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Chairman: Mr. Mario MAJOLI (Italy).

AGENDA ITEM 49

Supplementary estimates for the financial year 1960 (A/4492, A/4507, A/4508, A/4580, A/C.5/816, A/C.5/836) (continued)

United Nations activities in the Congo (ONUC) for the period 14 July to 31 December 1960 (A/4580, A/C.5/836) (continued)

1. Mr. STOIANA (Romania) said that the financing of United Nations activities in the Congo could not be considered simply as a technical matter. It raised a question of principle, and the way in which that question was resolved would have very serious consequences for the Organization's future activities. After the Belgian aggression against the young Congolese State, the Security Council, in its resolution of 14 July 1960,^{1/} had called upon the Government of Belgium to withdraw their troops from the territory of the Republic of the Congo. The Security Council had also authorized the provision of military assistance to the lawful Government of the Republic of the Congo, until the Congolese national security forces might be able "to meet fully their tasks". But the Council had certainly not intended that the financial burden of that assistance should be borne by Member States. The Security Council had recognized that Belgium was responsible for a situation which endangered international peace and security and made United Nations intervention necessary. Belgium was therefore bound to cover the costs of the presence of United Nations troops in the Congo.

2. The Security Council had acted because of the urgency and gravity of the situation, and it had thought that the United Nations should advance the necessary money. But that money should be paid back by those responsible, i.e., by Belgium. To oblige the States Members of the United Nations to finance the Organization's expenses in the Congo through the regular budget, instead of making the aggressor pay them would be a denial of the Organization's essential purpose and a flagrant violation of the letter and spirit of the Charter.

3. In its resolution of 14 July 1960, the Security Council had decided "to authorize the Secretary-General to take the necessary steps, in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance, as may be necessary, until . . . the national security forces may be able . . . to meet fully their tasks". He stressed the words "the Government". But the United Nations funds had been used for quite opposite purposes to finance certain elements which were trying to undermine the authority of the lawful Government and to make the restoration of order and normal activity in the Congo impossible. For evidence on that point it was sufficient to cite the last report of the Secretary-General's Special Representative and the many acts of aggression and violence committed by the Mobutu clique. According to an article in *The New York Times* of 15 October 1960, Colonel Mobutu and his supporters were getting financial assistance from the United Nations. Such statements had not been denied, and it would seem that the Secretary-General thought that Member States should bear not only the costs of Belgian aggression in the Congo but also the expenditure caused by those who were stirring up disturbances and opposing the lawful Government. The Secretary-General was defying the Organization in claiming that Member States were liable for the costs of the United Nations intervention in the Congo, which had openly violated the letter and spirit of the Security Council resolutions and caused the dissolution of the lawful Government of the Republic of the Congo and the arrest of its head, Patrice Lumumba.

4. The Secretary-General had told the Committee (796th meeting) that the Organization would commence the financial year 1961 with a virtually empty treasury. How could the Secretary-General, who was responsible for the administration of the United Nations, have failed to bring the financial implications of ONUC to the attention of the Assembly or the Security Council at the proper time? Had he tried to confront the General Assembly with an accomplished fact? The way in which he had acted proved his bias and his desire to serve interests opposed to the Charter and to international co-operation.

5. The Romanian delegation wished to observe the principles of the Charter and of international law strictly. That was why it did not intend to finance any part of the United Nations activities in the Congo, since those activities tended to help elements hostile to the young Republic. If a resolution were imposed by some kind of majority, calling on Member States, instead of the aggressor and its accomplices, to pay the expenses in the Congo, the Romanian People's Republic would continue to pay only its normal contribution to the regular budget, which did not include the illegal expenses of ONUC.

6. Mr. BURNS (Canada) thought that the financial support of the United Nations activities in the Congo

^{1/} Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960, document S/4387.

was not merely a financial matter, but a political question which transcended differences of national interest and concerned the very existence of the United Nations.

7. The United Nations had failed to live up to the hopes of its founders in the maintenance of international peace and security. The dissension between the great Powers had prevented the machinery set up fifteen years previously from yielding the results expected of it, and the consequence for all the nations of the world had been the continuing risk of war and constant anxiety. However, there had been attempts to find other means of keeping the peace in troubled areas, and it was encouraging that those means had developed within the framework of the United Nations. Although each crisis which the United Nations had faced had been resolved differently, according to the prevailing political circumstances, a pattern for peace-keeping had gradually emerged. The United Nations activities in the Congo were typical of it. Following a broad directive from the Security Council, the Secretary-General had appealed to middle and small Powers to provide the required troops. The Governments of those countries, many of which were struggling to develop economically, had immediately answered that appeal, on the assumption, first, that they would be reimbursed by the United Nations for additional costs incurred and, second, that the United Nations would meet the day-to-day costs of the operation.

8. Following that pattern, many of the responsibilities for international peace and security, which the Charter had sought to place on the great Powers, had been transferred to a growing number of middle and small Powers. They had provided most of the personnel and equipment, while the political and financial responsibility for the operation had rested on the Organization.

9. Over the past ten years, those tendencies had gradually developed into a pattern of international order, which had made a real contribution to the preservation of peace. But certain Member States had witnessed that unfolding pattern with hostility and were using various means to hinder or destroy it. They were withholding their own financial support and were advocating that the General Assembly should not assume financial responsibility for the Congo operation. If Member States were truly and firmly resolved "to save succeeding generations from the scourge of war", the machinery which the United Nations had developed for the purpose must be allowed to function and, if it was to function, the Organization must be given the necessary financial and military resources. It should be recognized, moreover, that if that machinery did not function, peoples, parliaments and Governments would inevitably show less interest in the United Nations, thus jeopardizing the Organization's future.

10. It had been argued in some quarters that the General Assembly should not approve the supplementary estimates and that it was for the Security Council to negotiate bilateral agreements with individual Member States, in accordance with Article 43 of the Charter, concerning the armed forces, assistance, and facilities provided by them. It was true that Article 43 made provision for special agreements negotiated on the initiative of the Security Council, but other Articles (Articles 45, 46 and 47) also contained clauses providing for the earmarking of contingents for the United Nations and plans for the application of

armed force, to be drawn up by a military Staff Committee consisting of the Chiefs of Staff of the permanent members of the Security Council. Article 43, paragraph 3, contained the express stipulation that the agreements enabling that machinery to come into operation were to be negotiated as soon as possible after the signing of the Charter. Everyone knew, however, that the absence of agreement between the five permanent members of the Security Council had so far prevented the Council from negotiating the agreements in question. It had therefore never been possible to apply Article 43, and it was clear that the operation in the Congo had not been undertaken under that Article, but under Articles 24 and 25 in which the Members of the Organization agreed that the Security Council should assume primary responsibility for the maintenance of peace and agreed to accept and carry out its decisions. Article 43 could not become operative until the five permanent members of the Council succeeded in settling their differences. Until that time, it was quite irrelevant to the present debate.

11. In order to preserve the peace-keeping machinery which the majority of Member States had agreed to establish outside the framework of Chapter VII of the Charter, the mistakes made in financing UNEF must be avoided at all costs. Many States had not contributed to the UNEF special account because, rightly or wrongly, they did not feel themselves obliged to contribute to it in the same way as to other expenses of the Organization. If a similar financial system was adopted for the Congo, it would clearly be courting similar failure. Moreover, various countries which had made a large proportion of the voluntary contributions towards the expenses of the United Nations in the Congo had done so on the assumption that the financial precedent of UNEF would not be followed. The Canadian delegation was convinced, therefore, like the representatives of Tunisia, Argentina and others, that it was essential to avoid the financial precedent of UNEF.

12. It was the United Nations as a whole which must continue, through the General Assembly, to assume full financial responsibility for the supplementary estimates now before the Committee. In other words, the corresponding costs must be regarded as expenses of the Organization, as defined in Article 17 of the Charter, and constitute a section of the Organization's present budget.

13. Some Member States had understandably expressed concern at the possible scale of the financial implications of future decisions by the Security Council, in cases where there might be a question, for example, of operations such as those in Korea. However, in the last analysis, the Security Council could not impose a larger financial burden on Member States than the Advisory Committee and the General Assembly were able to approve and apportion. In the case of the Congo, the General Assembly had approved the operation by an overwhelming majority at the beginning of the current session and there was no indication that it would be unable to accept the expenses occasioned by the operation and apportion them among Member States. It was to be hoped that the Assembly would approve the necessary funds for the continuance of the United Nations operation in the Congo, for otherwise the United Nations would never be able to maintain peace effectively.

14. The supplementary estimates for ONUC amounted to \$60 million, which was a trifling sum in comparison

with the cost of a real war. Was the \$20 million a year needed for UNEF an exorbitant sum to pay for the calm and stability which it had brought to the Middle East? Similarly, in the case of the Congo, \$100 million a year would not be too much to pay for stability in that important part of Africa. Those sums represented a minimum price for preserving peace in those troubled parts of the world.

15. Nevertheless, no matter how necessary they were, the supplementary estimates in question might impose too great a financial burden on those States which were struggling with urgent problems of economic development. However, accepting those \$60 million as an expense of the Organization under Article 17 did not in any way mean that it would be necessary to apportion that sum under the regular scale of assessments. The General Assembly could perfectly well devise a separate method of apportioning those expenses of the Organization relating to its activities in the Congo. The important thing was that all Member States should over the years always assume a fair share of such costs, bearing in mind the circumstances existing at the time. In that case three great Powers had decided not to request reimbursement for certain of their own expenses, which had reduced the \$60 million originally required to about \$49 million. As a result, the burden which would fall on the general membership was reduced by nearly 20 per cent.

16. Like other countries, Canada had made troops, equipment and air transport available to the United Nations, both in the Congo and in the Middle East. The deficit in the UNEF special account had so far prevented the United Nations from reimbursing the Canadian Government for its extra expenditure as had been envisaged, but despite that, Canada had continued to pay its full cash assessment to UNEF and had participated widely in United Nations peace-keeping operations. Being anxious to encourage other small and middle Powers to demonstrate by their attitude during the debate that they too had faith in the future of the Organization, the Canadian Government was prepared to forgo reimbursement of the \$650,000 it had spent on providing air transport facilities to move troops into the Congo. The Canadian Government made that offer on the assumption that the costs of the Congo operation would continue to be regarded as expenses of the Organization under Article 17. The Canadian Government was also prepared, if the Secretary-General so desired, to make an advance payment of about \$1 million or \$1.5 million towards Canada's assessed share of the expenses of the Organization for the financial year 1961.

17. The question that remained was how the General Assembly would apportion the reduced costs amounting to about \$48 or \$49 million. The regular scale of assessments offered the best guarantee of striking a balance between various equally important principles and reflected fairly accurately the ability of Member States to pay. For example, the more than seventy economically under-developed countries paid less than 20 per cent of the United Nations budget. If the regular assessment scale was used to apportion the reduced sum of \$48 or \$49 million, representing the net costs of the Congo operation, those seventy Member States would have to pay only \$8 million altogether. The more than thirty Member States assessed at the minimum rate of .04 per cent would pay less than \$20,000 each. All Member States which were able to do so

should therefore contribute a share of the cost of the Congo operation equal to their share under the scale of assessments. That would enable the medium and small Powers to maintain their influence in the United Nations activities for safeguarding the peace.

18. His delegation nevertheless appreciated that it was very difficult for certain States to meet their full obligations under the regular scale of assessments and believed that it should be possible to devise a method of apportionment which would ease considerably the burden on those Member States. It had noted with appreciation the United States Government's generous offer to make a voluntary contribution of \$4 million so as to make it possible to reduce by half the contributions of Member States whose capacity to pay was limited. He was confident that there would be no technical difficulty in departing from the regular scale in apportioning part of the costs.

19. To sum up, the solution to the problem, both in the current year and in future years, should be sought along two lines: first, in accordance with the Charter, such expenses should continue to be regarded as expenses of the Organization under Article 17; secondly, that particular portion of the expenses of the Organization—in the present case the cost of the Congo operation—must be apportioned by the General Assembly in such a way as to take into account the practical difficulties which a number of Members would face if the total costs were allocated according to the regular scale of assessments.

20. Mr. ARRAIZ (Venezuela) thought it might be useful to trace briefly the historical background of the question before the Committee. On 14 July 1960 the Security Council had adopted a resolution^{2/} authorizing the Secretary-General to take the necessary steps to provide the Republic of the Congo with such military assistance as it requested in order to protect its territory against aggression by Belgian troops. None of the permanent members of the Security Council had voted against the resolution. On 22 July 1960, the Security Council, after considering the first report by the Secretary-General on the implementation of that resolution, had unanimously adopted a resolution^{3/} calling upon the Government of Belgium to implement speedily the resolution of 14 July 1960 and authorizing the Secretary-General to take all necessary action to that effect. On 9 August 1960, the Security Council had adopted a resolution^{4/} which confirmed the authority given to the Secretary-General by the previous resolutions, requested him to continue to carry out the responsibility it had placed on him and called upon the Government of Belgium to withdraw its troops immediately from the Province of Katanga. None of the permanent members of the Security Council had voted against that resolution. Finally, on 20 September 1960, the General Assembly had adopted without a single negative vote resolution 1474 (ES-IV), in which it fully supported the resolutions of the Security Council. The Secretary-General had now submitted a statement of the actual or probable costs arising from those decisions.

^{2/} *Ibid.*, document S/4387.

^{3/} *Ibid.*, document S/4405.

^{4/} *Ibid.*, document S/4426.

21. The statements which had been made indicated that there were four problems: first, the actual amount of the costs; secondly, the context in which they should be considered; thirdly, the method by which they should be financed; fourthly, the question whether or not such expenditure should continue to be incurred.

22. With regard to the first of those problems, the Secretary-General had indicated in his report (A/C.5/836) that appropriations in the amount of approximately \$66 million would be required for 1960 and, furthermore had stated at the 796th meeting that the cost of the operations in the Congo in 1961 would probably be about \$10 million per month. The Committee could and certainly should consider those figures very carefully.

23. However—and that was the second problem—it was entirely outside its competence to discuss the legality of the resolutions adopted by the Security Council, and in that connexion he failed to see how certain delegations could hesitate to accept the financial consequences of the decisions embodied in those resolutions. Such an attitude was particularly surprising and illogical in the case of countries which, as members of the Security Council, had contributed to the adoption of the resolutions. In theory it could be said—although the Security Council represented the United Nations as a whole—that those resolutions had been adopted without the consent of certain countries, and he recalled the comments made by the Spanish representative (806th meeting). However, it was difficult to explain the attitude of delegations which, in spite of the fact that they had not vetoed the decisions of the Security Council, as they could have done, now rejected the consequences of those decisions. It was not right to say that the Secretary-General had acted illegally. It was the United Nations, and not the Secretary-General which had to face the problem of financing ONUC, and if it evaded that responsibility because of current financial difficulties, it would be harming itself and not the Secretary-General.

24. The problem of deciding in what context the ONUC costs should be considered was of fundamental importance, since the manner of financing those costs would depend on its solution. His delegation fully agreed with the Soviet and Czechoslovak delegations that appropriations for ONUC should not be requested in the form of supplementary estimates but required the establishment of a special account. It was illogical and unsound budgetary practice to treat expenditure arising from exceptional activities in the same manner as the regular expenses of the Organization. Moreover, if the ONUC expenses were charged to the United Nations budget, the new Member States would be deprived of the benefit recently granted to them in the form of a reduction in their 1960 contributions. Notwithstanding the differences to which the Spanish representative had drawn attention, UNEF and ONUC had important features in common: they both were operations of an exceptional nature designed to stave off a threat to international peace and security and his delegation considered that neither the costs of ONUC nor those of UNEF should be treated as regular expenses.

25. That brought him to the third problem—the method of financing. No permanent solution to the problem of financing UNEF had yet been found, and the difficulties encountered as a result were well known. They had been solved temporarily each year thanks to the voluntary contributions made by certain Member States.

However, that method based on expedients did not meet the true requirements of the situation and did not befit the dignity of the United Nations. The United Nations could not be dependent on the generosity of "patron" States for implementation of the resolutions of the Security Council, and that method should be opposed with especial force by those who did not wish to see the Organization subject to the influence of certain States or groups of States.

26. During the discussions on the means of financing UNEF and ONUC three main arguments had been advanced. Some representatives, citing Article 17 of the Charter and the collective responsibility for the maintenance of peace and security, had argued that the costs in question should be divided among all the Member States on the basis of the scale of assessments. There were several objections to that. In the first place Article 17 stipulated that expenses should be borne by all Member States not necessarily according to the scale of assessments but as apportioned by the General Assembly, which, if it so desired, could actually exempt certain Member States completely. Moreover, the responsibility involved in the maintenance of peace and security was to some extent a relative matter, and it was not fair that a State which had taken no part in the events giving rise to a state of emergency and had no direct interest in the outcome of the crisis should be "taxed" at the same rate as others.

27. Those were the arguments from which the second theory derived. It was based more or less on the principle of sanctions and compensation—the cost of the operations should be borne entirely by the States which had brought the crisis about or which were most directly concerned with its outcome. That system was in theory the most equitable and it was the one applied in the case of the Suez Canal clearance operations; nevertheless it created difficulties in practice, since it could mean that certain States would have to bear a financial burden out of proportion to their capacity to pay. Both that system and the other presented a major political problem—how to determine which parties had the main "responsibility" or gained most "benefit". Hence the third theory.

28. Certain delegations—the delegation of Mexico at the General Assembly's thirteenth session (771st plenary meeting), and that of Spain quite recently—had emphasized the special responsibility which devolved upon the permanent members of the Security Council with regard to the maintenance of international peace and security. The international community had every right to expect of those members, to whom the Charter had given the veto and consequently a privileged position, greater participation in activities like UNEF and ONUC. In fact the voluntary contributions of the permanent members of the Security Council to UNEF and ONUC constituted an implicit recognition of that, and the establishment of a special scale in their particular case would only be acknowledging a tacitly accepted practice.

29. The best solution would be to combine the three theories by deciding that part of the expenses in question would be borne by all Member States, on the basis of the scale of assessments; another part would be borne by the "responsible" or "beneficiary" parties, and part would be paid by the permanent members of the Security Council.

30. With regard to the fourth problem—whether the United Nations should continue to incur expenses in the Congo of the kind which the Committee was now discussing, his delegation would be greatly concerned if the Organization were to continue to follow the course it had adopted. Five months had elapsed since the Government of the Republic of the Congo had asked for assistance, not with a view to restoring its internal stability but to protect its territory against aggression by Belgian troops. The question was whether the circumstances which had justified United Nations intervention had not changed by now, and whether the time had not come for the Organization to reduce its commitments. In any event his delegation hoped that the Republic of the Congo would soon be in full possession of its sovereign rights and would be able to dispense with United Nations assistance.

31. In a word, his delegation thought that ONUC expenses for 1960 should not be submitted in a supplementary budget but should be charged to a special account. With regard to the 1960 financial year, an effort should be made to divide ONUC expenses according to a formula which would take into account the three arguments adduced, with all Member States assuming their share of responsibility in accordance with the system thus worked out. With regard to the continuance of the operations in 1961, the Fifth Committee should try to obtain full information on the development of the situation referred to in the request from the Republic of the Congo and in the Security Council resolutions.

32. Mr. USSING (Denmark) felt that as the Congo operation had been undertaken in implementation of General Assembly and Security Council resolutions, all Member States should pay their share of the expenses of that operation. The normal scale of assessments was the best basis for the distribution of the costs. It was appropriate for the financial burdens in connexion with United Nations activities for the maintenance of peace to be borne collectively by all Member States, even if it entailed a considerable financial burden for some of them. On the assumption that the distribution of the costs in connexion with the United Nations activities in the Congo would be based on the present scale of assessments, his Government was prepared, subject to the approval of the Danish Parliament, to pay a share corresponding to 0.6 per cent of the 1960 ONUC costs to be divided up among all Member States.

33. The Danish Minister for Foreign Affairs had already stated in the General Assembly on 28 September 1960 (875th plenary meeting) that the Danish Government was prepared to make a voluntary contribution to the United Nations Fund for the Congo. Subject to the approval of the Danish Parliament, the sum would be \$600,000.

34. Mr. PUPLAMPU (Ghana) said that by responding promptly to the Congolese Government's appeal for assistance to stop Belgian intervention and to establish peace and stability in the country, the United Nations had assumed a responsibility with far-reaching consequences. The success or failure of the venture was the responsibility of each Member State, and once the machinery had been set in motion there could be no turning back.

35. Ghana had been among the first countries to respond to the Organization's appeal, and despite its

limited resources it had supplied a contingent for the maintenance of peace and security in the Congo in the belief that the United Nations had a decisive role to play in helping the Congolese to safeguard their independence, unity and territorial integrity. His country had never had any doubts about the legality of the United Nations activities in the Congo, since it was the Government of the country which had requested the aid. Although grave errors had in some cases been committed in the implementation of the resolutions of the Security Council and of the fourth emergency special session of the General Assembly, his Government, while never concealing its disapproval of such acts, nevertheless felt that there was no justification for repudiating its responsibility towards the Organization.

36. It was difficult to discuss in detail the supplementary estimates submitted by the Secretary-General, amounting to the sum—colossal in relation to the regular budget—of \$66,625,000. The Secretary-General's report was incomplete in some details; for example, it appeared that details of the basis on which Governments would make more aircraft available to the Force had not yet been worked out. Possibly the Secretariat was now in a position to fill such gaps in the report.

37. In view of those difficulties, the Advisory Committee had not been able to examine the Secretary-General's report in the way it would have liked. It had, however, recommended a reduction of \$6,625,000, which his delegation supported, provided it did not prejudice entitlement to reimbursement of expenses by the contributing countries. The total cost of the operations could be further reduced if a policy of stricter economy was applied, and it was gratifying that steps were being taken to ensure that orderly procedures and proper controls were put into effect and adhered to, as mentioned by the Advisory Committee in paragraph 16 of its report (A/4580).

38. His delegation considered that, for the present, the expenses should be borne by all Member States and assessed either on the basis of the normal scale of contributions to the regular budget or of some other equitable formula. Such a procedure represented no small burden for the smaller countries, and the Secretary-General in paragraph 9 of his report expressed the hope that voluntary contributions would enable part of the costs involved to be defrayed, "or that other means might be found to mitigate the effect of the additional assessment required on those having the least capacity to pay".

39. In that connexion, his delegation wished to congratulate the Governments of the USSR, the United States, the United Kingdom and Sweden for making generous contributions and waiving the reimbursement of certain substantial expenditure items. It hoped that Belgium would announce a generous contribution. As the former administering Power and the principal beneficiary of the immense resources of the Congo, Belgium should not remain silent while other States assumed responsibility for operations resulting from its aggression against the young Republic of the Congo. Even if Belgium decided to make a substantial voluntary contribution, it would only be restoring part of the resources it had exploited in the past. It would not be an act of generosity.

40. In the Security Council on 16 September 1960 (905th meeting), his delegation had expressed its views

clearly on the plan for a United Nations Fund for the Congo, and his Government would support that plan on the understanding that such assistance was given to a Government about whose legality there was no doubt. The wording of the resolution adopted by the Security Council on 14 July 1960 was sufficiently clear since under it the Secretary-General was authorized to take the necessary steps in consultation with the Government of the Republic of the Congo. The introduction to the fifth progress report on the United Nations civilian operations in the Congo confirmed that view, stressing the necessity to co-operate with a recognized central Government.

41. The most important question, in his delegation's view, was the financing of the United Nations activities

in the Congo after 1960. For that, more satisfactory and equitable methods must be found. Furthermore, every effort should be made to bring those activities to a speedy end or to reduce them drastically. The Congo was a potentially rich country which could afford to pay for its own development once conditions returned to normal. It was regrettable that some States were thwarting the sincere efforts of the African-Asian countries to re-establish peace and stability in the Congo. They were the real wreckers of the United Nations and were doing a great disservice to the Congolese people. The smaller countries like Ghana could not bear such burdens indefinitely.

The meeting rose at 12.30 p.m.