



GENERAL ASSEMBLY

FIFTEENTH SESSION

Official Records

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

AGENDA ITEM 50

United Nations operations in the Congo: 1961 estimates and financing

INTERIM REPORT OF THE FIFTH COMMITTEE (A/4719)

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Fifth Committee.

1. The PRESIDENT: In accordance with this decision, interventions will be limited to explanations of vote.
2. I now invite the Rapporteur of the Fifth Committee, Mr. Cutts of Australia, to present the Committee's report.
3. Mr. CUTTS (Australia), Rapporteur of the Fifth Committee: I have the honour to introduce to the General Assembly the interim report of the Fifth Committee [A/4719], which recommends to the Assembly the adoption of a resolution, the text of which is found in paragraph 4 of the report.
4. It will be recalled that at the first part of the fifteenth session of the Assembly, when the Assembly found itself unable to deal with various items on its agenda, including the situation in the Congo, and referred those items to this resumed session, it made in resolution 1590 (XV) interim provision for the continuance of the operation in the Congo by authorizing the Secretary-General to incur commitments to a certain level up to 31 March 1961.
5. Now, 31 March has passed, and it occurred to the Fifth Committee a few days ago that unless a further authorizing resolution was passed, the Secretary-General would no longer have authority to incur expenditure in relation to the United Nations operation in the Congo. This, in the absence of a substantive decision in the Assembly for the continuance of the operation would have led to a chaotic and difficult situation.
6. Therefore, the Fifth Committee recommends to the General Assembly that it resolve to authorize the Secretary-General, pending action by the General Assembly on item 85 of the agenda which deals with the situation in the Congo, to incur commitments at a level not to exceed \$8 million per month until 21 April 1961. This date is fixed so as to give the Assembly time to consider what permanent arrangements will be made for meeting the cost of the Congo operations.

7. Apart from this element of urgency which attaches to this resolution, there is an additional aspect which I feel I should mention. I should like to make it clear to this Assembly that it was the clear understanding of the Fifth Committee, and all its members so far as I know, in recommending the adoption of this resolution, that it is of a purely interim and technical character and that its adoption by this Assembly will not, of course, prejudice the position of the Assembly or of any delegation in relation to any matter of substance such as the continued operation of the United Nations Force in the Congo, the size of the Force, the role of the Force or, indeed, how and by what procedure the money is to be raised eventually. These, of course, are matters which will be determined during this Assembly in plenary session.

8. Mr. BRUCAN (Romania): First of all I should like to tell the President how much we appreciate the fact that he found it necessary to postpone until today the consideration of this \$8 million bill since on Thursday evening the sudden and pressing move to vote upon it looked like a hold-up. Thank God it did not materialize, and we have been given some time to breathe and think! However, from now on we will have to be vigilant, particularly on the eve of important holidays.

9. Since the position of the Romanian delegation on the Congo question as a whole has already been stated from this rostrum, I will limit my remarks to the United Nations operation and its financing.

10. In our opinion, the request to authorize the spending of approximately \$8 million per month in the Congo is already a heavy commitment and, since money is involved, it is a commitment with no point of return. If this draft resolution is approved, it will set a precedent to the effect that Mr. Hammarskjold is being authorized to spend \$8 million per month on the Congo operation. In other words, the draft resolution in the interim report of the Fifth Committee [A/4719] is not at all a procedural resolution but a multi-million-dollar bill; and, since the Assembly is requested to approve it without having examined either its legal basis or its merits, this amounts to giving not only a blank cheque but a blind cheque.

11. Consequently, my delegation is strongly opposed both to the substance of the draft resolution and to the unprecedented hasty procedure accompanying it. To those who are trying to scare the Assembly into submission with tricky claims about emergency, bankruptcy and what not, I should just like to ask one question. Would the Congress of the United States be prepared to vote on a multi-million-dollar bill without having a chance to examine its merits? Moreover, one can hardly reconcile this sudden sense of urgency with the fact that the Fifth Committee has been idle for almost three weeks and in a very leisurely manner began its deliberations on the Congo budget only re-

cently. This is why, when we hear dramatic exhortations and over-statements these days, we are not at all impressed.

12. The position of my Government on the financing of the United Nations operation in the Congo derives from our position regarding the operation itself. In short, this operation, designed to save the independence and the territorial integrity of a newly emerging African State, has turned into a colonialist undertaking that has destroyed both the independence and the territorial integrity of that Republic. The steps we are witnessing today in the Congo are nothing but the last touches to the old Belgian scheme of a loose federation whose essence is the partitioning and breaking up of the Congo into pieces easy to handle by the colonial masters. In other words, what the Belgian colonialists did not succeed in getting at the time of the Round Table Conference in Brussels, owing to the strong opposition of Patrice Lumumba, they are now going to get under the flag of the United Nations.

13. Of late the United States of America has made it public that it supports the federation, which means that the United Nations operation will carry on. The Belgian Government does not even conceal its satisfaction over this happy outcome. As the Foreign Minister of Belgium put it in a statement on 13 March 1960, concerning the Tananarive Conference: "It agrees with a policy which we have been patiently following."¹ Yes, the frightening truth of the matter is that the result of the United Nations operation in the Congo meets entirely the policy which the Belgian colonialists have been patiently following. There may be differences of opinion about various facets of the situation in the Congo, but the fact that the Belgian colonizers are getting what they wanted is beyond any controversy. Whatever is said in this Assembly, however harsh the words pronounced from this rostrum, nothing could possibly be more damaging to the prestige and authority of the United Nations than the fact that the whole world knows by now that the Belgian colonizers are getting what they wanted under the flag of the United Nations.

14. Take, for instance, the latest event in the Congo. The foreign legion of Katanga's Moïse Tshombé, a military gang made up of mercenaries under Belgian, South African and French officers united in their hatred against Africans, launched a savage attack against the city of Manono, the centre of the Balubas, whom even the United Nations Command has repeatedly described as being opposed to the Belgian puppet régime of Tshombé. Just think it over. In the centre of Africa, in a newly independent State, under the United Nations flag, the most ferocious killers, specialists in the mass murder of Africans, launch a military attack against a native population, just because it opposes colonialist oppression.

15. Why are we voting on resolutions against colonialism? Why are we voting resolutions on the Congo if things like that can happen under the United Nations flag?

16. Let me read paragraph 2 of resolution A adopted by the Security Council on 21 February 1961:²

"The Security Council,

"...

"2. Urges that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and paramilitary personnel and political advisers not under the United Nations Command, and mercenaries."

17. Not only have the United Nations Command and Mr. Hammarskjöld failed to take any effective steps to evacuate Belgian and other mercenaries from the Congo, but the number of these mercenaries has rather increased, and moreover, they have been encouraged to start military operations under the permissive eyes of the United Nations Command.

18. The question arises as to why the Security Council had to pass that resolution, and why are we voting on resolutions on the Congo here? Is it just to give Tshombé and his masters a new reason to have a good time?

19. In short, recent events in the Congo once more confirm our assessment of the United Nations operation, and make even stronger our determination to dissociate ourselves as categorically as possible from this disguised colonialist undertaking. It is the contention of my delegation that this Assembly is not in a position to consider this draft resolution unless the United Nations examines thoroughly and responsibly the legal basis and the merits of the Congo budget for 1961. We shall accordingly vote against it.

20. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation would like to state its position on the question now under discussion. What is really being discussed is the question of the operations in the Congo and their financing. As we have already stated at very great length in the Fifth Committee, we consider that the General Assembly has no right to decide the question of the operations in the Congo and their financing, that it has no right to take any decision on this question, since it is one that lies within the exclusive competence of the Security Council. Indeed, during the drafting of the Charter, when the decision was taken on the division of functions between the General Assembly and the Security Council, it was prescribed, distinctly and clearly, that all questions involving action should come within the exclusive competence of the Security Council. Indeed, Article 11 of the Charter states the following:

"2. The General Assembly may discuss any questions relating to the maintenance of international peace and security . . . and . . . may make recommendations with regard to any such questions"—'recommendations', mark you, not decisions—"... to the State or States concerned or to the Security Council Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion".

21. In the present case it is in fact actions with which we are concerned. The resolutions under consideration relate to the question of United Nations operations in the Congo, military operations. These are actions, these are not recommendations, and it is precisely the Security Council which should decide questions relating to actions. The Charter provides that it is the Security Council which is to determine the extent of operations, their scale, their duration and the facilities to be provided for them. If we examine Article 43 of the Charter, we shall find that it clearly authorizes the Security Council to conclude agreements with Members of the United

¹ *Le Soir*, Brussels, 14 March 1961.

² *Official Records of the Security Council, Sixteenth Year, Supplement for January, February and March 1961*, document S/4741.

Nations for the provision of facilities for military operations. It states that the Security Council is to conclude agreements with Members of the United Nations on this subject and that:

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

(including the right of passage). Such agreements are to be concluded, the Charter states, between the Security Council and Members of the United Nations. Thus questions relating to operations, to actions, and, *a fortiori*, to military actions, are of course within the exclusive competence of the Security Council.

22. Are these questions being decided correctly in the United Nations at the present time? No, not at all. They are being decided without the knowledge or approval of the Security Council, in circumvention of the Security Council and, thus, in violation of the Charter. Article 48 provides specifically that the Security Council is to determine which countries are to participate in any action. Article 48 reads:

"1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine."

23. Is the Security Council determining the questions now being decided in the Congo? Is the Security Council determining what armed forces or whose armed forces are to be sent there? Is this matter being considered by the Security Council? No, it is not. Is this the right way to deal with the question? It is completely incorrect and contrary to the Charter.

24. Under regulation 13 (1) of the financial regulations of the United Nations, the Secretary-General is required to present to any body considering any question involving expenditure a report on the cost of the operations in question, on the cost of implementing the particular decision concerned, so that the body in question (whether the Security Council or another) should have the Secretary-General's report on the financial implications before it when deciding a question. Are these reports being submitted to the Security Council? No. Why not? Because the policy being followed is one of violation of the Charter, of violation of the very regulations adopted by the General Assembly, a policy of by-passing the Charter, of by-passing the Security Council and then, in violation of the regulations adopted by the General Assembly itself, of implementing certain decisions.

25. From this there results a phenomenon highly unfavourable to the United Nations, in both its political and its financial aspects. Many speakers have dwelt in sufficient detail on the political factors in discussing the Congo question as a whole, and, in particular, the representative of Romania has dealt today with the political aspect of this question. I shall address myself very briefly to its financial aspect.

26. The financial situation of the United Nations is extremely serious. The Organization can, in fact, be said to be on the verge of a financial crisis or even of bankruptcy. Why has such a situation come about? It has come about because all the decisions connected with matters relating to the maintenance of peace and secu-

rity, to the financing and implementation of the measures involved, are here being carried out in violation of the rules laid down in the Charter of the United Nations and contrary to the manner of settling such matters prescribed by the Charter. That is the origin of the situation that has developed in the United Nations today.

27. It is the task of the General Assembly to put an end to the systematic violations of the Charter and the systematic violations of the regulations adopted by the General Assembly. It is precisely for these reasons that we consider that the General Assembly should reject the proposed appropriation of \$8 million, an appropriation which, I repeat, is being made in violation and in circumvention of the United Nations Charter.

28. And now, a few words on the substance of the question. When we touch upon so important a question as the Congo, as the "operations in the Congo", and their financing, we cannot, of course, avoid the political aspects of the question altogether. We must say that all these questions and the entire organization of the "operations in the Congo" have been decided on a purely one-sided basis. The direction of the entire operation, from top to bottom, is in the hands of the colonial Powers. I would say that even at United Nations Headquarters all these operations are exclusively in the hands of the NATO countries.

29. Here, at United Nations Headquarters, there is a Department of Political and Security Council Affairs. It would seem to be common sense that all these questions should be decided in this Department; but they have been removed from it and transferred to a special office of the Secretary-General, because the Department of Political and Security Council Affairs in the Secretariat is headed by a Soviet citizen. For this reason, the operations have been taken out of its hands.

30. If we examine the direction of the entire operation, we shall see that it is exclusively in the hands of United States citizens working in the Secretariat, and in exactly the same way they are directing financial operations, civilian operations, etc. on the spot. Essentially the NATO countries are in charge. Thus everything is being done one-sidedly. From this flows the further circumstance that the operations are being conducted, not in the interests of the Congolese people, not in the interests of the actual peoples of the Congo, but in the interests of the colonialist countries. This precisely is the source of the most serious shortcoming. This accounts for the fact that the Security Council decisions of 14 July, 22 July and 9 August are being carried out altogether wrongly: the operations are being conducted, not with the object of protecting the activities of the lawful Government headed by Patrice Lumumba, but with an entirely different object. The result has been that the Head of the Government has been brutally murdered.

31. For all these reasons, for juridical reasons and for reasons of a political nature, the Soviet delegation is completely unable to approve the draft resolution introduced by India in the Fifth Committee and now submitted to the General Assembly for its consideration, since this draft resolution is in flagrant contradiction to the Charter and to the decisions of the General Assembly on matters relating to financial regulations.

32. The PRESIDENT: Are there any further observations or comments on the draft resolution before

the Assembly? If not, perhaps the Assembly would now proceed to take a vote on the draft resolution recommended by the Fifth Committee in its interim report [A/4719].

The draft resolution was adopted by 51 votes to 10, with 22 abstentions.

The meeting rose at 11.40 a.m.