

# GENERAL ASSEMBLY

THIRTEENTH SESSION

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**Chairman: Sir Claude COREA (Ceylon).**

### AGENDA ITEM 65

#### United Nations Emergency Force:

#### (a) Cost estimates for the maintenance of the Force (A/3823, A/3839, A/3899, A/3984, A/4002, A/C.5/ L.545)

1. Mr. MEINSTORP (Denmark) introduced the six-Power draft resolution (A/C.5/L.545).
2. The Danish delegation considered that, although the presence of the United Nations Emergency Force (UNEF) in the Middle East had not solved the problems of the area, it had contributed greatly to relieving tension and stabilizing the situation. Denmark had been among the first countries to contribute troops to the Force, and had followed its activities with keen interest. The costs of the Force were a considerable burden for Member States, but it was generally agreed that grave consequences and even heavier expenses might have resulted had it not been established.
3. The draft resolution was based on a principle which had been accepted by the General Assembly at earlier sessions and most recently in resolution 1151 (XII), namely, that the expenses of the Force should be borne by the Members of the United Nations in accordance with the scale of assessments for the regular United Nations budget adopted by the General Assembly, a principle which the Danish delegation considered to be sound and just.
4. He expressed his gratification at the reduction in expenditure from the sum of \$25 million assessed for 1958 (A/3823) to the estimated sum of \$19,369,000 for 1959 (A/3984).
5. U TIN MAUNG (Burma) recalled that his delegation, in keeping with the appreciation of the work of UNEF it had expressed at the 97th meeting of the Special Political Committee, had voted in favour of General Assembly resolution 1263 (XIII). Burma had taken an active part in establishing the Force and considered that, while it should not become a permanent institution, it should for the present continue to function. Responsibility for UNEF was shared by all Member States. However, in considering how to apportion that responsibility from the financial standpoint, the Committee had to take account of realities: the situation regarding unpaid balances of contributions to the Special Account, as revealed in paragraphs 25, 32 and 33 of the Secretary-General's report on UNEF to the General Assembly (A/3899), was a case in point.

6. Burma, for its part, had already contributed \$17,940, thus covering its assessment for the initial period of the Force, and was preparing to pay \$25,000 for 1958. It felt strongly, however, that countries which had already contributed to the financing of the Force should not be made to carry an excessive financial burden; and it had consequently endorsed the view expressed by the Argentine delegation at the 97th meeting of the Special Political Committee that the expenditure incurred in maintaining such a force should in principle be financed from the regular budget, and that any deficit should be met by the permanent members of the Security Council. The Committee should give careful consideration to that view and, *inter alia*, to the suggestions made by the Mexican delegation at the 780th plenary meeting of the General Assembly. That delegation had criticized the current system of financing UNEF as unjust and inequitable, and had advocated its replacement by two categories of assessment. First, the permanent members of the Security Council would be assessed with due regard to their special responsibility for the maintenance of international peace and security. Secondly, the balance to be met would be apportioned *pro rata* among States which had public or private investments in the Middle East; that would be consonant with the principle underlying General Assembly resolution 1212 (XII), namely, that a State should contribute to the financing of emergency action by the United Nations in proportion to the material benefit which it derived from such action.

7. The Committee should not defer to the fourteenth session the introduction of an equitable method of financing which would free the Secretary-General from the problem created by the unpaid balances, and which would remain valid as long as the Force continued to exist. His delegation would support any proposal which would serve that purpose.

8. Mr. QUIJANO (Argentina) pointed out that under General Assembly resolution 1263 (XIII), the Fifth Committee had wider terms of reference for its consideration of the finances of UNEF than it had had at the twelfth session. The subject had two main aspects: the estimation of costs and the method of financing. With regard to the former it was highly satisfactory to note that the Secretary-General had reduced expenditure considerably in 1958, and that the 1959 budget estimates for UNEF showed a reduction of 22.5 per cent below the amount of \$25 million assessed for 1958. The recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/4002) should reduce expenditure in 1959 to \$17.5 million, to which must be added the sum of \$1 million which it was proposed to set aside under section 9 of the UNEF budget estimates (A/3984). His delegation would support the recommendations and observations in the Advisory Committee's two reports (A/3839, A/4002).

9. With regard to the second aspect of the subject—the method of financing UNEF—he recalled the circumstances in which the Force had been established as a body which, albeit more positive in function than a group of observers, was not called upon to impose its will by force of arms. His delegation had paid tribute elsewhere to its effectiveness. It seemed incongruous, however, that budget estimates should be submitted year after year in respect of a Force originally established purely as an emergency measure. The sums involved were very large, and many delegations had referred to the consequent financial burden on Member States during the debates on the regular budget estimates for 1959 and on the Working Capital Fund. Argentina's assessments for the first two financial periods totalled almost half a million dollars, and that for 1959 was \$200,000. The emergency was over, and the method of financing called for review from the standpoint of justice and equity.

10. Argentina, which had supported the establishment of the Force, favoured its continuance and agreed in principle that all Member States should join in financing it. They should not, however, be assessed on the same scale as for the regular United Nations budget; other factors should be taken into account, and chief among them the special responsibility for international peace and security laid on the permanent members of the Security Council by Chapter V of the Charter. At the eleventh and twelfth sessions Argentina had supported, purely as a temporary measure, the resolution providing for the financing of UNEF in accordance with the regular scale of assessments; it was discouraging that the permanent members of the Security Council had so far remained unmoved by the objections raised to that system, and that one group of Member States flatly refused to contribute at all. For the purpose of financing UNEF, Member States should be assessed solely on the basis of capacity to pay. Refugee funds were not financed in the same way as the regular United Nations budget. Nor need UNEF be; had that not been true, expenditure on UNEF could have been included under section 4 of the regular budget estimates, relating to special missions and related activities.

11. Various suggestions had been made on the subject in plenary meetings of the Assembly, in the Special Political Committee and in the Fifth Committee; the Secretary-General had doubtless given the matter thought, and the Mexican delegation had indicated at the 780th plenary meeting that he might have suggestions to lay before the Fifth Committee. The Argentine delegation would support any proposal designed to finance UNEF on a more equitable basis than hitherto; it could not endorse the continuation of the existing system.

12. Mr. NIELSEN (Norway) said that Norway, which was one of the sponsors of the draft resolution, had supplied troops to the Force ever since its establishment. The provision of troops constituted a heavy burden for a small country, and the costs that Norway had met already far exceeded its assessed contribution to the Special Account of UNEF. That was partly due to the fact that troops could not be made available from the regular Norwegian armed forces and additional armed forces had to be maintained for the purpose.

13. Norway had also contributed military personnel to the United Nations Truce Supervision Organization in Palestine, the United Nations Military Observers

Group in India and Pakistan, and the United Nations Observation Group in Lebanon. Norway considered that for a Member State of the United Nations it was not only an obligation but a privilege to be asked to assist the Organization in maintaining peace.

14. However, when critical situations arose, small countries could not assist by providing troops in response to urgent requests except in the knowledge that those requests were supported by the authority of the General Assembly and that the costs involved would be reimbursed by the United Nations and shared by all, as was only proper.

15. Norway had no interest in maintaining its small contingent in the Middle East, and would welcome the day when the maintenance of international peace would no longer require its presence there. However, it would continue to make that contribution to international stability as long as adequate and reasonable budgetary arrangements were made by the United Nations.

16. Mr. CUEVAS CANCINO (Mexico) said that nothing in his remarks should be taken as a slur on the efforts of those countries which were contributing directly to the maintenance of UNEF—efforts for which his delegation had the greatest appreciation.

17. The Secretary-General's concern at the arrears in the payment of contributions to the Special Account of UNEF, the amount of the unpaid balance for 1957 and 1958 (\$19,854,146 on 31 July 1958), and the size of the appropriation recommended for 1959 (\$19,369,000) placed the Committee squarely before the basic problem involved in the financing of UNEF, namely, the fact that the system of apportionment adopted by the General Assembly in resolution 1151 (XII) was incorrect. That fact was responsible for the size of the unpaid balance and the difficulties experienced by the Secretary-General in collecting contributions.

18. It had been argued that the system of apportionment was adequate, firstly, because it extended to UNEF the rules normally applied to the apportionment of expenses under the regular budget and, secondly, because it was in keeping with the principle of the sovereign equality of Member States. The second argument was specious. The principle of the sovereign equality of Member States was the keystone of the Organization, but it was a violation of the spirit of that principle to claim that sovereign equality implied equality of rights and, consequently, of duties. Many references had been made to the privileged position enjoyed by the permanent members of the Security Council but there were numerous other references throughout the Charter to the varying capacity of States to contribute, in varying ways, to the common cause. Examples were Articles 55 and 56 concerning international economic and social co-operation, Article 73 on Non-Self-Governing Territories and Article 108 on amendments to the Charter. Articles 43 and 106 on the maintenance of international peace and security were particularly relevant to the question under discussion. Article 43 provided for special agreements with the Security Council governing the numbers and types of forces to be provided by Member States, thus clearly recognizing the varying capacity of Member States to contribute to the maintenance of peace and excluding the idea of a general rule, uniformly applied to all Member States. The same principle was respected in Article 106.

19. His delegation had consistently supported the principle, endorsed in the Charter, of the relationship between capacity and obligation. The first emergency special session, at which UNEF had been established, had been convened under General Assembly resolution 377 A (V) which invited each Member of the United Nations to survey its resources in order to determine the nature and scope of the assistance it might be in a position to render. There was an important distinction between the terms of that resolution, which were clearly discretionary, and those of Article 17, paragraph 2, of the Charter, which were mandatory.

20. Once it was agreed that the Charter endorsed the idea of a direct relationship between obligations and resources, there was no basis for the argument that it was fair to apportion UNEF's expenses in the same way as the regular expenses of the United Nations. The majority of Member States were under-developed or less developed countries which had to devote their inadequate resources to strengthening their own economies. At the opposite end of the scale, however, there was a small minority of Member States which had sufficient resources to meet extraordinary expenses. Financial commitments arising out of emergency action under the Charter should be allocated by an entirely different system from that provided for the Organization's regular expenses. Any other solution would be inequitable. The question of equity had been stressed throughout the debates on the financing of UNEF and equity, rather than the literal interpretation of any particular Article of the Charter, should guide representatives.

21. Since 1956, his delegation had consistently opposed the virtually automatic extension of the system for the apportionment of ordinary expenses of the United Nations to extraordinary expenses, drawing attention to the special responsibilities of the permanent members of the Security Council and of those Powers responsible for the establishment of UNEF and to the special interests of certain countries in the maintenance of peace in certain regions of the world. His delegation would not vote for any resolution involving financial commitments such as those provided for in resolution 1151 (XII). It was time to end a system which only perpetuated and increased the list of contributions that would never be collected and to find an objective, equitable and realistic method of financing UNEF.

32. At the 780th plenary meeting of the General Assembly his delegation had proposed various procedures for a more equitable apportionment of the costs of UNEF on the basis of the relationship between obligations and capacity to pay and between contributions paid and benefits received. It had suggested the possibility of a special assessment to be pro-rated among the States with large investments in the Middle East. It had also noted with interest the suggestions made by the representatives of Cuba and El Salvador. Little time remained to study a very thorny problem but he stressed the need for vigorous action to find a permanent solution in keeping with the principles of equity underlying all the provisions of the Charter.

33. Mr. FOURIE (Union of South Africa) said that his delegation was concerned mainly with the principle governing the apportionment of the expenses of the Force. His country was one of a minority of the Member States that had paid their contributions to the

costs of the Force up to the end of 1958. It was worthy of note that South Africa's contribution to the costs of the United Nations forces in Korea amounted to more than the total costs of the United Nations Emergency Force for one year. That underlined the fact that South Africa had no wish to escape its responsibilities under the Charter for the maintenance of peace and security.

24. Referring to the statement of South Africa's position made at the 98th meeting of the Special Political Committee, he said that the system by which the expenses of the Force had been apportioned for 1958 and which it was proposed to maintain for 1959 was not in accordance with the spirit of the Charter. At the eleventh session, the case for that system had been put by the Secretary-General's representative in the Fifth Committee (538th meeting), who had stated that the costs of the Force might be considered to be expenditure within the scope of Article 17, paragraph 2 of the Charter. However, reference to paragraph 1 of Article 17 showed that the Article related to expenditure under the regular United Nations budget, whereas the costs of the Force related rather to Chapters VI and VII of the Charter, dealing with the maintenance of peace and security. The records of the United Nations Conference on International Organization at San Francisco in 1945 made it clear that the costs of maintaining peace and security were regarded as a separate item of expenditure which was not covered by the annual budget and which was therefore to be apportioned separately from the regular United Nations expenditure. At that Conference it had been emphasized that the measure of each country's co-operation with regard to the maintenance of peace and security would be determined by the section of the Charter dealing with the agreements to be concluded with the Security Council. That section had subsequently become Article 43, to which the representative of Mexico had rightly drawn attention. During the discussion at San Francisco it had been pointed out, for example, that the agreements concluded by those Governments whose interests were primarily local in nature would be largely determined by their regional commitments.

25. Some delegates to the San Francisco Conference had specifically raised the question of the cost of the maintenance of peace, and one amendment had been proposed to make it easier, from the financial point of view, for small countries to associate themselves with United Nations decisions relating to the maintenance of peace and security. It had been pointed out in the course of discussion that great nations might be in a better position to bear the cost of enforcement action than small countries. Under the terms of Article 43, the contribution of any country would be in accordance with and limited by special agreements. Although UNEF was not concerned with enforcement action, expenditure connected with any United Nations force should be dealt with in accordance with the spirit of the discussions at San Francisco relating to Article 43, and in accordance with that Article itself. He was not suggesting that all Member States did not have a responsibility with regard to the maintenance of international peace and security, since that function of the Organization was of paramount importance. It was none the less true that Member States' contributions to such action should be based on negotiation and agreement, and those expenses should not be apportioned in the same way as the regular expenses of the Organization.

26. Moreover, the principles governing the apportionment of the regular expenses of the United Nations could not be applied to expenses relating to the maintenance of international peace and security. The minimum contribution for small countries, for example, was determined in the light of direct benefits received by those countries from the Organization in the form of travel costs of representatives, services, and so forth. Moreover, a maximum contribution had been established, because it was considered that no given country should contribute more than a certain percentage of the regular budget. Such considerations could not apply to expenses relating to the maintenance of international peace and security.

27. At the present late stage of the session he did not wish to make it difficult for the Fifth Committee to reach a decision, but he was concerned lest the annual endorsement of the present system should establish it as the recognized procedure for the future. He accordingly considered that the time had come for a detailed study of the question.

28. Count D'AVERNAS (Belgium) said that Article 17 of the Charter required all Member States to bear their share of the expenses of the Organization; the serious nature of that obligation was shown by the fact that, under Article 19, failure to meet it could result in the loss of certain constitutional rights. Belgium considered that the obligations of Member States under the Charter should be respected by all, and would accordingly vote in favour of the six-Power draft resolution.

29. Mr. LEVYCHKIN (Union of Soviet Socialist Republics) said that his delegation had voted against resolution 1263 (XIII) in the Special Political Committee and in the General Assembly. UNEF had been established in violation of the Charter, under which armed forces of the United Nations could be set up by decision of one body alone, namely, the Security Council. Article 43 of the Charter specifically stated that all Members of the United Nations undertook to make armed forces "available to the Security Council, on its call and in accordance with a special agreement or agreements...". The Charter contained no provision empowering the General Assembly or any other organ of the United Nations to establish and operate such forces. It therefore followed that the General Assembly decision establishing UNEF was illegal and in conflict with the Charter. Resolution 1263 (XIII) clearly envisaged the prolongation of that illegal situation.

30. His delegation had repeatedly stated that the only correct approach would be to decide that all UNEF expenses should be borne by the countries responsible for the aggression against Egypt, namely, the United Kingdom, France and Israel. Any other solution would run counter to international law and to the principles on which the United Nations was based. There was not and could not be any provision of international law or of the United Nations Charter compelling countries which had taken no part in an aggression to pay for the aggressor's activities. Otherwise, the United Nations would be relieving the aggressor of responsibility.

31. His delegation would vote against any proposal committing the United Nations to payment of the expenses of UNEF and he was instructed to state that the Soviet Union would continue to refuse to take any part in the financing of UNEF, whether it was done through a special account or under the regular budget.

32. Mr. URABE (Japan) agreed with the Belgian representative that the financial obligations of the United Nations should be the responsibility of all Member States. He was instructed by his Government to place on record its objection to making the arrears in contributions to the Special Account of UNEF a further burden on those Member States which were complying with their obligations.

33. Mr. MARSHIK (Austria) said that UNEF was an important and necessary stabilizing factor in the Near East. It was contributing to the maintenance and restoration of international peace and security in that area. It would, however, be unrealistic to desire the results alone without being equally ready to accept the financial and other consequences of the undertaking. For that reason, his delegation considered it an indispensable, albeit hard, obligation to provide the means necessary for carrying it out.

34. He hoped that UNEF would soon accomplish its mission and that once the situation had returned to normal, the financial burden of maintaining UNEF would be removed. Until then his Government would continue to support UNEF within the limits of its capacity to contribute. Its contribution had been paid in full up to the end of 1958. It would support the recommended appropriation for 1959 and would pay its assessment.

The meeting rose at 4.45 p.m.