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Chairman: Mr. Milton Fowler GREGG (Canada).

AGENDA ITEM 59

United Nations Operation in the Congo: cost estimates (A/5560, A/C.5/983, A/C.5/L.793 and Corr.1 and Add.1) (continued)

1. Mr. QUIJANO (Argentina) said that United Nations peace-keeping operations had been on the General Assembly's agenda since 1956. It was perhaps premature to evaluate the aggregate results achieved, but one fact at least was clear: the Organization was now faced with a financial deficit amounting to approximately \$140 million. In the past, his delegation had urged a thorough annual review of the justification and need for those operations, but it had always finally accepted the views of the Secretary-General, who was in the best position to judge such matters.

2. The issue at present before the General Assembly, which had been given priority in the order of work of the Committee at the request of the Congolese delegation, differed from those which had been considered at previous sessions, in that the United Nations mandate in the Congo, and particularly its military aspect, had been largely fulfilled. That was the impression which had been conveyed by the Secretary-General, both in his report of 17 September 1963 to the Security Council^{1/} and in the introduction to his annual report on the work of the Organization (A/5501/Add.1). The Argentine delegation therefore had serious doubts concerning the need to approve a further appropriation of \$19.2 million to continue the United Nations Force in the Congo for the first half of 1964.

3. If the United Nations had had at its disposal a peace fund such as was contemplated in General Assembly resolution 1879 (S-IV), his delegation would have had no objection to the continuation of the Force, if that was deemed necessary by the Secretary-General. However, when the only alternative was to burden the Organization's weakened finances with a new "expense of the Organization" under Article 17, paragraph 2, of the Charter, and in accordance with the 1962 advisory opinion of the International Court of Justice,^{2/} it could by no means consent so readily.

^{1/} Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963, document S/5428.

^{2/} Certain expenses of the United Nations (Article 17, paragraph 2, of the Charter), Advisory Opinion of 20 July 1962: I.C.J. Reports 1962, p. 151.

4. His delegation had co-operated in the task of developing more rational administrative and budgetary procedures for the United Nations in view of the problems created by the Organization's peace-keeping expenditures and by the failure of a number of countries to contribute to those expenditures. That work was unfortunately proceeding very slowly. It had also supported the policy of budgetary containment under which funds were appropriated only to meet essential needs. Its concern about the financial situation of the United Nations derived from its desire to see the Organization become strong and effective. The estimated deficit of approximately \$140 million at the end of 1963 would be only just covered by the sale of United Nations bonds. The situation was therefore precarious and the approval of a further peace-keeping budget which suffered from inadequate financing or was opposed by a large number of Members might prove to be the last straw.

5. Notwithstanding those reservations, based mainly on the fact that the Secretary-General had not specifically recommended a continuation of the United Nations military presence in the Congo and on the Organization's difficult financial situation, his delegation could not ignore the request for assistance made by the Congolese Government in the letter from the Prime Minister of the Congo to the Secretary-General dated 22 August 1963.^{3/} The African nations' support for that request gave it added significance. In viewing with sympathy the proposal that ONUC should be continued for the first half of 1964, his delegation would wish to see the acceptance of that proposal accompanied by fair and adequate financing measures, in view of the budgetary situation to which it had referred. The measures proposed in the draft resolution before the committee (A/C.5/L.793 and Corr.1 and Add.1) might be acceptable to his delegation if the financing arrangements they embodied were made more adequate.

6. The views of his delegation concerning the competence of the General Assembly with regard to the execution of peace-keeping operations approved by the Security Council were well known. However, his delegation was somewhat concerned with the wording of the second preambular paragraph of the draft, which, if not modified, would, it felt, constitute a very dangerous precedent.

7. With regard to operative paragraph 4 of the draft, which called for an appropriation in the amount of \$16 million, his delegation considered that the suggestion of the Advisory Committee on Administrative and Budgetary Questions that the estimate might be reduced (see A/5560, para. 13) was valid and should be adopted, since the controversial nature of the action proposed made it necessary to ensure that the

^{3/} Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963, document S/5428, annex I.

appropriation was as small as possible. He hoped that the sponsors of the draft might see their way to reduce the figure of \$16 million to \$15 million.

8. His delegation was most concerned, however, regarding the apportionment system proposed in operative paragraph 5 of the draft. At its fourth special session, the General Assembly had established in resolution 1874 (S-IV) general principles to serve as guide-lines for the sharing of the costs of future peace-keeping operations involving heavy expenditures, but many delegations, assuming that the Congo operation would end in 1963, had then agreed to postpone the application of those principles until the following year. Consequently, it was again necessary, as in June 1963, to devise an *ad hoc* apportionment formula for the proposed 1964 ONUC budget.

9. However, since the situation in 1964 differed considerably from that which had prevailed in the previous years, the apportionment principles previously adopted were no longer entirely applicable. The formula outlined in operative paragraph 5 of the draft resolution could, in fact, constitute a major step backwards in the efforts to ensure that the share of the cost of peace-keeping operations borne by the developing countries was equitable. It called on them to pay, in the aggregate, 56 per cent of their assessment under the regular scale—the highest percentage called for since the General Assembly had accepted the 50 per cent reduction formula in 1959 (see General Assembly resolution 1441 (XIV)). His delegation considered such a high proportionate assessment for the developing countries unjust and therefore unacceptable. In its view, the percentage to be paid by the less developed countries should not exceed 40 per cent of what their assessment would be under the regular scale and the ideal solution in the present circumstances would, it felt, be to leave sub-paragraph a of operative paragraph 5 unchanged but to replace the words "45 per cent" in sub-paragraph b by the words "20 per cent". The combination of the two sub-paragraphs would result in a contribution which would be slightly more than 35 per cent of the contribution under the regular scale of assessment. That would be a logical percentage which would take into account the present difficulties experienced by the less prosperous countries. It would maintain the principle of collective responsibility and ensure an equitable sharing of costs.

10. He appreciated the Nigerian representative's explanation (1010th meeting) that the draft's present formula would ensure voluntary contributions from certain industrially developed countries. His delegation hoped that those countries which were in a position to do so would contribute as much as possible in order that a generally acceptable solution might be arrived at. It would be unfortunate if rigid positions were taken in the matter. The smaller countries hoped that their voice would be heard and their views taken into account.

11. His delegation did not wish to withhold its support from the draft resolution and hoped that the slight change in the matter which it had suggested might be acceptable to the sponsors.

12. Mr. QUAISON-SACKKEY (Ghana) recalled that his country had for three years contributed troops and resources to ONUC. When it had first been suggested that the United Nations Force should be withdrawn from the Congo, Ghana had put forward the idea that African States should continue to help the Congolese Government by contributing troops and resources. In its view,

the Congo being an African territory, the intervention of non-Africans there should be avoided and it had felt that some co-operative regional arrangement could have been arrived at to assist the Congolese Government in maintaining law and order in the country if any difficulty arose following the withdrawal of the United Nations Force.

13. The Congolese Government had now decided, however, to request the maintenance of the United Nations Force in the Congo until 30 June 1964. That request could not be ignored and Ghana had decided to support it and to join in sponsoring draft resolution A/C.5/L.793 and Corr.1 and Add.1.

14. By joining the sponsors of the draft resolution, his delegation wished to demonstrate its solidarity with the Republic of the Congo and with the other African nations. It would, however, remind the Committee of its earlier warnings concerning the need to train a strong Congolese army. Had its previous advice in that connexion been heeded, the present situation might not have arisen. If, after 30 June 1964, the Congolese Government still required foreign military assistance, that assistance should no longer be provided by the United Nations and should be the subject of consultation among African States.

15. Mr. AHSON (Pakistan) expressed his delegation's appreciation of the speed with which the Secretary-General and his staff had prepared the report on the cost estimates for ONUC (A/C.5/983) and complimented the Advisory Committee for its report on the same subject (A/5560).

16. His delegation had consistently supported ONUC in word and deed, contributing towards the expenses of the operation every year and making a purchase of United Nations bonds. It had done so because it believed in the idea of collective measures to be in direct conformity with the Charter and the expenditure incurred in peace-keeping operations to be "expenses of the Organization". That view had been confirmed by the advisory opinion given in 1962 by the International Court of Justice. His delegation had also been actively associated with the Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations, where it had placed its views on record.^{4/} It considered activities relating to the maintenance of law and order to be the exclusive responsibility of the State concerned. The decision taken by the Security Council in its resolution of 14 July 1960^{5/} to give the Congo military assistance in maintaining internal law and order had been an unprecedented step, justified only by the situation, which, because of the imminent danger of external interference, had become a threat to international peace and security. That danger had now been removed and the objectives of the United Nations, as set forth in the relevant resolutions of the Security Council and the General Assembly, had been in large measure realized. As the Secretary-General stated in paragraph 19 of his report of 17 September 1963 to the Security Council, the United Nations could not be expected to guarantee any country against internal disorder permanently. It was therefore to be hoped that the Congolese Government would be able to assume its responsibility as a sovereign State for the maintenance of law and order and to dispense

^{4/} See *Official Records of the General Assembly, Fourth Special Session, Annexes*, agenda item 7, documents A/AC.113/8 and A/AC.113/23.

^{5/} *Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960*, document S/4387.

with further United Nations assistance at least by 30 June 1964. When introducing the draft resolution (A/C.5/L.793 and Corr.1 and Add.1), the representative of Nigeria had assured the Committee that the United Nations was being asked for military assistance for the last time. The Prime Minister of the Congo himself, in his letter of 22 August 1963 to the Secretary-General, had expressed confidence that the takeover from United Nations troops could be completed by the end of the first half of 1964. In the light of those assurances and of the Secretary-General's statement in his report that the Congolese army and police were still not in a position to assume full responsibility for law and order, it would seem advisable to appropriate the funds necessary for ONUC to continue for a further six months. There was no doubt, as the Secretary-General stated in paragraph 10 of his report to the Council, that the mere presence of a United Nations force of any size had a generally favourable effect.

17. As far as the financial implications of the draft resolution were concerned, Pakistan, as a developing country, was anxious to devote any available resources to its development programme and would therefore wish to see the cost ONUC kept as low as feasible. It also hoped that more of the developed countries would make voluntary contributions both in cash and in kind. Although the Security Council resolution of 14 July 1960 implied that military assistance would continue as long as the Congolese Government thought it necessary, it must be remembered that the resolution had been adopted at a time of crisis and that the Governments concerned had assumed the assistance in question to be of an emergency nature. It had certainly not been intended that the Organization should commit itself to providing military assistance indefinitely. His delegation would therefore vote in favour of the continuance of ONUC for a further six months on the understanding that it would not in any circumstances be continued beyond 30 June 1964.

18. In conclusion, he stated that his delegation was following the proceedings of the Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations with interest and hoped that in due course it would evolve a formula with regard to peace-keeping operations which would be acceptable to everyone.

19. Mr. TARDOS (Hungary) said that the United Nations Operation in the Congo, launched by decision of the Security Council at the request of a Government later overthrown before the very eyes of the United Nations forces, had given rise to much debate and had certainly not met with unanimous approval from Member States. The political line of ONUC had compelled the former Secretary-General to make arrangements for the financing of the operation through the General Assembly, the Security Council being bypassed in violation of the Charter. The effect of that action on the Organization's financial situation was only too well known. The present Secretary-General had inherited an unenviable task and deserved all credit for his efforts to preserve the Organization's prestige while making it possible for United Nations troops to withdraw from the Congo.

20. Hungary agreed with the analysis and conclusions set forth in the Secretary-General's report of 17 September 1963 to the Security Council. In that report, he stated, *inter alia*, that he had been authorized to maintain ONUC only up to the end of 1963, that, the Belgian

troops having been withdrawn, no organized and subversive military groups under foreign leadership were active on Congolese territory and that internal conditions had improved to such an extent that the situation no longer posed a serious threat to international peace. While noting that there were still deficiencies with respect to the maintenance of law and order, he stated that it was reasonable not to expect the United Nations to insure any country permanently against internal disorder. That was all the more reasonable in that no provision of the Charter made it a duty of the Organization to maintain law and order within any sovereign State. Although the Congolese Government had asked for the United Nations troops to be kept in the Congo for a further six months, the Secretary-General rightly pointed out that whatever progress might be made by June 1964, a good case could probably be made at that time, on the same grounds, for yet a further continuation of ONUC.

21. His delegation therefore opposed any further maintenance of United Nations troops in the Congo. Their presence would be justifiable only if the Congolese Government could specify the external threat it was facing or name the external sources from which a civil war was likely to be fomented and if the competent United Nations body then decided that the presence of the troops was necessary in the interests of international peace. If the General Assembly, for its part, took a decision to keep the Force in the Congo, despite those objections and despite the disapproval of several aspects of the operation expressed by a great many African States, that would mean a rejection of the Secretary-General's appraisal of the situation and a further violation of the Charter, since United Nations troops could be sent to a country only when international peace was threatened. It would also set a dangerous precedent, since any Government unable to maintain law and order in its country might be tempted to ask the United Nations to provide troops for that purpose for a definite or indefinite period; in the extreme case a colonial Power might appeal for help in maintaining law and order in its overseas territories. Such requests would give rise to interminable debate, particularly on the question of financial responsibility, and would divert the Organization from its original goals. If the Congolese Government needed police troops, new ways and means of obtaining and financing them must be found. For example, the financing procedure adopted in the case of West Irian^{6/} and Yemen^{7/} could be followed again. The Committee might consider what kind of assistance could be expected from those Member States whose forces were stationed in the Congo or from other States on a bilateral basis. The United Nations itself might render some assistance in organizing the police force as part of its assistance in the field of public administration. But there were no grounds whatever for keeping United Nations troops in the Congo and his Government would therefore not feel bound by any recommendation relating to the financing of ONUC for 1964.

22. Mr. SOSROWARDOJO (Indonesia) recalled that his delegation had stated its views on ONUC at the 993rd meeting of the Fifth Committee during the fourth special session. In 1950, having supported General Assembly resolution 377 (V) on "Uniting for Peace",

^{6/} See Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 89, document A/5170.

^{7/} See Official Records of the Security Council, Eighteenth Year, Supplement for April, May and June 1963, document S/5325.

it had again endorsed United Nations action when the problem of maintaining peace and security in the Congo had arisen and it had placed its troops at the Organization's disposal for that purpose. It had also been guided by the principle of collective responsibility, despite the varying interpretations placed on it.

23. In his report of 17 September 1963 to the Security Council, the Secretary-General, whose views always deserved careful consideration, stated that General Assembly resolution 1876 (S-IV) implied a terminal date of 31 December 1963 for the Congo operation although it did not explicitly establish such a date. In his report to the Council of 4 February 1963,^{8/} he had said that most of the aims of ONUC had been achieved in large measure but that it would still be necessary to assist the Congolese Government in maintaining law and order over a transitional period. In his most recent report he presented an even more promising picture, stating that no organized and subversive military groups under foreign leadership were active on Congolese territory. There were some unconfirmed reports of a threat of new activity, but his delegation was inclined to believe that such activity might not be exclusively of a foreign nature. There seemed to be some doubt as to whether the Congolese Government would be able to deal with any disorder that might occur following the complete withdrawal of United Nations forces. Indonesia considered that the success of ONUC as a whole should not be marred by any such recurrence of disorder, and it was in that light that it approached the Congolese Prime Minister's appeal in his letter of 22 August 1963 to the Secretary-General for a continuation of the operation until the middle of 1964. While recognizing that the Prime Minister was sincere in disclaiming any intention of requesting United Nations assistance after that date, his delegation hoped that certain assurances could be given to the Organization and that specific programmes could be drawn up to ensure that adequate measures would be taken in the next six months to enable the Congolese Government to meet the country's future internal security needs.

24. As to the draft resolution before the Committee, his Government believed that countries which contributed troops to peace-keeping operations should be given a lighter assessment than those which merely contributed funds. It was only reasonable, in any case, that developing countries, which needed all available resources for their development plans, should not be expected to shoulder heavy additional burdens. In particular, his delegation believed that the proposal in operative paragraph 5 a that the sum of \$3 million should be paid according to the regular scale of assessment for 1964 should be revised so as to take greater account of the ability to pay of the developing countries, especially those which would be contributing to the operation in kind. He hoped that the sponsors would take those views into account.

25. Mr. RIOS BRIDOUX (Bolivia) said that his Government had always felt deep concern for the financial position of the United Nations, for the Organization could not carry out its task if it was always on the verge of bankruptcy. It had been abundantly clear from the beginning that the real problem at the root of the Organization's difficulties was political rather than financial: that had been borne out by the debate at the fourth special session of the General Assembly.

26. No one welcomed the proposal to continue the Congo operation for the first six months of 1964, when everyone had hoped that it would be terminated by the end of 1963. The proposal was particularly unwelcome to countries like his own which wished to use their slender resources for economic development. Nevertheless, if the fruit of all that the United Nations had done in the Congo was not to be lost, the operation must continue, even at the price of great sacrifice on the part of Member States.

27. However, an appropriate scale of assessment should be worked out which should be more favourable to the developing countries than the one laid down in General Assembly resolution 1876 (S-IV). More of the burden of the cost should be shifted to the shoulders of the great Powers, particularly the permanent members of the Security Council. Nevertheless, in an effort to do everything in its power to enable the United Nations to maintain peace and security, Bolivia had taken the first step towards paying off its arrears on the UNEF and ONUC accounts.

28. Mr. ABDI (Ethiopia) said that his delegation was as anxious as any other to avoid unnecessary expenditure in the Congo and to terminate ONUC as soon as possible; but the matter did not lie entirely in the hands of the United Nations. The Congolese Government itself did not feel that its forces were yet able to assume full responsibility for the maintenance of law and order and had therefore requested the continuation of ONUC for a further six months. It was clear that the United Nations had not yet completed its task and must continue its efforts until it had done so, which should be by the end of June 1964. He would therefore vote for the draft resolution before the Committee.

29. Mr. KOLBASIN (Byelorussian Soviet Socialist Republic) said that his delegation had been surprised to receive cost estimates for the continuation of ONUC (A/C.5/983) when the Security Council had not taken any decision regarding the continuation of ONUC. It had been especially surprising as complete military disengagement by the end of 1963 had already been envisaged at the time of the fourth special session; so much was clear from paragraph 5 of the report submitted by the Advisory Committee at that session;^{9/} and those hopes had been confirmed by other documents and statements which had appeared since then, such as the Secretary-General's report of 17 September 1963 to the Security Council and section V of the introduction to his annual report on the work of the Organization (A/5501/Add.1).

30. The Byelorussian delegation had therefore been astonished to read in a recent issue of a prominent New York newspaper that the United States Government and the Secretary-General had agreed to maintain a force of 5,000 men in the Congo for the first half of 1964. There seemed now to be every possibility that a resolution to continue ONUC would be adopted, although not unanimously, by the General Assembly.

31. The sudden change of front on the part of the Secretary-General was a clear indication of who was behind the United Nations action in the Congo and who profited from it. In reality, that had always been an open secret. There had been reports in the Press regarding the spheres of influence of different great Powers in the Congo. A booklet published in Brussels had given detailed information about the activities of

^{8/} Ibid., Supplement for January, February and March 1963, document S/5240.

^{9/} Official Records of the General Assembly, Fourth Special Session, Annexes, agenda item 7, document A/5421.

Western mining companies, largely United States owned, and there had been a report that British capital now had a controlling interest in the Union Minière du Haut-Katanga. In January 1963, a well-known French newspaper had commented that the intervention of armed forces in Katanga was obviously an attempt by United States economic groups to gain control of new markets. One of the two biggest New York newspapers had stated in May 1963 that the Congo had become one of the many responsibilities and concerns of the United States, and the U.S. News & World Report of 21 January 1963 had advocated that the Congo remain a virtual colony run either by the United Nations with Belgian help, or by the United States. The United Nations was being used to cover neo-colonialist manoeuvrings.

32. Those facts had always been clear to the Byelorussian delegation, which had never wavered in its opposition to ONUC. It could never countenance the use of the United Nations by neo-colonialists and foreign monopolies for their own ends, or the attempts of United States interests to frighten African States with the bogey of communism. In addition, it was unalterably opposed to ONUC on the grounds of its illegality, for action had been taken in the Congo in utter disregard of the Charter, particularly Chapter VII. For those sound and cogent reasons, his Government had refused to share the cost of ONUC. His delegation was opposed also to the continuation of the operation in 1964, for the same reasons. Although the Congo, as a newly independent State, was undoubtedly faced with considerable difficulties, it was not true that the withdrawal of the United Nations troops and the termination of the intervention of monopolies would result in chaos. The future of the Congo must be left in the hands of the Congolese Government and people, who would eventually prove themselves equal to their task.

33. Mr. NOLAN (Ireland) said that as the mandate conferred upon the Secretary-General by the Security Council resolution of 14 July 1960 had not been terminated and as, in the opinion of the Congolese Government, the national security forces were not yet able fully to meet their tasks, his Government saw no alternative to continuing ONUC for another six months beyond the end of 1963, and would therefore support draft resolution A/C.5/L.793 and Corr.1 and Add.1 as it stood. That attitude would cause surprise to no one, for Ireland, although a small country, had provided men, material and financing for ONUC.

34. The draft resolution adequately met the requirements of the present situation and was based on what had already been agreed at the fourth special session. Although it was not entirely satisfactory to all delegations, he trusted that the sponsors would resist any proposals to amend it, as that might upset the very delicate balance it achieved. In particular, his delegation would oppose any amendments to operative paragraph 5 which reduced the percentage to be paid by the developing countries without providing compensatory financing. He pointed out that some of the developing countries covered by paragraph 5 had per caput

incomes which were at least as high as those of some of the countries mentioned in paragraph 6, including his own, which were expected to make voluntary contributions. If the share of the cost to be paid by the more seriously under-developed countries was to be decreased, the share of other countries apart from those mentioned in paragraph 6 might have to be increased.

35. In any event, a reduction of percentage arrangements proposed in paragraph 5 was the wrong approach to the problem and would not contribute to a permanent solution. The trend had been initiated by the seven-Power memorandum in the Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations,^{10/} which had proposed that, as the costs increased, the percentage share of the developing countries should decrease. In the present instance the costs to be shared were less, so that the developing countries might reasonably be expected to pay more although he did not suggest that this should be done.

36. In its present form, the draft resolution would ensure adequate funds in voluntary contributions to cover the shortfall produced by the decrease in the share of the developing countries.

37. Mr. GOTZEV (Bulgaria) said that his delegation's attitude towards ONUC had not altered since the fourth special session of the General Assembly. The nature of the Congo operation had altered rapidly after its inception and its purpose had soon ceased to be one of protecting the Congo against foreign aggression. The Secretary-General had recently indicated that the country's internal situation no longer posed a threat to international peace and had referred to the need to envisage the withdrawal and winding-up of the United Nations Force in the Congo.

38. The continuation of the operation for the sole purpose of maintaining law and order within the territory of a Member State would constitute a violation of both the letter and the spirit of the Charter. From the point of view of procedure, the situation was perfectly clear: the Security Council alone could decide that the Force should be continued and the General Assembly had no competence in that regard.

39. Draft resolution A/C.5/L.793 and Corr.1 and Add.1 proposed action which did not have the sanction of the Security Council and which ran counter to the previous decision of the General Assembly (resolution 1876 (S-IV)) to provide for ONUC only up to 31 December 1963. While the Secretary-General in his report of 17 September 1963 to the Security Council had placed the issue before that body, the draft resolution would leave the decision to the General Assembly. In his delegation's view, the Fifth Committee of the General Assembly could not consider a matter which was not within the competence of the General Assembly itself. Bulgaria would not participate in the financing of a continuation of the United Nations Operation in the Congo into 1964.

The meeting rose at 6.10 p.m.

^{10/} *Ibid.*, document A/AC.113/18.