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Chairman: Mr. Mario MAJOLI (Italy).

**ORGANIZATION OF THE COMMITTEE'S WORK
 (A/4685)**

1. The CHAIRMAN said that, at the resumed meetings of the Fifth Committee, he would continue to do his best to guide the discussions impartially, in accordance with the letter and spirit of the Charter and the provisions of the rules of procedure. He was counting on the co-operation of all members so that the Committee could complete its remaining tasks rapidly and efficiently, taking care not to enter into discussions which would duplicate those of other Committees and would encroach on their competence, and avoiding acrimonious and pointless exchanges of views, as befitted an organ which should devote its time mainly to the consideration of facts and figures.

2. After reminding the Committee of the remaining agenda items (see A/4685), he drew attention to the notes by the Secretary-General concerning nominations for the vacancies on the Committee on Contributions and the Administrative Tribunal, and proposed that, in accordance with the suggestion in the notes, the Committee should take steps to fill those vacancies during the present part of the session.

It was so decided.

3. The CHAIRMAN accordingly invited those delegations which wished to nominate candidates to submit the names of the persons concerned as soon as possible to the Secretary of the Committee.

**UNITED NATIONS OPERATIONS IN THE CONGO:
 1961 COST ESTIMATES AND FINANCING (A/4703,
 A/4713) (*continued*) * ****

4. Mr. ROSHCHIN (Union of Soviet Socialist Republics), speaking on a point of order, stressed the need to consider first the important procedural question raised by the agenda item under discussion. The Committee had before it a Secretariat report (A/4703) providing for the allocation of a credit of \$135 million, for "United Nations operations in the Congo", or more than double the total regular budget. Never before had the Assembly

been required to consider such large appropriations and it was therefore imperative that the Committee should study all aspects of the problem especially carefully, bearing in mind the relevant provisions of the Charter.

5. The question arose how the United Nations was supposed to consider and approve appropriations for action which had been undertaken in order to maintain peace and security, as a result of a decision by the Security Council. The United Nations operations in the Congo raised certain political and military questions—in particular questions relating to the scope and duration of operations and the composition and nationality of the contingents—which could obviously not be solved by the General Assembly or the Fifth Committee. Apart from the fact that those questions were not within the Fifth Committee's terms of reference, the Assembly was not qualified to take decisions on questions involving action, as could clearly be seen from Article 11, paragraph 2, of the Charter, according to which "Any such question . . . shall be referred to the Security Council by the General Assembly either before or after discussion". Also, Articles 48 and 43 of the Charter provided that the Security Council, and the Security Council alone, should decide not only which Member States should take the action required to carry out the decisions of the Council for the maintenance of international peace and security, but also to what extent and under what conditions the aforesaid States should participate in United Nations action for that purpose. The Security Council had been invested with the exclusive competence to take decisions of that nature in order to prevent the United Nations from becoming a tool in the hands of one group of Powers opposing another group, and the rule of the unanimity of the permanent members constituted a guarantee in that connexion.

6. It was regrettable that, in disregard of those prerogatives, the Security Council had been prevented from carrying out its most important functions, its rights and powers with regard to the maintenance of peace and security having been usurped by Mr. Hammarskjöld. The Charter in no way permitted the Secretary-General—whoever held that office—to carry out those functions. Nevertheless, Mr. Hammarskjöld himself, in consultation with his patrons in the Western bloc, decided on the number and type of forces to be sent to the Congo, for example, the number of Canadian, Swedish or Irish troops, although a decision by the Security Council was required and although he was fully aware that some members of the Council were strongly opposed to sending forces of countries in the Western military alliances to the Congo. Such an attitude was completely intolerable, especially since Mr. Hammarskjöld was directing the work of the Secretariat with an obvious bias, in the interests of the Western and colonial Powers and against the legitimate interests of the Congolese people. It was absolutely inadmissible that Mr. Hammarskjöld should arbitrarily and wilfully decide questions such as the number of troops to be sent to the Congo, the length of

* Resumed from the 824th meeting.

** This item was considered by the General Assembly at its resumed fifteenth session pursuant to its resolution 1590 (XV) of 20 December 1960 (agenda item 50). For the documents concerning this question see *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda items 49/50.

their stay in the country and the facilities to be provided for them. Such a state of affairs could only undermine the influence and prestige of the United Nations, aggravate the existing crisis and threaten to turn the Congo into the starting point for a world conflict, in other words, jeopardize the very existence of the United Nations and world peace. The USSR delegation could not accept a situation in which the vital problems of peace and security were solved not by the Security Council, but by Mr. Hammarskjöld, who bore the responsibility for the tragic turn of events in the Congo, and for the murder of Patrice Lumumba and his colleagues; the USSR Government had already declared that Mr. Hammarskjöld was not trustworthy and that it did not recognize him as Secretary-General of the United Nations.

7. Knowing that, if he acted in a way which was diametrically opposed to the Security Council resolutions of 14 July, 22 July and 9 August 1960,¹ he could not expect the Council to authorize the continuation of operations in 1961 and to ratify his arbitrary decisions, Mr. Hammarskjöld had decided to by-pass the Council completely. By asking the General Assembly to appropriate \$135 million for ONUC in 1961, in the hope of making it approve decisions taken in defiance of the Charter, Mr. Hammarskjöld was trying to make the Assembly assume the prerogatives of the Security Council and violate the Charter, with all the serious consequences which that implied. Obviously, the Assembly was not competent to decide the questions raised in the Secretariat report.

8. He failed to see why the Fifth Committee was asked to decide, even indirectly, on the scope of operations in the Congo and the maintenance of a force of 25,000 men in 1961. The question also arose who had fixed or approved the figure of approximately 2,000 international staff and locally recruited Congolese staff. The question of appropriations for such military and civilian personnel was subordinate to the question of the numbers of that personnel, which was of primary political importance and should consequently be decided by the Security Council. The same remarks applied to the proposals made in chapter III of the cost estimates (maintenance and operation of equipment), from which it appeared, incidentally, that the countries of the North Atlantic Treaty Organization (NATO) were taking an extremely active part in the operations in the Congo. An attempt to impose a solution to the fundamental problem by means of a General Assembly decision on a budgetary question was a method which could not but arouse deep distrust of those who resorted to it and, above all, of the person who had taken the initiative of submitting to the Assembly a report which should first have gone before the Security Council.

9. It was clear that the General Assembly had been asked to take a decision on questions which were exclusively within the competence of the Security Council merely in order to violate the Charter and to ensure ratification of illegal decisions which would serve the policies of the colonialists and were against the interests of the Congolese people. The General Assembly could only take decisions binding on all Members with respect to the financing of administrative expenditure, and not of operations to maintain peace and security. When the Security Council had decided on the substance of the matters dealt with in the report, and only then, the General Assembly could consider them, if the Council so requested. A deci-

sion by the Assembly appropriating funds for the "United Nations operations in the Congo" would not be valid and the USSR, for its part, would not take it into account. That was why his delegation thought that the Assembly should refer the Secretariat's report to the Security Council.

10. Those were, moreover, substantially the reasons for which the USSR representative in the Advisory Committee on Administrative and Budgetary Questions had protested against that Committee's decision. He noted with surprise that the Committee's report (A/4713) did not contain the text of the USSR representative's statement, although an express request to that effect had been made. That was an extremely dubious procedure, which would certainly not facilitate the work of the Fifth Committee. So that delegations might be fully informed of the different positions taken in the Advisory Committee, he read out the statement in question, and asked the Secretariat to circulate it as a Fifth Committee document.²

11. The CHAIRMAN recalled that General Assembly resolution 1590 (XV) had been reinforced by the resolution adopted by the Security Council on 21 February 1961, at its 942nd meeting,³ and he expressed the view that it should be applied despite the USSR representative's objections.

12. Mr. ROSHCHIN (Union of Soviet Socialist Republics) pointed out that General Assembly resolution 1590 (XV) did not state that the question of financing commitments which might be incurred under the heading of United Nations operations in the Congo in 1961 should be submitted to the General Assembly before being considered by the Security Council. Regulation 13.1 of the financial Regulations and Rules of the United Nations stipulated that "No Council, commission or other competent body shall take a decision involving expenditure unless it has before it a report from the Secretary-General on the administrative and financial implications of the proposal". That meant that the Secretary-General ought to submit a report on the financial implications of the Congo operation to the Security Council and that the Security Council would then have to decide what sums should be appropriated for the Congo. The Financial Regulations had been adopted by the General Assembly and the Fifth Committee could not violate them.

13. The CHAIRMAN said that operative paragraph 1 of General Assembly resolution 1590 (XV) was quite explicit, so that the Committee's agenda could not be changed.

14. He invited the Committee to hear a brief statement by General Rikhye, Military Adviser to the Secretary-General on the United Nations Force in the Congo.

15. General RIKHYE (Military Adviser to the Secretary-General) said that, from the logistical and servicing standpoint, the situation faced by the ONUC military command and the United Nations administrative staff in the Congo was extremely complex. Apart from the political factors and disturbances of public order, the geographical problem presented perhaps the greatest single difficulty. The area of the Congo was immense being

¹ *Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960*, documents S/4387, S/4405 and S/4426, respectively.

² The complete text of the statement read out by the representative of the Union of Soviet Socialist Republics was circulated as document A/C.5/860, and appears in the *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda items 49/50.

³ *Official Records of the Security Council, Sixteenth Year, Supplement for January, February and March 1961*, document S/4741.

comparable to that of India, and the problem of distances was aggravated by the equatorial climate, resulting in various handicaps, particularly for troops coming from temperate zones. Torrential rain fell during much of the year. The terrain was difficult, ranging from impenetrable jungles and swamps to mountain ranges. Good, usable roads and railways were few and water transport had suffered from the recent upheavals.

16. Access to the Congo from the outside was also a problem. From the beginning of the operation the Command had tried to establish continuous lines of supply by sea and its efforts had been successful, despite the great distances involved. But there was only one port of entry for the large-scale importation of men and supplies, the port of Matadi, and the Committee was familiar with the difficulties which had recently arisen in that connexion. In any case, even if the situation in Matadi improved, the geographical obstacles just mentioned would considerably slow down any surface transport to the interior of the Congo.

17. The result was that air transport both to and within the Congo played a much greater part than was normal or even desirable. Despite all efforts, it did not seem that it would be possible to reduce its role appreciably.

18. The morale and welfare of the troops were important factors, but there again conditions were unfavourable. Because of the distances and the wide dispersal of forces, it had been impossible to set up leave centres like those established for the United Nations Emergency Force (UNEF). As an alternative, a special cash allowance was being paid. Again, the housing of the troops and the setting up of hospitals, warehouses and other auxiliary services were particularly difficult and expensive in a country where regular military installations were unavailable. No military force could do entirely without local supplies and the present shortage of goods in the Congo resulted in high prices and innumerable administrative difficulties. Finally, the varying requirements of the many nationalities composing the Force created problems, especially as regards food.

19. Despite all those difficulties, the Force continued to carry out its functions in a highly creditable manner. The spirit, determination and discipline of the troops were equal to those displayed by the international military forces in the Second World War and by UNEF.

20. Mr. TURNER (Controller) recalled that the estimates as presented by the Secretary-General totalled \$135 million and that the Advisory Committee had thought that the costs could be held down to \$120 million (A/4713). While not wishing to take issue with the Advisory Committee, the Secretary-General wished to remind the Fifth Committee that any estimates prepared at the present time must be regarded as tentative and that it was difficult in the existing circumstances to forecast the course of future events in the Congo (A/4703, para. 3). Whereas the Advisory Committee, on the basis of recent data, had concluded that some of the estimates, particularly those in section IX, chapter 1, were too high, even more recent data suggested that the estimates for other items might prove to be too conservative, particularly the items in section I, chapter 2 and section IX, chapter 2. The Secretary-General therefore believed that his original total estimate was a reasonable and realistic one, although the Committee could rest assured that every effort would be made to effect economies wherever possible.

21. The Advisory Committee had rightly considered that it would be possible to reduce the costs under section I, chapters 1 and 4; section IV, chapter 1, and section IX, chapter 1, if, as was probable, the average strength of the Force during 1961 was less than 23,400.

22. In developing the estimated financial requirements for ONUC, account had been taken not only of the actual costs incurred during the second half of 1960, but also, where appropriate, of the much longer experience of UNEF. Although the operations in the Congo were in many respects unique and administratively more complex than any previous United Nations operation, every effort was made to use the experience gained in Gaza, Lebanon and elsewhere. Consequently, as the Secretary-General and the Advisory Committee indicated in their reports, certain steps towards greater financial control and economy had been made possible. It should also be noted that special efforts had been made to assign particularly well-qualified and experienced members of the Secretariat to key administrative posts.

23. In accordance with the wish expressed by the Advisory Committee in paragraph 8 of its report, he would give the Committee more details about the structure and functions of the various units constituting the ONUC organization. In that respect, the organizational chart annexed to the Advisory Committee's report already gave a useful indication of the scope and variety of the tasks Secretariat staff assigned to ONUC were required to undertake. However, as the chart was not intended to show the functional relationship between the various services, it might be useful to give some information on the subject. Following the usual practice in large undertakings of that nature, the various services were placed under the supervision of a Chief Administrative Officer. As in Gaza, the international civilian staff were responsible for the central services (procurement, finance, audit, personnel, accommodation, etc.), under the direct supervision of the Chief Administrative Officer. In the Congo, those central services were maintained not only for the benefit of the Force but also to meet the needs of the Special Representative and his immediate staff, the Chief of Civilian Operations and all the other elements of ONUC, including the technical assistance experts whose costs were separately financed from the United Nations Fund for the Congo. In addition, the Chief Administrative Officer was responsible for assigning international civilian staff to the various ONUC offices both at Leopoldville and throughout the Congo. The Special Representative of the Secretary-General directed all ONUC activities in the Congo through the Chief of Civilian Operations and the Commander of the Force. Those three persons were members of the United Nations Secretariat and held the rank of Under-Secretary. The Special Representative was directly and personally responsible for political matters; he was represented in the provinces by Secretariat officials who had the title of ONUC Civilian Officers and who, on technical assistance matters, reported to the Special Representative through the Chief of Civilian Operations.

24. Efforts had always been made and would continue to be made to restrict the use of chartered aircraft. However, owing to the limited rail and river facilities, the principal means of moving troops and supplies was by air. Furthermore, it was sometimes necessary to charter a large number of aircraft to deal with emergencies due, for instance, to famine or the urgent need for the rapid movement of troops. The United Nations had approached many Governments for the loan of air-

craft, but most had replied either that they did not possess the requisite type of aircraft or that they could sell but not lend them to the Organization. As the number of aircraft needed was constantly changing, it had been considered best not to make additional purchases for the present, but to charter aircraft as the need arose, in the hope that the practice could be progressively curtailed as conditions in the Congo permitted.

25. The Advisory Committee's report also referred to the difficulty and high cost of acquiring and maintaining accommodation. Large-scale military installations had had to be established in a country where ready-made camps, warehouses, offices, hospitals and related facilities were either nonexistent or not available for use by the United Nations. It had therefore been necessary to rent land and buildings from private individuals and, in many cases, to undertake extensive alterations and construction work to adapt them to ONUC's needs, particularly in the establishment of large camps, which, in the long run, were the only economical way of housing military personnel. The United Nations had always endeavoured to avoid acquiring ownership rights in buildings and land in view of the high cost involved and the problems of their eventual disposal and had found from experience that the most economical and effective means of acquiring larger installations was to make arrangements with contractors to convert existing premises to meet ONUC's needs and to recover the conversion costs in the form of rental. The greater proportion of the construction costs in question were therefore included in the estimates under the leases signed for the rental of the buildings. Although those costs seemed very high for 1961, they amounted to only 50 cents per person per day.

26. As in the case of UNEF, it was hoped that the average daily cost of rations could be reduced to less than \$1.60 per man but there was little likelihood that that could be achieved during 1961. The troops in ONUC, unlike those in UNEF, were spread over vast distances and had to be frequently moved. The almost complete absence of refrigeration and storage facilities increased waste and did not always permit the most economical quantity purchasing. Furthermore, it was preferable to purchase foodstuffs locally as an aid to the economy and to shorten the supply lines, but local prices were frequently higher than world prices. Lastly, the size of ONUC Force and the diversity of its make-up increased the cost of feeding the troops because the diet appropriate to each contingent had to be taken into account.

27. With regard to contingencies, he pointed out that the 4 per cent provided in the 1960 estimates (i.e., about \$2 million, although the final sum adopted had been only \$1 million) had proved somewhat inadequate and, in those circumstances, it seemed difficult to envisage less than 2 per cent for 1961. The Secretary-General, however, approved the Advisory Committee's recommendation in paragraph 30 of its report to the effect that rules similar to those already approved for the UNEF budget in respect of the transferability of credits should be made applicable to the ONUC budget. He also shared the Advisory Committee's view that efforts must be made to achieve maximum economy of expenditure, to strengthen the administrative and financial controls, and that special attention should be paid to areas of expenditure relating to purchase of equipment, operation and maintenance of vehicles and aircraft, movement of contingents, number of civilian personnel and their travel and subsistence.

28. Clearly the major issue before the Committee was the question of how the estimated expenditure should be financed. As the Advisory Committee noted in paragraph 27 of its report, the over-all financial position of the Organization continued to be critical and, in that connexion, he wished to draw the attention of Committee members to paragraph 11 of the Secretary-General's report (A/4703). The Working Capital Fund was, in fact, depleted and despite a relatively good contributions payment record during the first months of 1961, the Organization was at present completely dependent on advances from special accounts in the Secretary-General's custody. Whatever decision might be taken, with respect to a further assessment for ONUC, voluntary contributions or advances would be needed to enable the United Nations to meet its various commitments in 1961 and 1962. He had wished to draw attention briefly to the seriousness of the situation on which he was prepared to give more details later.

29. Mr. AGHNIDES (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report (A/4713), said that he would explain some of the basic considerations which had influenced the Committee in arriving at its conclusions. The Committee had taken particular account of the fact that the 1961 estimates for the United Nations operations in the Congo, amounting to a total of \$135 million, considerably increased the financial burden of Member States, which were already faced in 1961 by assessments of some \$140 million in respect of the regular budget, UNEF and the 1960 costs of ONUC. The Advisory Committee had, therefore, recommended special and determined efforts to achieve maximum economy compatible with the success of the operations. For that reason it had preferred to take a global approach to the estimates, indicating the areas in which opportunities for savings might exist, and had proposed a total reduction of \$15 million, of which \$10 million related to part A and \$5 million to part B.

30. Two particular features of the Congo operation and the estimates related to it had led the Advisory Committee to believe that it might be possible to hold expenditures to the level it had recommended, i.e., \$120 million. First, the extent of costs in certain areas remained unclear owing to the uncertainties in the situation. The estimates were based on certain assumptions regarding the size, composition and operations of the Force in 1961 which, as the Secretary-General pointed out in paragraph 3 of his report, were subject to possible modifications as circumstances changed. Indeed, changes had already occurred, for during the last week of February and the first two or three weeks of March there had been a reduction in the size of the Force although since then, its strength had begun to be built up towards the target of 25,000 men. In view of the large amounts of money involved, even a small reduction of the average strength of the Force could have an important effect on the estimates. Since those considerations also applied to several other areas of expenditure, the Advisory Committee had decided to base its review of the estimates on the fundamental assumptions set forth in the Secretary-General's report and on the most recent information available to it concerning the various categories of expenditure. That information indicated that some modifications of the assumptions mentioned might already have become necessary and the Advisory Committee had taken account of those modifications. In other words, the Committee had limited its examination to the question whether, and to

what extent, the estimates as presented furnished a reasonable indication of essential costs in the circumstances currently foreseen.

31. Turning to part B (reimbursement in respect of extra and extraordinary costs incurred by Governments providing contingents), he drew attention to the fact that there had been little experience with regard to that category of expenditure. The limited information obtained by the Advisory Committee since the Secretary-General had prepared his estimates indicated that a lower expenditure could be envisaged, at any rate under chapter 1 (reimbursement in respect of extra and extraordinary costs relating to pay and allowances of contingents).

32. The second feature which the Advisory Committee had borne in mind was that in any large-scale operation of that kind there were a certain number of areas involving very heavy expenditure in which, unless the strictest central control was exercised, avoidable expenditure might easily occur. Particular examples were the purchase of equipment, operation and maintenance of vehicles and aircraft, movement of contingents, the number of civilian personnel and the costs of travel and subsistence. Those items were dealt with in paragraphs 8 to 24 of the Advisory Committee's report.

33. In conclusion, the Advisory Committee had gained the impression that the administrative and financial management of the United Nations operations in the Congo gave evidence of conscientious efforts to exercise effective control despite difficult circumstances. It trusted that those efforts would be maintained and intensified in order to accomplish the task undertaken in the most efficient and economical manner. It was in that spirit that the Advisory Committee had made its recommendations.

34. Replying to the objection made by the USSR representative, he pointed out that the Advisory Committee on Administrative and Budgetary Questions, by its very nature, was obliged to make recommendations which reflected the consensus of view of its members, and that it was not appropriate for it to include divergent views in its report although it had the greatest respect for those views. The Advisory Committee had followed that practice for fifteen years and, each of its members, on some occasion or the other, had found his particular views on a question omitted or inadequately reflected in the report. It was a question of applying a general rule which was not directed against anybody in particular.

The meeting rose at 12.55 p.m.