo Domingo. In addition, the Republic of Panama was being represented by a group of civilian doctors. In response to a request from the OAS, the Government of Brazil had provided a senior officer of the Brazilian Army as Commander-in-Chief of the Inter-American forces. With the official establishment of the Inter-American Force on 23 May, all United States forces in the Dominican Republic were now assigned to it. The purpose of the Force continued to be to assist in the restoration of normal conditions in the Dominican Republic as stated in the 6 May resolution.

975. The representative of the United States then said that the charges and allegations made by Colonel Caamaño, as stated in the report of the Secretary-General (S/6378), were without any foundation as a second report of the Secretary-General (S/6380) containing an account of an investigation of those charges had proved. In fact it had been decided that there would be no extension of the corridor except upon request of the OAS with prior notification by the OAS to both sides.

976. The United States representative then withdrew his delegation's draft resolution (S/6373), stating that since its submission on 21 May a new mandate had been given to the Secretary-General of the OAS (S/6372) and both that organization and the Security Council had called for a permanent cease-fire. Those developments had covered the points that had been raised in the draft resolution.

977. The representative of the USSR stated that the United States had not only intervened militarily in the Dominican Republic in violation of the Charter of the United Nations but had defied the Security Council by creating a so-called Inter-American Force. It was not a secret that the so-called decisions of the OAS had been dictated by the United States to cover

up its illegal intervention in the Dominican Republic. The United States had not yet provided any answer as to the basis on which it had taken action in the Dominican Republic and as to whether the OAS had been authorized by the Security Council, in accordance with Article 53, to take any measures. In the light of the fact that the United States action was illegal and contrary to the Charter, the Council must call for immediate withdrawal of United States troops.

978. At the 1219th meeting of the Council on 25 May, the representative of Cuba stated that the Security Council should not allow to go unchallenged the creation of a so-called Inter-American Force established by the OAS in violation of the principles and purposes of the Charter of the United Nations, as well as of the OAS organization. The basic problem before the Council was not the peaceful settlement of a dispute between the Dominicans but that of the presence on Dominican soil of foreign occupation forces. The presence of those forces could not be justified and the situation would be aggravated by the fact that those forces had now received the approval of the OAS. The failure to act on the part of the Security Council would lead to an impairment of its prestige.

979. The President noted that it appeared that a *de facto* cessation of hostilities continued to prevail in Santo Domingo. There was reason to hope that it would continue to be observed in the days ahead. The representative of the Secretary-General remained on the spot and was reporting regularly on the developments. The Secretary-General had informed him that there had been no new developments concerning the observance of the *de facto* cessation of hostilities since his last report and that he would make available any further information to the Council whenever it was received by him.

980. The President then proposed that the Council might adjourn. However, if the situation warranted, an immediate meeting could be called if any member requested a meeting.

981. The representative of the USSR stated that the President's statement could be noted by the Security Council, especially since it was based on *de facto* information obtained through the representative of the Secretary-General. However, the Soviet delegation deemed it essential to point out that the question of a cease-fire between the opposing factions in the Dominican Republic fell entirely within the competence of the Dominican Republic itself and formed part of its domestic affairs. There was no doubt that the efforts made by the Security Council to bring about an end of bloodshed and fratricide in that country, with the participation of the Secretary-General and his representatives, should be duly appreciated. Nevertheless, the Security Council had not yet taken action on the main issue before it, i.e., the question of the armed intervention of United States troops in the Dominican Republic. The Security Council had taken no action against the continuing United States efforts to impose on the Dominican Republic a régime which suited the United States, though it was the primary duty of the Council to do so.

#### **R. Report of the Secretary-General dated 27 May 1965**

982. In a report on 27 May 1965 (S/6386), the Secretary-General reported that he had received infor-

mation from his Representative in the Dominican Republic to the effect that with the exception of isolated shots, the cease-fire had remained effective. The representative of the Secretary-General had added that since 25 May patrols of the Inter-American Force had been set up in the corridor controlled by the United States forces and that Brazilian forces had arrived at Santo Domingo.

#### **S. Consideration at the 1220th to 1223rd meetings (3-11 June 1965)**

983. At the 1220th meeting on 3 June, prior to the adoption of the provisional agenda, the President stated that he had received a request from the representative of the USSR to call an urgent meeting of the Council, particularly to take up the question of the two telegrams which the President had received from Mr. Jottin Cury, Minister of Foreign Affairs of the Constitutional Government, in which the latter had asked for the dispatch of the Human Rights Commission to the Dominican Republic. The majority of the Council's members did not think that these telegrams were *prima facie* a matter for the Council to deal with. However, they pointed out that if one member insisted on a meeting, they would not object.

984. The representative of the United States said there had been no new and threatening developments relating to the maintenance of international peace and security requiring the attention of the Council. The USSR allegations regarding certain violations of human rights were not related to the item on the Council's agenda and did not lie within the Council's responsibility. It was also relevant to note that Mr. Cury himself had not asked for a Security Council consideration of this matter and that both factions had requested the OAS Commission on Human Rights to investigate these charges. Representatives of that Commission were already in Santo Domingo for this purpose.

985. At the same meeting, the provisional agenda was adopted and the representative of Cuba was invited at his request to take a seat at the Council's table.

986. The representative of the USSR stated that he had been instructed to bring to the attention of the Council a statement of policy by his Government on the "illegality of the formation of a so-called Inter-American force" (S/6411 and Corr.1, see also S/6422). The Soviet Government stated, *inter alia*, that the OAS decision to establish that force, adopted under direct pressure from the United States and in spite of the resolute opposition of a number of Latin American countries, violated the fundamental provisions of the United Nations Charter and those of the OAS Charter and other inter-American agreements, and that the United States effort to organize a permanent inter-American force was fraught with a great danger for the other countries of Latin America.

987. The Soviet Government, the statement added, called on the Security Council and on all the States Members of the United Nations to bring about the withdrawal of all foreign troops from the Dominican Republic and to prevent further use of the OAS by the United States for the attainment of its imperialist designs and for intervention in the internal affairs of sovereign States.

988. The representative of the USSR then drew the Council's attention to communications from the

Constitutional Government to the United Nations calling upon it to conduct an investigation of the atrocities carried out by General Imbert's forces against the civilian population in the sectors of Santo Domingo under his control. The military junta, financed and supported by the United States, was trying to set up a régime of terror and military dictatorship. Thus there was a further expansion of American interference in the internal affairs of the Dominican Republic; no one in the United States would now resort to the ludicrous pretext of the protection of foreign citizens to justify American intervention, and even the worn-out bogey of the communist threat was being abandoned. President Johnson in a speech on 28 May considered that "the old distinction between the civil war and international war has already lost much of its meaning". Such a statement showed that the United States was trying to appropriate the role of a world policeman for the purpose of repressing the national liberation movements in various parts of the world.

989. The United States by its actions attempted to destroy the foundation of the United Nations and to undermine the effectiveness of this Organization.

990. The Security Council, the USSR representative stated, could not ignore the appeal of the Senate and the Chamber of Deputies of the Dominican Republic against the attempt by the United States to deprive the Dominican people of the right to self-determination and must take immediate action on the request of the "Constitutional Government" that an immediate investigation be carried out by the United Nations into the mass repressions of the civilian population.

991. The representative of the United States said that, in accordance with the resolution of the OAS of 6 May, the Inter-American force had one purpose; to co-operate in the restoration of normal conditions in the Dominican Republic in maintaining the security of its inhabitants and the inviolability of human rights and in establishing an atmosphere of peace which would permit the functioning of democratic institutions. The functioning of the Force did not constitute enforcement action within the meaning of Article 53, paragraph 1, of the United Nations Charter.

992. This Force had already made progress in fulfilment of its mandate. Inter-American patrols had been constituted throughout the safety zone and along the lines of communication which separated the combatants. The United States had withdrawn 3,100 of its troops from the Dominican Republic since 26 May, and it was ready to make further withdrawals when the Unified Command of the OAS determined that the Inter-American Force was adequate for the purpose contemplated by the OAS resolution of 1 May. The Force had brought about a cessation of organized hostilities between the two factions.

993. The Chairman and Executive Secretary of the Human Rights Commission of the OAS were in the Dominican Republic seeking to determine whether any violations of human rights had taken place. An *ad hoc* Good Offices Committee of the OAS had been set up to assist all parties in the Dominican Republic to achieve a climate of reconciliation and to provide directives for the Force. The OAS had also organized extensive relief activities, distributing free food to the population and making arrangements to pay the salaries of civilian employees. A most important factor of OAS activity had been the manner in which the American

republics had responded to the OAS resolution of 3 May to help to meet the urgent needs of the Dominican Republic.

994. The OAS and the United States, he continued, were not supporting one faction of the Dominican Republic, but were seeking a settlement acceptable to all democratic parties. These evidences of constructive, impartial action on the part of the OAS would be of more value to the Council than detailed refutation of the endless and groundless Soviet charges.

995. The representative of the USSR, in reply, stated that an important role in the plans for occupation of the country by the American troops, which was a gross violation of the key provisions of the United Nations Charter, was being played by the OAS; the United States was able to win the necessary votes to put through the required decisions. It was not surprising, therefore, that the OAS was being sharply criticized by important political personalities in the Latin American continent. However, the sanctioning of United States plans, which the United States Ambassadors were endeavouring to obtain behind the closed doors of the OAS, could not impart legitimacy to those plans, as Article 53 of the Charter categorically prohibited any enforcement action by regional organs without authorization by the Security Council. There could scarcely be any question of the inter-American force being international in nature when General Palmer, Deputy Commander of that force, had stated that in the event of a disagreement between the OAS and the United States Government, he would follow the guidance of his Government.

996. At the same meeting, the President, at the request of the representative of Bolivia, read out the text of a letter dated 25 May 1965, from the representatives of Argentina, Bolivia, Brazil, Colombia, Costa Rica, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay and Peru (S/6409). The latter stated, *inter alia*, that the OAS, in its capacity as a regional agency, should continue to exercise the responsibility for the maintenance of peace in the hemisphere, and that in accordance with Article 52, paragraph 3, of the United Nations Charter, action by regional agencies should be encouraged for the pacific settlements of local disputes. This did not preclude co-ordination of the action of the United Nations and of the OAS.

997. At the 1221st meeting on 7 June, the President informed the Council that the Secretary-General had transmitted to him a preliminary report concerning violations of the cease-fire in Santo Domingo on 4/5 June. He had also received a telegram from Mr. Jottin Cury, alleging that American troops had nine times fired mortar shells on civilians in the western part of the city.

998. From both communications, the President added, it appeared that shooting had taken place and that the cease-fire was in danger of breaking down. The United States delegation informed him that from the information that they had received the firing could not possibly have originated from the United States armed forces. Reports on the subject had been received from the Secretary-General of the OAS (S/6417 and S/6418) and from the Secretary-General (S/6420). A report had also been received from the OAS (S/6419) on the activities in the Dominican Republic of the OAS Commission on Human Rights.



999. The representative of Jordan said that the statement of the Soviet Government, from a political point of view, represented a strong opposition by a permanent member of the Security Council against the action of another permanent member within the context of the maintenance of international peace and security. Such a confrontation would halt international co-operation in areas where joint efforts were vitally needed. If the Council were immobilized, then each country would take it upon itself to act in the manner which would best serve its own interests. Therefore, in the present disturbed international conditions, the Council must more than ever be aware of its great responsibility.

1000. As to the legal aspect of the Soviet statement, the position of Jordan was that the Charter did not permit a military action of the type which had taken place in the Dominican Republic, whether this action was unilateral or was made in a regional form.

1001. As regards the letter of the representative of thirteen Latin American States the representative of Jordan said that the question at issue was whether in this case the OAS had acted in conformity with the provisions of the United Nations Charter, which should prevail over all international agreements.

1002. The cease-fire which had been established in the Dominican Republic had been frequently threatened by the violent attitude of the commander of the junta. It was most disturbing to hear of further killing of the civilian population as reported to the Council in Mr. Cury's communications.

1003. Although the mere presence of the United Nations in the Dominican Republic was a source of satisfaction to the population, the order of the Security Council for a strict cease-fire and cessation of hostilities should not be left without machinery for its implementation. It was, therefore, essential to assist Mr. Mayobre with a team of aides and observers to enable him to carry out his tasks. On the question of the maintenance of international peace and security no activity by any other organization should neutralize the powers of the Security Council.

1004. The representative of Uruguay, discussing the question of the legality of the inter-American force, stated that intervention or the use of force, whether unilateral or multilateral, was always illegal, unless it was justified by other substantive norms such as those of Chapter VII of the United Nations Charter or articles 19 and 25 of the Charter of the OAS. However, the tenth consultative meeting of the OAS had not been called under the terms of the Inter-American Treaty of Reciprocal Assistance. No collective action could therefore legitimately flow from that meeting. Thirdly, the military intervention in the Dominican Republic could not be considered as "peace-keeping operations" since one prerequisite, generally deemed indispensable, was missing, namely, the consent of the party concerned.

1005. Finally, there was a general principle which had become part of the legal codes of all civilized nations, namely, the maxim *ex injuria jus non ori ur*, according to which law could not result from injustice. If the original presence of military forces on Dominican soil was illegal, the situation could in no way be altered by the addition of additional military forces or the changing of the flag.

1006. No reasonable interpretation could allow for the conclusion that the inter-American system as it existed authorized military intervention under the pretext of impeding the setting up of a communist-type Government, and it was possible that this formula might in the future be used to justify intervention in any other Latin American country.

1007. He expressed concern that mention was again being made of an international police force under the command of certain national Powers. National messianism would inevitably divide the world into spheres of influence where each national Power would exercise its police power. The only international police power was that of the international community exercised in accordance with the Charter. There was no other solution to the problem confronting the Dominican Republic than that freely decided by the Dominicans themselves.

1008. The representative of the Secretary-General should be given all the means necessary to fulfil the tasks entrusted to him by the Council. His mandate was sufficiently wide to see to the implementation of the cease-fire. It presupposed the power to investigate, since the investigations asked for referred to the situation in that Republic which was, specifically, the subject of the mandate.

1009. The representative of France said that from the beginning his Government had disapproved the actions of the American troops in Santo Domingo, since it disapproved of any foreign military intervention and interference in the internal affairs of States, whether undertaken by one country or by several countries—even though under the cover of a multilateral organization. No obstacles should be placed in the way of the establishment of a representative government pending the re-establishment of the constitution. Intervention from outside could only delay this process.

1010. The representative of the Secretary-General must himself be in a position to report on the question of violations of human rights. The Council should authorize the Secretary-General to provide his representative with the necessary additional staff and material.

1011. The representative of Cuba stated that recent events in the Dominican Republic had again confirmed the brutality of the group headed by General Imbert, the disgraceful role played by the OAS and the ever-more urgent need for the Council to act in the light of the main problem before it: the aggression perpetrated by the United States against a State Member of the United Nations.

1012. The Constitutional Government had denounced the acts of genocide and destruction committed by the Imbert group. In its communiqué of 31 May it had referred to the criminal repression carried out against a group of thousands of Dominicans in the city of San Francisco de Macoris, during which the troops had opened fire against the Church of Santa Ana when the people had sought refuge in it. There could be no doubt of United States support of the Imbert Group.

1013. The OAS, as a docile instrument of American policy, had tried to cover up the United States aggression with the setting up of a so-called inter-American peace-keeping force which was intended to become a fundamental element in the United States policy of asphyxiating the sovereignty and strangling the self-



determination of the peoples in Latin American. The OAS persistence in illegality had become even more obvious. Its Secretary-General had already taken the first steps in Santo Domingo to set up a *de facto* trusteeship, contrary to the right of self-determination and the sovereignty of the Dominican people. The OAS had tried to usurp powers and functions which belonged only to a constituted government by paying, with American money, the salaries of public officials to the junta of Imbert, and by appointing an *ad hoc* Commission to deal with the internal affairs of the Dominican Republic.

1014. As to the letter submitted by thirteen delegations (S/6409), he presumed that when it referred to the purposes assigned to a regional organization it referred to chapter 2 of the Charter of the OAS, the rights and fundamental duties of States, as mentioned in chapter 3 of that charter, as well as the Purposes and Principles of the United Nations. These precepts repudiated the unilateral use of force against the territorial integrity or political independence of any State, and upheld the right to self-determination of States and the concept that aggression against any American State constituted aggression against the rest of the American States. Moreover, by asserting the responsibility of the OAS for the maintenance of peace in the hemisphere the thirteen States were insinuating that the intervention of the OAS limited the Council in carrying out its duties.

1015. The deliberations of the Council should bring about the following results: recognition of the Constitutionalist Government, effective implementation of the cease-fire, immediate withdrawal of United States forces, handing over of the Imbert outlaws to the justice of the Dominican people, and the termination of the OAS once and for all.

1016. The representative of the United States stated that, pending the completion of the investigations of allegations concerning violations of the cease-fire in Santo Domingo, it would be inadvisable for the Council to take up this matter. Violations of the cease-fire and related acts of violence were already being investigated by the representatives of the OAS and by the inter-American force, so he questioned the need for expanding the staff of the Secretary-General's representative into another independent investigative body.

1017. At the 1222nd meeting on 9 June, the representative of France noted that the Security Council could consider the adoption of additional measures to enable the special representative of the Secretary-General to carry out effectively the mandate assigned to him.

1018. The representative of the United Kingdom stated that his delegation was not satisfied that the alleged breaches of the cease-fire in Santo Domingo constituted a threat to international peace, or that the alleged violations of human rights fell within the Council's responsibility. In practice, there was a risk of cutting across action already in train on human rights questions and in connexion with investigations of breaches of the cease-fire. The Council should support the work already being undertaken by its representative, on the one hand, and by the OAS on the other. It should also urge the OAS to co-operate with Mr. Mayobre and to keep him informed.

1019. His delegation would wish to give careful thought to any proposal to enlarge the mandate or increase the staff of the Secretary-General's representa-

tive. However, he supported the suggestion that Mr. Mayobre might be requested to keep a "watchful eye" on the Dominican situation.

1020. The representative of the United States, discussing the respective roles of the regional and world communities in relation to peace-keeping, stated that while the Charter of the United Nations prescribed that the Security Council had primary responsibility for the maintenance of international peace, there was no requirement in the Charter that the Council and only the Council could act when threats to peace occurred. On the contrary, the Charter stipulated that parties to the dispute "shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements . . .".

1021. In the Western Hemisphere the OAS had essentially the same goal as the United Nations had on a global basis: the settlement of disputes, the maintenance of peace, the promotion of peaceful change, and economic and social co-operation. Its mission was not competitive with the United Nations, but complementary to it. The OAS was not engaged in enforcement action in the Dominican Republic; it had acted against civil disorder, political chaos, bloodshed and internecine war. Within the terms of Article 52 of the Charter, the American States, through the Rio Treaty and the OAS Charter, had banded together to protect the Western Hemisphere against aggression and subversion. There was therefore no question of the competence of the OAS to deal with the situation as long as its actions were consistent with the United Nations Charter, as had been pointed out by the thirteen American States in their letter of 25 May.

1022. To deprecate the accomplishments of the OAS or to obstruct in any way the achievement of its mission, would reflect no credit on the Council nor would it assist in the important task undertaken by the OAS. It was not consistent with the dignity of the United Nations or in the interests of peace and security to give the impression that the Council was competing with one of its regional agencies. Practical and effective measures were already being taken by the OAS on the spot. In the Dominican Republic the OAS was represented by its Secretary-General, supported by competent staff; by a committee of three representatives of the Council of the OAS, also by the Inter-American Peace Force; and, finally, by the Chairman and the Executive Secretary of the Inter-American Human Rights Commission.

1023. The most important function of the Inter-American Peace Force was set forth in paragraph 2 of the OAS resolution of 6 May. That paragraph stated, *inter alia*, that this Force would have as its sole purpose that of "co-operating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions".

1024. An effective cease-fire had been in effect for weeks and in Santo Domingo the Inter-American Peace Force was interposed between the two contending factions in such a way as to prevent either from attacking the other. Minor violations constantly occurred but effective machinery existed to report and to investigate the violations and to take steps to prevent them from assuming a more serious character. It seemed

that there was a reasonable prospect that this cease-fire would become a permanent cease-fire.

1025. The Secretary-General of the OAS and its three-man Committee were consulting with all Dominican groups to bring about a political solution acceptable to the people as a whole. The Chairman and Executive Secretary of the Human Rights Commission were actively investigating charges of violations of human rights and were taking steps to improve conditions.

1026. Mr. Mayobre appeared to be doing excellent and effective work, but there was little reason for enlarging his staff. Any enlargement of his mandate at this time seemed to his delegation to be a duplication, and unwise since it would give the contending factions a further opportunity to play off one international institution against another.

1027. The representative of the USSR welcomed the favourable response of members of the Council to the statement of his Government. Their statements showed that the armed intervention in the Dominican Republic by the United States was condemned in the Security Council by all who were genuinely concerned over the fate of the Dominican people, of the world, and of the United Nations itself.

1028. It was regrettable that such grave warnings remained unheeded by the United States. The actions of the OAS were in flagrant violation of the Charter and constituted an intolerable challenge to the Security Council. As had been pointed out, the dispatch of foreign troops to the Dominican Republic was also unlawful under the Charter of the OAS. The Constitutional Government had on numerous occasions addressed itself to the United Nations requesting an investigation of the atrocities committed by Imbert's junta. The measures taken by the OAS in this regard were clearly inadequate. The United Nations could not remain indifferent to what was transpiring in the Dominican Republic and any disquisitions about any duplication of effort were totally inconsistent.

1029. In connexion with the letter of the thirteen Latin American countries, the representative of the USSR asserted that what was involved was not measures for pacific settlement by a regional organization. There was no provision in the United Nations Charter regarding the right of one country—including a great Power—to carry out armed aggression against another country to inflict upon it an alien régime under the pretext that it happened to be constituted in the same hemisphere or formed part of the same regional organization. The actions of the United States constituted an enforcement action against a sovereign State in view of the many thousands of American soldiers sent to the Dominican Republic. The United States had arrogated to itself the right of the Dominican people to determine their own fate.

1030. The USSR representative then read the text of a statement issued by the Parliamentary Group of the USSR in reply to the appeal of the National Congress of the Dominican Republic. The statement condemning the United States interference in the internal affairs of the Dominican Republic said, *inter alia*, that the Soviet people shared "the just indignation of the Dominican people over the aggressive actions of the United States Government" which were "undertaken in an attempt to maintain in power a reactionary anti-popular dictatorial régime suitable to the United States", and asserted that no one would be deluded by the fact that the forces of United States intervention

were now being made "to appear as a so-called inter-American armed force". The Soviet members of Parliament, the statement concluded, "emphasized their solidarity and support of the Members of Parliament in the Dominican Republic and called for an end to the armed intervention of the United States against the Dominican Republic...".

1031. On 5 June, the USSR representative continued, Dr. Cury had addressed a telegram to the President of the Security Council condemning the continuing armed military action by the United States forces in the eastern sector of Santo Domingo. He had stated that on 4 June, in that area, fire had been opened by light artillery against the people of the city, inflicting casualties on women and children. The Constitutional Government requested the Security Council to put an end to the hostile actions of the United States forces against the Dominican civilian population.

1032. The USSR delegation supported the proposal that the representative of the Secretary-General should investigate and report on the atrocities committed by the junta and should continue to supervise the cease-fire. It also agreed that Mr. Mayobre's group should be increased for the purpose of effectively carrying out the tasks entrusted to it by the Security Council.

1033. The representative of Malaysia stated that it should be obvious that with the exception of the question of global peace, the whole gamut of national policies was primarily based on national interests. These interests were more easily identifiable in a regional context and therefore lent themselves, where an infraction occurred, to easier solutions within the region concerned.

1034. The Charter had given a significant place to regional organizations and had therefore carefully declared their rights and delimited their functions as an essential part of the peace-keeping scheme of the Charter. But this had been achieved only after lengthy consultations.

1035. The question of the relation of the inter-American system to the United Nations Charter had antedated the birth of the Charter.

1036. The Latin American delegations to the San Francisco Conference had not liked the imposition of prior authorization of "enforcement actions" by the Security Council, contained in the Dumbarton Oaks Proposals. They felt that the major Powers were living too much and too close to the events in Europe, and were too concerned with seeking protection of their own rights of unilateral action. Finally, a compromise had been achieved, the broad purpose of which was to preserve the over-all supremacy of the United Nations and the primacy of the Security Council; to mesh into its mechanism of peace-keeping the usefulness of the OAS within its sphere, but at the same time subordinating the OAS in the region of enforcement action involving the use of military power to the authority of the Security Council. Moreover, the Dumbarton Oaks proposals relating to the competence of the Security Council in the pacific settlement of disputes were amended by the inclusion of regional arrangements as one of the available procedures open to States. The Charter limited the competence of these organizations regarding the use of force, in terms of extent, only to actions by way of self-defence; and limited them too, in terms of time, until the Council took over its responsibility.

1037. If the present action was enforcement action, Article 53 had been plainly violated. However, looking

at the contents of Articles 41 and 42, it was clear that the Council was not called upon in the circumstances obtaining in the Dominican Republic, and in the face of evidence of what the OAS was doing there, to decide to take any measures under either of the Articles. The OAS was carrying out a conciliatory function. Its troops had not gone there in support of any claim against the State. Its objectives were clearly set out in the resolution of the Tenth Meeting of Consultation of Ministers of Foreign Affairs. It was not an enforcement action; the need for the OAS to land forces on the island was explained by the special circumstances. The OAS was doing nothing but promoting peace and preparing the necessary conditions for the will of the people to find free expression. Fortunately, too, there was a United Nations presence there. Mr. Mayobre deserved the highest praise if only for having earned the confidence of all factions in the country.

1038. Investigating allegations of violations of the cease-fire and complaints of atrocities with a view to verifying their validity and apportioning blame would only serve to retard the return to normalcy. It was vitally necessary that the Secretary-General's representative should not be put in a position where, because of his finding against one or another faction, he might become the target of criticism or bias. His usefulness to all sides as the representative of the United Nations was far more valuable to all concerned in the long run than his finding the guilt of a few in the immediate present, even if, in practical terms, it was possible for him to do so.

1039. The representative of Jordan, commenting on statements made earlier regarding alleged feelings of jealousy and competition on the part of some members of the Council against the OAS, stated that expressions of challenge had originated in the deliberations of the OAS against the competence of the Security Council and not the other way round.

1040. The suggestion to enlarge the staff of the representative of the Secretary-General was meant to enable Mr. Mayobre to carry out whatever tasks he might be charged with under the present mandate of the resolutions of 14 and 22 May. If Mr. Mayobre was found to be sufficiently provided with staff and facilities to enable him to look into violations of the cease-fire and acts of violence related to them, then this would be judged by the Secretary-General in the light of Mr. Mayobre's requirements.

1041. He failed to see how such an enlargement could in any way be a duplication of activities of the OAS. The OAS was involved in military operations and was also undertaking a political role. The United Nations was doing neither. There was also a distinction in the observance of the implementation of the cease-fire: while the OAS representatives observed the cease-fire between the two opposing factions, the concept of the cease-fire from the United Nations point of view covered the military situation in the Republic as a whole.

1042. The representative of Bolivia stated that his Government placed full confidence in the competence and capacity of the OAS to endeavour to achieve a possible settlement in the Dominican Republic. The results achieved thus far by the OAS in that Republic attested to the capacity of the American regional organization to assume full responsibility for the solution of the problem.

1043. His delegation did not agree that the role given to Mr. Mayobre should be expanded. The repre-

sentative of the Secretary-General and the representatives of the OAS should be encouraged to establish closer contacts in order to achieve peace in the Dominican Republic, thereby leaving the door open to its people to restore their democratic life and sovereign dignity.

1044. At the 1223rd meeting on 11 June, the Secretary-General stated that he had provided his representative with the staff and facilities necessary for the discharge of the mandate which at present involved observation and reporting. This did not in his view, or that of his representative, include the actual investigation of complaints and charges about specific incidents and the necessary verification of information concerning them. Such functions of investigation and verification of complaints would require specific clarification by the Council and a substantially enlarged staff and increased facilities. Even with this, under prevailing circumstances in the Dominican Republic, he could give no assurance to the Council that an aided responsibility of investigation and verification could receive the necessary co-operation of the parties. On the other hand, he could assure the Council that his representative was keeping a "watchful eye" on all such matters. The level of staff required by his representative was under constant review.

1045. The representative of the Ivory Coast stated that the Dominican crisis showed that a threat to international security could occur in a Member State without the Council being able to take appropriate action. His country was attached to the fundamental principles laid down in the Charter and especially the principles of non-violence and non-intervention, but at the same time it attached great importance to the idea of public order. Whenever violence and counter-violence had arisen in a given country, his country had always considered that the United Nations was duty bound to intervene in one fashion or another and assist in finding a solution. The Dominican Republic was now living in a state of watchful expectation. Some isolated fighting had been reported but, without question, goodwill had been manifested and there were indications of a desire to see an end to the conflict. He expressed regret that a regional organization had taken over the role of the United Nations in a matter where more could be expected from the Security Council. It must, however, be recognized that while the Council had been marking time, the Dominican crisis had been going its own way. The cease-fire had now been imposed on the parties and was being observed, according to the report of the Secretary-General. Thus the threat to international peace and security had been averted. It was true that confidence had not been restored on one side or the other but there was talk of negotiation and of a return to constitutionality. Accordingly, his delegation believed that the negotiations should be allowed to continue and that the United Nations should limit itself to keeping on the spot observers who would continue to make their reports to it.

1046. The representative of the USSR said that there was nothing unusual about the assertion of the United States representative at the previous meeting that investigations should be carried out by the Human Rights Commission of the so-called OAS, considering the fashion in which the inter-American organization had been involved in the Dominican Republic and the fashion in which the United States had been able to carry out its *diktat*. As a result, the OAS was a participant in all the crimes being committed in the Dominican Republic by the armed forces of the United

States under its cover. The Constitutional Government had requested that the investigation of the violation of human rights should be carried out by the United Nations. That Government had also on numerous occasions protested against the actions of the OAS in this country. In these circumstances any attempt by the United Nations to transfer its own responsibilities to the inter-American organization would imply intolerable neglect of its responsibilities.

1047. The representative of the United States, in reply, stated that the representative of the USSR had repeated his vituperative attacks not only against his country, but also against the OAS and its members who were also Members of the United Nations.

1048. It was worth while noting that both the major political groups in the Dominican Republic had accepted the work of the OAS Human Rights Commission, as evidenced in the declarations made by both factions in Santo Domingo.

#### **T. Reports of the Secretary-General and communications from the Organization of American States received between 7 and 16 June 1965**

1049. On 7 June 1965 the Assistant Secretary-General of the OAS transmitted to the Secretary-General for the information of the Security Council, the text of reports (S/6424 and Corr.1 and 2) by the Unified Command of the Inter-American Peace Force regarding the complaints made by Dr. Jottin Cury to the United Nations on 5 and 6 June. General Alvim stated that in each case an inspection team had been dispatched to the area where alleged violations of the cease-fire were said to have taken place.

1050. With regard to Mr. Cury's first complaint, General Alvim stated that inspection had disclosed that the ammunition found in the area was from no known United States manufacturer, and that the country of origin of the ammunition could not be definitely established "without further technical research".

1051. As regards Mr. Cury's complaint that United States troops had advanced into the Constitutional Government's zone, the Commander of the Inter-American Peace Force said that at no time did these forces enter the Constitutional Government's zone.

1052. The Secretary-General reported (S/6432) that he had received from his representative information regarding alleged mass executions said to have been carried out by General Imbert's forces at an estate known as "El Haras", north of Santo Domingo. The representative and four members of his staff had visited the estate on the morning of 10 June and had traversed at some length the banks of a creek at and near a bridge where executions were alleged to have taken place. On the southern bank of the creek as well as near the bridge, they had found freshly dug earth, signs of recent burning and what had appeared to be the remains of two persons. On and near the bridge they had found a number of gun cartridges which appeared to have been fired recently.

1053. The Secretary-General further reported that Mr. Mayobre intended to communicate this information to Mr. Bianchi, Chairman of the Inter-American Commission on Human Rights.

1054. On 16 June, the Secretary-General submitted a report (S/6447 and Add.1) which contained infor-

mation received from his representative on a breach of the cease-fire which had taken place in Santo Domingo on 15 June. Mr. Mayobre reported that on the morning of 15 June an exchange of fire had begun between Colonel Caamaño's forces and troops of the Inter-American Peace Force. Thereupon he had taken action to contact the leaders of the parties involved with a view to ascertaining the facts of the situation and arranging a cessation of hostilities. Each of the two parties had given him a different version of the origin and nature of the incident. According to Colonel Caamaño, firing had started from two United States machine-gun positions. After one woman had been killed and three children wounded, his forces had decided to return the fire. Although he had subsequently ordered his men to stop their fire, the United States troops had continued to fire and to advance into the south-east sector of the city. Colonel Caamaño further alleged that the United States troops had fired upon the hospital at Ozama fortress and that a corvette of the Dominican Navy had placed itself at the entrance of the Santo Domingo harbour and had fired into the town.

1055. According to General Alvim, units of the Inter-American Peace Force in the corridor area had been fired upon from Colonel Caamaño's positions and had returned the fire in self-defence. General Alvim indicated that he had authorized the extension of the area of his Force south of the corridor since this area had been abandoned by Caamaño's forces and its occupation had become necessary to the Inter-American Peace Force and its own security.

1056. The representative of the Secretary-General further stated that, based on the information he had been able to gather, there had been an exchange of fire which had continued until a United States soldier had been wounded, which had led to heavier retaliatory fire. He had been repeatedly informed by the IAPF and OAS officials that if its troops were fired at, the Inter-American Peace Force would react to silence the opposition. The situation in the city had recently been extremely tense because General Imbert's troops had massed in large numbers in the area north of the corridor and Colonel Caamaño's forces were apprehensive that they might be permitted to break through the corridor. The representative also noted that some armed civilian groups in the Caamaño zone might not be fully under Colonel Caamaño's control.

1057. On the evening of 15 June, the Secretary-General said his representative had succeeded in obtaining from both parties their agreement to a cessation of hostilities. He had reported that there had been subsequent complaints of firing against the Caamaño forces; it could not be ruled out that such firing might come from Imbert elements.

1058. On 15 June the Assistant Secretary-General of the OAS transmitted (S/6445) to the Secretary-General for the information of the Security Council, a message which had been sent that day by the *Ad Hoc* Committee of the OAS in Santo Domingo. The Committee stated that it had received a report from the Commander of the Inter-American Peace Force regarding the events of 15 June in which he stated that the Inter-American Peace Force had been attacked by the troops in the Caamaño zone which had been trying to capture positions in the Security Zone. The Inter-American Peace Force had been compelled to return fire.

## U. Consideration at the 1225th meeting (16 June 1965)

1059. At the 1225th meeting on 16 June, the representative of the United States stated that he wished formally to notify the Council that on 15 June Colonel Caamaño's forces had launched a deliberate and premeditated attack against the Inter-American Peace Force in a most serious violation of the cease-fire. The provocations of the Caamaño forces were documented by the Commander of the Inter-American Peace Force in his report before the Council, and in the reports to Mr. Mayobre and to the United Nations itself. Although the OAS *Ad Hoc* Committee, the Inter-American Peace Force Commander and General Rikhye and members of the United Nations mission had been on the spot and active throughout the day in an effort to restore peace, attempts had nevertheless been made to place directly before the Council partisan allegations by the Caamaño forces designed to obscure their own attack and to reflect discredit upon the OAS, the Peace Force and the United States Government. There could be little doubt from the timing and intensity of the attack, from radio broadcasts emanating from the zone under Colonel Caamaño's control and from the almost immediate complaint to the Council that the primary purpose of the attack had been to provoke the Council into action in support of the Caamaño faction and to the disadvantage of other elements of the Dominican population which had been displaying more restraint.

1060. The continued use of military force against a key section of the line of communication and the main power plant of the city had compelled the Inter-American Peace Force to extend the perimeter of its area of control in that region in order to put an end to the attacks. This action by the Inter-American Peace Force was defensive and involved no change of policy.

1061. The United States representative then read out a report submitted by the Commander of the Inter-American Peace Force to the OAS and to the Council (S/6452), together with a supplementary note by the Committee of the OAS which stated that the defensive measures taken by General Alvim had been approved by the Committee before action had been taken, and that the forces of the Government of National Reconstruction had in no way been involved in the action. The Inter-American Peace Force continued to hold the new positions pending satisfactory assurances from Colonel Caamaño that this type of violation of the cease-fire would not occur again. The Committee also stated that it had declined to accept charges by Colonel Caamaño alleging the responsibility of the Inter-American Peace Force.

1062. In another statement issued on 16 June (S/6450), the Committee said that the Inter-American Peace Force, in accordance with its mandate, had consistently maintained a peaceful posture and had resorted to military action only when fired upon or attacked and then only to the extent necessary to protect the lives of its personnel.

1063. The United States delegation believed that it was most short-sighted on the part of some political elements either to physically attack the Inter-American Peace Force or to demand its withdrawal. Should it be withdrawn or its capacity to resist pressure from one side or the other substantially reduced, the immediate result would be a bloody renewal of the fratricidal civil war in which the weaker Caamaño forces

would be likely to suffer most. The representatives of the OAS and the United Nations were on the spot and already investigating the allegations made by the Caamaño forces against the Imbert forces, against the OAS and against the United States Government. They needed no further directions from the Council at this time.

1064. Mr. Brache, representative of the Constitutional Government, was invited to address the Council. In connexion with the incident which had taken place on 15 June, he stated that information transmitted to his mission showed that the firing had been initiated by the United States troops in the morning in violation of the Security Zone and the corridor formed by the troops of the Inter-American Force, and that the bombardment had continued during the entire day until the representative of the Secretary-General had managed to obtain a cease-fire. These acts and the manner in which the Inter-American Force had been formed showed clearly that the latter was neither inter-American nor a force devoted to the cause of peace.

1065. He further stated that the forces under the control of Colonel Caamaño had not violated the cease-fire at any time despite the daily provocations of the invading forces and their allies of the junta of National Reconstruction. In deciding on the unilateral invasion of the Dominican Republic the United States Government had not only ignored the most elementary principles of international relations but had committed a flagrant violation of the Charter of the United Nations and existing inter-American treaties. The tragic events that had taken place on 15 June in his country strengthened the imperative need to widen the facilities at the disposal of Mr. Mayobre so that he might fully accomplish his mission.

1066. The representative of the USSR said that American imperialism, having committed armed intervention in the Dominican Republic, was now attempting to charge that the Dominican people and their lawful representatives were guilty of the troubles that had been brought about in the Dominican Republic. The situation in that country was worsening from day to day and the occupation troops were carrying out military operations against the Dominican people on an ever-increasing scale. The governing circles in Washington were continuing their piratical actions, designed to foist an alien régime upon the Dominican people by force of arms. The United States Assistant Secretary of State for Inter-American Affairs had stated on 15 June that it would be very difficult to force an understanding upon the Dominican people. Such statements provided further confirmation of the Soviet Union's position, clearly stressed in its statement regarding the unlawful creation of the Inter-American Peace Force, which had been supported by a number of members of the Council, that what was taking place constituted nothing other than enforcement action.

1067. With regard to the Secretary-General's report (S/6447), the Soviet delegation wished to point out once again that the Inter-American Peace Force had been set up in circumvention of the Security Council and in flagrant violation of the Charter of the United Nations, and that the objectivity of the so-called OAS could not be relied upon. It was therefore surprised at the references in United Nations documents to information obtained from the accomplices of the crimes.

1068. The Security Council was in duty bound to consider the request made by Dr. Cury on 11 June that it consider urgently "... the serious events which



are taking place in the Dominican Republic and which, because of their source, may endanger international peace and security". In his telegram Dr. Cury had pointed to the atrocities committed by the Imbert forces and had stressed the fact that they were a direct result of the intervention of the United States in the Dominican Republic which occurred at the very time when the Constitutional Government was defeating the enemies of Dominican democracy. The Government of the United States alone bore the full responsibility for the systematic violation of the cease-fire and the acts of genocide being committed by the forces of General Imbert. The USSR delegation considered that the Security Council could not ignore the urgent appeal by a Member of the Organization for the immediate withdrawal of the foreign interventionists from its territory and for the restoration of the rights and sovereignty of the Dominican Republic.

1069. In the light of the explanations provided by the Secretary-General regarding the mandate of his representative in the Dominican Republic, the Soviet delegation deemed it essential to restate its support of the proposal that the representative of the Secretary-General should investigate any violations of human rights by the Imbert junta.

1070. In the present circumstances, it was necessary to find ways and means which would enable the Security Council to fulfil its responsibilities under the Charter. That purpose might be served by a decision in accordance with Article 28 of the Charter, that the Security Council should go to Santo Domingo to continue its consideration of the question.

1071. The holding of the Security Council meetings in Santo Domingo would clearly contribute to the effectiveness of its work and give all members of the Council an opportunity to acquaint themselves with the situation. His delegation therefore wished to propose that a session of the Security Council should be held in Santo Domingo.

1072. The representative of the United States said that he could only regard the Soviet proposal as an effort to make political capital out of the military provocation to which the Inter-American Peace Force had been subjected. It was a proposal designed to stir up trouble rather than to quiet the situation in the Dominican Republic and to make the task of the OAS more difficult.

1073. The representative of the USSR said that the United States representative's reaction to his proposal had been unduly hasty and betrayed an ignorance of the Charter which was in keeping with his Government's brazen contempt for its basic principles.

1074. Mr. Guaroa Velázquez, the representative of the Government of National Reconstruction, was invited to the Council table. After stating that his presence in the Council in accordance with rule 39 of the rules of procedure in no way altered his standing and status as Permanent Representative of the Dominican Republic accredited to the United Nations, he went on to say that his Government was the only one with legal standing that existed in the Dominican Republic. Referring to the latest incidents, he cited a telegram sent to the President of the Council by the Secretary of Foreign Affairs of the Government of National Reconstruction in which the latter asserted that the incidents had arisen out of attacks begun by members of the Caamaño faction, and that the Government of National Reconstruction had taken no part in them.

1075. His Government wished peace and order to be restored in the Dominican Republic by realistic means which would ensure a stable situation on democratic lines, and had expressed its readiness to co-operate in achieving that aspiration as soon as possible.

#### **V. Communications from the Organization of American States dated 16 and 17 June 1965**

1076. By a telegram dated 16 June 1965, the Secretary-General of the Organization of American States transmitted the text of a statement issued by General Alvim concerning cease-fire negotiations (S/6451 and Corr.1). Referring to a statement by a United Nations spokesman concerning cease-fire negotiations, General Alvim stated that he had not authorized any representative of the United Nations to negotiate in his name with the Caamaño forces. He had made it clear that any negotiations undertaken in the Dominican Republic would be by the OAS Committee and not by the Commander of the Inter-American Peace Force.

1077. In response to a request by the United Nations observers he had informed them that his forces would cease returning fire the moment they ceased receiving it.

1078. On 17 June 1965, the Secretary-General of the OAS transmitted for the information of the Security Council, the text of a communication (S/6455) which the *Ad Hoc* Committee had received from the Commander of the Inter-American Peace Force. In that communication, General Alvim stated that on 17 June 1965 the Caamaño forces had attacked an Inter-American Peace Force position in the vicinity of the power plant, killing one United States soldier and wounding several others. This attack, he added, had been completely unprovoked. He had just reiterated his orders to the forces of the Inter-American Peace Force that only that force absolutely necessary be used to answer these unprovoked attacks. This reiteration of his orders was to illustrate his determination to establish the atmosphere necessary for a peaceful conclusion of the Dominican situation.

#### **W. Consideration at the 1226th meeting (18 June 1965)**

1079. At the 1226th meeting on 18 June, the representative of the USSR charged that American forces, under the cover of the inter-American system, had launched large-scale military operations and were trying to seize the area of Santo Domingo controlled by the Constitutional Government. In view of this extremely serious situation, his delegation called upon all members of the Council to speak out against the crime committed by the North American interventionists. In the present circumstances, the Soviet proposal that the Council should hold meetings in Santo Domingo assumed particular importance.

1080. The representative of Jordan observed that although the Secretary-General's representative had reported that there was no evidence as to which side had started the firing, he had added that Radio Santo Domingo, under the control of the Imbert side, and Radio San Isidro, controlled by General Wessin y Wessin, had broadcast inflammatory speeches on 15 and 16 June.

1081. In the Security Council's resolutions of 14 and 22 May, he added, the order for a cease-fire had



been issued to all parties, Dominican or other, in all Dominican territory. Compliance with the order of the Council for a cease-fire was therefore required of all armed forces involved in the Dominican situation.

1082. The Soviet proposal, which fell within the provisions of Article 28 (paragraph 3) of the Charter and rule 5 of the rules of procedure, reminded the Council that it had in the past met away from the Headquarters of the United Nations. In his opinion, the proposal was in harmony with the genuine desire expressed in the Council to strengthen the authority of the Security Council with regard to the situation in the Dominican Republic. It might also introduce a new stabilizing element which could help to reduce the mounting tension among the Dominican people. However, the suggestion could not be treated apart from the practicability of its implementation, and his delegation would therefore require more time for consideration of the matter.

1083. The representative of Cuba said that the latest developments in the Dominican Republic indicated the desperation of the United States, which had now resorted to force in an effort to impose its interventionist solution on the Dominican people. The violent acts committed by the Inter-American Peace Force in disregard of the Security Council's order for a cease-fire, the indiscriminate bombing of the civilian population and the subsequent broadening of the territory controlled by the Inter-American Peace Force were proof that the situation was becoming increasingly dangerous.

1084. In the light of the facts put before it, the Security Council must take the necessary measures to deter the aggression being committed against a Member State, and to reaffirm its precedence over a regional organization.

1085. The representative of Malaysia stated that there was an urgent need to provide the Secretary-General's representative with more effective means of communication with Headquarters. In a confusing situation like the one prevailing in the Dominican Republic there were always at least two contradictory versions of the same incident, and the Security Council and the world at large depended on the Secretary-General's representative as the sole source of prompt and objective information. It would also be useful to increase the staff assigned to Mr. Mayobre, in order to enable him to observe events more closely and more effectively.

1086. The representative of France, referring to the resumption of the fighting in Santo Domingo on 15 June, said that for the first time the fighting had not been confined entirely to the Dominican factions; the troops of the Inter-American Peace Force had entered into action. That new phase of the crisis could only cause the deepest concern. The advance of inter-American units into the sector held by Colonel Caamaño had substantially reduced the already limited area of that sector, and this had created a *fait accompli* whose repercussions were only too clear. These facts seemed to justify an increase in Mr. Mayobre's staff if the Secretary-General considered that possible. On that point, his delegation was in complete agreement with the representative of Jordan.

1087. The Security Council must remain on the alert and must ensure that the truce obtained by the Secretary-General's representative remained in effect. The United Nations must do all in its power to avoid

a new breach of the cease-fire and to reaffirm the competence of the Secretary-General's representative to see that the decisions of the Security Council were respected.

1088. Finally, his delegation felt that the Council's two resolutions on a cease-fire had made it the duty of all parties not to alter the respective zones occupied at the time. Any other interpretation would give the side breaking the cease-fire an advantage.

1089. The representative of the United States reiterated his objection to the Soviet proposal that the Security Council hold meetings in Santo Domingo. His delegation was aware that meetings had been held in Paris in 1948 and in 1951, where the General Assembly was meeting and where it was convenient for the Council to do likewise, but aside from the legality of the proposal there were many factors which rendered it impractical. Members of the Council had other continuing responsibilities at Headquarters, and the Council itself must always be prepared to act immediately on crises that might arise in other parts of the world. The holding of meetings in the Dominican Republic was likely to result in inflaming political passions and in taking from the OAS certain of its responsibilities for the settlement of the Dominican conflict.

1090. The representative of the Secretary-General had been able to work closely and effectively with the representatives of the OAS in the area. The added presence in Santo Domingo of the Security Council itself would cause increased confusion both substantively and procedurally. The task of the OAS in the Dominican Republic was to help keep the peace and never to initiate fire. On the other hand, like the United Nations peace force in Cyprus or elsewhere, it was authorized to return fire when attacked. In the previous few days, Colonel Caamaño's forces had carried out an unprovoked attack on the Inter-American Peace Force.

1091. As to the movement of the Inter-American Peace Force into the Caamaño zone, the representative of the United States denied the allegation that this move indicated the intention of the peace force troops to take over the entire Caamaño zone. It was merely intended to protect the Inter-American Peace Force from assault by the Caamaño forces pending satisfactory assurances from Colonel Caamaño that the violations by his forces would not occur again. With regard to the reference made by the representative of Jordan to certain broadcasts from the Imbert-controlled radio, it should also be noted that the Caamaño broadcasts incited the Dominican people not only against the Imbert forces but against the Inter-American Peace Force.

1092. The representative of the USSR, in connexion with the idea of strengthening the staff of the Secretary-General in the Dominican Republic, said that his delegation proceeded from the premise that the Secretary-General, in implementing the decision of the Security Council, would take the necessary steps to furnish his representative with greater facilities and additional personnel for supplying the necessary information on the actual situation in Santo Domingo. The negative attitude of the United States on this question was governed entirely by the general policy underlying its actions, namely, to prevent the adoption of measures by the United Nations which would put an end to the intervention of the United States armed forces in the Dominican Republic.

1093. The representative of the United States, he went on, had tried to justify the occupation by United States troops of territory that had been under the control of the Constitutional Government. However, available information bore witness to the fact that the United States had been preparing in advance a further repression against the Constitutional Government in Santo Domingo.

1094. The representative of Uruguay expressed agreement with the two ideas put forward by the representatives of Jordan and France, namely, that the cease-fire ordered by the Council should be obeyed by all military forces then on the soil of the Dominican Republic, and that the principle of a cease-fire in itself presupposed that all movements of troops which might alter the situation existing when the cease-fire had been agreed upon must cease. His delegation wondered whether it might not be a good idea for the President to prepare a summary of what seemed to be the general view of the Council.

## X. Communications from the Organization of American States dated 18 June 1965

1095. By a telegram dated 18 June 1965 (S/6456), the Secretary General of the OAS transmitted the text of a broadcast by General Alvim concerning the violation of the cease-fire on 15 and 16 June. The Commander of the Inter-American Peace Force protested against repeated unprovoked attacks by the Caamaño forces. He also emphasized that the forces under his command were not parties to the Cease-Fire Agreement between the forces of Colonel Caamaño and General Imbert. The Inter-American Peace Force was there to bring about a situation that would provide the stage for the solution of this problem by the OAS. Therefore he could only consider the repeated firing on the Force as attacks against the peaceful mission. He also stated that the Caamaño forces were using medical facilities as firing positions.

1096. On 18 June, the Secretary General of the OAS also transmitted (S/6457) to the Secretary-General of the United Nations the text of a "Proposal of the *ad hoc* Committee for the solution of the Dominican crisis" and a "Declaration to the Dominican people". The report said, *inter alia*, that the *ad hoc* Committee, as a result of its conversations with contending parties and various sectors of the population and a study of the situation, was presenting for the consideration of the parties and of the Dominican people as a whole a plan of action.

1097. The principal points of this plan were:

(1) *Elections*. General elections for the President and Vice-President of the Republic, members of the National Congress and municipal authorities should be held throughout the country no earlier than six months but no later than nine months from the date of the proposals.

(2) *Preparation for the electoral process and OAS assistance*. An OAS technical advisory electoral commission would be established immediately. The Commission would observe the entire electoral process, including the election, themselves, as well as the verification of the results of the voting. The Inter-American Commission on Human Rights would maintain a headquarters in Santo Domingo throughout the pre-electoral period to receive and investigate any complaints of violations of basic human and political rights. During

the electoral process, the Inter-American Peace Force would assist in maintaining peace.

(3) *General amnesty and restoration of peace*. A full amnesty would be granted to all who had participated in the civil strife provided they surrendered their arms and declared their readiness to live at peace with their fellow citizens. The OAS would assist any who wished to leave the country. The Dominican armed forces would refrain from any political activity.

(4) *Provisional government*. Until the elected Government assumed office a provisional government would be set up which would assume responsibility for maintaining law and order, ensuring respect for human rights and restoring public administration. The OAS Committee would hold conversations with political groups and community leaders in order to contribute to the formation of the provisional government.

(5) *OAS assistance for the provisional government*. The *ad hoc* Committee would recommend to the Tenth Meeting of Consultation that the Government of all member States of the OAS should grant the provisional Government immediate diplomatic recognition.

(6) *Institutional act*. The provisional Government could best be provided with the basis for exercising its authority by putting into effect temporarily an institutional Act drawn from the relevant provisions of the 1963 Constitution.

(7) *Constitutional assembly*. A constitutional assembly would be convened within six months following assumption of office by the elected Government.

1098. The Declaration stated, *inter alia*, that the mission of the OAS representatives in the Dominican Republic was not intervention but rather conciliation. The OAS understood the causes and objectives which had brought Dominicans to take up arms, but it also sensed the longings of countless numbers of Dominicans not actively engaged in the struggle. Their desire was for a peaceful solution and a resumption of their normal lives, respect for individual rights and guarantees for democratic institutions to function again. Although the OAS had not found agreement on fundamental issues between the contending sides, it was confident that a solution of the problem was to let the Dominican people decide the crucial issues for themselves in an early election. It was ready and willing to play a major role in this undertaking, as it had done in 1962. The OAS representatives therefore proposed (1) the holding of general elections with OAS supervision in six to nine months; (2) the opportunity for all leaders of democratic parties abroad to return under OAS safeguards; (3) the immediate termination of the armed struggle, with the regular armed forces returning to their barracks and irregular forces to their homes under OAS supervision; (4) the surrender to the OAS of all arms in the hands of civilians; (5) the reopening of all commercial and industrial establishments and the return of employees to their work; (6) the formation of a provisional government which would convoke general elections and prepare an institutional act to serve until the constitutional issue was decided. The OAS was prepared to assist through the creation of an OAS electoral commission, the continuation of the Inter-American Commission on Human Rights in the Dominican Republic, and the immediate establishment of an expanded programme of economic and technical assistance. In making its proposals for the solution of the crisis, the Committee asked those who had fought to lay down their arms. It also asked public employees,

labour and management, political leaders and teachers and the clergy to help in the restoration of normalcy in the country.

#### **Y. Consideration at the 1227th meeting (18 June 1965)**

1099. At the 1227th meeting on 18 June, the Secretary-General stated that in the exercise of his responsibilities he would provide his representative with all possible assistance that he might require. The Secretary-General was also examining the question of communications between his representative and United Nations Headquarters to ensure prompt and undisturbed communication. He had also requested his representative to report to him on the existing deployment of the Inter-American Peace Force in the area where the fighting had taken place on 15 and 16 June.

1100. The representative of the United States read the text of the "Proposal of the OAS *ad hoc* Committee" (S/6457) and the text of the Declaration agreed to by the Committee, stating that they contained positive and forward-looking contributions to the restoration of normal conditions of life in the Dominican Republic.

1101. The representative of the Ivory Coast said that the breach of the cease-fire on 15 June greatly jeopardized the result of the lengthy efforts undertaken by Mr. Mayobre. It was still difficult to determine clearly who had fired the first shot. The cease-fire should be as stable and as lasting as possible so as to allow negotiations to continue. Therefore, his delegation believed that the previous decisions of the Security Council should be implemented and that should the needs of peace require any extension of the security zone by encroaching on the zone occupied by either faction, then this must be done by peaceful negotiation.

1102. The President said that in accordance with the request made at the previous meeting by the representative of Uruguay, he wished to mention some points of agreement which emerged from the Council's last round of discussions. First, there had been a deep concern among the Council's members about the incidents which had taken place in the previous few days, and on behalf of the Council he appealed to all concerned for a strict observance of the cease-fire. Secondly, members of the Council were unanimous in expressing appreciation of the way in which the Secretary-General's representative was fulfilling his very difficult task and he asked the Secretary-General to transmit this unanimous appreciation and thanks to Mr. Mayobre. Thirdly, there was an equal unanimity of view that the representative of the Secretary-General was entitled and required to report to the Council on the situation in the Dominican Republic and on the implementation of the cease-fire. Fourthly, as to whether Mr. Mayobre's mandate implied the investigation of complaints of violations of the cease-fire, there had emerged a consensus to this extent: that the representative's task of reporting on the implementation of the cease-fire entitled him to receive and collect information as he had done heretofore. The President added that he had not been able to detect a consensus in the Council to give the Secretary-General's representative a more elaborate mandate of investigation. Fifthly, there appeared to be a basic agreement that the question of expansion of the staff of the Secretary-General's representative was essentially a matter between the Secretary-General and his representative. Sixthly, there was also agreement on the need to

provide the Secretary-General's representative with a more effective means of communications with Headquarters.

1103. Finally, the President stated that he wished, on behalf of the Council, to express the strong hope that normal conditions on the island be restored as soon as possible, and that speedy progress be made toward a political solution which would allow the people of the Dominican Republic to exercise their full right of self-determination. He realized that these points did not give satisfaction to all members of the Council. He had merely tried to determine how far there was a consensus on the points he had mentioned. His summary did, of course, not terminate the debate on the item, nor did it in any way detract from the positions taken by the members of the Council.

1104. The representative of the USSR, commenting on the statement made by the representative of the United States, reiterated that the Security Council must first and foremost condemn the aggression of American armed forces against the Dominican Republic and demand the immediate cessation of that intervention.

1105. As regards the statement of the President, the Soviet delegation drew attention to the fact that the President's statement that he was expressing a consensus on the part of the members of the Council could not be taken into account, inasmuch as there was not sufficient reason for that. Moreover, it was the practice of the Council that before the President made any recapitulation on behalf of the Council, consultations were held with all members, which had not taken place in this instance. The views expressed by certain members of the Council had not been properly reflected in the President's statement. His delegation deemed it inadmissible in the practice of the Security Council to arrive at arbitrary recapitulations on the basis of conclusions by the presiding official with which the members of the Council did not agree. It would be appropriate to present a text of the statement on a preliminary basis in order to formulate, after consultations, a general consensus.

1106. The representative of Jordan suggested that since the President had included in his statement one matter on which there was not unanimity, the statements should also include the points raised by a large number of members regarding the conditions of the cease-fire, and the general principles involved.

1107. The representative of the United States considered the President's statement a fair statement of the points on which there was agreement and of those on which there was not.

1108. The representative of France considered that it was impossible to draw up a consensus since there had been no agreement in the Council on how the Dominican situation should be assessed. He suggested that the statement might be studied further.

1109. The representative of Uruguay pointed out that he had asked for a summary on two concrete and specific points on which there had seemed to be agreement in principle. These concerned the decision of the Council regarding the cease-fire: the first related to those to whom the appeal had been made, and the second concerned the position in which the military forces must remain following a decision to cease fire.

1110. The representative of Jordan suggested that the President's summary should include the reference to past resolutions of the Council on the question of the cease-fire in the Dominican situation and might state

that the Council reaffirmed those resolutions and called again on all parties to abide strictly by them and that it affirmed as an essential principle the cessation of armed hostilities and the restriction of movements of military troops across the established positions of the cease-fire.

1111. The representative of the United States said that his delegation would like time to study the proposal made by the representative of Jordan. In particular it would want to clarify the reference to movement across established cease-fire lines. If he was alluding to the advance of the Inter-American Peace Force outside the line of communications some days previously, it was necessary to allow a peace-keeping force when persistently attacked to have in self-defence some freedom of manoeuvre so that attacks once repulsed were not immediately repeated.

1112. In reply, the representative of Jordan stated that he was not referring to any particular force in the Dominican Republic but merely putting forward principles to govern the cease-fire.

1113. The representative of the USSR supported the suggestion put forward by the representative of Jordan. He stated that this, however, should not be taken to mean that the Council agreed to or recognized the presence in the Dominican Republic of any foreign troops.

1114. The representative of France supported the suggestion made by the representative of Jordan.

1115. The President stated that if this agreed with the wishes of the Council he would continue to try to find a formula which could achieve unanimity.

## **Z. Report of the Secretary-General dated 19 June 1965**

1116. In a report on 19 June (S/6459), the Secretary-General stated that his representative in the Dominican Republic had reported to him on the fighting which had taken place on 15 and 16 June 1965. In his report, Mr. Mayobre informed the Secretary-General that following the fighting on 15 June the United States troops of the Inter-American Peace Force established new positions along a general line within the sector controlled by Colonel Caamaño. On 18 June, the United States forces remained in occupation of eight new blocks along the west bank of the Ozama River, three additional blocks west of the electric power plant, and two additional blocks along the original southern boundary of the corridor. Fighting was renewed between the United States forces and Caamaño elements on 16 June, along the newly established positions of the Inter-American Peace Force manned by United States troops. The available evidence led his representative to believe that much of the fighting was caused by some of Colonel Caamaño's commandos who seemed to have been motivated by the belief that the United States troops would return to their original positions if pressure were maintained against them.

1117. Failing by loudspeaker arguments to convince Brazilian troops to abandon their positions the Caamaño elements had attacked Brazilian elements of the IAPF, using hand grenades in the initial phase and rifles and machine guns later. Four Brazilians had been wounded in that assault, which resulted in an apology from Colonel Caamaño the next day.

1118. Mr. Mayobre further informed the Secretary-General that since 2030 hours on 16 June there had been no firing incident but that the situation had remained very tense. He considered that the continued occupation of additional territory of the Caamaño sector remained the main cause of the existing tension between the Caamaño forces and the Inter-American Peace Force.

## **AA. Consideration at the 1228th meeting (21 June 1965) and subsequent communications**

1119. At the 1223th meeting on 21 June, the Secretary-General stated that he had just received a report from his representative which stated that the cease-fire was effective. Colonel Caamaño's side had informed him that on 20 June they had made a formal request for the withdrawal of the troops of the Inter-American Peace Force to the original positions established before 15 June. No answer had been received so far.

1120. The President stated that in an attempt to find a good formula he had had constant consultations with those parties that had particularly expressed themselves on the two specific points referred to by the representative of Jordan. He had not yet succeeded but he was not without hope that this might still be possible. He suggested, therefore, that he should continue his informal negotiations with the different parties in the hope of being able to present a generally agreed formula.

1121. During this period a series of communications were received from the Secretary-General of the Organization of American States for the information of the Council, dealing with the activities of the OAS in the Dominican Republic question. They included, *inter alia*, communications from the Tenth Meeting of Consultation of Ministers of Foreign Affairs of the OAS informing the Council of the formation of the Inter-American Peace Force (S/6381, S/6400); the appointment of the *ad hoc* Commission to deal with the Dominican Republic's internal affairs (S/6401); the sending to the Dominican Republic of the Inter-American Commission on Human Rights (S/6404) and of the Technical Assistance Committee of Criminologists (S/6430) to investigate alleged atrocities committed in the country by the forces of the Government of National Reconstruction; proposals of the *ad hoc* Commission of the OAS for the solution of the crisis in the Dominican Republic (S/6457); an agreement between the OAS and the Government of the United States on financial assistance to the Dominican Republic (S/6515); and various other communications containing detailed information on the activities of the above-mentioned organs of the OAS in general and, specifically, in such fields as the maintenance of the cease-fire, political negotiations for a settlement of the crisis, and violation of human rights in the country. Some communications also included views expressed by the Constitutional Government and the Government of National Reconstruction on the solution of the crisis in the country and on the violation of the sovereignty of the State by the United States and the Inter-American military forces.

1122. In addition, the Constitutional Government and the Government of National Reconstruction addressed a number of communications to the Secretary-General or the President of the Council which were distributed only for the information of members of the Council.

**LETTER DATED 7 MAY 1965 FROM THE REPRESENTATIVE OF SENEGAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

1123. In a letter dated 14 October 1964 (S/6012), the representative of Senegal charged that on 10 October a Portuguese Piper aircraft had violated Senegalese territory, flying over the military camp at Kolda. In a reply dated 16 October (S/6014), the representative of Portugal rejected that allegation, stating that the Portuguese Air Force did not possess any aircraft of the "Piper" class or any other similar to it.

1124. In a letter dated 4 February 1965 (S/6177), the representative of Senegal informed the Security Council that from 6 to 8 January 1965 a number of bullets and projectiles of larger calibre had been fired at the Senegalese village of Salikenié along the frontier between Senegal and Portuguese Guinea, wounding citizens of the village. Hand-grenades had also been thrown, and property damage was considerable. On the night of 10 January, thirty-seven Portuguese soldiers had been observed as if considering an attack on the Senegalese village of Sonthiou Elhadji, but they had desisted in view of the presence of a security force. The Government of Senegal called the attention of the Security Council to those grave incidents, which constituted a threat to the peace.

1125. In a letter dated 16 February 1965 (S/6192 and Corr.1), the *Chargé d'affaires* of Portugal said that his Government categorically rejected the accusations as devoid of justification. On 7 January a group of terrorists had penetrated into Portuguese Guinea and had attacked a village. The village population had been forced to protect itself, and exchange of fire had taken place on Portuguese territory. The Portuguese security forces had not intervened in the fight and had strict instructions to respect the territorial integrity of Senegal. The Government of Senegal had no authority to make accusations when in its territory it gave its consent and assistance to the training and equipping of terrorists who attack peaceful villages on foreign soil.

1126. In a letter of 24 February 1965 (S/6196), the Acting *Chargé d'affaires* of Senegal drew attention to a serious incident which had occurred on 15 February when the Senegalese frontier village of Ngorce NGobry had been burnt by Portuguese soldiers who had also destroyed nearby forests and crops. Following the incident, Senegalese authorities had found fifty-seven cartridge cases on the scene. The Senegalese Government could not long remain passive in the face of such frequent acts of provocation.

1127. In a letter dated 16 March 1965 (S/6240), the *Chargé d'affaires* of Portugal replied to the Senegalese letter of 24 February, declaring that on 15 February a group of civilians in Portuguese Guinea had been shot at by terrorists from the territory of Senegal. Those civilians had had to defend themselves and repel the attackers, expelling them from national territory. The Government of Portugal categorically rejected the Senegal accusations.

1128. On 7 May 1965, the representative of Senegal addressed a letter to the President of the Security Council (S/6338) requesting that the Council be convened as soon as possible for the purpose of considering repeated violations of Senegalese air space and territory by the Portuguese authorities. Since the adoption on

24 April 1963 of the Security Council resolution (S/5293) on Senegal's complaint, thirteen violations of its territory had been noted by his Government, some of which had been brought to the attention of the Council in February 1965. In view of those acts of the Portuguese authorities, Senegal considered that the Council should again ask Portugal to cease the violation of Senegalese territory.

1129. The Security Council included the item in its agenda at its 1205th meeting on 12 May 1965, and invited the representatives of Senegal and Portugal to participate, without vote, in the discussion. At its 1210th meeting on 18 May 1965, the Council agreed to accede to the request of the representative of the Congo (Brazzaville) (S/6359) for participation in the discussion. At the 1205th meeting on 12 May 1965, the representative of Senegal stated that during the preceding two years, sixteen violations had been committed by the Portuguese authorities against Senegalese air space and territory following the bombing of the Senegalese village of Bouniak by four Portuguese aircraft on 8 April 1963. Those sixteen new violations had occurred despite the Security Council resolution of 24 April 1963, which had deplored the incursions of Portuguese military forces into Senegalese territory as well as the incident of Bouniak. In the course of the new violations, Portuguese troops had invaded the villages of Thiamoulé (on 18 April 1964), Sara Coube (on 14 June 1964), Salikegne (on 6-8 January 1965), NGobry (on 15 February 1965), Bambatoding (on 11-12 April 1965), Sambalounda (on April 1965), and Bambato (on 18-20 April 1965), opening fire on the villagers and causing considerable material damage. Portuguese soldiers had also crossed the frontier in the neighbourhood of the villages of Coumbacara, Bambato and NGore. There had been overflights over the villages of Tanaff, Djidadjji Balante and Dofia. Bullets, cartridge shells, tear-gas bombs and a hand-grenade had been found at the sites where the incidents had taken place. The representative of Senegal stated that in addition to that evidence, his Government could substantiate its allegations by other proofs, such as burned-out grain stores and huts left behind after the attacks and the two Portuguese soldiers and the intelligence agent who had been arrested by the Senegalese authorities.

1130. In answer to the complaints that Senegal had sent to the Security Council during February (S/6177 and S/6196), Portugal had not challenged the facts of the alleged incidents but had tried rather to justify the violations. In its search for justification, Portugal had not found and could not submit the slightest evidence in support of its version of the incidents. It had then resorted to the strategy of counter-attack before the Security Council. Such a strategy, however, could not prevent the loss of Portuguese territories in Africa, because the liberation of the peoples of Africa was an irresistible movement. His Government appeared before the Council, the representative of Senegal said, in order to request it once again to invite Portugal to respect scrupulously the sovereignty of Senegal and the integrity of its territory and air space. Senegal asked the Security Council to call upon Portugal to abide by its own declaration of good intentions made before the



Council in 1963, and to condemn it for the sixteen new violations of Senegal's territory and air space.

1131. At the same meeting, the representative of Portugal took issue with the mention of document S/5279 in the agenda of the Council. He rejected as completely baseless and unwarranted the allegations made by the Government of Senegal.

1132. Continuing his statement at the 1206th meeting on 13 May he said that Portugal found it amazing that the Government of Senegal had again come to the Security Council with vague and unsubstantiated charges and without having made a preliminary attempt, as required by Article 33 of the Charter, to settle its complaints directly with the Portuguese Government or through mutual friends. The vagueness and the unsubstantiated nature of the allegations could be proved by the fact that Senegal had based its new complaint in part on the alleged incidents of which it had complained in February 1965, although those incidents had already been dealt with by Portugal in its replies to the President of the Security Council. Regarding the other incidents referred to by the representative of Senegal at the previous meeting of the Council, the Portuguese Government had made careful inquiries but had been unable to find the slightest evidence of the alleged violations. Reviewing the alleged incidents in detail, he said that there had been no violations of Senegalese air space by any Portuguese aircraft, and that there had been no violations of Senegalese territory by Portuguese security forces. Senegal must look elsewhere for an explanation. It might find the answer in the irregular gangs which it harboured. It was a matter of common knowledge that the Government of Senegal permitted and assisted armed gangs of terrorists, organized in its territory, to attack the peaceful population of Portuguese Guinea. At least five Senegalese localities were known to be used either as operational bases or as medical aid centres by armed terrorists raiding Portuguese Guinea with the consent of the Government of Senegal. They should be called to account and controlled by the Senegalese authorities, who knew who they were, especially because their activities inevitably harmed the peaceful relations between the people of Portuguese Guinea and the people of Senegal. The representative of Portugal assured the Council that the Portuguese security forces were under strict orders to respect the frontiers of Senegal and that they were obeying those orders. There was no intention on the Portuguese side to harm Senegal in any way. Portugal wanted to co-operate with Senegal; it profoundly regretted the Senegalese attempts to seek disputes where none existed. In order to dispel Senegal's doubts and fears, Portugal was ready to agree that an inquiry team be set up to investigate the specific allegations made by Senegal, with two members to be selected by the two Governments, and the third to be appointed either by the Secretary-General or by the President of the Security Council in consultation with the two Governments.

1133. The representative of the Ivory Coast observed that in spite of the Security Council's resolution (S/5293) adopted on 24 April 1963, the incidents provoked by Portugal on Senegalese territory had been recurring and growing in magnitude. The incidents were sufficiently numerous to cause anxiety in the Council. The representative of Portugal, however, had summarily rejected the Senegalese charges. But it was inconceivable that a respected Government should come to the Council with facts that did not exist. Senegal had

presented the facts and the Council should take due notice of them. The many incidents which the representative of Senegal had brought to the attention of the Security Council should not be viewed as mere frontier incidents. They could not be isolated from the context of contemporary history or from the determination of the patriots of so-called Portuguese Guinea to become free. The blows received by Senegal and Guinea were the last convulsions of an expiring colonialism. Senegal should be praised for its patience and sense of responsibility and the Council should not fail to condemn Portugal for the incursions its troops had made on Senegalese territory. It should urge the Government of Portugal to take all the necessary measures to prevent any violation of the sovereignty and territorial integrity of Senegal.

1134. The representative of France stated that his delegation could only deplore the continuance of the dispute between Senegal and Portugal, and could only express the hope that it would be possible to find a solution to the problem as soon as possible. After studying the facts of the case, the French delegation concluded that while during 1963 and 1964 the dispute had remained within limits and could have been eliminated with goodwill, the nature of the incidents had changed after 6, 7 and 8 January when troops, no longer individually, but in fairly large groups, had crossed the frontier, quite heavy firing had on several occasions taken place, and dwellings and granaries had been seriously damaged, particularly by fire, at several localities. That could furnish proof of the usefulness of the resolution adopted two years before. The Council could again invite the two parties to explore the possibilities laid down by Article 33 of the Charter. The Council should reaffirm its previous resolution which had requested Portugal to take whatever action might be necessary to prevent any violation of Senegal's sovereignty and territorial integrity.

1135. In reply to the representative of Portugal, the representative of Senegal said that his Government had brought to the Council specific charges which would be substantiated by material proofs if the Council so wished. Senegal had not sought a direct understanding with the Government of Portugal, following Article 33 of the Charter, because it had no confidence in direct negotiations with the Portuguese Government, which had shown bad faith in response to the solemn warning given to Portugal by the Security Council in 1963.

1136. Commenting on the remarks made by the representative of Senegal, the representative of Portugal said that he had carefully verified the facts in the Senegalese allegations and was in a position to reiterate that the allegations were false. There was no tension across the frontier between Senegal and Portuguese Guinea. Senegal wanted to start quarrels with Portugal and for that the responsibility must fall on Senegal.

1137. The representative of the Ivory Coast observed that if there was no tension along the border between Senegal and Portuguese Guinea it was certainly not thanks to Portugal, but because Senegal had patrolled the Senegalese side of the frontier only with a very small number of Senegalese policemen in order to avoid the creation of possible incidents. On the other hand, Portuguese troops were stationed on the Portuguese side of the frontier between Senegal and Portuguese Guinea.

1138. At the 1210th meeting of the Security Council on 18 May, the representative of the Congo (Brazzaville) stated that the item under discussion was not an



isolated matter, for his Government had also complained to the Security Council about similar acts of penetration by Portuguese troops into Congolese territory in February and March 1965. As in the case of incidents on Senegalese territory, Portugal had also rejected the changes which the Republic of the Congo (Brazzaville) had brought to the Council's attention. It was indispensable that the Council should take note of the numerous acts of deliberate aggression by Portugal against Senegal, and that it should induce Portugal to adopt a more realistic policy concerning the peoples of Africa.

1139. The representative of Jordan considered that two basic factors should be taken into consideration; the first was the continuity of the incidents, which could develop into dangerous clashes, and the second was the political atmosphere in which the acts had taken place. Senegal had again asked the Security Council for adequate measures of security for its borders against Portuguese military incursions. In minimizing the importance of the question or completely denying the facts, Portugal's approach did not serve a constructive purpose but rather aroused doubts about Portuguese intentions. Neither the incursions nor the method of counter-accusations to justify the incursions could be accepted and the Portuguese Government would do better to take, on its own initiative, effective measures to keep the Senegalese border in peace and not to provoke hostilities with the people of Senegal and all of the peoples of the African continent.

1140. The representative of the United Kingdom of Great Britain and Northern Ireland referred to two suggestions which had arisen from the discussion. He agreed fully with Senegal's suggestion to reaffirm the purpose of the Security Council's resolution (S/5293) of 24 April 1963. He also expressed interest in the suggestion made by the representative of France that possibilities of action under Article 33 of the Charter should be explored. Secondly, along the lines proposed by Portugal or on some other basis the United Nations could do more to investigate charges, establish facts and contribute to a reduction of tension on the frontier. He assured the representative of Senegal that any practical proposals along these lines would be seriously considered by the Council.

1141. The representative of the Union of Soviet Socialist Republics stated that the Security Council was urgently examining the question of provocations against Senegal by Portugal, an ally of the United States and the United Kingdom in the aggressive military bloc of NATO. Portugal disregarded the Security Council resolution of April 1963. Portugal had not provoked incidents against Senegal alone, it had also tried to feel out the borders of other independent African countries, such as the Republic of Guinea, the Republic of the Congo (Brazzaville) and the United Republic of Tanzania. The policy of Portugal in Africa was being inspired and promoted by larger imperialist Powers, in particular by the United States and the United Kingdom. It was certain that Portugal was being prompted in its actions against the independent countries of Africa by such actions as the intervention of the United States and Belgium in the Congo, which had been undertaken with the assistance of the United Kingdom; the American aggression against the Democratic Republic of Viet-Nam; the American armed intervention in the Dominican Republic; the colonial war of the United Kingdom in Aden, and so on. It was the duty of the Security Council not only firmly to condemn,

but also to take effective action to check the colonialists and their protectors. The Soviet Union shared the view of the African countries that such measures should be adopted to protect the countries of Africa from Portuguese provocation. The protection was badly needed, for Portugal had been assisted by and benefited from unlimited military, economic and moral support from its partners in NATO. One of the reasons for support of the imperialistic policies in Africa was connected with considerations of a strategic character. The military air bases in Mozambique located in Beira, Guete, and Nacala were serious sources of tension in Africa, and were playing a far from insignificant role in the preparation of punitive operations against the peoples of the Portuguese colonies and in the provocations against independent African countries. The Soviet representative remarked that the role played by American, British and West German companies in the economy and military establishment of Portugal had enabled Portugal to maintain its colonial policy in Africa. Approximately two thirds of all the funds and capital invested in Portugal and the territories subjugated by it were controlled by foreign monopolies. Among the foreign companies operating in Portugal and its colonies, the principal role was played by the companies forming part of two American groups—Morgan and Rockefeller—as well as those forming part of the British group, Midland Bank.

1142. In trying to retain their strategic and economic positions in the Portuguese colonies, the United States and other members of NATO rivalled one another in providing military assistance to Salazar, thereby flagrantly violating the Security Council resolution of 31 July 1963. The Soviet delegation expected the Security Council to condemn most formally the provocations of the Portuguese authorities against the Republic of Senegal and to put an end to deliberate violations of the Security Council resolution of 24 April 1963 (S/5293). The Council should call upon Portugal immediately to cease violating the air space and territorial integrity of Senegal and adopt effective measures to prevent repetition of such violations.

1143. At the same meeting, the representative of the Ivory Coast submitted, on behalf of his own delegation and those of Jordan and Malaysia, a joint draft resolution (S/6366/Rev.1) which, as later revised, read as follows:

*"The Security Council,*

*"Taking note of the complaint by Senegal against Portugal contained in documents S/6177, S/6196 and S/6338,*

*"Having heard the statements of the representatives of Senegal and Portugal concerning violations of Senegalese territory by the Portuguese military forces,*

*"1. Deeply deplores any incursions by Portuguese military forces into Senegalese territory;*

*"2. Reaffirms its resolution S/5293 of 24 April 1963;*

*"3. Requests once again the Government of Portugal to take all effective and necessary action to prevent any violation of Senegal's sovereignty and territorial integrity;*

*"4. Requests the Secretary-General to follow the development of the situation."*

1144. Speaking for the sponsors, the representative of the Ivory Coast said that they had taken note of the statements made concerning the Senegalese complaint

and found that the resolution of 24 April 1963 (S/5293) had not been effectively implemented. The incursions by Portuguese military forces into Senegalese territory were becoming more and more frequent and were taking on extremely dangerous proportions. The sponsors were convinced that the Senegalese complaint and the incidents which Senegal had submitted to the Council were indirect repercussions of a colonial war that Portugal was waging in different parts of Africa, in so-called Portuguese Guinea, in Angola and in Mozambique. In the present situation, when all countries of the world deplored the position of Portugal, it would be difficult to ask an African State such as Senegal, which was a victim of Portuguese ambitions, to accept the suggestion to sit down and discuss directly with Portugal any dispute that had arisen between them. If those members of the Council who believed that the draft resolution should have contained more specific suggestions would agree that the Organization of African Unity should be invited to intervene to settle the problem posed by Portuguese colonization, he would be happy to make such a proposal. He hoped that as international public opinion condemned the actions of Portugal, so would the members of the Council by their support of the draft resolution.

1145. The representative of Bolivia stated that it was of vital importance that the Governments referred to in the resolutions of the Security Council should respect and obey the provisions of those resolutions. He also considered that an investigation of the facts in the Senegalese complaint might serve the purpose of Article 33 of the Charter, provided that such investigation would be followed by decisions and concrete measures by the Security Council.

1146. At the 1211th meeting, also on 18 May, the representative of Uruguay stated that the Security Council was not the right place and it was not the appropriate moment to investigate the facts of the case, for the Security Council was not a judicial body and, since many of the relevant events had occurred a long time ago, it would be almost impossible to find complete material evidence. The incidents in question were related to the situation created by the granting of asylum by Senegal to a considerable number of political refugees from the territory of neighbouring Guinea. The Latin American countries with long tradition in the matter were concerned when allegations were made that a frontier had been violated in order to pursue refugees seeking asylum in another country so that not only was the territorial integrity of the country violated but the right of asylum as well. The representative of Uruguay believed that the draft resolution submitted by the Ivory Coast, Jordan and Malaysia was capable of contributing effectively to the re-establishment of a normal situation along the border between Senegal and Portuguese Guinea.

1147. The President, speaking as the representative of Malaysia, said that though the Council was not a court of law where every allegation had to be proved beyond a reasonable doubt nevertheless the Council had to arrive at a reasonable judgement by a quasi-judicial process. It was interesting to note that in 1963, when a similar dispute had arisen between the parties, Portugal had presented its case in the same way, holding that the allegations were totally rejected, that the Security Council had no competence in that matter and that an examination of the merits of the trivial complaints only helped to demonstrate their inherent improbability. In this case the Portuguese answer had taken the same

course. On the opening day of the debate, the representative of Portugal had not felt at all deterred from making at once a reply which had been anything but vague and imprecise and had rejected as baseless the Senegalese allegations. Analysing the statement made by the representative of Portugal, the representative of Malaysia observed that, in his judgement, that episode was alone sufficient to satisfy him that not much reliance could be placed on Portugal's denials and rejections of all incidents about which the Government of Senegal had complained. In the wider context of the problem, Portugal did not appear to have paid any attention to the resolutions of the General Assembly and the Security Council in which they had recognized that the situation in the Portuguese territories constituted a threat to the well-being of humanity and to international peace and security in Africa. He observed that if Portugal learned soon to come to terms with the world of today, it would better survive in history. Meanwhile the draft resolution asked for it to take effective steps so that the atmosphere of suspicion and strife might be dissipated.

1148. At the 1212th meeting of the Security Council on 19 May, the representative of the United States of America stated that the charges of violations of air space and territorial integrity brought by Senegal before the Council were serious both in number and in gravity, as were the counter-allegations by Portugal. The United States delegation had expected that the sentiments expressed in the Security Council resolution of 24 April 1963 (S/5293) would reduce if not eliminate the causes of friction and tension existing along the border between Senegal and Portuguese Guinea. That was not the case. Because of the geographical relationship between many of the villages along the border, and the general configuration of the terrain leading to confusion over the line of demarcation between Portuguese Guinea and Senegal, it was entirely possible that incursions could have occurred inadvertently. Whether the incursions were inadvertent or not, the draft resolution submitted by the Ivory Coast, Jordan and Malaysia provided a formula which would be directed towards bringing an end to the situation. The United States delegation felt that the provisions of Article 33 of the Charter would be resorted to in order to avoid a recurrence of incidents which could aggravate the situation, and in this connexion perhaps the proposal of the representative of Portugal for an investigating commission should be examined further. His delegation would vote for the joint draft resolution, although it had some reservations as to the terms in which it had been drafted. The United States had hoped for more balanced language and would have preferred a text containing some reference to the letters from the representative of Portugal to the President of the Security Council. It would also have preferred it if the Council's concern over the general tension existing all along the border were emphasized. Also no mention was made of possible incursions into Portuguese Guinea from Senegal; his Government deplored incursions from either side across the border.

1149. The representative of the Netherlands regretted that in spite of the previous resolution of the Security Council, border tension between Senegal and Portuguese Guinea had continued and recently appeared to have increased. He considered the complaint by Senegal a serious one, meriting the full attention of the Council, the more so since it was brought by a Government which had always shown great responsibility

and restraint in the United Nations. He stated that in cases like the present one where the facts were disputed by the parties, the Council would be well advised to make full use of the means provided for in Article 33 of the Charter. Portugal had offered an impartial investigation, but that offer was unacceptable to the other side. In such a case the Council could itself have ordered an investigation in accordance with Article 34 of the Charter. The draft resolution avoided pronouncing any judgement and provided a formula which could lead to the elimination of existing tension. On other occasions the Netherlands had made it clear that it did not support the policy followed by Portugal with regard to its African territories. Agreement or disagreement with that policy should, however, not influence the judgement of the Council on the complaint before it. His delegation believed that where the facts were disputed and not investigated, the Council would be well advised to adopt such a draft resolution as had been introduced.

1150. The representative of the USSR expressed satisfaction that almost all members of the Security Council had firmly condemned Portugal for its provocative actions against Senegal and for the crimes it had committed against the African peoples. The Soviet Union was prepared to support the draft resolution, although it would have preferred a more energetic condemnation of Portugal. In this connexion he referred to the statement by the representative of the Ivory Coast to the effect that the Council should appeal to the Organization of African Unity to intervene in the Portuguese colonies for the purpose of liberating the people there who were still under the authority of the colonialists.

1151. Not only Salazar's régime, but also those providing it with moral, economic and military assist-

ance should draw the necessary conclusions from the discussions that had taken place in the Security Council.

**Decision:** *At the 1212th meeting on 19 May 1965, the revised joint draft resolution submitted by the Ivory Coast, Jordan and Malaysia (S/6366/Rev.1) was adopted unanimously (resolution 204 (1965)).*

1152. The representative of the United Kingdom welcomed the adoption of the resolution, but wished to emphasize the United Kingdom belief that in all matters of that kind, the best basis for a solution was to have an impartial investigation.

1153. The representative of Portugal placed on record his Government's formal reservations regarding the resolution, which he considered to be discriminatory against Portugal and as not corresponding to any reality.

1154. The representative of Senegal expressed gratification at the unanimity of the Council's decision and thanked in particular the co-sponsors of the resolution. Portugal should be brought to realize that its outmoded myth of commanding the loyalty of Africans who were supposed to be Portuguese citizens could no longer be maintained.

1155. The representative of the Congo (Brazzaville) thanked all members of the Security Council for the common stand they had taken concerning Portugal.

1156. The representative of the Ivory Coast pointed out that the only formula acceptable to the African States was contained in operative paragraph 4 of the resolution. The inquiry suggested by Portugal and supported by certain delegations was unacceptable. The Ivory Coast hoped that Portugal would heed the resolution just adopted. If Portugal did not take it into account and continued to threaten Senegal then Senegal had the sovereign right to protect its citizens and in that Senegal would not be alone.

## Part II

### OTHER MATTERS CONSIDERED BY THE COUNCIL

#### Chapter 10

#### ADMISSION OF NEW MEMBERS

##### A. Application of Malawi

1157. In a letter dated 6 August 1964 (S/5908), the Minister of External Affairs of Malawi submitted the application of Malawi for admission to membership in the United Nations, together with a declaration, signed by the Prime Minister of Malawi, accepting the obligations contained in the Charter of the United Nations.

1158. The Security Council considered the application of Malawi at its 1160th meeting on 9 October 1964. The following draft resolution was submitted by the Ivory Coast, Morocco and the United Kingdom (S/6001):

*"The Security Council,*

*"Having examined the application of Malawi for admission to the United Nations,*

*"Recommends to the General Assembly that Malawi be admitted to membership in the United Nations."*

1159. Following statements by all its members, the Council voted on the joint draft resolution.

**Decision:** *The draft resolution submitted by the Ivory Coast, Morocco and the United Kingdom was adopted unanimously (S/6005).*

##### B. Application of Malta

1160. In a letter dated 29 September 1964 (S/6004), the Prime Minister of Malta submitted the application of Malta for admission to membership in the United Nations, together with a declaration accepting the obligations contained in the Charter.

1161. The Security Council considered the application of Malta at its 1161st meeting on 30 October 1964.

1162. The following draft resolution was submitted by Morocco, Norway and the United Kingdom (S/6028):

*"The Security Council,*

*"Having examined the application of Malta for admission to the United Nations,*

*"Recommends to the General Assembly that Malta be admitted to membership in the United Nations."*

1163. Following statements by all its members, the Council voted on the joint draft resolution.

**Decision:** *The draft resolution submitted by Morocco, Norway and the United Kingdom was adopted unanimously (S/6032).*

##### C. Application of Zambia

1164. In a telegram dated 26 October 1964 (S/6025), the President of the Republic of Zambia submitted the application of Zambia for admission to membership in the United Nations, together with a declaration accepting the obligations contained in the Charter.

1165. The Security Council considered the application of Zambia at its 1161st meeting on 30 October 1964.

1166. The following draft resolution was submitted by the Ivory Coast, Morocco and the United Kingdom (S/6029):

*"The Security Council,*

*"Having examined the application of the Republic of Zambia for admission to the United Nations,*

*"Recommends to the General Assembly that the Republic of Zambia be admitted to membership in the United Nations."*

1167. Following statements by all its members, the Council voted on the joint draft resolution.

**Decision:** *The draft resolution submitted by the Ivory Coast, Morocco and the United Kingdom was adopted unanimously (S/6033).*

##### D. Application of the Gambia

1168. In a letter dated 18 February 1965 (S/6197), the Prime Minister of the Gambia submitted the application of the Gambia for admission to membership in the United Nations. A declaration accepting the obligations of the Charter was attached.

1169. The Security Council considered the application of the Gambia at its 1190th meeting on 15 March 1965. The following draft resolution was submitted by the Ivory Coast, Jordan, Malaysia and the United Kingdom (S/6226):

*"The Security Council,*

*"Having examined the application of the Gambia for admission to the United Nations,*

*"Recommends to the General Assembly that the Gambia be admitted to membership in the United Nations."*

1170. Following statements by all its members, the Council voted on the joint draft resolution.

**Decision:** *The draft resolution submitted by the Ivory Coast, Jordan, Malaysia, and the United Kingdom was adopted unanimously (resolution 200 (1965)).*

## **Part III**

### **THE MILITARY STAFF COMMITTEE**

#### ***Chapter 11***

#### **WORK OF THE MILITARY STAFF COMMITTEE**

1171. The Military Staff Committee has been functioning continuously under the draft rules of procedure during the period under review and has held a total of twenty-six meetings without considering matters of substance.

## Part IV

# MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED IN THE COUNCIL DURING THE PERIOD COVERED

## Chapter 12

### COMMUNICATIONS CONCERNING THE INDIA-PAKISTAN QUESTION

#### A. Communications concerning Kashmir

1172. In a letter dated 27 July 1964 (S/5836), the representative of Pakistan drew the attention of the Security Council to charges of grave violations by India of the cease-fire line in Jammu and Kashmir and of the Agreement pertaining thereto. After giving a description of those incidents, along with the verdict given in each case by the United Nations Chief Military Observer, he stated that the Government of Pakistan had lodged strong protests with India against those violations and had expressed its grave concern at the wanton attacks on the life and property of unarmed civilians by the Indian armed forces.

1173. In a letter dated 21 August (S/5911 and Corr.1 and 2), the representative of India stated that in its letter of 27 July Pakistan had distorted the facts regarding the Kashmir situation. India had already presented charges to the Council of Pakistan's complicity in training and arming its civilians as guerrillas and commandos, with the specific object of subverting the Cease-fire Agreement and the cease-fire line, contrary to its assurances to India that it would take all necessary steps to prevent incidents. Confronted with increasing violations of the cease-fire line, the United Nations Chief Military Observer had decided to give awards even against civilians if they were found to have committed breaches of the Cease-fire Agreement. While India has accepted that decision, Pakistan had rejected it. Unlike Pakistan, India was anxious to maintain the integrity of the cease-fire line and the Cease-fire Agreement, and was prepared to concert with the Government of Pakistan in considering ways and means of completely eliminating such incidents and of ensuring the inviolability of the cease-fire line to mutual advantage.

1174. In a letter dated 17 December (S/6114), the representative of Pakistan complained of an announcement by the Indian Home Minister on 4 December to the effect that India had decided to make the provisions of articles 356 and 357 of the Indian Constitution applicable to the Indian-occupied part of the State of Jammu and Kashmir and charged that India was thereby paving the way for the fulfilment of its intention to tighten its stranglehold over Kashmir and annex it to India. Pakistan had long opposed any move on the part of India which would prejudice the right of the people of the State of Jammu and Kashmir freely to determine their future in accordance with the international agreement embodied in the two UNCIP resolutions of 13 August 1948 and 5 January 1949.

1175. In a letter dated 26 December (S/6125), the representative of India stated that the decision of the President of India to make articles 356 and 357 of the Constitution applicable to the State of Jammu and Kashmir was merely an exercise of the responsibility which inhered in the Government of India. Moreover, the UNCIP resolutions of 13 August 1948 and 5 January 1949 had not constituted an international agreement, and they had become obsolete and inapplicable as a result of Pakistan's failure to implement their basic provision, namely, the complete and unconditional withdrawal of its forces from Jammu and Kashmir.

1176. By a letter dated 5 March 1965 (S/6218), the representative of India forwarded a copy of a protest note which his Government had lodged with Pakistan against the latter's alleged attempt to integrate part of the Indian Union territory of Jammu and Kashmir with Pakistan in violation of the Security Council resolution of 17 January 1948 and of the assurances that the Government of Pakistan had given to the United Nations Commission, the Security Council and its representatives.

1177. In a further letter dated 17 March (S/6242), the representative of India forwarded a copy of a note to Pakistan, in which India had protested against the reference to "the Sino-Pakistan border" agreement in the communiqué issued in Peking on the conclusion of the President of Pakistan's visit to the People's Republic of China. The completion of the work of the so-called boundary demarcation of the Jammu and Kashmir borders with Singkiang was a violation of international law and could never be accepted by India.

1178. By a letter dated 20 April (S/6292), the representative of Pakistan stated that in its letter of 26 December 1964 (S/6125) India had not answered the point raised by Pakistan on 17 December 1964 (S/6114), which was that, in annexing the State of Jammu and Kashmir to the Indian Union, the Government of India had acted in contravention of the provisions of the 13 August 1948 and 5 January 1949 resolutions of the United Nations Commission, of its legal obligations towards Pakistan and the people of Kashmir, and in defiance of Security Council resolutions. The Security Council had decided that the question of accession of the State of India or Pakistan should be settled by the people of Kashmir in a free and impartial plebiscite. There could not be a more solemn international engagement than the one which bound India and Pakistan to their pledge that the people of Jammu and Kashmir should determine their



future by their own unfettered will through a free, fair and impartial plebiscite. Any unilateral act contrary to that agreement constituted a gross violation and could not in any way diminish the continuing force of the agreement nor detract from its validity.

1179. India was continuing its policy of suppression in Kashmir in order to destroy the political organization which was a spokesman of the Kashmiri demand for self-determination. The latest step taken by India in its policy of gradually eroding the special status of the State was a change in the nomenclature of the heads of State and Government in order to bring them in line with those used in the Indian provinces.

1180. By a letter dated 27 April 1965 (S/6305), the representative of Pakistan forwarded a copy of a note to the Government of India stating that article 6 of the agreement concluded between Pakistan and the People's Republic of China on 2 March 1963 had made it quite clear that the boundary agreement did not prejudice any interest that might derive from the international agreement between India and Pakistan with respect to the territory of Jammu and Kashmir. The only interest that India could legitimately assert in the territory of Jammu and Kashmir was of a contingent nature, which belonged equally to Pakistan, and was based on the possibility that the State of Jammu and Kashmir might opt for accession to India in a free and impartial plebiscite.

1181. In a letter of 27 April (S/6303) India protested the signing at Rawalpindi on 26 March 1965 of the boundary protocol to the Sino-Pakistan boundary agreement by the Foreign Ministers of the People's Republic of China and of Pakistan.

1182. In a letter dated 17 May 1965 (S/6360), the representative of Pakistan stated that Jammu and Kashmir was not Indian territory and that India's *locus standi* in respect of Kashmir was no different from that of Pakistan.

1183. In another letter dated 18 May 1965 (S/6367 and Corr.1), the representative of Pakistan drew the attention of the Security Council to the situation created in the State of Jammu and Kashmir by the arrest of Sheikh Abdullah and his colleague, Mirza Afzal Beg, and their detention at Ootacamund, a place far distant from Kashmir. Recalling statements made at the last series of meetings of the Security Council on the India-Pakistan question welcoming the release of Sheikh Abdullah and the contribution that he could make towards settling the Kashmir dispute, he said that it was apparent that India's action in again detaining the Kashmir leader and in condemning him to captivity and exile was not only a provocation to the people of Kashmir and Pakistan but also a defiance of the Security Council.

1184. In a letter dated 18 June (S/6458), the representative of Pakistan charged that for some time past an offensive build-up of Indian military forces had been taking place in the Indian-occupied territory of Jammu and Kashmir in violation of the Cease-fire Agreement and of the UNCIP resolution of 13 August 1948, under which the two parties agreed to refrain from taking any measures that might augment the military potential of their respective forces in Jammu and Kashmir. He added that on 17 May Indian forces in Kargil had attacked and occupied three posts on the Pakistani side of the cease-fire line, and that on 13 June Indian forces had attacked Pakistani posts west of Kargil.

1185. In a letter dated 28 June (S/6481), the representative of Pakistan drew the attention of the Council to the continuing increase of forces by India in the Indian-occupied territory in the State of Jammu and Kashmir.

## **B. Communications concerning the Rann of Kutch**

1186. By a letter dated 11 April 1965 (S/6281), the representative of India charged that Pakistan had committed flagrant acts of aggression against India in the State of Gujarat. Prior to the partition of India the province of Sind, now part of Pakistan, and the State of Kutch in Gujarat had had well-defined boundaries which had not been altered in any way by the partition. Some two months previously Pakistan's armed personnel had made illegal intrusions into the area south of the boundary between Kutch and Sind, up to a distance of over two miles. India had protested against those intrusions and had requested that Pakistan's armed personnel should vacate the area and that the *status quo ante* should be restored. India had also proposed that an early meeting be held between the two Governments so that a solution to the problem could be found and firm decisions taken for an early demarcation of the Kutch-Sind border. Pakistan had, however, refused to respond to any of India's proposals. Instead, on 9 April 1965, Pakistan's armed forces had mounted a heavy attack, resulting in many casualties, on a small Indian border police post at Sardar, more than two miles within Indian territory. On the same afternoon, the Indian police post at Vigokot had also been subjected to heavy attack. India had protested to Pakistan against those attacks and had called upon it immediately to vacate its aggression against Indian territory.

1187. In a letter dated 19 April (S/6291), the representative of Pakistan rejected India's allegations that Pakistan had committed aggression against India and violated Indian territory in the Rann of Kutch. In fact a true account of the events would show that Pakistan had been subjected to an organized campaign of propaganda designed to prepare the ground for action against its borders and to grab territory by force. The dispute pertained to the northern half of the Rann, which had always been under the control and administration of Sind until, at the time of the partition of the subcontinent, it had become a subject of dispute with India. The question had been subject to discussion between the two countries on various occasions, the last being the Ministerial level meeting in 1960. At the end of January 1965, Indian forces had begun to make systematic attempts to hinder Pakistan border patrols from moving between their posts at Ding and Surai, as they had customarily been doing, and in disregard of repeated warnings and protests those attempts had continued. The Pakistan Commander had been obliged to take necessary defensive measures to prevent the Indian forces from occupying that position. Pakistan had agreed that the senior police officials of the two countries should meet to discuss ways of easing the situation and had suggested such a meeting to discuss the restoration of normal conditions in the area, but there had been no reply to its letter. Indeed, it was Pakistan which had first proposed that the dispute over the Rann of Kutch should be solved by resuming talks between the two countries at an appropriately high political level. India, on the other hand, while expressing willingness to resume negotiations, had taken various

military steps showing that it was determined to attempt a settlement by force. It was evident that negotiations on a long-standing dispute could hardly be held with any hope of reaching a mutually satisfactory solution in an atmosphere of tension created by India's military build-up in the area, provocations and hostile show of force. Moreover, India had taken simultaneous military actions against Dahagram in East Pakistan.

1188. In a letter dated 27 April (S/6308), the representative of India stated that Pakistan's letter of 19 April (S/6291) had distorted facts and made baseless allegations. The true position had already been given in India's letter of 11 April (S/6281) which had clearly indicated that the area in question lay fully within the territory of the Indian Union. He added that Pakistan's aggression was continuing and that further acts of aggression were taking place. Behind its forces inside Indian territory, Pakistan had concentrated further armed forces on the border. Moreover, Pakistan had ordered general mobilization and intensive training of semi-military forces.

1189. In a further letter dated 3 May (S/6321), the representative of India said that it was totally untrue that the northern half of the Rann of Kutch had always been under the control and administration of Sind up to the time of the partition of the Indian subcontinent. The fact was that prior to the partition of India, the northern half of the Rann of Kutch had been under the control of the princely State of Kutch. The Kutch-Sind border had separated the British Indian province of Sind and the princely State of Kutch. Although it had not been demarcated as an international boundary, the boundary between Sind and Kutch had always been well defined in all official maps dating from 1872 to 1943 and even later, and had been described in detail in official documents over the three quarters of a century prior to the partition. With his letter, the representative of India enclosed excerpts from official documents and a map of the area in dispute.

1190. By a letter dated 3 May (S/6322) and in continuation of his letter dated 19 April (S/6291), the representative of Pakistan also forwarded a copy of a map showing the area of dispute in the Rann of Kutch.

1191. In a letter dated 7 May 1965 (S/6340 and Add.1), the representative of Pakistan stated that during the preceding days, the bulk of Indian armed forces had been moved close to Pakistan's border and was poised in offensive formations apparently ready for an armed attack on Pakistan. After giving the reported positions of Indian forces around the border of West Pakistan and East Pakistan, the representative of Pakistan stated that, faced with that situation, Pakistan would have to take whatever action it considered necessary in exercise of its right of individual and collective self-defence as set forth in the Charter of the United Nations.

1192. In a letter dated 28 May (S/6389), the representative of India stated that it was not his country but Pakistan which had deployed its troops in a manner such as to suggest a threat to the peace and security of India. Since the description of the deployment of Pakistani troops given to the Security Council in his letter of 27 April (S/6308), Pakistan had not only maintained its aggressive posture but had further strengthened its forces all along the border, both in the west and in the east. The representative of India

stated that the aggressive intentions of Pakistan had manifested themselves in a continuous series of violent incidents and shooting in various parts of the border between the two countries, and had caused a serious threat to international peace and security.

1193. In a letter dated 7 June 1965 (S/6423), the representative of Pakistan stated that the Indian letters of 27 April (S/6303) and 3 May (S/6321) had not answered various charges made in his letter of 19 April (S/6291) and had omitted to mention that Indian forces had attempted to complete the occupation of the disputed territory while India was supposed to be considering Pakistan's proposals for a cease-fire and restoration of the *status quo*. He rejected the Indian claim for the alignment of the border along the northern edge of the Great Rann and cited evidence to support Pakistan's claim to the northern half of the territory, forwarding a map in this connexion. India's assertion that Pakistan's territorial claim was bogus was contradicted by the fact that the question had been the subject of negotiations between the two countries for seventeen years. Referring to the threatening build-up of Indian armed forces all along the borders of Pakistan, details of which had been given in his letter of 7 May, he stated that no country could surrender its rights and vital interests under the threat of force. Nevertheless, Pakistan was willing to submit the dispute over the Rann of Kutch to settlement by the method of arbitration or adjudication as laid down in the United Nations Charter.

1194. In a letter dated 22 June (S/6466), the representative of Pakistan, commenting on the Indian letter of 28 May (S/6389), asserted that India's response to Pakistan's proposal for withdrawal of armed personnel from the disputed area of the Rann of Kutch so that settlement could be sought through arbitration, had been to threaten Pakistan with a war at a point of India's choosing. He also replied to the Indian charges concerning conditions in East Pakistan, and stated that although a meeting between the Chief Secretaries of East Pakistan Government and of West Bengal Government had ended with agreement on a number of issues, India had soon afterwards commenced building a wall in the intervening strip of Indian territory in order to shut out the enclave of Dahagram and to impede the movement of its residents to and from the Pakistan mainland.

1195. By a letter dated 6 July (S/6507), the Permanent Representative of Pakistan transmitted the text of an agreement concluded on 30 June 1965 by India and Pakistan for a cease-fire in the Rann of Kutch. The agreement, *inter alia*, called for an immediate cease-fire to take effect on 1 July 1965 and the restoration of the *status quo ante*, the withdrawal of all troops on both sides to be completed within seven days. Indian and Pakistan police were authorized to patrol all the tracks on which they had been patrolling prior to 1 January 1965, but they were not to interfere with each other.

1196. The agreement stipulated that Ministers of the two Governments would meet in order to agree on the determination of the border in the light of their respective claims, and the arrangements for its determination.

1197. In the event of no agreement between the Ministers of the two Governments on the determination of the border being reached within two months of the cease-fire, the two Governments would have recourse to a tribunal consisting of three persons, none of whom

would be a national of either India or Pakistan. If the two Governments failed to agree on the selection of the tribunal's Chairman within three months of the ceasefire, they would request the Secretary-General of the United Nations to nominate the Chairman. Both

Governments undertook to implement the findings of the tribunal in full as quickly as possible and should refer to it for decision any difficulties which might arise between them in the implementation of those findings.

### Chapter 13

## COMPLAINT CONCERNING ACTS OF AGGRESSION AGAINST THE TERRITORY AND CIVILIAN POPULATION OF CAMBODIA

1198. On 27 July 1964, the Security Council Mission to the Kingdom of Cambodia and the Republic of Viet-Nam, appointed in pursuance of the Council's resolution of 4 June 1964 (S/5741), submitted its report (S/5832 and Corr.1). It stated, *inter alia*, that although the two Governments had divergent views on a number of the problems at issue, they were, nevertheless, animated by a spirit of goodwill and were anxious to reach concrete, even if limited, agreements.

1199. The Mission found that the two Governments were aware of the need to make an effort to reduce the tension between them. The Government of the Republic of Viet-Nam, for example, had assured the Mission that its armed forces would avoid approaching too close to the frontier in order to avert any possibility of frontier violation.

1200. The Mission found that the situation on the frontier nevertheless remained strained and it welcomed the fact that the two Governments had taken a positive attitude and had contemplated measures to reduce the risk of further incidents.

1201. In the mission's view, the two main problems to be solved were the resumption of political relations and the dispatch of international observers. The obstacles to normal relations derived mainly from pride and mutual distrust—the outcome of age-old rivalries, the different historical circumstances in which the two States obtained their independence, and, more recently, the divergent paths they had chosen in the matter of international politics. But the two countries were, nevertheless, aware of the geographical realities which made it necessary for them, as neighbours, to live on good terms. There was a Khmer minority in the Republic of Viet-Nam and a Viet-Namese minority in the Kingdom of Cambodia. The Mekong River was not only the natural highway linking the two countries; it was also a fount from which could rise up great nuclei of prosperity essential for the well-being and progress of all of the region's inhabitants.

1202. The Mission noted that the resumption of political relations would be bound to lead to negotiations with a view to agreement on such matters as the delimiting and marking of the frontier. While it was not in a position to say what part the lack of frontier marking might have played in the recent incidents, the Mission was of the view that anything that could be done to remedy the present inadequate marking would be most helpful in preventing further frontier incidents. As regards the principle of international supervision in the frontier area, the Mission felt it should recommend that the Security Council consider a formula for a United Nations civilian observer group which would embrace the Cambodian proposal—according to which United Nations observers, whose nationalities would

be subject to the approval of the Cambodian Government, would be organized in teams, would set up permanent fixed posts from which sensitive areas in Cambodian territory would be kept under effective supervision, and would not be permitted to cross the boundaries of Cambodian territory. The Mission felt that as the proposals submitted by the Republic of Viet-Nam to establish an international police force, or a group of observers with sufficient personnel and resources to keep the frontier area under surveillance, went beyond what was acceptable to the Kingdom of Cambodia, they might not constitute a basis for an agreement between the two countries.

1203. The Mission recommended that the Security Council should (i) decide to establish and send to Cambodia a group of United Nations observers and should entrust the Secretary-General with the implementation of that decision in consultation with the members of the Council; (ii) recommend that the Governments of Cambodia and Viet-Nam adopt whatever measures were necessary to bring about the resumption of the political relations broken off in August 1963; (iii) appoint a person of high international standing, approved by the two parties, to arrange for a preliminary meeting between the two Governments for the purpose of re-establishing relations between them and the resumption of talks on matters in dispute, particularly the delimitation and marking of the common frontier; (iv) take note of the assurances given to the Mission by the Republic of Viet-Nam that the Viet-Namese armed forces had been issued definite instructions that every precaution was to be taken to avoid any risk of frontier violations; and (v) also take note of that Government's statement that it recognized and undertook to respect the neutrality and territorial integrity of the Kingdom of Cambodia.

### SUBSEQUENT COMMUNICATIONS

1204. On 27 August, the Republic of Viet-Nam transmitted to the President of the Security Council its views (S/5921) on the Mission's report. It felt that the report should have contained a more comprehensive account of the proposals Viet-Nam had submitted to the Mission for the control of the border and the improvement of relations between Viet-Nam and Cambodia. It also felt that any system of border control, to be effective, required the co-operation of the two interested countries. The proposals of both sides, therefore, deserved equal consideration and should serve together as a basis for an agreement between the two countries.

1205. Moreover, the communication continued, Cambodia was not the only aggrieved party, as border incidents had occurred on both sides of the frontier. Ample evidence had also been submitted to the Mission

to prove, beyond any reasonable doubt, that the Viet-Cong had constantly violated Cambodian territory and neutrality in their guerrilla operations against the Republic of Viet-Nam.

1206. The Republic of Viet-Nam felt that the Cambodian proposal for the establishment of a civilian observer corps fell far short of what could be considered an ideal system of border control. To be really effective, an international police force or observer corps should have freedom of movement on both sides of the frontier. The nationalities of the members of the corps normally should be determined by a common accord between the two parties and not by one party alone. Nevertheless, the Republic of Viet-Nam found it encouraging that the Cambodian Government had expressed its willingness to have some kind of apparatus established for the surveillance of the frontier, and therefore regretted that the Cambodian Government had subsequently disavowed even that limited proposal. The Republic of Viet-Nam also regretted that the Cambodian Government, after charging the Viet-Name Air Force with dropping toxic powder on Cambodian villages, chose to reject proposals made by the Republic of Viet-Nam and the United States for an impartial investigation of those charges.

1207. In a letter dated 9 September (S/5952), the representative of Cambodia forwarded to the Security Council the text of a joint Declaration signed by the Head of State of Cambodia, the Royal Government and the two Assemblies. The Declaration stated, among other things, that the Royal Cambodian Government requested that its complaint to the Council "should simply be placed on file". It had noted with surprise that the Security Council Mission had confined itself to enumerating in its report what it called "frontier incidents", without naming those responsible for those acts of aggression. The Mission's investigators had devoted themselves almost exclusively to a consideration of the dispute between Cambodia and Viet-Nam, which was quite outside the Mission's terms of reference. A matter of particular gravity was that the Mission, having arrogated to itself the right to settle the problem of the frontier, had practically espoused the case presented by the "Saigon Government" on that question. The Royal Cambodian Government, on the other hand, had held the view that there was no occasion whatever to present its own case to a Mission whose sole functions were to investigate the complaint submitted to the Security Council and to recommend measures which might prevent any recurrence of the attacks on Cambodian territory. The Mission's recommendation for a resumption of political relations between Cambodia and South Viet-Nam also amounted to a flagrant interference in Cambodia's internal affairs. Consequently, Cambodia protested formally against the Mission's report in so far as it concerned the dispute between the two Governments and rejected its recommendations.

1208. In a further letter dated 30 November (S/6092), the Minister for Foreign Affairs of Cambodia rejected the charge in the Viet-Name letter of 27 August (S/5921) that Cambodia had violated the frontier between the two countries and affirmed its rejection of the Viet-Name proposal for the establishment of an international police force to control the border between the two countries.

1209. On 9 September, the United States informed the Security Council (S/5955) that in its view the

Mission's recommendations relating to the establishment of a group of United Nations observers and the resumption of political relations between Cambodia and Viet-Nam offered genuine promise of reducing the occurrence of incidents along the border between the two countries. Those recommendations not only pointed in the direction of an improved future, but also to practical, though modest, ways in which the United Nations could again exercise its fundamental and indispensable peace-keeping responsibilities.

1210. The United States noted with satisfaction that the Republic of Viet-Nam had responded positively to the Mission's recommendations. At the same time, the United States regretted Cambodia's attitude towards the Mission's report. The Cambodian Government had argued, on the one hand, that the Mission's recommendations were not responsive to its complaint and, on the other, that the United Nations was not competent to judge what steps could be taken to ameliorate a situation brought to the Security Council by Cambodia itself. A further element of incongruity was that, despite its contention that the United Nations was not competent to suggest remedial measures, Cambodia had continued to bring to the attention of the Security Council charges of alleged violations of Cambodian territory or air space by the armed forces of the Republic of Viet-Nam and the United States. One of these charges—namely, that the United States and the Republic of Viet-Nam had repeatedly engaged in chemical warfare against the civilian population of Cambodia—constituted a very serious charge. That Cambodian charge had been repeatedly and categorically denied, and both the United States and the Republic of Viet-Nam had proposed an impartial international investigation of the charge, a proposal which the Cambodian Government had been unwilling to accept.

1211. In a series of communications, the representative of Cambodia drew the attention of the Security Council to further alleged violations of Cambodian territory and air space by the Republic of Viet-Nam and the United States, which denied the charges. These communications are listed below:

S/5826 Letter dated 21 July 1964 from the representative of Cambodia to the President of the Security Council informing the Council of two alleged attacks on 11 June and 1 July by armed forces of the Republic of Viet-Nam against Cambodian posts

S/5829 Letter dated 22 July from the representative of Cambodia to the President of the Security Council reporting alleged incidents by armed forces of the Republic of Viet-Nam on 15 June and 5 July against Cambodian territory

S/5833 Letter dated 21 July from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council, in reply to the letter of 17 June 1964 (S/5770) from the representative of Cambodia concerning the incident at Krek on 13 June

S/5834 Letter dated 22 July from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council, in reply to the letter of 30 June (S/5787) from the Deputy Permanent Representative of Cambodia concerning the incident at Kas-Kos during the night of 24-25 June

S/5839 Cable dated 28 July from the Minister for Foreign Affairs of Cambodia to the President of the Security Council, reporting alleged violations of Khmer air space by South Viet-Name aircraft from 13 June to 23 July "dumping" toxic powder on several villages in the Province of Rattanakiri

- S/5840 Letter dated 27 July from the representative of Cambodia to the President of the Security Council, reporting alleged penetration into Khmer territory on 12 July 1964 by armed forces of the Republic of Viet-Nam
- S/5847 Letter dated 3 August from the representative of the United States to the President of the Security Council, in answer to the cable of 28 July from the Cambodian Foreign Minister (S/5839) concerning the alleged use of poisonous chemicals by United States and Viet-Nameese aircraft
- S/5848 Letter dated 3 August from the representative of Cambodia to the President of the Security Council concerning alleged attacks on 12 and 19 July by armed forces of the Republic of Viet-Nam
- S/5850 Letter dated 4 August from the representative of Cambodia to the President of the Security Council concerning an alleged attack by armed forces of the Republic of Viet-Nam and American soldiers on 31 July against Cambodian territory
- S/5852 Letter dated 2 August from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council, in reply to the cable of 28 July from the Cambodian Minister for Foreign Affairs (S/5839) on the alleged use of poisonous chemicals by the armed forces of the Republic of Viet-Nam
- Add.1
- S/5857 Letter dated 7 August from the representative of Cambodia to the President of the Security Council alleging a flight by South Viet-Nameese aircraft on 3 August over Khmer territory
- S/5877 Letter dated 10 August from the representative of the United States to the President of the Security Council, in answer to the letter of 22 July from the representative of Cambodia (S/5829)
- S/5883 Letter dated 11 August from the representative of Cambodia to the President of the Security Council alleging violations of Cambodian territory on 27 June and 17 July by armed forces of the Republic of Viet-Nam
- S/5886 Letter dated 6 August from the Minister for Foreign Affairs of Cambodia to the President of the Security Council in reply to the letter of 19 June by the Permanent Representative of the United Kingdom (S/5777)
- S/5894 Letter dated 14 August from the representative of the United States to the President of the Security Council concerning the United States Government's rejection of Cambodian charges of the use of poisonous chemicals by United States aircraft and reaffirming the United States statement of 3 August welcoming an impartial investigation of the Cambodian charges
- S/5895 Letter dated 13 August from the representative of Cambodia to the President of the Security Council, transmitting the text of a declaration by the Royal Government of Cambodia on the statements by the Head of the South Viet-Nameese Government concerning bases on Cambodian territory allegedly serving as bases for the Viet-Cong
- S/5896 Letter dated 13 August from the representative of Cambodia to the President of the Security Council alleging the spraying of yellow and white powder on 29, 30 and 31 July by aircraft of the armed forces of the Republic of Viet-Nam over Cambodian territory
- S/5900 Letter dated 12 August from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council in reply to the Cambodian letters of 26 June (S/5786), 2 July (S/5796), 7 July (S/5304) and 9 July (S/5810), charging various violations of Cambodian air space during June 1964
- S/5905 Letter dated 18 August from the representative of Cambodia to the President of the Security Council concerning an alleged attack by the armed forces of the Republic of Viet-Nam against Khmer territory on the night of 1 August 1964
- S/5924 Letter dated 28 August from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council, in reply to the Cambodian letter of 13 August (S/5895) on the subject of the "five important zones serving as bases for the Viet-Cong"
- S/5926 Letter dated 1 September from the representative of Cambodia to the President of the Security Council, concerning an alleged armed attack on 28 August by soldiers of the Republic of Viet-Nam against Cambodian forces in Khmer territory
- S/5932 Letter dated 4 September from the representative of Cambodia to the President of the Security Council charging attacks by armed forces of the Republic of Viet-Nam on 5 June, 17 July, and 17 and 22 August, against Khmer territory
- S/5940 Letter dated 30 August from the Minister for Foreign Affairs of Cambodia to the President of the Security Council, in reply to the letter of 14 August (S/5894) from the representative of the United States, concerning the use of poisonous chemicals over Cambodian territory
- S/5942 Letter dated 8 September 1964 from the representative of Cambodia to the President of the Security Council charging repeated attacks on 5 September by the armed forces of the Republic of Viet-Nam against Cambodian territory
- S/5943 Cable dated 8 September from the Minister for Foreign Affairs of Cambodia to the President of the Security Council, submitting further information on the alleged attack on 5 September by United States and South Viet-Nameese forces on Cambodian territory
- S/5960 Cable dated 11 September from the Minister for Foreign Affairs of Cambodia to the President of the Security Council, charging that the Government of South Viet-Nam has substantially reinforced its land and naval units at Koh Rokar and Kaam Samnar, which he considered as a threat to Cambodia and the peace and security of South-East Asia
- S/5969 Letter dated 9 September from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council, reporting that the armed forces of the Republic of Viet-Nam, during their operations against the Viet-Cong in the frontier zone, had frequently encountered obstacles originating in Cambodian territory
- S/5976 Letter dated 16 September from the representative of Cambodia to the President of the Security Council reporting an alleged violation of Cambodian air space on 4 July by aircraft of the Republic of Viet-Nam
- S/5983 Letter dated 19 September from the Minister for Foreign Affairs of Cambodia to the President of the Security Council, in reply to the letter dated 22 July (S/5834) from the Minister for Foreign Affairs of the Republic of Viet-Nam
- S/5993 Letter dated 24 September from the Minister for Foreign Affairs of the Republic of Viet-Nam to the President of the Security Council, in reply to the Cambodian letter of 13 August (S/5896) concerning the alleged spraying of toxic powder on Cambodian territory
- S/5995 Letter dated 1 October from the Permanent Observer of the Republic of Viet-Nam to the President of the Security Council alleging Cambodian interference in the internal affairs of the Republic of Viet-Nam

- S/5996 Letter dated 29 September from the representative of Cambodia to the President of the Security Council, transmitting a report dated 15 June from the International Commission for Supervision and Control in Cambodia, on the alleged "acts of aggression" by United States-South Viet-Nameese forces against Cambodia
- S/6008 Letter dated 30 September from the President of the Council of Ministers, Acting Minister for Foreign Affairs of Cambodia, in reply to the letter of 28 August (S/5924) from the Minister for Foreign Affairs of the Republic of Viet-Nam
- S/6011 Letter dated 13 October from the representative of Cambodia to the President of the Security Council, in reply to the letter of 1 October (S/5995) from the Permanent Observer of the Republic of Viet-Nam
- S/6015 Letter dated 15 October from the representative of Cambodia to the President of the Security Council, alleging an attack by South Viet-Nameese aircraft on Cambodian territory on 13 October
- S/6022 Letter dated 22 October from the representative of Cambodia to the President of the Security Council, transmitting a statement of 21 October by his Government on an alleged attack on Cambodian territory by United States and South Viet-Nameese aircraft on 20 October
- S/6026 Letter dated 26 October from the representative of Cambodia to the President of the Security Council, transmitting a communiqué from the Cambodian Ministry of Foreign Affairs dated 24 October, reporting an alleged attack on Cambodian territory on 22 October by armed forces of the Republic of Viet-Nam
- S/6027 Letter dated 26 October from the representative of Cambodia to the President of the Security Council transmitting a Cambodian statement of 25 October reporting two alleged violations of Cambodian territory by the United States-South Viet-Nameese air force on 24 and 25 October
- S/6030 Cable dated 28 October from the Minister for Foreign Affairs of Cambodia to the Secretary-General and the President of the Security Council, transmitting the text of a joint proclamation of the Cambodian National Assembly concerning the alleged attacks on Cambodian territory by United States-South Viet-Nameese armed forces
- S/6031 Letter dated 29 October from the representative of Cambodia to the President of the Security Council, containing the text of a communiqué of 28 October by the Minister for Foreign Affairs of Cambodia concerning frontier incidents of 26 October
- S/6041 Letter dated 3 November from the Minister for Foreign Affairs of Viet-Nam to the Secretary-General reproducing a communiqué of 28 October and a map relating thereto, giving an account of the incident which occurred on 20 October on the Cambodian-Viet-Nam frontier and proposing the appointment of a mediator
- S/6147 Letter dated 1 January 1965 from the Minister for Foreign Affairs of Cambodia to the President of the Security Council, containing excerpts of the reply by the Minister for Foreign Affairs of Cambodia to the letter of 3 November 1964 from the Minister for Foreign Affairs of the Republic of Viet-Nam (S/6041) on the incident of 20 October on the Cambodian-Viet-Nam frontier, and rejecting the proposal for United Nations intervention in this conflict
- S/6256 Letter dated 25 March from the representative of Cambodia to the President of the Security Council, charging a violation of Cambodian territory on 21 March by South Viet-Nameese and United States armed forces, near the village of Presh Trohing
- S/6268 Letter dated 1 April from the representative of Cambodia to the President of the Security Council, charging a violation of Cambodian territory on 23 March by United States-South Viet-Nameese forces at the village of Bat Banleak, followed by a skirmish with the Cambodian frontier patrol
- S/6324 Letter dated 3 May from the representative of Cambodia to the President of the Security Council charging a violation of Cambodian territory on 28 April by United States-South Viet-Nameese air forces which attacked the villages of Cheam Tatep and Moream Tiek

## Chapter 14

### THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

#### A. Report of the Secretary-General in pursuance of Security Council resolution S/5761

1212. On 25 August 1964, the Secretary-General reported to the Security Council (S/5913) that he had requested the Government of South Africa to inform him of the action taken by it in accordance with the Security Council resolution (S/5761) of 9 June 1964, and particularly the specific measures contained in operative paragraph 1.

1213. The Secretary-General also informed the Council that he had requested Member States to communicate to him information as to their action in respect of operative paragraphs 2 and 3 of the resolution. The substance of the replies received from thirty-five Member Governments was reproduced in the report and in subsequent addenda (S/5913/Add.1-2).

1214. On 9 November, the representative of Morocco and the Minister for Foreign Affairs of Burundi, in communications (S/6039 and S/6043) to the President

of the Security Council and the Secretary-General, respectively, protested the execution in South Africa of three African nationalists, which had been carried out on 6 November 1964, despite the many appeals addressed to the Government of South Africa by the Security Council and the Secretary-General. In his telegram, the Foreign Minister of Burundi requested that the United Nations take all steps to ensure that such an act, which threatened the peace in Africa and in the world, did not recur.

1215. In a letter dated 16 November 1964 (S/6053) to the Secretary-General, the Minister for Foreign Affairs of the Republic of South Africa referred to the Secretary-General's letter of 19 June 1964 transmitting the Security Council resolution (S/5773) of 18 June 1964, and stated that the contents of that resolution constituted a far-reaching example of attempted intervention in matters falling within the domestic jurisdiction of a Member State. The reso-



lution, he added, in effect asked that South Africa abdicate its sovereignty to the United Nations.

### **B. Report of 30 November 1964 of the Special Committee on the policies of apartheid**

1216. On 30 November 1964, the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa transmitted to the Security Council and the General Assembly a report (S/6073) in which it reviewed the main developments relating to the policies of apartheid of the South African Government, and recommended that the General Assembly should record the conviction of a large majority of Member States that the situation in South Africa constituted a serious threat to the peace, thus calling for mandatory measures provided for in Chapter VII of the Charter; and should invite the Security Council to take necessary action without delay to resolve the situation. The Committee also recommended that the General Assembly and the Security Council should: (a) decide on total economic sanctions against South Africa until that country agreed to comply with its obligations under the United Nations Charter; (b) commend States which had taken effective measures in implementation of General Assembly and Security Council resolutions on that question; (c) express regret at the actions of States which had acted contrary to the provisions of operative paragraph 4 of General Assembly resolution 1761 (XVII) or had failed to implement the decisions on military assistance to South Africa in operative paragraph 3 of the Security Council resolution of 7 August 1963, reaffirmed in the Council's resolutions of 4 December 1963 and 18 June 1964; (d) request all States to prohibit the provision of technical assistance or capital for the manufacture of arms and ammunition as well as any assistance in the manufacture in South Africa of aircraft, naval craft or military vehicles; (e) request all international agencies, in particular the specialized agencies, to deny economic and technical assistance to the South African Government, except for humanitarian assistance to the victims of *apartheid*; (f) request all States to prohibit or discourage investments in South Africa and the granting of loans and credits to the South African Government and South African companies; (g) request all States to deny facilities for all sea and air traffic to and from South Africa; (h) request all States to prohibit or discourage immigration of their nationals to South Africa; (i) request all States to place an embargo on the supply of petroleum and petroleum products and to take appropriate measures for its enforcement; (j) invite all States and organizations to contribute to the relief and assistance of the victims of *apartheid*; (k) request all States to prohibit the supply of raw materials to South Africa and the importation from that country of gold, diamonds and other minerals; (l) request all States to deny technical assistance, capital and machinery for the manufacture of motor vehicles and rolling stock in South Africa; (m) establish an international commission to investigate charges of ill-treatment and torture of prisoners in South Africa and invite the Government of South Africa to provide facilities for such an impartial commission; (n) invite Member States and the specialized agencies to provide facilities for the dissemination of information to promote awareness of the dangers of *apartheid*; and (o) enlarge the membership of the Special Committee to include the permanent members

of the Security Council and to ensure a wider geographical distribution of its membership.

1217. In its report the Special Committee emphasized that economic sanctions, universally applied and fully implemented, constituted the only effective means of achieving a peaceful solution of the problem, and expressed the hope that the specific measures which it had recommended, along with a declaration of determination to impose total economic sanctions, would persuade the Government of South Africa to comply with past resolutions of the General Assembly and the Security Council.

### **C. Report of the Expert Committee established in pursuance of Security Council resolution S/5773**

1218. On 27 February 1965, the Expert Committee on South Africa submitted its report to the Security Council (S/6210). The Committee had been established by the Security Council's resolution S/5773 of 18 June 1964, to report to the Council, after a technical and practical study, on the feasibility, effectiveness and implications of measures which could be taken by the Council under the United Nations Charter in relation to the policies of *apartheid* of the Republic of South Africa.

1219. On 24-26 February 1965, the Expert Committee, having completed its study, received four sets of draft conclusions: one set jointly sponsored by Czechoslovakia and the USSR, another by the Ivory Coast and Morocco, a third by the United States, and a fourth by Bolivia and Brazil. The representative of the United States, however, indicated that he would not press for a vote on the draft conclusions submitted by his delegation.

1220. On 26 February, the Committee voted on the remaining three draft conclusions. The Czechoslovak and USSR draft conclusions were rejected by 4 votes in favour (Czechoslovakia, Ivory Coast, Morocco, USSR) and 6 against (Bolivia, Brazil, China, Norway, United Kingdom, United States).

1221. The Ivory Coast and Morocco draft conclusions were rejected by 4 votes in favour (Czechoslovakia, Ivory Coast, Morocco, USSR), 5 votes against (Bolivia, Brazil, Norway, United Kingdom, United States) and 1 abstention (China).

1222. The Bolivia and Brazil draft conclusions were adopted by 6 votes in favour (Bolivia, Brazil, China, Norway, United Kingdom, United States) and 4 votes against (Czechoslovakia, Ivory Coast, Morocco and USSR).

1223. The Committee, therefore, submitted the following general conclusions.

1224. South Africa's economic strength, diversity and prosperity had been due in large part to: its varied and abundant natural resources, its rapidly developing industrial base, the high degree of technical and managerial skill available, foreign trade and investment and the exploitation of non-white labourers. While South Africa would not be readily susceptible to economic measures, it was not immune to damage from such measures.

1225. The degree of effectiveness of economic measures would directly depend on the universality of their application and on the manner and duration of their enforcement. While some of its members disagreed on the degree of severity of the effects that such

measures might have on the South African economy, the Committee agreed that there were several areas of vulnerability. In fact, from the Committee's discussions, it became apparent that South Africa's economy would be susceptible to the effects of a total trade blockade and to an interdiction of communications. Particular emphasis was given to an embargo on petroleum and to a cessation of emigration into South Africa. Some members considered that appreciable effects would also be caused by a banning of financial transactions.

1226. Similarly, it was noted that some means of alleviation, such as substitution, rationing and a redeployment of resources, could have significant results and that it was not possible to draw precise conclusions regarding the degree to which those measures, or a combination of them, might affect South Africa's economic activity, or the length of time it would take for their effects to be felt. The susceptibility of the South African economy to measures would vary from case to case, effectiveness being largely dependent on the one hand upon the availability to South Africa of measures of alleviation, and on the other, on an organized and co-operative effort by, among others, present and potential suppliers. An embargo on arms and ammunition, although perhaps not an economic measure, if universally applied could have an important effect within the framework of a trade embargo.

1227. Consideration of those measures raised the problem of adequate international machinery to prevent their circumvention by States and individuals, as well as problems arising from the failure of any State to co-operate. The Committee expressed the view that, while many measures were feasible, their effectiveness depended to a great extent on the degree of collective willingness, universality of application and genuine desire on the part of those imposing them, particularly the States maintaining close economic relations with South Africa. More emphasis was also given in the Committee to the psychological effects of these measures, along with South Africa's present economic capacity to withstand such measures and the will of its people to do so. It was agreed that an international effort should be made to mitigate the hardships caused by such measures on the economies of some Member States. There could be serious dislocations in world markets and in various individual countries, depending on the methods chosen; for example, Basutoland, if an embargo on labour were in question, or the United Kingdom, if a general embargo were imposed by a decision of the Security Council.

1228. Taking into account the preceding circumstances emphasis was placed in the Committee on the importance of: a total trade embargo; an embargo on petroleum and petroleum products; an embargo on arms, ammunition of all types, military vehicles and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa; cessation of emigration of technicians and skilled manpower into South Africa; interdiction of communications with South Africa; and political and diplomatic measures referred to in the resolutions already adopted by the Security Council and the General Assembly.

1229. Similarly, emphasis was placed by the Committee on the varying effects of such measures and on the necessity of solving certain problems of implementation in order to judge the practicability and the effectiveness of these measures. In this connexion, certain members emphasized the need for a total

blockade as well as its great costliness. In such an event, a proportionate sharing of costs should be considered. Other members stressed the importance of a partial blockade, stating that measures affecting vulnerable sectors of the South African economy might have a practical effect on the economy as a whole as well as having effective political and psychological repercussions on the white minority. In deciding to apply measures against South Africa, it would be essential to set up a co-ordinating committee which should also co-ordinate action to mitigate proportionally the major hardships caused to the economies of Member States.

1230. Finally, it was emphasized that, while those measures could prove feasible under the conditions outlined, it was for the Security Council to evaluate their applicability and effectiveness in the political and psychological context.

1231. The delegations of Czechoslovakia and the USSR submitted a dissenting note categorically opposing the conclusions adopted, which they considered not only distorted the true situation, but might harm the struggle against *apartheid* in South Africa. They put forward the following conclusions and recommendations.

1232. Sanctions of an economic and political nature against the Republic of South Africa were unquestionably feasible and would have the effect of inducing the authorities, legislative bodies and ruling economic circles of the Republic of South Africa to abandon their racist policy of *apartheid*.

1233. The most effective measures to be undertaken simultaneously on the basis of a decision of the Security Council would be: (a) a total embargo on trade with South Africa, including an embargo on the export to South Africa of goods and especially arms, ammunition, military equipment of all types and materials for their manufacture and petroleum and petroleum products, and including also a boycott of South African goods; (b) cessation of all military and economic assistance, foreign investment, and of loans to the South African authorities or to South African companies; (c) cessation of export of any qualified or specialized labour to South Africa; (d) severance of diplomatic, consular and other relations with South Africa, including complete interruption of rail, sea, postal, telegraphic and radio communications; and (e) prohibition of the establishment of new ties or agreements mentioned in (a), (b), (c) and (d).

1234. The Expert Committee had every reason to assert that the implementation of the above measures would have the effect of inducing the South African authorities to abandon the racist policy of *apartheid* and comply with the decisions of the various United Nations bodies. The choice of the best ways and means of putting those sanctions into effect was unquestionably the prerogative of the Security Council.

1235. These conclusions and recommendations were supported in the Committee by the representatives of Morocco and the Ivory Coast.

1236. The USSR representative stated that the Committee's failure to carry out the tasks entrusted to it by the Security Council was due solely to the opposition of those Powers which were the principal economic and commercial partners of the racist authorities of the Republic of South Africa.

1237. The four sets of draft conclusions, together with the texts of the documents before the Committee

and the summary records of the meetings of the Committee, were attached to the report as annexes.

#### **D. Report of 16 June 1965 of the Special Committee**

1238. On 16 June 1965 the Special Committee submitted to the Security Council a report in which it reviewed the development of the situation in South Africa since the submission of its report of 30 November 1964.

1239. During that period, it said, the South African Government had not only continued to implement earlier *apartheid* legislation, but had further intensified the policies of *apartheid*, had ordered stricter application of those policies with regard to entertainment, sports and other public events, and had introduced legislation to separate education of people of Indian and Pakistani origin. It had also continued with its policy of ruthless repression against opponents of the policies of *apartheid*: numerous trials had been instituted, some on political prisoners under retroactive legislation providing harsher penalties for offences for which they had been convicted. A number of opponents of the policies of *apartheid* had been executed or faced execution, despite the demands of the Security Council and the General Assembly that the South African Government desist from executing those whose only crime was their opposition to *apartheid*. The South African Government had continued to order the house arrest or the banning of persons opposed to *apartheid* and had introduced serious new repressive legislation at the current session of Parliament.

1240. Noting that those developments had continued to aggravate the explosive situation prevailing in the Republic of South Africa and increased the urgent need for decisive action to secure an abandonment of *apartheid* and the implementation of the decisions of the General Assembly and the Security Council, the Special Committee reaffirmed its conviction that economic sanctions were the only effective peaceful means available to the international community to help resolve the situation in the Republic of South Africa. The Group of Experts shared that conviction and the Expert Committee established in pursuance of Security Council resolution S/5773, after eight months of discussion, had not found any other peaceful measures which would be effective. While the Expert Committee was unable to reach unanimous agreement on its conclusions, the three drafts which had been voted on in the Committee accepted that South Africa was vulnerable to international economic measures and that emphasis should be placed on a total embargo on trade with the Republic of South Africa and on some specific economic measures.

1241. The Special Committee deplored the fact that since General Assembly resolution 1761 (XVII) of 6 November 1962, and even during the deliberations of the Expert Committee, the major trading partners of the Republic of South Africa had greatly increased their trade with South Africa and investment in that country and had continued, directly or indirectly, to facilitate the build-up of the military and police forces in South Africa. A large part of the recent investments had been designed to assist South Africa to develop its military power, to promote self-sufficiency, to overcome the effect of economic measures taken at great sacrifice by many countries and to resist international economic sanctions.

1242. It recommended that the Security Council and the General Assembly urge the major trading partners of the Republic of South Africa, in particular those among them who were permanent members of the Security Council, to cease immediately all relations which encouraged the South African Government to persist in its disastrous racial policies, and join in measures, under the auspices of the United Nations, to secure an end to the policies of *apartheid* and to promote progress towards a non-racial society which would guarantee human rights to all the people of the country, irrespective of race, colour or creed. It recommended also that, as a first step to follow upon its resolutions, the Security Council call upon all States urgently to take, under Chapter VII of the Charter, a number of measures. The Special Committee finally reaffirmed its recommendation that the Security Council decide on total economic sanctions against the Republic of South Africa until the South African Government agreed to comply with its obligations under the Charter of the United Nations and promptly institute the measures indicated in its report of 30 November 1964 to persuade the South African Government to take steps to comply with the resolutions of the General Assembly and the Security Council. Included in the report were a note on the build-up of military and police forces in the Republic of South Africa and a note on recent investments by foreign-owned corporations in the Republic of South Africa.

#### **E. Letter dated 17 June 1965 from the Chairman of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa**

1243. In a letter of 17 June 1965 (S/6454), addressed to the President of the Security Council, the Chairman of the Special Committee on the Policies of *apartheid* of the Government of South Africa transmitted the text of the statement he made on the occasion of the adoption of the Special Committee's report of 16 June 1965. He stated that the report was a call for action made to the Security Council and the General Assembly, more especially to the permanent members of the Security Council, to the major trading partners of South Africa, namely those who held the key to a peaceful solution of the grave problem of *apartheid*, and indeed, to all the people of goodwill who needed to exert their maximum efforts to prevent a catastrophe in South Africa.

1244. The Security Council should put an end to its inaction and take the necessary action for the elimination of *apartheid* which was a scourge threatening racial peace in Africa and the world. If the Powers which had interests and could exert influence in South Africa refused to act because of selfish motives, the situation would itself demand that other ways and means should be explored. The inevitability of a solution by force might have to be accepted; a solution in which the United Nations might play the role of a powerless spectator who had fallen into disrepute.

1245. The report, the Chairman continued, affirmed the Special Committee's conviction based on a serious study of the problem that all other means to deal with the situation in South Africa had been exhausted and that the United Nations now faced the inescapable and imperative duty to take decisive mandatory action. For more than a decade the United Nations had been told by the Western Powers and their spokesmen that change had to come peacefully from inside South

Africa; that outside criticism and pressure did not help. But those Western Powers had not been so inactive outside the United Nations. They had been pouring investments into South Africa and deriving fabulous profits. They had been making with South Africa joint military plans for the so-called defence of the African continent.

1246. After the Sharpeville massacre of 1960 and the fact that this event coincided with the upsurge of independence in Africa had not been an accident, the attitudes of the major Powers changed. Now they would vote for any condemnation of the South African régime, but would not recognize that the situation constituted a threat to the peace under Chapter VII of the Charter, would not support any effective or mandatory action and would always look for means to postpone or divert action. Some of the great Powers had resisted a recognition of the clear threat to the peace and had been supported by the major trading partners of South Africa, because they derived profit from the oppression of non-whites in South Africa.

1247. The foreign business interests going into South Africa were collaborators with the fascist South African régime and partners in racial discrimination not only in South Africa but in the United States of America and other countries as well. They helped to strengthen its military power and to build up self-sufficiency.

1248. The Chairman urged the Governments of the United Kingdom, United States and other countries to prohibit companies registered in their countries from investing in South Africa and to refuse to allow any profits being received in their countries from South Africa. He did not see any great need for a blockade if the United Kingdom and its allies would faithfully implement the United Nations resolution. But since the matter had been raised he would propose that the United Kingdom, the United States and all other countries agree to allocate all the profits they received from South Africa to a special fund to end *apartheid*. In 1963, the United States companies had earned a profit of \$86 million from investment in South Africa. The United Kingdom companies had earned more than the United States companies. If all States would agree to devote an amount equivalent to their profits to support the efforts of the United Nations, the end of *apartheid* could be secured in a very short time.

1249. The Special Committee had presented the report to the Security Council and the General Assembly, the Chairman concluded, because it was its duty to draw their attention to the need for a serious consideration of the problem and for taking urgent and decisive action. It would seem most appropriate that the Security Council, according to its provisional rules of procedure, should meet in Africa when it considered the problem of *apartheid* again.

## Chapter 15

### REPORTS ON THE STRATEGIC TRUST TERRITORY OF THE PACIFIC ISLANDS

1250. On 16 July 1964, the Secretary-General transmitted to the Security Council the report of the Trusteeship Council (S/5783)<sup>2</sup> on the Trust Territory of the Pacific Islands, covering the period from 27 June 1963 to 29 June 1964.

1251. On 22 April 1965, the Secretary-General transmitted to the members of the Council the report (S/6295) of the United States Government on the administration of the Trust Territory of the Pacific Islands for the period from 1 July 1963 to 30 June 1964.

<sup>2</sup> *Official Records of the Security Council, Nineteenth Year, Special Supplement No. 1.*

## Chapter 16

### COMMUNICATIONS CONCERNING RELATIONS BETWEEN HAITI AND THE DOMINICAN REPUBLIC

1252. In a letter dated 28 July 1964 (S/5841), the Foreign Minister of Haiti informed the Security Council that Haitian rebels who had landed at Lagon des Huitres, Haiti, on 29 June 1964 with the help of the Government of the Dominican Republic, had, after being defeated, returned to the Dominican Republic where they were reportedly to be placed at the disposal of the OAS Committee of Investigation. Haiti asked why the Haitian rebels had fled to Dominican territory and why the Dominican Government had remained silent on this matter. Those developments, the letter added, confirmed former charges made by Haiti in connexion with acts of aggression and interference committed by the Dominican Government against the sovereignty and territorial integrity of Haiti.

1253. In a further communication dated 1 September 1964 (S/5928), Haiti complained that on the night of 31 August-1 September Dominican soldiers had opened fire against the Haitian frontier post of Malpasse, and charged that the attack was not an isolated act of provocation but was part of the strategy which had for long been planned and carried out by successive *de facto* régimes in the Dominican Republic against the territorial integrity and sovereignty of Haiti.

**COMMUNICATIONS FROM THE ORGANIZATION OF AMERICAN STATES CONCERNING  
CHARGES BY VENEZUELA AGAINST CUBA**

1254. By a letter dated 27 July 1964 (S/5845), the Secretary-General of the Organization of American States (OAS) transmitted to the Security Council the text of a resolution entitled: "Application of measures to the present Government of Cuba", adopted on 26 July by the Ninth Meeting of Consultation of Ministers of Foreign Affairs, serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance. That meeting, which had taken place in Washington, D.C. between 21 and 26 July 1964, had had before it the report of the Investigating Committee established by the OAS Council in connexion with charges of Cuban aggression made by Venezuela in 1963.<sup>3</sup>

1255. By the resolution, the Foreign Ministers, declaring that the acts verified by the Investigating Committee constituted "an aggression and an intervention" by the Government of Cuba in the internal affairs of Venezuela, condemned the Government of Cuba for those acts and resolved, in accordance with articles 6 and 8 of the Inter-American Treaty of Reciprocal Assistance, that the Governments of the American States should not maintain diplomatic or consular relations with Cuba; should suspend all trade with Cuba except for foodstuffs, medicine and medical equipment, which might be sent for humanitarian reasons; and should suspend all sea transportation except for humanitarian purposes. The OAS Council was authorized to discontinue those measures by a two-thirds vote when the Government of Cuba had ceased to constitute a danger to the peace and security of the hemisphere. The resolution also warned the Government of Cuba that if it persisted in carrying out acts which "possess characteristics of aggression and intervention" against one or more member States of the OAS, the members would preserve their rights as sovereign States by the use of individual or collective self-defence, and even resort to armed force, until such time as the Organ of Consultation took measures to guarantee peace and security in the hemisphere.

1256. By a letter dated 9 August (S/5867), the representative of the Union of Soviet Socialist Republics transmitted to the President of the Security Council a statement by his Government which declared, *inter alia*, that the resolution by which the Ninth Meeting of Consultation of the OAS had arbitrarily and groundlessly condemned Cuba for "aggression" and "intervention" in the internal affairs of another State, reflected the intention of the United States to use the machinery of a regional organization for its own interests and its aggressive policy towards Cuba. Cuba, the USSR statement said, was not an aggressor, but the victim of United States aggression. According to the official statements by the Cuban Government, since October 1962 the United States had committed some 2,000 acts of provocation against the Republic of Cuba and had grossly interfered in its internal affairs. It had organized an economic blockade of the island, violated Cuba's air space, and was introducing into Cuban territory saboteurs, arms and military equipment for

subversive purposes. Moreover, the statement declared, it was known that the Governments of Guatemala, Nicaragua and certain other Latin American countries were taking a direct part in organizing acts of provocation which infringed Cuba's sovereignty and constituted a danger to peace and security. Military bases and training camps for bands of Cuban counter-revolutionaries had been set up in the territories of these countries and from these bases armed raids were made on the territory of the Republic of Cuba.

1257. The decisions of the OAS meeting, the USSR statement continued, were legally untenable and in clear contradiction to the United Nations Charter and the principles of international law. The attempt made to accuse Cuba of "aggression" and "intervention" and, on that pretext, to apply enforcement measures against that country, violated Article 39 of the United Nations Charter, under which the Security Council was the sole organ empowered to determine the existence of any threat to or breach of the peace, or act of aggression, and to decide what measures would be taken, in accordance with Articles 41 and 42, to maintain or restore international peace and security. No regional organization was endowed with those rights, for it was clearly laid down in Article 53 of the United Nations Charter that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council". The threat to use armed force against Cuba was alarming. The United Nations Charter prohibited the threat or use of force in international relations against the territorial integrity or independence of any State. Nor could the OAS decisions be justified by reference to the Inter-American Treaty of Reciprocal Assistance, since Article 103 of the United Nations Charter clearly stipulated that in the event of a conflict between the obligations of the Members of the United Nations under the Charter and the obligations under any other international agreement, their obligations under the Charter prevailed.

1258. The Soviet Government declared that the resolution of the Ninth Meeting of Consultation of Ministers of Foreign Affairs of States members of the OAS violated the basic principles of the United Nations Charter and was therefore invalid. In adopting that resolution the OAS, in blatant violation of the United Nations Charter, had unlawfully arrogated to itself powers and responsibilities belonging to the Security Council and exceeded its own authority as conferred upon it by the United Nations Charter.

1259. In a letter dated 17 August (S/5901) to the President of the Security Council, the representative of Czechoslovakia drew attention to what he termed a grave violation of the United Nations Charter by the resolution adopted at the Ninth Meeting of Consultation of the OAS which contained a series of enforcement measures unauthorized by the Security Council under Article 53 of the Charter. In a statement attached to the letter, the Government of Czechoslovakia asserted that the United States had for a long time systematically conducted a campaign against Cuba on the basis of false charges made by Venezuela about Cuba's alleged interference in the internal affairs of Latin American coun-

<sup>3</sup> See *Official Records of the General Assembly, Nineteenth Session, Supplement No. 2 (A/5802)*, paras. 961-962.

tries and had used that as a pretext for the adoption of unlawful resolutions at the Ninth Meeting of Consultation. Czechoslovakia considered the resolutions invalid since only the Security Council could decide what measures needed to be adopted in order to maintain peace and security, and in no circumstances could its authority be usurped by any regional organization. Moreover, it was essential to reject any attempt to resort to armed force as a means of solving international disputes; for to follow such a course of action would not only jeopardize the existence of the United Nations but also seriously endanger world peace.

1260. In a letter dated 15 October (S/6018) to the Secretary-General, the *Chargé d'affaires* of Nicaragua protested against the reference to Nicaragua in the USSR statement (S/5867). Nicaragua, the letter said, had placed before the OAS documents which proved that Nicaragua had repeatedly been the victim of Cuba's communist Government. That had never been denied by the Cuban Government which had, on the contrary, confirmed its intention to continue its communist activities against Nicaragua and other countries in the hemisphere. For those reasons, Nicaragua had firmly supported the OAS resolution condemning Cuba.

## Chapter 18

### PROPOSAL REGARDING MEASURES TO STRENGTHEN THE UNITED NATIONS IN THE SAFEGUARDING OF INTERNATIONAL PEACE AND SECURITY

1261. In a letter dated 5 August 1964 (S/5853), the representative of the United Kingdom transmitted a note of his Government in reply to the Soviet memorandum of 10 July (S/5811), stating that the United Kingdom welcomed the Soviet reaffirmation of support for the purposes and principles of the United Nations Charter. Noting the suggestion that negotiations for the conclusion of special agreements under Article 43 of the Charter should be renewed so that forces might be placed at the disposal of the Security Council, the United Kingdom expressed interest in learning the Soviet views as to how and when to resume such discussions, and stated that it was always ready to consider such possibilities. However, the basic question to be considered was the proper role of the Security Council and of the General Assembly respectively in relation to peace-keeping operations and their financing. The salient features of the United Kingdom's ideas on the subject were set out as follows:

“(a) All peace-keeping proposals should be dealt with first by the Security Council and should be referred to the General Assembly only if the Security Council were to demonstrate that it was unable to act.

“(b) A Peace-Keeping Finance Committee, including all permanent members of the Security Council, would be established by the General Assembly.

“(c) The Committee would consider a number of alternative schemes for the financing of peace-keeping operations, including possibly any special scale of payments that might be formulated by the United Nations Working Group of Twenty-One. The General Assembly would arrange to act only on a recommendation from the Committee passed by a two-thirds majority of its membership.”

1262. In a note dated 26 November (S/6070), the representative of Czechoslovakia stated that the question of the so-called United Nations peace-keeping opera-

tions must be seen as a part of a broader problem of strengthening the effectiveness of the United Nations. All endeavours to regulate future United Nations activities in maintaining or consolidating peace must be fully in accordance with the Charter, or they would undermine the Organization. United Nations military operations should be conducted by forces composed of military contingents of countries belonging to all social systems, and the countries of the socialist world should be given clear assurances that the principle of full equality would be safeguarded. The only proposal providing a clear-cut answer to the question was that contained in the USSR memorandum of 10 July (S/5811).

1263. Under the conditions explained in the statement, the Czechoslovak Government was ready to make available to the Council a contingent of the Czechoslovak armed forces and was ready to conclude an appropriate agreement with the Council under Article 43. If necessary, and under the same conditions, it was willing to participate in the financial coverage of military operations conducted by the Council.

1264. In a note dated 17 December (S/6120), the representative of Bulgaria also stated the views of his Government on this subject. The note stressed the exclusive competence of the Security Council to take preventive enforcement measures to maintain or restore international peace and security and expressed full agreement with the views put forward in the USSR memorandum (S/5811) and in the Czechoslovak note (S/6070). The Bulgarian Government was ready, in case of need, to make contingents from the Bulgarian armed forces available to the Council in accordance with Article 43 of the Charter, once the relevant agreement had been concluded with the Security Council. Provided the Charter was strictly observed, Bulgaria was also willing to participate in the payment of the expenses of future military operations undertaken by the Security Council.

## Chapter 19

### COMMUNICATIONS CONCERNING DEVELOPMENTS RELATING TO YEMEN

1265. In a letter dated 27 August 1964 (S/5919) to the President of the Security Council, the representative of Yemen complained that British forces had committed armed aggression by firing on the town of Albaidha

in the Yemen Arab Republic on 18, 19 and 24 August 1964.

1266. In a letter dated 31 August (S/5922) to the President of the Security Council, the representative



of the United Kingdom denied the Yemeni allegation and stated that on the night of 23-24 August Yemeni artillery in the Baidha area of Yemen had opened fire on the territory of the Federation of South Arabia. On behalf of the Government of the Federation of South Arabia, the United Kingdom Government reserved the Federation's right to take any necessary defensive measures in the event of any repeated attack of that kind. The activities of the Yemeni Republican authorities since 9 April had been inconsistent with the reduction of tension in the area for which the Security Council had called on that date. In further letters dated 18 September (S/5979) and 1 October (S/5994) the United Kingdom complained of further incidents on 9 and 10 September and on 27 September, involving firing and armed incursions into Federal territory.

1267. On 2 September, the Secretary-General submitted a report (S/5927) on the functioning of the United Nations Yemen Observation Mission (UNYOM) and the implementation of the terms of disengagement of United Arab Republic (UAR) and Saudi Arabian Forces covering the period from 5 July to 4 September 1964. Referring to his report of 2 July 1964 (S/5794), in which he had stated that if the new period of two months were to register no substantial progress toward fulfilment of the disengagement agreement he would find it difficult to envisage a further extension of the Mission, the Secretary-General reported that the observations of the period under review had been somewhat more encouraging in that there had been a substantial reduction in the strength of the NAR armed forces in Yemen. However, that withdrawal was a reflection of the improved military situation in Yemen from the point of view of the UAR, rather than the beginning of a phased withdrawal in the sense of the disengagement agreement. Furthermore, it seemed that the Yemeni Royalists had continued to receive military supplies from external sources. Moreover, the hoped-for direct discussions between Saudi Arabia and the NAR with a view to further progress towards disengagement had not taken place.

1268. In the light of those circumstances, and in accordance with the expressed wishes of the Governments of Saudi Arabia and the United Arab Republic, it was his intention to terminate the activities of the United Nations Observation Mission on 4 September.

1269. Although it was regrettable that the Mission had achieved only limited progress, the potential threat to international peace and security in the area had greatly diminished owing largely to the activities of the Mission. However, the Secretary-General remained convinced that a meeting at the highest level between the two countries would provide the best means for significant progress towards disengagement and towards peace and stability in Yemen.

1270. On 11 September the Secretary-General reported to the Council (S/5959) that his decision to terminate the activities of the Mission on 4 September 1964 had been put into effect and that the Mission had ended its activities on that date.

1271. In a letter dated 16 September (S/5978), the representative of Yemen complained to the Security Council that on 5 and 11 September British war-planes had violated the Yemen Arab Republic air space, flying over the area of Baher and Shawkan, the Harib area and the town of Qataba in Yemen. The Yemen Government considered that British behaviour to be a violation of Yemeni sovereignty endangering the security of its

territory and citizens. His Government denied the charge contained in the United Kingdom letter of 31 August and considered it a pretext to further British aggression against the Yemen Arab Republic. "The Government of the Federation of South Arabia" referred to in the United Kingdom letter was a fiction since it was known that the territory was a Non-Self-Governing Territory under British occupation. The United Kingdom had refused to co-operate with the United Nations or to consider Yemeni proposals for a solution to provide self-determination for the territory. Until it changed its attitude and its infringements ceased, Yemen held the British responsible for the deterioration of the situation, which, if continued, would put in jeopardy the peace of the whole region.

1272. In a letter dated 7 October (S/6002 and Corr.1) to the Secretary-General, the representative of the United Kingdom denied that there had been any infringement of the Yemen air space. In some cases Yemeni allegations were based on faulty observation or false reports. He reiterated his Government's proposals for a border settlement: United Nations observers to be stationed on both sides of the border along its whole length; a demilitarization zone to be established in the Beihan area; and the border to be delimited. The Yemen Republican authorities had, however, put forward unacceptable prior conditions for discussion. They had not made any proposals based on the Security Council resolution of 9 April 1964 (S/5650) towards the restoration of peaceful conditions on the border. His Government believed that its proposals if implemented would be a step forward towards the restoration of peaceful conditions.

1273. In a letter dated 8 October (S/6006) to the Secretary-General, the representative of Yemen reiterated his Government's charges that British war-planes had again violated the air space of the Yemen Arab Republic in pursuance of the British policy of waging an unjust war against the population of occupied South Yemen. He denied the charges contained in the United Kingdom letter of 10 October (S/5994).

1274. In a letter dated 14 November (S/6050) to the President of the Security Council, the representative of the United Kingdom denied the Yemeni accusations of 8 October and stated that it had been ascertained that there had been no British aircraft infringing Yemeni air space in the areas mentioned.

1275. In a letter dated 8 December (S/6094) to the President of the Security Council, the representative of the United Kingdom complained that Yemen had carried out a series of attacks on 4, 5 and 6 December against the territory of the Federation of South Arabia in flagrant contravention of the Security Council resolution of 9 April (S/5650). In conformity with that resolution, the United Kingdom Government had responded fully to the appeal by the Security Council that the Yemen Republic and the United Kingdom should exercise restraint in order to avoid further incidents and to restore peace in the area.

1276. In a letter dated 11 December (S/6105) to the President of the Security Council, the representative of Yemen submitted a list of eight alleged aggressive acts committed from 10 October to 6 December 1964 by the British armed forces against Yemen. The situation was further endangered by the recent massing of British troops near the Harib and Qataba areas. Not only were the safety and security of the Yemeni citizens endangered, but also the peace and security of the whole region were at stake.

1277. In a letter dated 25 December (S/6124 and Corr.1) to the President of the Security Council, the representative of the United Kingdom stated that all the allegations in the Yemeni letter of 11 December had proved on investigation to be untrue. There had been no British military forces operating in the region of Harib, there had been no encroachment upon Yemen territory and there was also no British military force in the region of Qataba. He acknowledged that on being informed of the incursions of an armed force of Yemenis into the territory of the Federation between 4 and 6 December, the Yemeni Republican authorities had been prompt to express their regret.

1278. In a letter dated 22 March 1965 (S/6252 and Corr.1) to the Secretary-General, the representative of the United Kingdom charged that Yemeni aircraft had violated the air space of the Federation of South Arabia on 5, 9 and 19 March and that a company of the Federal army in the Beihan area had been subjected to air and ground attack on 19 March. In an attempt to prevent incursions, the letter continued, the United Kingdom Government had warned the Yemeni Republican authorities that it reserved the right to take such steps as might be necessary to protect the territory of the Federation. It was the hope of his Government that all concerned would observe the Security Council resolution of 9 April 1964, which called for the exercise of the maximum restraint in order to avoid further incidents and to restore peace in the area.

1279. In a *note verbale* dated 17 March (S/6258) to the Secretary-General, the representative of Yemen stated that a British aircraft had dropped leaflets in the Assari region informing the population of a raid due to take place on 17 March 1965. That planned aggression constituted another act of provocation and aggression on the part of the British authorities.

1280. In a letter dated 25 March (S/6259) to the Secretary-General, the representative of Yemen further complained that in new incursions British airplanes had dropped leaflets over the Assari area in preparation for a British air strike. Moreover, British forces had fired upon the Yemeni post at Qataba.

1281. In a letter dated 30 March (S/6265) to the Secretary-General, the representative of the United Kingdom denied the allegations made in the Yemeni *note verbale* of 17 March and pointed out that that note appeared to refer to territory in the Amirate of Dhala, which was a member State of the Federation of South Arabia.

1282. In a letter dated 5 April (S/6272) to the Secretary-General, the representative of the United Kingdom stated that the Yemeni authorities had committed a series of attacks in the Beihan area of the Federation of South Arabia on 1 and 2 April. The situation in that area thus continued to give cause for serious concern, and those attacks were the latest of a long series of infringements against the territory of the Federation.

1283. In a letter dated 7 April (S/6276) to the Secretary-General, the representative of the United Kingdom stated that on 6 April Yemeni artillery had again fired upon a company of the Federal army within the territory of the Federation. The United Kingdom Government could not permit attacks of that kind to continue without defending the territory of the Federation and its inhabitants. It had therefore been obliged to take appropriate defensive measures in accordance with Article 51 of the Charter.

1284. In a letter dated 12 April (S/6283) to the Secretary-General, the United Kingdom representative, replying to the Yemeni letter of 25 March (S/6259), stated that on 12 March there had been no British forces in Qataba and that that post had not been shelled on 20 March. It was true that additional Federal troops had been deployed in the Dhala area, but that had been made necessary by the dispatch from Yemen of armed bands who had been terrorizing the population.

1285. In a letter dated 30 June (S/6389), the representative of the United Kingdom informed the Council that on 29 June two Yemeni MIG fighter aircraft had circled over the Wadi Harib area and attacked two places in Federal territory, resulting in the killing of one woman and the injuring of two others.

## Chapter 20

### THE FINANCIAL SITUATION OF THE UNITED NATIONS

1286. By a letter dated 11 September 1964 (S/5964), the representative of the Union of Soviet Socialist Republics requested the President of the Security Council to arrange for circulation of an attached memorandum from the Ministry of Foreign Affairs of the USSR concerning "The question of the financial situation of the United Nations". The memorandum stated that the financial difficulties had been caused by the expense of maintaining the United Nations operations in the Middle East and in the Congo. But those operations could not have laid any financial obligation on Members of the United Nations, inasmuch as they had not been conducted in accordance with the requirements of the United Nations Charter, which clearly provided that all questions relating to the establishment and use of United Nations armed forces lay within the competence of the Security Council.

1287. The memorandum further pointed out the clear distinction, established both in principle and

practice, between "regular" expenses of the Organization and expenditures for United Nations armed forces. Thus, expenditures for the United Nations Emergency Force in the Middle East and the United Nations operations in the Congo had to be regarded as special expenses, which did not come under Article 17 of the Charter and therefore were not within the competence of the General Assembly but were expenses governed by the provisions of Chapter VII and fell within the exclusive jurisdiction of the Security Council. Hence, the Assembly's resolutions on those matters could not impose any financial obligation on Members of the United Nations. Furthermore, there could be no question of applying Article 19 of the Charter both as regards the cost of maintaining peace-keeping operations in the Middle East and the Congo, and in cases where United Nations armed forces were created and employed in accordance with the United Nations Charter, since Article 19 referred only to

arrears in the payment of regular expenses under Article 17 of the Charter. The Soviet Government stressed its conviction that the provisions of the Charter should be observed in deciding the question of reimbursing United Nations expenditures on the

maintenance of armed forces. The Government of the USSR had already made a number of proposals in a letter of 10 July (S/5811) designed to enhance the future effectiveness of the United Nations in safeguarding international peace and security.

## Chapter 21

### COMMUNICATIONS RELATING TO GOA

1288. By a letter dated 22 September 1964 (S/6007) to the President of the Security Council, the *Chargé d'affaires*, a.i. of Portugal transmitted an official note by the Portuguese Government on the situation in Goa. The Portuguese note stated that the world Press had drawn attention to the deplorable situation of Goa under Indian military occupation. Since the bomb explosions in 1962, living conditions in that territory had seriously deteriorated. The persecution and arbitrary actions to which India had subjected Portuguese citizens and the reign of terror in Goa had reached a state of revolt and despair among the population which the Government of India could no longer manage to conceal.

1289. By a letter dated 12 October (S/6009) to the President of the Council, the representative of India stated, on behalf of his Government, that the charges made in the Portuguese letter (S/6007) did not merit comment. He added that the world judged the Government of Portugal not by its simulated sympathy for the African-Asian peoples but by its savage repression of the people of Angola, Mozambique and of its other colonies; and by its persistent and wilful violation of the United Nations Charter, the Declaration of Human Rights and of specific United Nations resolutions on the right of colonial peoples to freedom and self-determination. In conclusion, he stated that Portugal should stop interfering in the internal affairs of other countries, particularly the resurgent countries of Asia and Africa.

## Chapter 22

### COMMUNICATIONS CONCERNING RELATIONS BETWEEN CAMBODIA AND THAILAND

#### A. Termination of the mission of the representative of the Secretary-General

1290. On 9 November 1964, the Secretary-General informed the Security Council (S/6040) that in July 1964 he had asked the Governments of Cambodia and Thailand whether they desired the Mission of the Special Representative of the Secretary-General to be maintained in 1965 or to be terminated at the end of 1964.<sup>4</sup> On 24 August, he had been informed by Thailand that it considered that the Mission should not be continued beyond its appointed term at the end of December 1964. Thailand had, however, suggested that consideration be given to the devising of some other means by which the United Nations Secretariat might still be able to render its services in the normalizing of relations between Thailand and Cambodia. It was suggested that a high-ranking member of the Secretariat might be sent on *ad hoc* missions to the area at certain appropriate times to discuss the situation with the leaders of the two countries and to suggest appropriate measures to them. Subsequently, the Secretary-General had communicated with the Cambodian Government regarding that suggestion and had received its concurrence, although Cambodia had expressed some doubts as to the results that might be expected from such mediation attempts.

1291. Taking these views into account, the Secretary-General informed the two Governments that

he would address himself to them on that matter at a suitable time during 1965. Meanwhile, the Mission of his Special Representative would be withdrawn on 31 December 1964 or earlier if it was able to conclude the activities in which it was engaged.

#### B. Communications from Cambodia and Thailand

1292. In a letter dated 31 December 1964 (S/6132), the representative of Cambodia informed the Security Council that during the night of 6-7 December, a Thai police launch had violated Cambodian territorial waters and had captured a Khmer boat and taken it back to Thai territory along with its crew of four. His Government had lodged a strong protest against that violation of its territorial waters and had demanded the immediate release of the persons detained and their vessel. In reply, the representative of Thailand, in a letter dated 5 January 1965 (S/6139) to the President of the Security Council, stated that on 6 December 1964 a Cambodian fishing boat had been apprehended while fishing in Thai territorial waters, and that the Cambodian Government had therefore no basis for demanding the release of those who had violated Thai laws. The representative of Cambodia, in a further letter of 13 January (S/6149), denied that the Cambodian fishermen had been in Thai territorial waters and alleged that the Thai police had violated Cambodian territorial waters; he reiterated the demand for the immediate release of the fishermen and their boat.

<sup>4</sup> Official Records of the General Assembly, Nineteenth Session, Supplement No. 2 (A/5802), chapter 18.

1293. In a letter dated 4 January 1965 (S/6136), the representative of Cambodia further complained that on 29 December 1964 a Thai police launch had again violated Cambodian territorial waters and had captured seven Cambodian fishermen. Cambodia, after protesting that violation of its territory, demanded the immediate release of the Khmers and their vessel. In a letter dated 8 January (S/6144), the representative of Thailand denied the allegations in the Cambodian complaint and stated that the investigations undertaken by his Government had firmly established that no Thai police launch had violated Cambodian waters and that no fishermen had been abducted by the Thai police.

1294. In a letter dated 7 January (S/6141 and Corr.1), the representative of Thailand alleged that on 27 December 1964 about fifteen well-armed Cambodian soldiers, using a previously captured Thai fishing boat, had entered Thai territorial waters off Ban Head Lek and had seized a Thai fishing boat. Thailand protested against that violation of its territory and demanded the return of the vessel to its rightful owner. In reply, in a letter of 13 January (S/6150), the representative of Cambodia stated that on 27-28 December a Cambodian naval patrol had intercepted a Thai fishing boat in Cambodian territorial waters. The armed Thai fishermen had resisted boarding by the patrol which had returned fire.

1295. In a further letter dated 13 January (S/6151), the representative of Cambodia charged that on 23 December Thai armed elements had attacked Cambodian frontier guards at Thkeam Romeas with the

result that one guard had been killed, three wounded, and eight were missing. The representative of Thailand, in a letter dated 20 January (S/6155), denied that there had been any such attack.

1296. In a letter of 28 January (S/6165), the representative of Cambodia charged that on 13 January five Cambodians had been arrested by Thai police on Cambodian territory and demanded their immediate release. In a letter of 2 February (S/6171), the representative of Thailand stated that the Cambodians had been arrested after they had crossed into Thai territory. The Thai version of this incident was rejected by the representative of Cambodia in letters dated 9 February (S/6179) and 18 February (S/6198).

1297. In a letter dated 21 June (S/6464), the representative of Thailand charged that on 20 June some 100 Cambodian soldiers entered Thai territory at Ban Khao Vong with arms and mortars and engaged in an armed clash with Thai border police and local authorities which lasted several hours. In a reply dated 24 June (S/6474 and Corr.1), the representative of Cambodia transmitted two communiqués issued by his Government concerning its version of the incident of 20 June, in which it was stated that the firing occurred when five members of the local Cambodian village militia had clashed with about thirty Thai policemen who had been surprised about 200 metres inside Cambodian territory. The communiqués added the charge that the Thai police had repeated their aggression in the same area on the morning of 21 June, supported by an observation plane.

### Chapter 23

#### COMMUNICATIONS CONCERNING RELATIONS BETWEEN GUINEA AND PORTUGAL

1298. In a letter dated 7 October 1964 (S/6000), the representative of Guinea drew the attention of the Security Council to measures Guinea had taken, under Article 51 of the Charter, to put an end to violations by Portuguese military aircraft of Guinean air space. Since Portugal had launched its colonial war against the inhabitants of so-called Portuguese Guinea, the Portuguese Government had continued its acts of aggression against Guinea. On several occasions his Government had protested to the Government of Portugal, but those protests had been left unheeded. As a result of the continuous provocations by Portugal and Guinea's determination to defend its national sovereignty and territorial integrity, his Government had given orders to its troops stationed on the frontiers of so-called Portuguese Guinea to put an end, by the most effective and radical means, to any future intrusions by Portuguese aircraft more than five kilometres into Guinean air space. His Government protested against the behaviour of the Portuguese authorities, which it held responsible for the possible grave consequences of their acts.

1299. By a letter dated 16 October (S/6016/Rev.1) to the President of Security Council, the *Chargé d'affaires* a.i. of Portugal rejected as totally unfounded the allegations made by Guinea. He expressed surprise that the accusations had not been supported by specific information and facts and said that, contrary to the assertions in the letter from Guinea, since February 1962, the Government of Portugal had not received either protests or other representations from the Government of Guinea. For its part his Government wished to inform the Security Council that the air space of Portuguese Guinea had been frequently violated by unidentified foreign aircraft and helicopters coming from the Republic of Guinea. A list of eighteen such alleged violations was attached to the letter with particulars of time and location of the incursions. The Portuguese Government expressed surprise at the fact that the Government of Guinea had turned to the Security Council with its charges when it was responsible for permitting the training of foreign terrorists on its territory who were permitted to commit acts of aggression against the peaceful territory of another country.

### Chapter 24

#### COMMUNICATIONS CONCERNING RELATIONS BETWEEN CUBA AND THE DOMINICAN REPUBLIC

1300. In a letter dated 27 January 1965 (S/6164), the representative of Cuba transmitted to the Secretary-General a note from the Minister for Foreign Affairs

of Cuba drawing attention to new incidents which, it was stated, were directed against the independence and security of Cuba, constituting flagrant violations of the

principles of the United Nations Charter and a threat to international peace and security. The note referred to the landing on Cuban territory and subsequent capture by Cuban armed forces of a group of armed foreign agents, led by a counter-revolutionary leader, Eloy Gutiérrez Menoyo, which had engaged in subversive activities designed to overthrow the Cuban Government. According to statements which the captured counter-revolutionaries were said to have made to Cuban authorities, the group had sailed from Punta Presidente, in Manzanillo Bay, Dominican Republic; a training camp and a base of operation of certain counter-revolutionary organizations existed at Punta Presidente, with the knowledge and support of the Dominican authorities. That base was apparently used as a springboard for smuggling trained and armed groups from Florida via Puerto Rico into Cuba. It had also been revealed that a Dominican Air Force Colonel and a General of the Dominican army maintained close liaison with the mercenaries at Punta Presidente. The note contained further information said to have been furnished by the prisoners which the Foreign Minister claimed, proved the participation of the Dominican Government in the plans of aggression against Cuba. It listed the names of mercenaries remaining at the Punta Presidente base and the military equipment in their possession which had been obtained in the United States. From the testimony of Gutiérrez Menoyo, the

Cuban authorities had been able to conclude that the recent attack on the Spanish merchant ship *Sierra Aransasu* had been carried out by a group of counter-revolutionaries led by Manuel Artime, which operated from bases established by the United States Central Intelligence Agency throughout the Caribbean. In conclusion, the note charged that the Government of the Dominican Republic, together with the colonial Government of Puerto Rico and with the United States Government, was committing acts of aggression against Cuba's sovereignty, and warned of the consequences which might ensue from such acts.

1301. In a letter dated 30 January (S/6169), addressed to the President of the Security Council, the representative of the Dominican Republic denied categorically that there was or had been any base sponsored by the Dominican Government for Cuban exiles at Punta Presidente as alleged by Cuba. It was paradoxical, the letter added, that Cuban Government should make such charges. The continued intervention of the Cuban Government not only in the Dominican Republic but in other nations of the hemisphere was increasingly apparent from the aid in weapons and military equipment which the Government was providing to subversive groups seeking to change by violent means the structure of the democratic institutions of America.

## Chapter 25

### COMMUNICATIONS CONCERNING THE SITUATION IN THE AREA OF VIET-NAM

1302. In a letter dated 7 February 1965 (S/6174), the representative of the United States of America charged that on 7 February Viet-Cong forces had carried out coordinated attacks on South Viet-Name air bases and barracks installations in the Pleiku and Tuy Hoa areas, as well as on a number of villages in the area of Tuy Hoa and Nha Trang, inflicting numerous casualties. He charged further that those attacks by the Viet-Cong, operating under the military orders of North Viet-Name authorities in Hanoi, were a politically timed effort to intensify the aggression and to test the will to resist of the Republic of Viet-Nam and the United States. The Governments of the Republic of Viet-Nam and of the United States had agreed that prompt defensive action was necessary and had directed their air elements to make a joint attack against military facilities at Dong Hoi in the southern area of North Viet-Nam, which he asserted was a major staging area for the infiltration of armed cadres of North Viet-Name troops into South Viet-Nam in violation of international law and of the Geneva Accords of 1954. The Viet-Cong attacks of February 7 were related directly to the central problem in Viet-Nam—a pattern of military operations directed, staffed and supplied in crucial respects from outside. Up to 34,000 armed and trained soldiers had infiltrated into South Viet-Nam from the North since 1959; key items of equipment had come from the North; during 1964, the infiltration of men and equipment had increased sharply and virtually all of those now infiltrating from the North were natives of North Viet-Nam. As such movements had increased sharply during 1964, it was necessary and justified to take counter measures to arrest that reinforcement from the outside. Accord-

ingly, the United States was reporting the measures which had been taken in accordance with its public commitment to assist the Republic of Viet-Nam against aggression from the North. It was regrettable that the Hanoi régime had explicitly denied the right of the Security Council to examine the problem, but since the purpose of the United States was to ensure respect for the peace settlement to which all concerned were committed, it was reserving its right to bring the matter to the Security Council if the situation so warranted. A statement issued that morning on behalf of President Johnson had emphasized that the United States sought no wider war, but whether or not that course could be maintained lay with the North Viet-Name aggressors. The key to the situation, the statement declared, remained the cessation of infiltration from North Viet-Nam and the clear indication by the Hanoi régime that it was prepared to cease aggression against its neighbours. A peaceful settlement such as the United States aspired to would require both the self-restraint of the régime to the North and the presence of effective international peace-keeping machinery to make sure that promises were kept.

1303. In a letter dated 10 February (S/6185), the Permanent Observer of the Republic of Viet-Nam also submitted charges concerning alleged attacks by Viet-Cong forces on 7 February and reported that in order to discourage their repetition the Viet-Name Air Force, with the assistance of the United States Air Force, had had to take action against major Viet-Cong staging areas for the infiltration of guerrillas and armaments into South Viet-Nam. He expressed the hope that that defensive response, intended to be of a limited character, would have a moderating effect on

the Hanoi régime, whose aggression against the Republic had been established, he claimed, by the International Control Commission in its Special Report of 2 June 1962. Over twenty nations had responded to the appeal of the Republic of Viet-Nam for assistance to defend itself against that aggression directed and supported from the outside, and it was clear that the American military assistance had been requested, had been given only in view of the outside aggression, and would cease to be necessary whenever the Hanoi régime decided to stop that aggression.

1304. In a letter dated 9 February (S/6178), the representative of the Union of Soviet Socialist Republics transmitted a statement of his Government asserting that new and serious acts of provocation and aggression were being committed by the armed forces of the United States against the Democratic Republic of Viet-Nam. It rejected the United States claim to the right of retaliation for strikes by South Viet-Namese patriots against United States military installations situated in South Viet-Nam. The statement stressed that the United States aggression against an independent country would only bring down the Charter of the United Nations and the legal foundations of relations between States. In South Viet-Nam the people only wanted to settle their domestic affairs by themselves without any foreign interference. The USSR had called for the establishment and improvement of normal relations with the United States, but that goal was a two-way process which ought to be fully understood. The USSR associated itself with the demands of the Government of the Democratic Republic of Viet-Nam that aggression against it should be stopped, that the 1954 Geneva Agreements on Viet-Nam should be strictly observed, and that peace in Indo-China and in South-East Asia should be defended. In conclusion, the statement declared that the USSR would be compelled to take further steps to safeguard the security and strengthen the defence-capability of the Democratic Republic of Viet-Nam in order to fulfil its international duty towards a fraternal socialist country, adding that aggression against the Democratic Republic of Viet-Nam could not be carried out with impunity.

1305. In a letter dated 11 February (S/6187), Czechoslovakia also condemned what it termed the United States armed intervention against the national liberation movement of the peoples of South-East Asia by stepping up its military intervention in South Viet-Nam and expanding its aggression in the area of Indo-China, particularly its armed provocations against the Democratic Republic of Viet-Nam. That aggression constituted a gross violation of the Geneva Agreements and was completely contrary to the basic principles of international law. Czechoslovakia considered it indispensable that the United States adhere strictly to the Geneva Agreements of 1954 and 1962, which stipulated the peaceful conditions for the solution of the problem of Indo-China; stop its aggression against the Democratic Republic of Viet-Nam; put an end to its intervention in South Viet-Nam; and respect the right of the people there to solve their own affairs without foreign intervention.

1306. Poland, in a statement transmitted on 15 February (S/6190), also expressed strong condemnation of military action of the United States against the Democratic Republic of Viet-Nam and its military intervention in South Viet-Nam, which had been carried on for years. Poland's representative to the Inter-

national Commission for Supervision and Control in Viet-Nam had repeatedly deprecated that kind of action. Aggression launched by the United States constituted a violation of the basic principles of international law and, particularly, of the Geneva Agreements and the United Nations Charter. Poland expressed its solidarity with the just struggle of the Viet-Namese people and voiced its conviction that the only way to restore peace in South-East Asia was through observation of the Geneva Agreements, cessation of aggression by the United States, withdrawal of foreign troops from South Viet-Nam and peaceful settlement of the problem in accordance with the sovereign rights of the Viet-Namese people.

1307. In a letter dated 20 February (S/6201), Hungary, condemning what it termed United States aggression against the Democratic Republic of Viet-Nam, considered the war waged against the South Viet-Namese people as in flagrant violation of international law and of humanitarian principles. Hungary was in full support of the protest by the Government of the Democratic Republic of Viet-Nam against the continuous United States violation of the Geneva Agreements. It would also support all proposals for the convocation of a new Geneva conference for the sake of restoring peace in South-East Asia.

1308. Mongolia, in a letter of 23 February (S/6203), also expressed its concern over the aggressive actions of the United States against the Democratic Republic of Viet-Nam. It viewed those actions as a further attempt by the United States to extend the war in South Viet-Nam and transfer military operations to North Viet-Nam. It charged that aggressive attacks by the United States on the Democratic Republic of Viet-Nam violated the Geneva Agreements of 1954 and norms of international law, and stressed that responsibility for the consequences of those acts of aggression must fall squarely on the United States. Mongolia fully supported the appeal of the Government of the Democratic Republic of Viet-Nam to the participants of the 1954 Geneva Conference to stop the aggressive acts of the United States in the interests of safeguarding the peace in Indo-China and South-East Asia.

1309. In a letter dated 27 February (S/6211), Bulgaria declared that the new provocations by United States armed forces against the Democratic Republic of Viet-Nam violated the United Nations Charter, the 1954 Geneva Agreements and the elementary rules of international law. The United States, unable to suppress the just struggle of the South Viet-Namese people for national independence, had been vainly seeking a way out through expansion of the war in Indo-China and, recently, through its military activities against the Democratic Republic of Viet-Nam. That aggression, called "retaliatory action" by the United States, was incompatible with the norms of existing international law and represented a display of force and violence in international relations. Bulgaria demanded the immediate withdrawal of all United States military forces from the Indo-China peninsula and the discontinuance of any interference in the internal affairs of the countries in the region.

1310. Romania, in a letter of 9 March (S/6224), associated itself with the other socialist countries, charging that United States air raids against the Democratic Republic of Viet-Nam were a grave violation of the norms of international law and of the United Nations Charter. It expressed its concern over the ex-



tension of United States military operations in South-East Asia and over the dangerous implications created by those actions to peace throughout the world. The letter fully supported the demand of the Government of the Democratic Republic of Viet-Nam of 8 February 1965 that the United States should put an end to its aggressive action against the Democratic Republic of Viet-Nam, cease to interfere in the internal affairs of the South Viet-Nameese people, end military intervention in South Viet-Nam and strictly apply the Geneva Agreements of 1954 with regard to Viet-Nam.

1311. In a letter dated 25 February (S/6204), the Permanent Observer of the Republic of Viet-Nam claimed that important caches of war materials illegally introduced into the Republic by North Viet-Nam had been uncovered along the coast between 16 and 20 February. Included were over 2,500 assorted rifles with 36 tons of ammunition and supplies, machine-guns, sub-machine-guns and carbines of Soviet and Czech manufacture, cartridges, ammunition, bombs and explosives, anti-tank mines and a mortar, as well as a large supply of medicine produced in the USSR, Bulgaria, China and North Viet-Nam and navigational maps and documents of the North Viet-Nameese Naval Headquarters. The letter stated that that evidence once again confirmed what it termed the aggressive policy of the Hanoi régime against the Republic.

1312. With a letter dated 27 February (S/6206), the representative of the United States transmitted copies of a special report entitled "Aggression from the North, the Record of North Viet-Nam's Campaign to Conquer South Viet-Nam". He asserted that the evidence presented in the report led to certain inescapable conclusions; *inter alia*, that the subjugation of the Republic of Viet-Nam by force was the formal, official policy of the North Viet-Nameese régime; that the so-called Liberation Front for South Viet-Nam was subordinate to governmental machinery in Hanoi; that the war in Viet-Nam was directed, supplied, trained and equipped by the authorities in North Viet-Nam; that the scale of infiltration of men and arms, including regular units of the armed forces of North Viet-Nam, had increased appreciably in recent months; and that the entire pattern of activity by the Hanoi régime was in violation of the Charter of the United Nations and of the Geneva Accords of 1954. The United States Government reiterated its desire to withdraw its military forces from the Republic of Viet-Nam and to co-operate in an international effort to assist the economic and social development of South-East Asia as soon as it was assured that the aggression by Hanoi had ceased.

1313. In a letter dated 26 March (S/6262), the Permanent Observer of the Republic of Viet-Nam charged two additional cases, on 14 and 18 March, of illegal introduction of war material from communist countries into the Republic, both of which had been investigated on the spot by the International Control Commission. That new evidence of the surreptitious introduction of arms, he asserted, proved beyond any reasonable doubt that the Republic was the victim of an implacable aggression organized and directed from the outside, rather than of a spontaneous popular uprising as had been asserted. The key to peace, he maintained, was not for the defenders to compromise their right of self-defence, but for the aggressors to stop their criminal activities, allow the people of Viet-Nam to rebuild in peace, and make stability possible in South-East Asia.

1314. On 9 March (S/6225), the representative of the Union of Soviet Socialist Republics transmitted a statement of the Soviet Government dated 4 March 1965 concerning what it termed "provocative actions by United States armed forces against the Democratic Republic of Viet-Nam". The letter charged that those incessant provocations could not be regarded otherwise than as acts of planned aggression and as an indication that the United States was following the path of further extending the war in South-East Asia. It emphasized once more that the Government of the USSR resolutely supported the demand of the Government of the Democratic Republic of Viet-Nam for the immediate discontinuance of aggressive United States actions in Viet-Nam and also reiterated that those actions constituted a violation of the Geneva Agreements on Indo-China and a breach of international law. In conclusion, the letter recalled the far-reaching consequences the developments in Viet-Nam might have for the international situation in general and for relations between the Soviet Union and the United States in particular if the United States held to its present course, and stressed that the Government of the United States must assume grave responsibility for this course of events.

1315. In a letter dated 15 March (S/6245/Rev.1), Mongolia charged that the United States, in violation of the 1954 Geneva Agreements, was stepping up the aggressive war against the people of South Viet-Nam and the Democratic Republic of Viet-Nam and continuing its dangerous intrigues in Laos. It regarded as particularly dangerous the fact that armed forces of some of the United States partners in SEATO and other treaties were being drawn into that military adventure. Mongolia appealed to all peace-loving nations to increase their efforts to secure the withdrawal of United States and other foreign military forces from South Viet-Nam and from South-East Asia as a whole and to bring about the peaceful reunification of Viet-Nam without outside interference.

1316. On 27 March (S/6260), the representative of the Union of Soviet Socialist Republics transmitted a copy of a note by his Government to the United States concerning reports of the use of poison gases against the population of South Viet-Nam by United States armed forces. Those charges were rejected by the representative of the United States in a letter dated 2 April (S/6270). The United States representative said poison gases had not been used in Viet-Nam and there was no intent of employing them. The materials used in Viet-Nam were not toxic and were commonly used by police forces in other parts of the world.

1317. In a letter dated 9 April (S/6278), the representative of the United States requested circulation of a statement of United States policy delivered on 7 April by President Johnson. The statement emphasized that the United States had no territorial claims in Viet-Nam, but was involved in war there to honour its pledge to help South Viet-Nam defend its independence and to strengthen world order by upholding the confidence of free people around the world that they could count upon assistance from the United States if they were attacked. In attaining its objective of the independence of South Viet-Nam, the United States would do everything that was necessary and only what was absolutely necessary. The statement asserted that the fact that attacks on South Viet-Nam had been stepped up in recent months had made it necessary for the United States to increase its response

and to make attacks by air, but that had not been a change of purpose, but a change in what it believed that purpose required, and was intended to slow down aggression. While hoping that peace would come swiftly, the United States would have to be prepared for a long-continued conflict, despite its conviction that armed hostility was futile; and because it fought for values and principle rather than territory or colonies, it possessed unending patience and determination. Accordingly it should be clear that the only path for reasonable men was that of peaceful settlement, which he held would require an independent South Viet-Nam, securely guaranteed and able to shape its own relationships to all others free from outside interference, tied to no alliance and a military base for no other country. The United States would never be second in the search for such a peaceful settlement in Viet-Nam. There might be many ways to attain that kind of peace: in discussion or negotiation with the Governments concerned, in large groups or small ones, in reaffirmation of old agreements or their strengthening with new ones. With this purpose in mind, the United States remained ready for unconditional discussions. In the struggle for stability and peace in South-East Asia, where there were millions of impoverished people, the first step was for the countries of the area to associate themselves in a greatly expanded co-operative effort for development. The United States would hope that North Viet-Nam would take its place in the common effort just as soon as peaceful co-operation was possible. The hope was expressed that the Secretary-General of the United Nations would use his prestige and deep knowledge of Asia to initiate as soon as possible, with the countries of the area, a plan for co-operation in increased development. The President would ask Congress to join in a billion-dollar investment as soon as that effort was under way. The statement outlined some ideas as to what could

be done—the vast Mekong River could provide food and water and power, the wonders of modern medicine could be spread through villages, schools could be established to train people in the skills needed to manage the process of development. Moreover, the United States would expand and accelerate a programme to make its farm surpluses available to assist in feeding and clothing the needy in Asia. The President would designate shortly a team of distinguished Americans to inaugurate participation in those programmes.

1318. On 15 May (S/6363), the representative of the Union of Soviet Socialist Republics transmitted the text of a statement which his Government had addressed to the Government of Australia. In it the decision of the Australian Government to send its troops to South Viet-Nam was labelled as a violation of the principal rules of international law and of the Geneva Agreements of 1954. The Soviet Government fully supported the statement of the Government of the Democratic Republic of Viet-Nam condemning the step taken by Australia and declaring that the Government of Australia was incurring a grave responsibility for the consequences of its actions. The representative of Australia, in a letter dated 1 June (S/6399), transmitted his Government's reply to the USSR defending its decision to assist the Republic of Viet-Nam to resist the Viet-Cong, which it claimed was controlled and directed from Hanoi.

1319. On 14 June (S/6435), the representative of the Union of Soviet Socialist Republics transmitted the text of a statement which his Government had addressed to the Government of New Zealand criticizing the decision of the New Zealand Government to send an artillery battery to South Viet-Nam to support the infantry battalion sent by Australia. On 16 June (S/6449), the representative of New Zealand transmitted the text of his Government's reply to the Soviet statement defending its decision.

## Chapter 26

### COMMUNICATIONS CONCERNING INDONESIA'S MEMBERSHIP IN THE UNITED NATIONS

1320. In a letter dated 20 January 1965 (S/6157), the First Deputy Prime Minister and Minister for Foreign Affairs of Indonesia informed the Secretary-General that on 7 January 1965, after the seating of Malaysia as a member of the Security Council, his Government, after very careful consideration, had taken the decision to withdraw from the United Nations. Reviewing the reasons for that action, he recalled that President Sukarno had reminded the United Nations of its shortcomings in 1960. Indonesia had voiced its disapproval of the successful manoeuvre by the neo-colonial Powers forcing Malaysia into the United Nations by deliberate avoidance of any voting on 17 September 1963. But the pushing of Malaysia into the Security Council made a mockery of the requirement that the election of a non-permanent member should be guided by the importance and contribution of a candidate in the maintenance of peace and security in the world. Yet the very birth of Malaysia, a feeble and controversial tool of British neo-colonialism, had caused trouble and insecurity in the region of South-East Asia. Indonesia could have challenged the legality of the election due to the non-voting procedure, but had not done so owing to its desire not to obstruct the

work of the United Nations, much less to wreck the United Nations. The decision of his Government had been taken for the good of the United Nations itself and might even entail a beneficial effect for the speedy solution of the problem of Malaysia itself. In response to the Secretary-General's personal appeal that Indonesia should not withdraw from its co-operation with the United Nations, he gave assurance that Indonesia still upheld the lofty principles of international co-operation as enshrined in the Charter. That, however, could be implemented outside as well as inside the Organization. Indonesia had decided also to withdraw from specialized agencies like the Food and Agriculture Organization of the United Nations (FAO), the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

1321. In a letter dated 26 February (S/6202), the Secretary-General acknowledged receipt of the Indonesian letter, noted the statement that Indonesia had decided to withdraw from the United Nations and the assurance that it still upheld the principles of the Charter, and expressed the regret widely felt in the United Nations that Indonesia had found it necessary

to adopt that course of action as well as the earnest hope that in due time it would resume full co-operation with the United Nations.

1322. In a letter dated 22 January (S/6166), the representative of Malaysia transmitted a statement in reply to the Indonesian letter. The statement expressed regret that Indonesia appeared to have forgotten that the Federation of Malaya had come into existence as an independent State in 1957 and that in 1963 it had only changed its name. Enlargement of the Federation, permitted by the 1957 written Constitution, had not changed the international personality of the State, so that no voting procedure had been required as if Malaysia were seeking admission to the United Nations as a new State. With regard to election to membership in the Security Council, it was pointed out that Malaysia's position as "the only candidate" for the vacancy had been established as long before as 1 November 1963. Indonesia had not even reserved its position on that occasion. The seating of Malaysia, which had received the necessary support from the Members of the Organization, had in no way been questionable. With regard to the question of Malaysia's contribution to the maintenance of peace and security, the statement recalled that Malaysian army contingents had served with those of Indonesia in the peace-keeping operation in the Congo and, indeed, had done so over a longer period of time than Indonesia.

1323. In a letter dated 8 March (S/6229), the representative of the United Kingdom said that his Government, without prejudice to its views as to the circumstances which might legally justify a Member

State in withdrawing from the United Nations, wished to place formally on record its conviction that the reason for withdrawal advanced in the Indonesian letter of 20 January was not a circumstance so exceptional in nature as to justify the Government of Indonesia in withdrawing. His Government wished to place formally on record its view that a State which had expressed an intention to withdraw from the Organization nevertheless remained bound to observe the fundamental principles embodied in Article 2 of the Charter relative to the maintenance of international peace and security.

1324. In a note dated 13 May (S/6356), the representative of Italy stated that his Government regretted the decision taken by the Indonesian Government and hoped that co-operation between Indonesia and the United Nations would be resumed as soon as possible. The declaration adopted by the San Francisco Conference concerning the withdrawal of States from the United Nations did not appear to be entirely adequate in so far as it did not contain any definition of the circumstances which might justify the withdrawal of a Member State or specify any procedure for determining those circumstances. Nor did that document indicate any procedure whereby withdrawal might be considered effective. It was hoped that in the near future it would be possible to undertake an appropriate study of the problem in general terms. The statement went on to analyse the legal positions, concluding that it could not be admitted that withdrawal or recession from the United Nations in itself put an end to the obligations assumed under the Charter and other international agreements acceded to as a Member State of the Organization.

## *Chapter 27*

### **COMMUNICATIONS CONCERNING RELATIONS BETWEEN PORTUGAL AND THE REPUBLIC OF THE CONGO (BRAZZAVILLE)**

1325. In a letter dated 10 February 1965 (S/6186), the representative of the Republic of the Congo (Brazzaville) drew the attention of the Security Council to the repeated incursions of Portuguese soldiers into Congolese territory. The letter stated that on 22 and 23 December 1964, fifteen armed Portuguese soldiers had raided the Congolese village of Tchissakata, had searched houses, had terrorized the village people, had prevented peasants from cultivating their fields and had threatened to annex the village to Portuguese Cabinda. His Government protested against this provocation of the Government of Portugal, which might jeopardize the maintenance of international peace and security.

1326. In a further letter dated 4 March (S/6214), the representative of the Republic of Congo (Brazzaville) informed the Security Council that on 16 January twenty-five armed Portuguese soldiers had again raided the Congolese village of Tchissakata. The soldiers had threatened the villagers and had searched houses. His Government once again protested strongly against these acts and informed the Council that the necessary steps would be taken if they recurred.

1327. In a letter dated 19 March (S/6249), the representative of Portugal stated that after careful investigation, it had been found that on 22 and 23 December two Portuguese patrols, while on normal inspection

duty in a frontier zone with uncertain and irregular markings had contacted some Congolese frontier localities. The population had received the patrols with the utmost cordiality and no incident whatever had occurred. The Government of Portugal categorically rejected the Congolese allegations that the villagers had been molested, searched and terrorized. Since the Congolese Government had complained to the Security Council almost two months after the events had taken place, the Government of Portugal concluded that the complaint was aimed at creating a climate hostile to Portugal in the region. Portuguese armed forces were under orders to respect the sovereignty and territorial integrity of the Republic of the Congo (Brazzaville) but their vigilance was justified, for that Government was giving support on its territory to foreign terrorists pledged to attack Portuguese territory. The Government of Portugal therefore rejected any responsibility for such incidents, for which the Congo (Brazzaville) was responsible.

1328. In a further letter dated 29 March (S/6263), the representative of Portugal rejected the allegations made in the Congolese letter of 4 March (S/6214). On 16 and 17 January, it was stated, Portuguese patrols, while on normal inspection duty, had been in contact with the population of the Congolese village of Tchissakata. But at no time had Portuguese forces crossed

the line of the frontier, the contacts had been friendly and there had been no incidents. It had been proved that the inhabitants of the Congolese locality were cultivating land in Portuguese territory, perhaps because the line of the frontier was uncertain and irregular. The Government of Portugal expressed great surprise at the

new Congolese accusations and rejected them as devoid of any basis. It denounced the intentions of the Government of the Republic of the Congo (Brazzaville) in bringing before the Security Council reports of alleged incidents which had not taken place in order to make propaganda against Portugal.

### **Chapter 28**

#### **COMMUNICATIONS CONCERNING MEMBERSHIP OF THE SECURITY COUNCIL**

1329. In a letter dated 29 March 1965 (S/6264), the representative of Czechoslovakia referred to statements made concerning Czechoslovakia during the discussion that had taken place at the 1190th meeting of the Security Council in connexion with the seating of Malaysia in the Council, and recalled the circumstances under which Czechoslovakia had agreed to divide the term of office, maintaining the position that Czechoslovakia was entitled to full term for a seat belonging to Eastern Europe according to the 1946 agreement

1330. In a letter dated 2 April (S/6269), the representative of Malaysia replied to the statements made in the above letter, and drew attention to the statement made by the representative of Czechoslovakia in the General Assembly on 1 November 1963, in which he said the following:

"In accordance with the agreement outlined by you, the Czechoslovak Socialist Republic will submit its resignation at the end of the first year of its term as a non-permanent member of the Security Council, that is, at the end of 1964, in order that the seat may go to Malaysia for the second half of the term, that is, for the year 1965."

### **Chapter 29**

#### **COMMUNICATION CONCERNING THE SITUATION IN ADEN**

1331. In a letter dated 18 May 1965 (S/6368), the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples transmitted to the Security Council the text of a resolution on the question of Aden adopted by the Special Committee on 17 May 1965. In operative paragraph 11, he noted, the Special Committee drew the attention of the Council to the grave situation prevailing in the territory.

### **Chapter 30**

#### **COMMUNICATION RELATING TO THE SITUATION IN TERRITORIES UNDER PORTUGUESE ADMINISTRATION**

1332. In a telegram dated 17 June 1965 (S/6460), the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples transmitted the text of a resolution adopted by the Committee on 10 June, in which, *inter alia*, it drew the attention of the Security Council to "the continued deterioration of the situation in the Territories under Portuguese domination as well as to the consequences of the threats made by Portugal against the independent African States that border upon its colonies".

## APPENDICES

### I. Representatives and Deputy, Alternate and Acting Representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives were accredited to the Security Council during the period covered by the present report:

#### *Bolivia*

Dr. Renán Castrillo Justiniano  
Mr. Fernando Ortiz Sanz  
Dr. Mario Velarde Dorado  
Mr. Alberto Alipaz  
Dr. Carlos Casap

#### *Brasil<sup>a</sup>*

Mr. José Sette Câmara  
Mr. Geraldo de Carvalho Silos

#### *China*

Mr. Liu Chieh  
Mr. Yu Chi Hsueh  
Dr. Chun-ming Chang

#### *Czechoslovakia<sup>a</sup>*

Professor Jiri Hájek  
Dr. Ladislav Smid  
Mr. Milos Vejvoda

#### *France*

Mr. Roger Seydoux  
Mr. Jacques Tiné  
Mr. Claude Arnaud

#### *Ivory Coast*

Mr. Arsène Assouan Usher

#### *Jordan<sup>b</sup>*

Mr. Abdul Monem Rifa'i

<sup>a</sup> Term of office ended on 31 December 1964.

<sup>b</sup> Term of office began on 1 January 1965.

#### *Malaysia<sup>b</sup>*

Mr. Radhakrishna Ramani

#### *Morocco<sup>a</sup>*

Mr. Ahmed Taibi Benhima  
Mr. Dey Ould Sidi Baba

#### *Netherlands<sup>b</sup>*

Dr. J. G. de Beus  
Mr. J. Polderman

#### *Norway<sup>a</sup>*

Mr. Sivert A. Nielsen  
Mr. Ole Algard  
Mr. Leif Edvardsen

#### *Union of Soviet Socialist Republics*

Mr. Nikolai Trofimovich Fedorenko  
Mr. Platon Dmitrievich Morozov

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Patrick Dean (up to 31 October 1964)  
Lord Caradon (from 1 November 1964)  
Sir Roger Jackling  
Mr. C. P. Hope  
Mr. A. H. Campbell

#### *United States of America*

Mr. Adlai E. Stevenson  
Mr. Francis T. P. Plimpton  
Mr. Charles W. Yost

#### *Uruguay<sup>b</sup>*

Dr. Carlos Maria Velázquez

### II. Presidents of the Security Council

The following representatives held the office of President of the Security Council during the period covered by the present report:

#### *Morocco*

Mr. Ahmed Taibi Benhima (16 to 31 July 1964)

#### *Norway*

Mr. Sivert A. Nielsen (1 to 31 August 1964)

#### *Union of Soviet Socialist Republics*

Mr. Platon Dmitrievich Morozov (1 to 30 September 1964)

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Patrick Dean (1 to 31 October 1964)

#### *United States of America*

Mr. Adlai E. Stevenson (1 to 30 November 1964)

#### *Bolivia*

Mr. Fernando Ortiz Sanz (1 to 31 December 1964)

#### *China*

Mr. Liu Chieh (1 to 31 January 1965)

#### *France*

Mr. Roger Seydoux (1 to 28 February 1965)

#### *Ivory Coast*

Mr. Arsène Assouan Usher (1 to 31 March 1965)

#### *Jordan*

Mr. Abdul Monem Rifa'i (1 to 30 April 1965)

#### *Malaysia*

Mr. Radhakrishna Ramani (1 to 31 May 1965)

#### *Netherlands*

Dr. J. G. de Beus (1 to 30 June 1965)

#### *Union of Soviet Socialist Republics*

Dr. Nikolai Trofimovich Fedorenko (1 to 15 July 1965)

### III. Meetings of the Security Council during the period from 16 July 1964 to 15 July 1965

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>	<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1140th	Letter dated 4 August 1964 from the Permanent Representative of the United States addressed to the President of the Security Council (S/5849) (regarding the Gulf of Tonkin)	5 August 1964	1157th	Ditto	23 September 1964
1141st	Ditto	7 August 1964	1158th	Ditto	24 September 1964
1142nd	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	8 August 1964	1159th	Ditto	25 September 1964
1143rd	Ditto	9 & 11 August 1964	1160th	Admission of new Members	9 October 1964
1144th	Letter dated 3 September 1964 from the Permanent Representative of Malaysia addressed to the President of the Security Council (S/5930)	9 September 1964	1161st	Ditto	30 October 1964
1145th	Ditto	10 September 1964	1162nd	The Palestine Question	16 November 1964
1146th	Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council (S/5934), and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council (S/5941)	11 September 1964	1163rd	Consideration of the report (private) of the Security Council to the General Assembly	18 November 1964
	Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council (S/5935)		1164th	The Palestine question	27 November 1964
1147th	Ditto	11 September 1964	1165th	Ditto	27 November 1964
1148th	Letter dated 3 September 1964 from the Permanent Representative of Malaysia addressed to the President of the Security Council (S/5930)	14 September 1964	1166th	Ditto	30 November 1964
1149th	Ditto	14 September 1964	1167th	Ditto	3 December 1964
1150th	Ditto	15 September 1964	1168th	Ditto	3 December 1964
1151st	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	16 September 1964	1169th	Ditto	8 December 1964
1152nd	Letter dated 3 September 1964 from the Permanent Representative of Malaysia addressed to the President of the Security Council (S/5930)	17 September 1964	1170th	Letter dated 1 December 1964, addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Central African Republic, Congo (Brazzaville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Malawi, Mauritania, Somalia, Sudan, Tanzania, Uganda, United Arab Republic, Yugoslavia and Zambia (S/6076 and Add.1-5)	9 December 1964
1153rd	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	17 September 1964		Letter dated 9 December 1964 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council (S/6096) (regarding the Democratic Republic of the Congo)	
1154th	Ditto	18 September 1964	1171st	Ditto	10 December 1964
1155th	Ditto	21 September 1964	1172nd	Ditto	10 December 1964
1156th	Ditto	22 September 1964	1173rd	Ditto	11 December 1964
			1174th	Ditto	14 December 1964
			1175th	Ditto	15 December 1964
			1176th	Ditto	15 December 1964
			1177th	Ditto	16 December 1964
			1178th	Ditto	17 December 1964
			1179th	The Palestine question	17 December 1964
			1180th	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	18 December 1964
			1181st	Letter dated 1 December 1964, addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Central African Republic, Congo (Brazzaville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Malawi, Mali, Mauritania, Somalia, Sudan, Tanzania, Uganda,	21 December 1964



<i>Meeting</i>	<i>Subject</i>	<i>Date</i>	<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
	United Arab Republic, Yugoslavia and Zambia (S/6076 and Add.1-5)		1197th	Question concerning the situation in Southern Rhodesia: Letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)	4 May 1965
	Letter dated 9 December 1964 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council (S/6096) (regarding the Democratic Republic of the Congo)		1198th	Letter dated 1 May 1965 from the Permanent Representative of the Union of Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	4 May 1965
1182nd	The Palestine question	21 December 1964			
1183rd	Letter dated 1 December 1964, addressed to the President of the Security Council from the Representatives of Afghanistan, Algeria, Burundi, Cambodia, Central African Republic, Congo (Brazzaville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Malawi, Mali, Mauritania, Somalia, Sudan, Tanzania, Uganda, United Arab Republic, Yugoslavia and Zambia (S/6076 and Add.1-5)	22 December 1964	1199th	Question concerning the situation in Southern Rhodesia: Letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)	5 May 1965
	Letter dated 9 December 1964 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council (S/6096) (regarding the Democratic Republic of the Congo)		1200th	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	5 May 1965
			1201st	Question concerning the situation in Southern Rhodesia: Letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)	5 May 1965
1184th	Ditto	23 December 1964			
1185th	Ditto	24 December 1964			
1186th	Ditto	28 December 1964			
1187th	Ditto	29 December 1964			
1188th	Ditto	30 December 1964	1202nd	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	6 May 1965
1189th	Ditto	30 December 1964			
1190th	Admission of new Members	15 March 1965			
1191st	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	17 March 1965		Question concerning the situation in Southern Rhodesia: Letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)	
1192nd	Ditto	18 March 1965			
1193rd	Ditto	19 March 1965			
1194th	Question concerning the situation in Southern Rhodesia: Letters dated 2 and 30 August 1963 addressed to the President of the Security Council on behalf of the representatives of thirty-two Member States (S/5382 and S/5409)	30 April 1965	1203rd	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	7 May 1965
1195th	Ditto	3 May 1965			
1196th	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	3 May 1965	1204th	Ditto	11 May 1965
			1205th	Complaints by Senegal of violations of its air space and territory (S/5279): Letter dated 7 May 1965	12 May 1965

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>	<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
	from the Permanent Representative of Senegal addressed to the President of the Security Council (S/6338)			dent of the Security Council (S/6316) (regarding the Dominican Republic)	
1206th	Ditto	13 May 1965	1214th	Ditto	21 May 1965
1207th	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	14 May 1965	1215th	Ditto	21 May 1965
			1216th	Ditto	22 May 1965
			1217th	Ditto	22 May 1965
			1218th	Ditto	24 May 1965
			1219th	Ditto	25 May 1965
			1220th	Ditto	3 June 1965
			1221st	Ditto	7 June 1965
1208th	Ditto	14 May 1965	1222nd	Ditto	9 June 1965
1209th	Ditto	14 May 1965	1223rd	Ditto	11 June 1965
1210th	Complaints by Senegal of violations of its air space and territory (S/5279): Letter dated 7 May 1965 from the Permanent Representative of Senegal addressed to the President of the Security Council (S/6338)	18 May 1965	1224th	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	15 June 1965
			1225th	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council (S/6316) (regarding the Dominican Republic)	16 June 1965
1211th	Ditto	18 May 1965			
1212th	Ditto	19 May 1965			
1213th	Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the Presi-	20 May 1965	1226th	Ditto	18 June 1965
			1227th	Ditto	18 June 1965
			1228th	Ditto	21 June 1965

#### IV. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee

##### A. REPRESENTATIVES OF EACH SERVICE IN RESPECT OF EACH DELEGATION

###### *China*

*Period of service from 16 July 1964*

General Wang Shu-ming, Chinese Air Force	16 July 1964 to present time
Lt. General Lu Fu-ning, Chinese Army	16 July 1964 to 1 September 1964
Rear Admiral Chang Hsiang-chi, Chinese Navy	16 July 1964 to 1 November 1964
Rear Admiral Yang Yuan-chung, Chinese Navy	1 November 1964 to present time

###### *France*

Général de Brigade J. Compagnon, French Army	16 July 1964 to present time
Contre-Amiral Michel Prache, French Navy	16 July 1964 to 1 September 1964
Capitaine de Corvette	
H. J. J. Roulleaux-Dugage, French Navy	11 September 1964 to present time
Général de Division Aérienne Michel Dorance, French Air Force	16 July 1964 to 1 September 1964
Colonel Maurice Boileau, French Air Force	11 September 1964 to present time

###### *Union of Soviet Socialist Republics*

Major General V. V. Zadvinsky, Soviet Army	16 July 1964 to 25 February 1965
Colonel V. I. Meshcheryakov, Soviet Army	16 April 1965 to present time
Captain A. R. Astafiev, USSR Navy	16 July 1964 to present time
Major General A. N. Chizhov, USSR Air Force	16 July 1964 to present time

###### *United Kingdom of Great Britain and Northern Ireland*

Major General R. E. T. St. John, British Army	16 July 1964 to present time
Vice Admiral J. F. D. Bush	16 July 1964 to present time
Rear Admiral P. M. Compston	5 March 1965 to present time
Air Vice-Marshal Ian G. Esplin, Royal Air Force	16 July 1964 to present time

A. REPRESENTATIVES OF EACH SERVICE IN RESPECT OF EACH DELEGATION (continued)

United States of America

Period of service from 16 July 1964

Lt. General F. W. Porter, Jr., US Army	16 July 1964 to 20 February 1965
Lt. General Thomas W. Dunn, US Army	20 February 1965 to present time
Vice Admiral H. T. Deutermann, US Navy	16 July 1964 to present time
Lt. General Edward H. Underhill, US Air Force	16 July 1964 to 1 August 1964
Lt. General William H. Blanchard, US Air Force	1 August 1964 to 19 February 1965
Lt. General James Ferguson, US Air Force	19 February 1965 to present time

B. CHAIRMEN AT MEETINGS

<i>Meeting</i>	<i>Date</i>	<i>Chairman</i>	<i>Delegation</i>
500th	23 July 1964	Lt. General R. W. Porter, Jr., US Army	United States
501st	6 August 1964	General Wang Shu-ming, Chinese Air Force	China
502nd	20 August 1964	General Wang Shu-ming, Chinese Air Force	China
503rd	3 September 1964	Général de Brigade J. Compagnon, French Army	France
504th	17 September 1964	Général de Brigade J. Compagnon, French Army	France
505th	1 October 1964	Major General A. N. Chizhov, USSR Air Force	USSR
506th	15 October 1964	Major General V. V. Zadvinsky, Soviet Army	USSR
507th	29 October 1964	Major General A. N. Chizhov, USSR Air Force	USSR
508th	12 November 1964	Colonel C. H. Cowan, British Army	United Kingdom
509th	25 November 1964	Vice Admiral J. F. D. Bush	United Kingdom
510th	10 December 1964	Vice Admiral H. T. Deutermann, US Navy	United States
511th	23 December 1964	Lt. General R. W. Porter, Jr., US Army	United States
512th	7 January 1965	General Wang Shu-ming, Chinese Air Force	China
513th	21 January 1965	General Wang Shu-ming, Chinese Air Force	China
514th	4 February 1965	Général de Brigade J. Compagnon, French Army	France
515th	18 February 1965	Général de Brigade J. Compagnon, French Army	France
516th	4 March 1965	Major General A. N. Chizhov, USSR Air Force	USSR
517th	18 March 1965	Major General A. N. Chizhov, USSR Air Force	USSR
518th	1 April 1965	Rear Admiral P. M. Compston	United Kingdom
519th	15 April 1965	Air Vice-Marshal Ian G. Esplin, Royal Air Force	United Kingdom
520th	29 April 1965	Air Vice-Marshal Ian G. Esplin, Royal Air Force	United Kingdom
521st	13 May 1965	Vice-Admiral H. T. Deutermann, US Navy	United States
522nd	27 May 1965		United States
523rd	10 June 1965		China
524th	24 June 1965		China
525th	8 July 1965		France

## C. PRINCIPAL SECRETARIES AT MEETINGS

<i>Meeting</i>	<i>Date</i>	<i>Principal Secretary</i>	<i>Delegation</i>
500th	23 July 1964	Colonel C. F. Nelson, US Army	United States
501st	6 August 1964	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
502nd	20 August 1964	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
503rd	3 September 1964	Lt. Colonel E. de Grasset, French Army	France
504th	17 September 1964	Commandant L. F. Monteagle, French Army	France
505th	1 October 1964	Captain 2nd Rank A. D. Golovtchenko, USSR Navy	USSR
506th	15 October 1964	Captain 2nd Rank A. D. Golovtchenko, USSR Navy	USSR
507th	29 October 1964	Captain 2nd Rank A. D. Golovtchenko, USSR Navy	USSR
508th	12 November 1964	Colonel C. H. Cowan, British Army	United Kingdom
509th	25 November 1964	Colonel J. L. Carter, Royal Marines	United Kingdom
510th	10 December 1964	Captain F. W. Pump, US Navy	United States
511th	23 December 1964	Captain A. H. Warner, Jr., US Navy	United States
512th	7 January 1965	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
513th	21 January 1965	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
514th	4 February 1965	Lt. Colonel L. F. Monteagle, French Army	France
515th	18 February 1965	Lt. Colonel L. F. Monteagle, French Army	France
516th	4 March 1965	Captain 2nd Rank A. D. Golovtchenko, USSR Navy	USSR
517th	18 March 1965	Captain 2nd Rank A. D. Golovtchenko, USSR Navy	USSR
518th	1 April 1965	Colonel R. K. Gregory, British Army	United Kingdom
519th	15 April 1965	Colonel J. L. Carter, Royal Marines	United Kingdom
520th	29 April 1965	Colonel C. H. Cowan, British Army	United Kingdom
521st	13 May 1965	Captain A. H. Warner, Jr., US Navy	United States
522nd	27 May 1965		United States
523rd	10 June 1965		China
524th	24 June 1965		China
525th	8 July 1965		France



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