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

AGENDA ITEM 84

Question of the composition of the Trusteeship Council

1. The PRESIDENT: The first item on the agenda this morning is the question of the composition of the Trusteeship Council. I understand that informal discussions have been taking place on this matter between many delegations which have been closely concerned with it, including all the present members of the Trusteeship Council.
2. In the light of these discussions, Members may feel that no action need be taken on this item at the present session. If this is agreed, it will be understood that the Trusteeship Council will continue to function during 1961 on the basis of its present membership of thirteen. I understand that, while some delegations may have reservations about such a course, it would be generally acceptable as a working arrangement until the end of 1961, when the terms of office of three of the elected members of the Council will expire.
3. It seemed to me that it might help Members to know that these discussions have been going on.
4. I am now prepared to give the floor to any delegation wishing to make a statement on this item.
5. Mr. Mongi SLIM (Tunisia) (*translated from French*): I think that the situation in which we now find ourselves presents us with a rather serious difficulty which may involve some danger for the future.
6. Since 1960 the composition of the Trusteeship Council has not been in accordance with the provisions of the Charter, as a certain number of elected members should have retired from the Council, voluntarily or otherwise. I will remind you that the matter was debated during the fourteenth session (857th meeting) and that when the time came for new members of the Trusteeship Council to be elected, in accordance with the rules laid down in the Charter, we warned the Assembly and called its attention to the illegality, under

the terms of the Charter, of the situation which would arise when the last Trust Territories under Italian and French administration became independent.

7. This year, however, the Trusteeship Council, in my personal opinion and that of my delegation, finds itself in an illegal position which could impair the validity of its decisions. We had hoped that during the present session we would find a voluntary solution enabling the Trusteeship Council to act legally. A solution which is not a solution, that is to say a decision to prolong the present state of affairs until the next session, would mean endorsing a situation which no longer corresponds to the legal requirements of Article 86 of the Charter.

8. I feel that it is particularly necessary to draw the General Assembly's attention to this fact; it may indeed have very serious consequences, for any willingness on the part of the General Assembly to ratify illegal situations could lead to wholly unpredictable results.

9. My delegation therefore expresses its strongest reservations with regard to the situation. It would have liked the General Assembly to find a solution to the question during the first part of this session, in order to bring the composition of the Trusteeship Council into conformity with the provisions of the Charter.

10. I therefore wish to voice my delegation's strongest reservations on this point.

11. Mr. LAPIN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation has no objection to the statement by the President of the General Assembly to the effect that no changes should be made in the composition of the Trusteeship Council. At the same time, however, our delegation would like to make some comments concerning the Trusteeship Council.

12. The Trusteeship system has not justified itself. This system, which was imposed on a number of colonial countries after the war, has held back their political and economical development for many years and has deprived the peoples of those countries of freedom and independence. It is now sixteen years since the war ended, yet more than fifteen million people in seven countries are still under the administration of foreign Powers. These Powers do everything in their power to delay granting independence to the peoples of the countries under trusteeship. Some colonial countries have actually turned the Trusteeship System into a system of military occupation. This is shown, for example, by the situation in Ruanda-Urundi, where the Belgian colonists are using their troops, police and agents to impose new forms of dependence and slavery on the people. The Belgian authorities, flagrantly disregarding their obligations to the United Nations, are using the Trust Territory as a military base to attack the Congo.

13. The Trusteeship Council was turned long ago into an instrument to retard the liberation of the Trust

Territories. The colonial Powers, having a majority in the Council, use it in order to conceal their arbitrary conduct in the Trust Territories, to plunder their natural wealth and ruthlessly to exploit the native population. Even though, under the pressure of anti-colonialist forces, the Trusteeship Council may sometimes adopt odd recommendations intended to improve the position of such people, these recommendations remain so much paper. The Trusteeship Council is in fact used by the colonial Powers in order to preserve the system of colonial oppression.

14. The Trusteeship System, which is simply a variant on the colonial regime, has outlived its usefulness and should be buried together with the whole shameful system of colonialism.

15. The lack of connexion between the actions of the Trusteeship Council and the aim of completely eliminating colonialism is particularly obvious now that the General Assembly has adopted the Declaration on the granting of independence to colonial countries and peoples. The United Nations must see to it that this Declaration is also applied strictly and swiftly to the Trust Territories. All the Trust Territories, without exception—namely, Tanganyika, Ruanda-Urundi, the Camerons under British administration, New Guinea, Nauru, Western Samoa and the Pacific Islands—must be given freedom and independence this year, in 1961. In this way the Trusteeship System will be completely liquidated and the existence of the Trusteeship Council must also come to an end.

16. As regards the practical questions connected with the final liquidation of the Trusteeship System, they must be decided, not in the Trusteeship Council, where the colonial Powers have a majority, but directly in the General Assembly, where all States Members of the United Nations are represented.

17. Mr. PLIMSOLL (Australia): Australia supports the course which you have just outlined to the General Assembly. The difficulty that confronts the United Nations at present is that until the end of this year it will be very difficult to satisfy all the provisions of the Charter relating to the composition of the Trusteeship Council, in particular, the provision that there should be parity between administering and non-administering Members, and the provision that elected members hold office for a fixed period of years.

18. At the end of this year the situation will automatically be adjusted by the retirement of certain elected members and we have to decide how we get through the intervening period. The representative of Tunisia has very cogently put forward some of the considerations, and I might say that the Australian delegation supported the attempts that were made by the Tunisian delegation in 1959 to provide in advance for what has arisen.

19. But we consider that the proposals that you, Mr. President, have just read to the Assembly are an acceptable way of getting through the period until the end of this year. In coming to this decision we have been very much influenced by the fact that not only is it acceptable to the Members of this Assembly as a whole, but as it is acceptable to each of the present members of the Trusteeship Council, it is therefore also acceptable to each of the permanent members of the Security Council, and this being the case, we feel that it is not a dangerous precedent to accept as a work-

ing arrangement that you, Mr. President, have just proposed.

20. Mr. SHAHI (Pakistan): My delegation wishes to express its reservation in regard to the understanding which you have announced as having been reached between the present members of the Trusteeship Council and those most concerned with the situation. The Secretary-General in his Note (A/4448) has stated in paragraph 5 very clearly: "The Trusteeship Council is therefore presently not composed in accordance with the provisions of Article 86, paragraph 1 c of the Charter."

21. This situation was foreseen in the fourteenth session, and the delegation of Tunisia introduced a draft resolution [857th meeting] in order to prevent an illegality from arising, but much to our regret, that draft resolution was not adopted. Therefore, the Pakistan delegation would like to join the representative of Tunisia in expressing its formal reservation in regard to the proposed arrangement.

22. The PRESIDENT: As I said in the statement I made, I understood that certain delegations had some reservations about the suggestion I made. The Assembly has heard those reservations, and they will, of course, appear in the verbatim record of this meeting. May I take it that subject to those reservations, the working arrangement which I described in my statement is acceptable to the Assembly?

23. Mr. WACHUKU (Nigeria): I have only come forward here to make this reservation. We understand that a working arrangement has been made. As far as we know, my delegation does not know anything about the working arrangement; and I understand that even the African-Asian group has not been consulted in this matter. It will be a dangerous precedent if some delegation can make working arrangements and expect every Member of the Assembly to acquiesce in it, particularly when illegality is involved.

24. Therefore, on behalf of my delegation, I am making a very strong reservation on this matter. We are not bound by any understanding that has been made behind the back of our delegation and without consulting us.

25. The PRESIDENT: The reservation made by the representative of Nigeria will, of course, also be duly noted in the verbatim record.

26. If no other delegation desires to speak, may I take it that, subject to the reservations that have been made, the working arrangement which I outlined in my statement is acceptable to the Assembly? In the absence of further objection, it is so decided.

It was so decided.

AGENDA ITEM 43

Question of South West Africa (*continued*)*

PRELIMINARY REPORT OF THE COMMITTEE ON SOUTH WEST AFRICA ON THE IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 1568 (XV): REPORT OF THE FOURTH COMMITTEE (A/4721)

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

27. The PRESIDENT: In view of this decision, interventions will be limited to explanations of vote.

* Resumed from the 954th meeting.

Mr. Boeg (Denmark), Rapporteur of the Fourth Committee, presented the report of that Committee (A/4721) and then spoke as follows:

28. Mr. BOEG (Denmark), Rapporteur of the Fourth Committee: The report which is now before the Assembly in document A/4721 supplements the previous report on the same question, the Question of South West Africa, agenda item 43 [A/4643 and Add.1] of our agenda, on which this Assembly took action some weeks ago [954th meeting]. For that reason, and also because we basically and essentially covered this agenda item during the first half of our session, the present report is, I believe, a very brief and simple one. It deals with one draft resolution only, which is contained in paragraph 14 of the report; and the remaining part of the report, paragraphs 1 to 13, give a brief summary of the proceedings in the Fourth Committee, both in general and in regard to this particular draft resolution. I would like to focus attention on what I believe to be its two most essential provisions namely operative paragraphs 5 and 7.

29. It will be recalled that General Assembly resolution 1568, which we adopted in December, invited the Committee on South West Africa to go on a fact-finding mission to the Territory. The Committee on South West Africa, having reported to this part of the session that it has not succeeded in carrying out this task, is now, in operative paragraph 5, given new instructions in the matter, the main new element being the provision that the Committee shall go with the co-operation of the Government of the Union of South Africa, if that co-operation be available, or, if necessary, without it.

30. In operative paragraph 7 the General Assembly decides to draw the attention of the Security Council to the situation in South West Africa which, in the language of the resolution, if allowed to continue, "will . . . endanger international peace and security".

31. With these brief observations, I have the honour to submit this report to the General Assembly, and the draft resolution contained therein, for the Assembly's approval.

32. Mr. RODRIGUEZ FABREGAT (Uruguay) (translated from Spanish): Allow me to state briefly our delegation's reasons for voting in favour of the draft resolution now before the Assembly (A/4721).

33. As a matter of fact, one of the reasons why I find myself under something of an obligation to explain our vote is that I still have the honour to be, as a member of my delegation and by a decision of the Committee on South West Africa itself, the Chairman of the Committee on South West Africa appointed by this Assembly.

34. The resolution before us revises, reiterates and expands, at much greater length, the terms of a previous resolution of this same Assembly. I refer, of course, to resolution 1568 (XV), adopted by the General Assembly at its plenary meeting on 18 December 1960 during the first part of its fifteenth regular session.

35. It will be recalled that on that occasion the Assembly adopted a resolution in which, after the initial operative paragraphs, it invited the Committee on South West Africa, in addition to its normal tasks, to go to South West Africa immediately to investigate the situation prevailing in the Territory and to study and make proposals to the General Assembly on the matters referred to in the resolution. The resolution also urged

the Government of the Union of South Africa—that is, the Government of the Mandatory Power—to facilitate this mission of the Committee on South West Africa.

36. Neither of these aims was achieved. The Government of the Mandatory Power once again denied the competence of the Assembly to deal with the matter and, in a communication addressed to the Secretary-General, stated the reasons why the Government of the Union of South Africa did not accept and accordingly would not comply with the said General Assembly resolution.

37. This means that the situation we are in is no longer the same, but worse. It has become more acute, bringing us to the point where the Fourth Committee has submitted a draft resolution which differs in two fundamental respects from the resolution recently rejected by the Government of the Mandatory Power. These differences are, firstly—and my colleagues in the Assembly have before them the text of the Fourth Committee's draft resolution—that, if the Assembly approves this resolution, operative paragraph 4 will state that it considers that the full and effective discharge of the tasks assigned to the Committee on South West Africa—to which I have already referred—is essential to the protection of the lives and property of the inhabitants of South West Africa, to the amelioration of the prevailing conditions in South West Africa, the continuance of which is likely to endanger international peace and security, and to the exercise of the right of self-determination by the people of South West Africa in complete freedom and of their right of accession to national sovereignty and independence with the least delay.

38. Accordingly, this draft resolution which we are considering requests the Committee immediately to proceed to discharge the special tasks entrusted to it in the previous resolution (1568 (XV)) and states in operative paragraph 5 that it should do so "with the co-operation of the Government of the Union of South Africa if such co-operation is available, and without it if necessary".

39. The draft resolution also introduces a new idea in paragraph 7, which reads as follows:

"Decides to call the attention of the Security Council to the situation in respect of South West Africa, which, if allowed to continue, will, in the General Assembly's view, endanger international peace and security, and to the present resolution, the full implementation of which is necessary to bring that situation to a speedy end".

40. It should be noted, however, that between the General Assembly's previous resolution and this new draft resolution, which has already been approved by the Fourth Committee, the Security Council took steps in connexion with the *apartheid* laws; and although that is a question which concerns the Government of the Union of South Africa only as a Member of the Organization and not as the Government of the Mandatory Power of the Territory of South West Africa, I would point out that the *apartheid* laws, which conflict both in letter and in spirit with the Charter of the United Nations, the decisions of the General Assembly and the clearest imperatives of human conscience, resulted in the Secretary-General being entrusted with a mission to the Government of the Union of South Africa, a mission which we know about from information we received. I may say that it was for me, as representative of my country and as Chairman of the Committee on South

West Africa, an honour and a privilege to be in contact with the Secretary-General, especially after the Security Council had entrusted him with the mission defined in its resolution.

41. For these reasons, and considering that what is basically at stake is the lives and future of the native people and the other social groups that make up the population of the Territory of South West Africa, and bearing in mind, also, that the League of Nations relieved this Territory of its colonial status and placed it under the Mandate system—not so that the people should find themselves once more under a colonial régime, such as should no longer exist, but so that by developing their own resources and their own political and social values they should achieve what in the language of democracy we call full self-government and the surpassing joys of political and social sovereignty—my delegation will vote in favour of this draft resolution, as it did in the Fourth Committee. And, speaking as the present Chairman of the Committee on South West Africa, I take this opportunity to reiterate the views which I put forward there; the actual sponsors of the draft resolution referred to those views, saying that they coincided with their own, when submitting to the Fourth Committee the draft resolution which the General Assembly now has to consider and to put to a vote.

42. Mr. SUBASINGHE (Ceylon): The delegation of Ceylon would like to make some brief remarks on the question of South West Africa, which is now being considered by the General Assembly. It is not necessary for the delegation of Ceylon to reiterate its position on this subject every time this issue arises before the General Assembly, since our views are well known.

43. There is, however, one vital aspect to which the delegation of Ceylon wishes to draw the attention of this Assembly. Each time that the question of South Africa has been taken up by the General Assembly or its appropriate Committee, the Government of the Union of South Africa has always managed to find some kind of excuse in order to try to support its own position. The latest phase of that stand is the one on which the delegation of Ceylon wishes to comment in this brief intervention.

44. The history of the question of South West Africa is well known, as is the purpose for which a Committee on South West Africa was appointed. Hence, I do not propose to take the time of this Assembly by reiterating these, but I should like, however, to underline the guise that the customary stand of the Government of South Africa has now assumed on this issue.

45. Apart from proceeding on this matter in a manner different from that which other mandatory parties had adopted, the Government of the Union of South Africa now deems it fit to brandish before the General Assembly a specious legal argument that because of the action instituted by Ethiopia and Liberia as sovereign nations before the International Court of Justice,¹ the question of South West Africa should not come within the purview of the United Nations consideration as the issue of South West Africa is now *sub judice*.

46. It will be difficult, I am sure, for members of the General Assembly to understand why the South African argument that the United Nations should not consider the subject while the contentious proceedings instituted by Ethiopia and Liberia before the International Court

of Justice are being considered, is deemed to be valid. As we all know, these proceedings have been instituted by two sovereign nations who certainly are Members of the United Nations. But the United Nations as such, according to the view of my delegation, cannot be precluded from giving due consideration to this matter merely because these two sovereign nations have brought up the issue before the International Court of Justice.

47. On the other hand, if the Government of the Union of South Africa is so concerned with legal scruples, will it also be bound by any decision on this matter by the International Court of Justice? On this point, as far as we are all aware, the Government of the Union of South Africa has been silent. Furthermore, the approach of the Government of the Union of South Africa seems to be to produce arguments which merely give it a handle with which to hold on to these territories under some pretext or other. We look upon this kind of attitude with the strongest dissatisfaction. The sole purpose which we see behind all of these specious arguments is the desire to cling to the vast area of Africa which is contiguous to the Union of South Africa and to seek to assimilate it under some form of manipulation. The so-called plebiscite of 5 October 1960 in South West Africa falls into the same category.

48. In this brief intervention, we would appeal to this particular Member of the United Nations, the Union of South Africa, to cease to enlarge its area of folly in Africa. This Member's attitude, apart from subjecting itself to the charge of laying claims to territories which do not belong to it, also is reprehensible in the face of world public opinion as a policy which seeks to legalize and take as its foundation an entirely inhuman concept which looks back to the barbaric past. I refer, of course, to this Member's narrow and undignified policy of *apartheid*. Even from the point of view of self-preservation, which is, after all, a primary human instinct, its attitude in this regard is self-defeating.

49. We in this international community cannot afford to turn a blind eye to the existence of such a situation. The draft resolution that is now before this Assembly focuses attention on the important issues involved in the Question of South West Africa and enjoins a Committee on it to pursue its attempt to discharge, in a full and effective manner, the task assigned to it. The delegation of Ceylon, therefore, supports this draft resolution.

50. Miss BROOKS (Liberia): My statement will be very brief. The delegation of Liberia will support the draft resolution embodied in document A/4721, because the continent of Africa is today being menaced by the die-hard colonialism of the Union of South Africa, because of its *apartheid* policy. The deterioration of the situation in the Territory of South West Africa, if allowed to continue, will involve the United Nations and the world, in a catastrophe in which the peace-loving peoples of the world today do not want to become involved.

51. The delegation of Liberia will support this draft resolution also because it deplors the attempts at the assimilation of the mandated territory of South West Africa, culminating in the so-called referendum held on 5 October 1960 in which the peoples of South West Africa had no opportunity to voice their sentiments.

52. The delegation of Liberia will also support this draft resolution because it is with grave concern that we have noted the terrorization of, and armed action against, the indigenous inhabitants of South West Africa.

¹ I.C.J. *South West Africa Case, Application instituting proceedings, 1960* (General list, No. 47).

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And there is one aspect which is not considered in this draft resolution: the fortifications which have been set up by the Union of South Africa in the Territory of South West Africa.

53. We will support the draft resolution because it is essential that the Committee on South West Africa carry out the functions entrusted to it by the General Assembly in its resolution 1568 (XV).

54. Finally, I would say that the delegation of Liberia will support this draft resolution because it calls the attention of the Security Council to the situation in respect to South West Africa. I think this is a very essential element because we would not wish to wait until the situation got out of our control before we brought these facts to the Security Council.

55. I will not have much to say in connexion with the excuse offered by the Union Government, taking the rule of *sub judice* to hide behind. I believe the General Assembly is master of its own procedure, and inasmuch as, at the first part of this fifteenth session, the position was taken that the *sub judice* rule could not apply when the United Nations is to discuss, under the terms of the Charter, any questions relating to South West Africa, I think then that the contention of the Union Government has failed. Therefore, there is no need to make any further comment. I have already fully discussed that issue in the Fourth Committee [1063rd meeting] and will not take up the time of the Assembly to discuss it again at this time.

56. The PRESIDENT: If no other delegation desires to speak, the Assembly will now proceed to take a decision on the draft resolution recommended by the Fourth Committee, the text of which is contained in paragraph 14 of the Committee's report, document A/4721. The vote will be by roll-call.

A vote was taken by roll-call.

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

In favour: Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Mexico, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland.

Against: None.

Abstaining: Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Cameroun,* France.

The draft resolution was adopted by 83 votes to none, with 9 abstentions.

* The representative of Cameroun subsequently informed the Secretariat that his delegation wished to be put on record as having voted in favour of the draft resolution.

57. Mr. ROA (Cuba) (*translated from Spanish*): First of all, I should like to express the deep gratitude of my Government and of the delegation of which I am Chairman for the condolences expressed during this debate on the occasion of the sudden death of Ambassador Manuel Bisbé, the permanent representative of Cuba to the United Nations.

58. A writer of remarkable gifts, a university professor versed in the classics, a man who had the public welfare passionately at heart and a loyal servant of the Cuban revolution, Ambassador Bisbé was one of the outstanding figures of my country. A treacherous disease had been undermining his health for the past several months; and while he could have taken an honourable and well-deserved rest, Ambassador Bisbé was a man who always placed his duties above his rights and he therefore decided to return to his place on the front lines, to Cuba's seat in the United Nations. He died like a soldier, at the very moment when he was preparing once again to do battle for the unity, independence and sovereignty of the Congo.

59. The people of Cuba have lost this remarkable fighter at the very moment when a corrupt, avaricious and brutal empire, whose only law is its desire for expansion and dominance, has converted an undeclared war into a formal one by a piece of slander which Hitler and Goebbels would not have scorned. The cause of the self-determination of peoples, of the sovereign equality of nations and of peaceful coexistence has lost one of its most ardent champions. But let us not mourn him. Ambassador Bisbé died for his country and, as our national anthem has it, "to die for the fatherland is to live". He who has thus fallen is deserving of a daily tribute of our work and our hopes.

60. The General Assembly is once again taking up an item which has been constantly before the United Nations for more than six months: the situation in the Republic of the Congo. The process of restoring colonial rule, which had begun almost as soon as this plundered and oppressed African nation first tried its wings as a free, independent and sovereign State, has now been completed. Peace disappeared from the Congo when Belgium returned. Secession and civil war, fomented and incited by the capital and organizations of the so-called "free world", are today its normal mode of life. Let us call a spade a spade. The Congo has been crucified on the altar of shady interests and insatiable greed with the co-operation of some States, the tacit acquiescence of a number of others, the explicit protests of many others, and the veiled complicity of the Secretary-General. Truly, never has such an international crime been committed with such impunity.

61. The hopes which the Congolese people placed in their ascent to freedom and their membership of the international juridical community temporarily lie buried under the blood-stained debris of betrayal, violence, disintegration and surrender. Let us say plainly, without euphemism or subterfuge, that the present delegation of the Congo to the United Nations is only an echo of Belgium and its allies in the North Atlantic Treaty Organization (NATO) and a vote for those States. The real, the whole Congo, which has under its Constitution been personified first by Patrice Lumumba and now by Antoine Gizenga, never even had the time to exercise its rights in this universal forum of nations. Those rights were snatched away and cut off on the very day that the Prime Minister, Patrice Lumumba, with an understandable frankness, requested the help of

the Security Council to preserve the unity, sovereignty and independence of his country which had been openly attacked by the interests and the combined forces of old colonialism and neo-colonialism. It would be futile to try by sophistry to justify that which cannot be justified. The responsibility of the United Nations for the course and turn of events in the Congo is as obvious as the collusion of Kasa-Vubu, Mobutu, Tshombé and Iléo in attempting to re-establish the political, economic, military and diplomatic dominance of colonialism under such fictitious symbols as a flag, an escutcheon, an anthem and a seat in the United Nations.

62. The most eloquent indictment which has ever been made of the absolute lack of guarantees for and the systematic denial of justice to the small countries in the United Nations is the current absence from all our deliberations of the true and whole Congo and of the inspired influence of Patrice Lumumba. No respect has been paid to the principles of the Charter, or to the rules of international law, or to the resolutions of the Security Council and the General Assembly. The independent and sovereign Government of the Congo has collapsed as a result of the Machiavellian plan carried out by the colonial and imperialist Powers. They have imposed and superimposed economic interests and political ambitions incompatible with the self-determination of peoples, the sovereign equality of States and international peace and security. What has occurred and is still occurring in the Congo can teach us much more than the hundreds of books that have been written about the causes, methods and aims of colonialism. This is a living lesson in history and at the same time a classic example of the shameful affront to the conscience of the peoples of the world.

63. I shall not at this stage of the debate relate in any great detail events which are already known and duly evaluated. This has already been done with an impressive array of facts and shrewd assessments. Nor, for the same reasons, will I spend time on a circumstantial analysis of the latest developments. The factual side of the problem in its present aspects and methods has been exhaustively analysed. I shall therefore merely explain Cuba's position in this debate.

64. Cuba's position on the problem of the Congo has been clearly explained by its Prime Minister, Dr. Fidel Castro, in the general debate [872nd meeting] and by this delegation when the item was discussed at the last meetings of the first part of the Assembly's fifteenth session. This is not, I must point out, an academic position: Cuba's position on this problem, as on any other, is well-defined, militant and responsible. The problem of the Congo is just as familiar to Cuba as the problem of Cuba is familiar to the under-developed nations of Latin America, Africa and Asia. They are all acts in the same drama. Cuba has unremittently suffered, in its body and in its spirit, the material, political and moral ravages of Spanish colonialism and of American domination. It has known, as have few other nations, the intrigues, persecutions, pressures and blackmail to which the imperialist Powers resort when they want to gain or regain the wealth of other peoples, usually passing themselves off as agents of Providence or of civilization. The vicissitudes of the Congo and Cuba in the United Nations began at about the same time; their respective problems were brought up within a few hours of each other in the Security Council. The new Cuba, for the first time master of its own resources and potentialities, morally aggrandized in history by

the bravery of its struggle and the epic character of its achievements, from the very beginning has championed as its own the unconquerable banner of Patrice Lumumba, apostle of Congolese freedom and hero of the liberation of Africa. Cuba's identification with the cause of Patrice Lumumba derives from a similarity of problems and a common destiny; his ideal of a united, free, independent, sovereign and progressive country is also our ideal. This explains with the utmost clarity why American imperialism, without the slightest attempt at concealment, is collecting arms, money and mercenaries for a new Congo operation in Cuba, although the inevitable result will be the outbreak of a popular revolution in Latin America or the prologue to a third world war and, ultimately, the funeral pyre of its abuse, extortions and outrages. The pronouncements, proposals and endorsements made at the recent conference of Cuban outcasts in New York are identical with those made at the Conference held at Tananarive.² Cuba denounces the Tananarive Conference as a conspiracy by the colonial and imperialist Powers against the integrity, independence, sovereignty and advancement of the Congo and against the peace and security of Africa and of the world.

65. The only thing that could have resulted—and indeed did result—from this base agreement among the puppets of Belgium and its allies in NATO is the plan for the complete dismemberment of the Congo, behind the backs of the Congolese people and in disregard of the fact that legitimate sovereignty now rests in Stanleyville and, above all, in the unshakable will of the Prime Minister, Antoine Gizenga, to complete the work begun by Patrice Lumumba. So confident are these puppets of the strong protection of their tutors and beneficiaries that they have dared to attack, besiege, disarm or jeer at officials and soldiers of the United Nations Force in the Congo. Have they not already with impunity murdered a Prime Minister and high officials of the Central Government?

66. We have had the opportunity to hear some very lucid questions asked about the present phase of the situation in the Congo and to listen to some very cogent proposals for initiating a rapid, effective and comprehensive solution of the present complex problem. The statements made by Kwame Nkrumah, the President of Ghana, Andrei I. Gromyko, the Minister of Foreign Affairs of the Union of Soviet Socialist Republics, Krishna Menon, the Minister of Defence of India, and many representatives of Africa, Asia, Latin America and Europe have given us some valuable clarification and promising suggestions. But let us this time decide to apply the drastic remedies that the extreme gravity of the situation demands. We do not have much time remaining to do what has to be done. The prestige and authority of the United Nations are indissolubly linked to the course of this tragedy. If the vigorous measures that the situation demands are not adopted, all of Africa may burst into flame and humanity may be consumed in the flames of a thermo-nuclear conflagration.

67. There are, however, certain preliminary questions that must be settled before there can be any valid or lasting solution of the problem: the murderers of Lumumba and his companions must be apprehended, tried and punished; all Belgian personnel, foreign military and para-military personnel and their political advisers and all mercenaries recruited by the colonialist

² Round-table Conference, held at Tananarive, Madagascar, from 8 to 14 March 1961.

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and imperialist Powers must be evacuated within a specified time; Parliament must be convened immediately; and in any case the people of the Congo must be given and guaranteed the conditions and the means whereby they can decide their own destiny.

68. The Cuban delegation intends to vote for those draft resolutions which, by their nature and scope, will make an effective contribution to returning the Congo to its only legitimate owners, the Congolese themselves. A united, independent and progressive Africa is the essential precondition to agreement and to international peace and security.

AGENDA ITEM 85

The situation in the Republic of the Congo (continued)

69. Mr. SHAHA (Nepal): At the very outset I should like to join those delegations which have preceded me in expressing sympathy and sincere condolences to the delegation of the Republic of Cuba on the death of our distinguished colleague, Mr. Manuel Bisbé, and, through the delegation of Cuba, to the members of the bereaved family. Mr. Bisbé will long be remembered as someone who died a soldier's death at his post of duty.

70. In turn now to the item on the agenda.

71. The question of the situation in the Congo has occupied the United Nations for many months now, both in the Security Council and here in the General Assembly. Before dwelling on that situation itself, I should like to make it clear, as I did last autumn, that my delegation's approval of the credentials of the delegation designated by Mr. Joseph Kasa-Vubu, as President of the Republic of the Congo, should in no way be interpreted as a manifestation of our stand and attitude on the Congolese political tangle. As the first President of the Republic of the Congo, elected in accordance with the terms of the Congolese Loi fondamentale, Mr. Kasa-Vubu was acknowledged by the United Nations to be the legally constituted President and Head of State, and in that capacity had every right to appoint a delegation to this Organization. My Government voted in favour of the acceptance of the credentials of the delegation designated by Mr. Kasa-Vubu strictly from the point of view of procedure. That is the point which I wish to emphasize once again. It was merely an acceptance of credentials signed by the Head of State—nothing more, and as simple as that.

72. The chaos and series of struggles and sad events that have characterized the situation in the Congo and led, ultimately, to the brutal murder of Prime Minister Patrice Lumumba continue to take their toll. We should like to state, without fear of being accused of making political propaganda out of the political assassination of the late Premier Lumumba, that his martyrdom will serve as a constant reminder of how low colonialists and their agents can stoop to secure their mean and selfish ends. Though it was unfortunate that Mr. Lumumba was murdered in cold blood despite the presence of the United Nations in the Congo, it would not, in our opinion, be fair to blame it all on the United Nations, because any attempt to do so may have the effect of hindering the success of United Nations action in the future as well, and will merely serve to besmear the world Organization.

73. The United Nations operations may not have been a complete success, but, all the same, it has been ad-

mitted on all sides that the United Nations has succeeded in some measure in the Congo. Although the political situation may have continued to deteriorate even during the past months, it must be conceded that civil war has been prevented as a result of the presence of the United Nations in the Congo and that the situation there at least was not allowed to develop into a major disaster, following the examples of the Spanish Civil War and Korea. The starving have been fed; the sick have been cared for; and United Nations troops and supplies have been rushed to the stricken and needy areas to keep a new nation from disintegrating in the hands of contending factions working constantly under external pressures and influences.

74. Sometimes the United Nations has even been accused of interfering in the domestic affairs of the Congo. But there is no question of United Nations interference, since the assistance of the United Nations was sought by the legally constituted Central Government of the Republic of the Congo when it stood intact. Now, having entered the Congo, the United Nations cannot withdraw abruptly, without completing its mission there. The hope for the Congo itself still lies in the United Nations continuing its presence and exerting its pressure in the Congo, with the support of all its Members, to bring a lasting and stable peace to the area.

75. This must be accomplished; it can be accomplished only if foreign interference is ended. It must be pointed out that the Belgians have failed to co-operate in this regard. They cannot escape blame for all that has happened ever since the Congo was granted its independence, almost one year ago. From the reports of the United Nations Conciliation Commission for the Congo [A/4711/Corr.1 and Add.1 and 2] and the Special Representative of the Secretary-General in the Congo [A/4557 and Add.1],³ it appears that, ever since the formal granting of independence to the Congo, Belgian colonialist elements, under various covers, have been actively conspiring against the political unity and strength of the Republic of the Congo. The very same elements were directly responsible for instigating the different factions of the Central Government of the Republic of the Congo in the beginning to thwart and obstruct United Nations action there. Belgian colonialism continues to flourish in the Congo in a different garb, and tends to prevent the effective settlement of the problems facing this new nation.

76. Therefore, we must once again ask for the immediate withdrawal of Belgian military and para-military troops, as demanded in the Security Council resolution of 21 February.⁴ There should be an embargo on military aid of any kind to any one of the contending factions in the Congo and, if possible, a way must be found to ensure the implementation of these resolutions within a specified time limit in order to enable the Congolese to achieve a real and lasting independence in a peaceful climate. The allies of Belgium could be of great help to the United Nations if they would put pressure on Belgium and influence it to comply with the Security Council resolutions to the above end.

77. Conciliation among the leaders and among the various contending factions in the Congo must be

³ The text of this report has also been circulated as a document of the Security Council, S/4557.

⁴ Supplement for January, February and March 1961, document S/4741.

⁵ Official Records of the Security Council, Sixteenth Year,

attempted, through the unanimity of whatever remains of the Central Government of the Congo, represented in the past by President Kasa-Vubu and Premier Lumumba. At the present time this may appear difficult because of the differences between Mr. Kasa-Vubu and Mr. Lumumba's successor, Antoine Gizenga, who has declared independence, but efforts should be continued and strengthened to bring Messrs. Kasa-Vubu and Gizenga together. Mr. Kasa-Vubu should remember that he is only the Head of State responsible to the will of the majority in Parliament in terms of the Loi fondamentale, and that the subsequent governments appointed by him have never had a vote of confidence of the Parliament. At the same time, Mr. Gizenga would do well to remember that a prime ministership is something that is not inherited. In these circumstances both should act within the limits of reason, good sense and practicality. A reconciliation between them would give the people an opportunity to plan collectively for their future, building on their common heritage rather than stressing their differences in any atmosphere of violence and terror under the constant pressure of outside influences and interests.

78. The Security Council resolution of 21 February urges the convening of Parliament; but for this also some understanding is necessary between Messrs. Kasa-Vubu and Gizenga. My delegation believes that Messrs. Tshombé and Kalonji have always been on the fringe and that they should be kept there.

79. Now I should like to draw the attention of the Assembly to the stakes for the United Nations in the Congo. It must be emphasized that the United Nations efforts in the Congo must be made to succeed. The big Powers may not need the United Nations, but we, especially the small and uncommitted nations which do not belong to any military alliance, need it more than others. It is the bulwark of our rights and freedoms and the only place where even a small nation like mine can have a say. For this reason, we are against all attempts to undermine the influence and prestige of this Organization.

80. It has become apparent that the attacks levelled at the Secretary-General are, in effect, directly aimed at destroying the Organization itself, or, at the very least, at making such a mockery of it that it will be rendered ineffective. Any attempt to undermine the prestige of the United Nations through attacks on the Secretary-General, or in any other manner, including non-payment of subscriptions, arouses our suspicions. The great Powers might survive without the United Nations; States that are members of powerful military alliances might remain as they are. But what would happen to the freedom and influence of the smaller nations if the United Nations were to disappear? The United Nations represents the collective attempt of all, and especially the weak, to protect the liberty and freedom of all. We must not allow the prestige and the strength of the United Nations to be undermined in any way. The United Nations must remain strong. It must continue to grow in stature and to merit the respect of all its Members. It must remain the champion of liberty and continue to stand for peace. The United Nations must not be allowed to go down in history as an experiment that failed; for if it does fail, we may not have another opportunity to try again.

81. Suggestions have been made by certain delegations to replace the Secretary-General by a three-man directorate or triumvirate. Such a proposal lacks

merit, and its acceptance would only have the effect of rendering the Organization impotent and ineffective in the face of a grave situation or crisis in international relations. The strength of the executive branch of the United Nations lies in its ability to act quickly to implement the will of the Organization as expressed through decisions of the General Assembly and the Security Council. In these critical times especially it would seem apparent that to replace the single office of the Secretary-General by a triumvirate would serve only to interfere with the smooth functioning of the Organization and to paralyse it at moments when immediate decision and action are of the utmost importance.

82. As regards the present position of Mr. Hammarskjöld, my delegation wishes to express once again its profound appreciation of his good work and sincerity of purpose. If there were certain lapses on the part of the United Nations operation in the Congo, they were, in the first place, a result of the vagueness of the mandate itself which the Security Council and the General Assembly had given to the Secretary-General. Further, no human endeavour is infallible. This consideration acquires added significance in assessing operations such as those of the United Nations in the Congo, which had to be conducted through an improvised international machinery composed largely of individuals temporarily drawn from different Member States in order to meet the demands of the situation.

83. The personal integrity of the Secretary-General cannot be questioned; he has raised the status of the United Nations to such a high level that it stands today as the only alternative to armed clash which would otherwise necessarily fill the vacuum between the two great Power blocs existing in the world. He has made it clear that he is prepared to resign if it is the will of the General Assembly, and the General Assembly has, on more than one occasion, given him a vote of confidence. The suggestion of his removal, or even of the reorganization of his office, has not found popularity or met favour among the delegations here.

84. In conclusion, we must hope that, given patience and understanding on all sides, the United Nations will survive and succeed. At the same time, we must all contribute to the success of this Organization. The big Powers must voluntarily restrain their natural temptation to extend their influence. The small and medium-size nations also have their obligations and must not try to play up their own differences. Why should the poor Congolese people, who have already experienced so much suffering because of their national differences, be made to suffer still more because of our dissensions and differences here? The question involves the future and the destiny of so many millions of people, and we cannot take such a chance. With restraint and good will on all sides, the United Nations operation in the Congo will succeed. If the Member States and leaders who are interested in the Congo could only show a fair measure of forbearance, and of prudence and loyalty to the Organization, the United Nations would no doubt succeed in the Congo and would emerge triumphant from the present crisis with which it is faced. The record of the past need not necessarily be the guide to our future.

85. It is with the above considerations in mind that my delegation has the honour to co-sponsor the draft resolution contained in document A/L.339. Although some delegations feel that the twenty-one day time-limit envisaged in paragraph 2 of the draft resolution is un-

realistic, we must not forget that the United Nations, through the Secretary-General, has been urging Belgium to withdraw from the Congo since last year. In this light, three weeks appears to be quite reasonable. We commend this draft resolution to the unanimous support of this Assembly.

86. The PRESIDENT: There are no further speakers inscribed on the list for this morning. Before adjourning the meeting, however, I should like to draw the

attention of delegations to a third draft resolution which has been tabled in connexion with this item.

87. The Assembly has already before it a seventeen-Power draft resolution contained in document A/L.339 and Add.1 and a fifteen-Power draft resolution in document A/L.340. A draft resolution proposed by the Soviet Union has now been circulated and is contained in document A/L.341.

The meeting rose at 12.20 p.m.